

Public and Private School Study Committee

Report to the KSHSAA

September 26, 2007

Committee Members

Greg Bauer, Board of Education,
Harper-Chaparral School District
Theresa Davidson, Associate Superintendent,
Emporia Public Schools
Charlotte Davis, Athletic Director,
Kansas City Public Schools
Marvin Estes, Superintendent,
Winfield Public Schools
Bill Faffick, Athletic Director,
Wichita Public Schools
Greg Gorman, Principal,
Cherokee Southeast High School
Stan Herbic, Principal,
Bishop Miege High School
Scott Hills, Superintendent,
Sedan Public Schools
Cruz Jasso, Associate Principal,
Emporia High School
Rick Johnson, Principal,
Ottawa High School
Paul Kircher, Board of Education,
Louisburg Public Schools
Andy Metsker, Principal,
Easton Pleasant Ridge High School
Leticia Nielsen, President/Principal,
Wichita-Bishop Carroll High School
Kelly Nusser, Athletic Director,
Lyons High School
Steve Sell, Athletic Director,
Pretty Prairie High School
David Swank, Superintendent,
Wichita-Trinity Academy
Ron Traxson, Principal,
Cheney High School
Galen Unruh, Principal,
Elbing-Berean Academy

Meeting Dates

March 27, 2006
May 1, 2006
February 14, 2007
June 21, 2007
September 13, 2007

Charge

To study the similarities and differences between private schools and public schools which maintain membership in the KSHSAA.

Goals and Principles of KSHSAA Member Schools Activities

The Kansas State High School Activities Association advocates principles and sponsors services which assure that the state's middle level and high school students gain a balanced preparation for life, work, and post-secondary education.

Principles advocated by the association are promotion of scholastic achievement as a fundamental basis for a well-balanced activity program, and development of effective citizenship through the practice of good sportsmanship.

Member schools offer activity programs to support the teaching of life lessons for participants. This includes leadership development, sportsmanship, teamwork, and overcoming adversity for individuals and teams. A healthy interscholastic program reflects positively upon the school communities represented and fosters school and community pride.

Demographics/Definitions

- A. At the High School level, during the 2006-07 school year, 26 private schools and 334 public schools in Kansas fully participated in the Kansas State High School Activities Association.
- B. Private school education is defined by schools that are created, controlled, and operated by private individuals and groups. Private schools may be broadly classified as either religious or nonsectarian (nonreligious) institutions. Nonsectarian, or secular, private schools are usually not affiliated with any religion or church;
- C. Public schools are defined to be those schools supported by tax dollars and under governmental regulations at the local, state, and national levels.

Discussion Topics

Committee members discussed the following items at scheduled meetings:

1. Myths and truths regarding public and private schools;

2. Levels of student participation in activity programs in public and private schools; the committee reviewed the percentage of student participation by grade level in every member school (note: the most recent ten years of data were reviewed); data presented was based upon participation reports of member schools submitted to the KSHSAA; these numbers were cross referenced with annual classification enrollment data for each school;
3. Perception and analysis of post season qualifiers, championship appearances and championships won by public and private schools compared to their percentage of membership in the Association (note: a ten year historical analysis of state championships won in all athletic and non-athletic activities offered by the KSHSAA was discussed); the data was analyzed on the basis of public, parochial and other private schools as members of the KSHSAA;
4. Selective enrollment policies/practices and recruitment of students and financial aid policies and procedures used by private schools;
5. Students attending out of district, or coming to High Schools from non-feeder schools, and schools limiting their enrollments to help determine classification;
6. Special education and special populations impact on activities participation;
7. Population base versus geographically defined school districts
8. Discussion regarding perceptions of advantages/dis-advantage for rural and metro area schools; as well as advantages for small and large schools; specific discussion regarding small schools located in a metropolitan area and competing in a league with other small schools;
9. Weighting, multipliers and deduction possibilities regarding enrollments including the Pros and Cons of mathematical enrollment multipliers employed in five other states;
10. Review of the admission requirements in order to gain an understanding of selection process for private schools;
11. Percentage of students that attend a private institution outside perceived district lines or feeder schools;
12. Review of the history of Approved Schools in the Association and their relationship with member schools;
13. U.S. Department of Education data on students in poverty in Kansas school districts;
14. Annual reporting of financial aid policy as required by all private school members of KSHSAA;
15. Possible separation of private schools from public schools as it relates to annual classifications;
16. The concept of conducting separate championships for public and non-public member schools;
17. Creation of a KSHSAA standing committee on Public/Private schools issues;
18. Factors that influence success include: wealthier school districts and areas; urban v. rural areas with access

to non-school owned facilities; percentage English as second language students (and families); initial funding (facilities and operations) and fundraising opportunities;

19. KSHSAA Handbook Rule 18 (*Transfer*)- trends and impact upon enrollment and school size;
20. KSHSAA Handbook Rule 19 (*Undue Influence*) - student recruitment, appropriate and inappropriate school shopping by parents;

Findings

- A. Data demonstrates that private schools win a disproportionate percentage of state titles; private schools earn disproportionate percentage of post-season final eight, final four, and championship game opportunities when compared to public schools. Historically, there have been schools – both public and private – that have attained and maintained a high level of success in a specific sport/activity.

PUBLIC SCHOOLS AND PRIVATE SCHOOLS ARE SIMILAR IN MANY REGARDS. THOSE SIMILARITIES INCLUDE THE FOLLOWING:

General

1. All KSHSAA member schools, both public and private, must abide by all of the regulations set forth in the KSHSAA Handbook;
2. Both public and private schools support healthy inter-scholastic activities programs that teach life lessons such as teamwork, sportsmanship, discipline, and overcoming adversity for the student-participants and school communities they represent;

Finance

1. All schools operate within determined budgets, and most schools must seek private funds to support their respective activity program

Student Recruitment

1. Public and private schools both market their schools, featuring successes and accomplishments;
2. The KSHSAA prohibits any member school, public or private “from recruitment, inducement or other forms of persuasion and undue influence which would encourage a student to enroll in or transfer to a school primarily for activity purposes”;

Special Education

1. Individualized Educational Plans, Individual Learning Plans and 504 plans are increasing in number for private schools;
2. Although most private schools cannot modify their curriculum to accept students with severe physical or mental disorders, private schools in Kansas have accepted students with dyslexia, dysgraphia, Aspergers, bi-polar, hearing difficulties, wheelchair bound, ADHS, seizures, depression history and Tourettes Syndrome.
3. Private schools have capability of modifying the cur-

riculum when a student has been identified through a formal evaluation by school personnel of the need for such an adjustment. Some schools are able to offer an alternative diploma which meets the State of Kansas requirements. Therefore, some private schools accept students of lower abilities if they meet all other admission requirements. Some private schools are not able to provide all of the services available at the public schools. School administrators work with each other and parents to determine which school provides the student the best education possible.

PUBLIC AND PRIVATE SCHOOLS HAVE DIFFERENCES IN A VARIETY OF AREAS. THOSE DIFFERENCES INCLUDE THE FOLLOWING:

Finance

1. Private schools receive little or no tax revenue; therefore, they are financed by tuition, fees, charitable contributions and church funds (if church affiliated); public schools depend upon funding from federal, state, and local governmental entities.
2. Students in private schools may be eligible for financial aid. The criteria for awarding financial aid typically include such items as income tax form data, number of children at the school and extraordinary family expenses. Many private schools use outside services to determine the financial aid awarded.
3. The KSHSAA requires all private schools to submit any financial aid plan to the KSHSAA Executive Board for approval. The plan must include, but is not limited to the following:
 - a. Statement of philosophy and policy concerning the reduction of waiver of tuition;
 - b. Procedures used to determine the qualifications for tuition waiver or reduction; and
 - c. Description of how the waiving or reducing of tuition is equally available and applied to students in similar circumstances.

These plans are an open record for all schools to review.

Student Recruitment

1. Enrollment at private schools may be selective, while all students are provided an opportunity for a free and appropriate education at public institutions.
2. Academic achievement scholarships may be awarded to private school students based on such factors as standardized testing, service hours, and set grade school criteria.
3. Private schools recruit students because private education is a choice. Some common student recruiting activities may be an open house at the school or a shadow visit where a prospective student visits during a regular school day. These activities are primarily directed at junior high students and their parents who are in the process of choosing a high school. Public schools also compete for students to attend, as FTE's determine level of state funding.

4. Private school students are accepted from a variety of schools, both private and public. Student recruitment boundaries may be established by an overseeing organization that provides oversight for the private schools. Public school districts accept students from the KSDE defined attendance areas, while multiple high school districts define attendance centers for students based upon address. Some public school enrollment policies allow students from outside their district boundaries. Local BOE policies govern multiple attendance center school district special transfers.

Special Education

1. While private schools are now accepting more special education students than in previous years, public schools must accept all special education students and provide accommodations for all students with identified special needs. Title funds allow for public school employees to provide services for students enrolled at non-public schools.

Outcomes

- A. The Public-Private Study Committee recommends that all member schools have the opportunity to learn about the similarities and differences between public and non-public schools. The Committee also found that differences exist within the respective ranks of public and non-public schools.
- B. School leadership should determine the basis for their school activity program. Specifically, school administrators need to decide the basis for evaluation for their interscholastic program. One common question to answer: Does the interscholastic program exist for the purpose of winning championships? School administrators should be prepared to equip sponsors and coaches with tools necessary to maintain a successful program with the definition of success consistent with local leadership expectations.

The following is a list of characteristics correlating with successful athletic/activity programs in both public and private schools:

1. Good coaches and leadership (often with long tenure);
2. Access to non-school youth development programs, club and traveling teams, private lessons, etc.;
3. Strong tradition and school culture valuing sports and activity programs;
4. Supportive and involved parents;
5. Community expectations;
6. Affluence of families and more mobile society;
7. High participation percentages among students;
8. Large population areas in or near metropolitan areas or suburban areas;
9. History of success at school/program (success fosters more success);
10. Selective enrollment;
11. Post season assignments;
12. Luck

For most of these issues, public and private schools both have opportunity to fall along a continuum from high to low.

- C. The KSHSAA is a membership led organization of schools which creates Handbook rules and policies. The Committee promulgates that member schools operate on the basis of integrity. Schools voluntarily join the KSHSAA and agree to abide by all Handbook rules, to self investigate, and report any rules violations.
- D. The KSHSAA should maintain the current practice of school classification while continuing the enforcement of all KSHSAA rules. The Committee does not recommend the introduction of a weighting, multiplier, or deduction factor in regards to enrollment for classification purposes. The implementation of a weighting/multiplier/deduction factor may be perceived to solve an isolated issue, but may lead to additional issues or concerns.
- E. The Committee does not recommend separation of private schools from public schools as it relates to championship competition.
- F. The Committee decided not to recommend the establishment of a standing committee to review issues impacting private and public schools. Member schools should follow appropriate KSHSAA protocol by contacting Activities Association staff to share concerns regarding Rules 18 and 19 issues and/or violations.
- G. The Committee encourages each member school to support KSHSAA leadership as they assist member schools to work together in their efforts to attain the goals maintained for a healthy interscholastic activity program.

Conclusion

The Public-Private Study Committee recognizes and agrees that inequities exist between member schools; however, not all inequities fall between public and private lines. The numerous factors referenced in this report help distinguish one school from another and provide differing opportunities for school communities to achieve and grow. The Committee challenges each school to dedicate its efforts in working to achieve the goals and principles of a healthy interscholastic program.

KSHSAA Strategic Planning, School Classification & Public Private School Issues
Timeline
(Updated - September 2012)

March 2006 through September 2007

Eighteen member KSHSAA Public & Private School Study Committee meets five times. Committee Charged to: *Study the similarities and differences between private and public schools which maintain membership in KSHSAA. Final Report published September 26, 2007. Committee's Conclusion: "The Committee recognizes and agrees that inequities exist between member schools; however, not all inequalities fall between public and private lines. The numerous factors referenced in this report help distinguish one school from another and provide differing opportunities for school communities to achieve and grow. The Committee challenges each school to dedicate its efforts in working to achieve the goals and principles of a healthy interscholastic program."*

October 2008

Executive Board surveys member schools on interest in strategic planning at the seven regional administrator and board of education meetings.

February 2009

Executive Board conducts two week on-line survey of 779 member schools in preparation for strategic planning committee meeting. 51% of senior high schools and 26% of junior high and middle schools respond.

June 11-12, 2009

Twenty-eight member KSHSAA Strategic Planning Committee meets with facilitator, Marty Hickman, PhD., Executive Director of the Illinois High School Association. The Committee develops a new mission statement and fifteen belief statements about the KSHSAA for consideration by the Executive Board. The Committee also develops seven potential future strategies for the Association to consider.

October 2009

During the regional administrator and board of education meetings, member schools prioritize the seven future strategic initiatives identified by the Strategic Planning Committee as follows: *(Listed below in priority order)*

1. Develop training, recruiting and retention plans for officials and coaches.
2. Study issues involved in classification of member schools.
3. Study the influence of club teams, year around sports, specialization of athletes and their effects on students and school programs.
4. Develop a plan to address public/private school issues.
5. Develop a financial plan to meet the needs of the Association while considering the economic implications for member schools.
6. Continue to evaluate and implement a technology plan to meet the needs of the Association and its member schools.
7. Develop a public relations plan.

March 2010

Executive Board hears a presentation from Dr. Kerwin Urhahn, Executive Director of the Missouri High School Activities Association on their state's eight year experience with a 1.35 enrollment multiplier adopted in 2002. Finding: *"There has been no statistically significant change in the distribution of championships won by public and private schools in Missouri over the eight year period."*

April 2010

KSHSAA Board of Directors hears testimony and discusses at length, two separate proposals from:

1. Frontier League: To establish 8 classes of schools (10 for football) with all private schools being assigned to a separate private school class, (two divisions in football).

2. North Central Kansas League: To place all private schools in the next classification above the enrollment based classification. (*The Board of Directors took no votes on the proposals, as neither had been submitted through the petition process required in the KSHSAA Bylaws.*)

June 23, 2010

Members of the 2009-10 and 2010-11 Executive Boards meet for an all day strategic plan work session. During the six hour session, Mr. Musselman presented information on state associations using enrollment multiplier formulas in Missouri, Illinois, Arkansas and Georgia. Discussion also centered on states that have discontinued use of multiplier formulas and states that considered multipliers but chose not to implement them. The 2007 Public Private Study Committee report was given an extensive review. Board members gave a great deal of attention to the present method of school classification and the number of classes in the present system. Kansas demographic factors and changing enrollment patterns were also noted. Two questions were identified for the 2010 October regional administrator meetings as a result of this special work session.

1. Should 9th graders be included in the annual classification count?
2. Should the 18 week transfer period be extended to one year of ineligibility?

September 2010

Executive Board received report from Mr. Musselman on the Minnesota State High School League's classification reduction formula as they begin discussion on the participation of low socio economic status students. It was the consensus of the Executive Board to use the upcoming regional administrator meetings to brief member schools of the possibility of an upcoming study regarding student participation.

October 2010

The votes from the seven regional administrator meetings, on the following questions were:

1. Should 9th graders be included in the annual classification count? Yes 240 No 25
2. What is the optimum number of classifications? 7classes = 55, 6 classes = 195, 5 classes = 13
3. In priority order, what are the highest priorities regarding classifications:
 - a. Total number of schools in each classification
 - b. Enrollment range of schools within the classification
 - c. Total number of students in the classification (*combined enrollment of all schools in the class*)
4. Should the 18 week transfer period be extended to one year of ineligibility? Yes 89 No 310

November 2010

1. Executive Board voted to refer Classification Rule 5 change (count 9th grade in annual classification) to the Board of Directors agenda for final action.
2. Executive Board voted to conduct an in depth survey of participation by low SES students in all member high schools, to determine if a significant disparity exists in the participation rate of that population.

January 2011

Data from 328 schools responding to the Executive Board's survey on participation levels of low SES students was presented. KSDE data indicates 39.75% of all Kansas high school students qualify for free and reduced lunch. The KSHSAA study indicates low SES students participate at a 12% lower rate than other students. The Executive Board felt the statistical significance of this finding did not justify implementation of an enrollment reduction factor.

The Executive Board began discussion on a proposal that would reduce Class 4A from 64 to 48 schools, by moving the smallest enrollment 16 Class 4A schools down to Class 3A. This proposal would ripple down into classes 2A and 1A by each receiving the 16 smallest schools from the classification above.

March 2011

The Executive Board voted to refer the Class 4A proposal (*described above*), to the April meeting of the Board of Directors for discussion only, to be conducted in round table groups. A proposal to remove Article 6 from Classification Rule 5, Section 2, by St. John's Military School was referred to the Board of Directors for action. The proposal would eliminate the doubling of enrollments for single gender senior high schools.

April 2011

By a vote of 64 in favor, none opposed, the Board of Directors voted to modify Classification Rule 5-2, Articles 3-6, to include 9th grade students in the annual classification count. By a vote of 60 in favor, 4 opposed, the Board also removed Article 6 from Classification Rule 5, eliminating the doubling of the enrollment count for St. John's Military School, as a single gender school. Following a power point presentation and overview by President Bill Faflick, David Morford and Bruce Krase, Board of Director members engaged in one hour of classification breakout group discussion on the merits of the Class 4-3-2-1A proposal. No action was scheduled nor taken.

September 2011

By unanimous vote, the Executive Board voted to place the proposal to modify Classes 4A, 3A, 2A & 1A to the agenda of the October regional administrator and board of education meetings.

2011 – 12 classification of schools incorporates 9th grade count. 3 Non Public schools moved up one classification (*Wichita - Collegiate-4A, Salina - Sacred Heart-3A, Pittsburg - St. Mary's Colgan-3A*). 2 Non Public schools moved down one classification (*Salina – St. John's Military-3A, Prairie Village – Kansas City Christian-2A*).

October 2011

The proposal to modify Class 4A from 64 to 48 schools, rippling down the smallest 16 4A schools to 3A, then 2A, then 1A, was discussed at the regional administrator and board of education meetings, and grass roots feedback was gathered through member school votes. The statewide vote of senior high schools on the proposal was 103 in favor with 96 schools opposed. Class 4A voted in favor 43-10, Class 3A voted 17 in favor with 28 opposed, Class 2A voted 20 in favor with 25 opposed, and Class 1A voted 23 in favor with 33 opposed.

November 2011

The Executive Board evaluated the regional meeting statewide vote on the proposal to change classification of 4A, 3A, 2A and 1A schools. Noting the overall vote reflected a majority, it was voted to refer the proposal to the agenda of the Board of Directors for their action in April of 2012. It was noted the Board of Directors would have to vote by a simple majority (51%) to move the proposal to the final step in the process outlined in **Bylaw Article XII, Section 4**. If a majority of the Board of Directors does not vote in favor of the proposal, it dies. If the Board of Directors vote is a majority, then a special ballot of all schools in the four classifications is required. **Bylaw Article XII, Section 4 specifies, "Any proposal, before it becomes effective, shall be approved first by the KSHSAA Board of Directors, and second, by a majority of all schools affected and a majority of all Classes affected."**

March 2012

During their meetings since November 2011, the Executive Board continued to analyze the ramifications of the reclassification proposal effecting classes 4A, 3A, 2A and 1A, and gather feedback from member schools. At their March 13, 2012 meeting, the Executive Board voted to modify the proposal previously submitted to the Board of Directors, to address football classifications only. The Board of Directors will vote on the proposal at their April 27, 2012 meeting.

In addition, KSHSAA Board of Director member, Todd Biggs, submitted a proposal for reclassification of all member schools, referred to as, "The Kansas Equitable Classification Plan." The plan in its entirety is published in the agenda for the April 27, 2012 KSHSAA Board of Directors meeting.

April 2012

By a vote of 56 in favor, 11 opposed, the KSHSAA Board of Directors advanced the Executive Board's football classification proposal to a vote of member schools in Classes 4A, 3A, 2A and 1A that participate in football. A special ballot will be developed and sent to the school principal of each of those member schools. Ballots must be signed by the principal and superintendent of the school to be considered valid. In accordance with KSHSAA Bylaw Article XII, Section 4, "a majority of all schools affected and a majority of all Classes affected," must vote to adopt the new classification procedure. If approved, the change in football classification would become effective with the September 2013 football classification, for competition in the 2014 & 2015 football cycle.

June 2012

The proposal to modify football classifications failed to receive the required number of majority votes. Out of 290 schools voting in Classes 4A, 3A, 2A, and 1A, 101 voted in favor while 189 opposed. Additionally, the proposal failed to pass in a majority of the four classifications of schools that would be impacted. The results for each classification are as follows: Class 4A (39 yes, 25 no), Class 3A (17 yes, 47 no), Class 2A (22 yes, 42 no), Class 1A (23 yes, 75 no). Only Class 4A approved the proposal. As a result, the proposal fails and no longer remains in consideration by the KSHSAA.



DATE: June 18, 2012

TO: KSHSAA Member School Superintendents, Senior High Principals, and Athletic Directors

FROM: Gary Musselman, KSHSAA Executive Director

RE: CLASS 4A, 3A, 2-1A FOOTBALL RECLASSIFICATION PROPOSAL VOTING RESULTS

As indicated in the memo you received with your ballot last May, ballots from KSHSAA member schools on the proposal to modify future football classifications were due June 15th. Based on the response from the membership, the proposal failed to receive the 146 votes needed from the 290 schools voting. Additionally, the proposal failed to pass in a majority of the four classifications of schools that would be impacted. Only class 4A approved the proposal. **KSHSAA Bylaw Article XII, Section 4 requires a majority vote in both respects.** As a result, the proposal fails and no longer remains in consideration by the KSHSAA.

Voting Results were as follows:

Class 4A
Yes = 39 No = 25

Class 3A
Yes = 17 No = 47

Class 2A
Yes = 22 No = 42

Class 1A
Yes = 23 No = 75

Total Votes
Yes = 101 No = 189

Proposal does not pass.

August 2012

Board of Director member Todd Biggs of Pittsburg proposed adoption of the Kansas Equitable Classification Plan, which would eliminate the current classification rule and procedures. K.E.C.P. is based on four factors: Enrollment = 75%, Economic = 10%, Human Resources Qualifier = 10%, Performance = 5%.

September 2012

The proposed K.E.C.P. proposal died due to lack of a motion during the Board of Directors meeting with 65 members present.

November 2012

Executive Board hears a presentation from Ed Sheakley, Executive Director of the Oklahoma Secondary School Activities Association on their state's procedures for classifying schools and the criteria OSSAA adopted effective in 2011-12 for athletic activities, used to move schools to higher classifications based on factors including enrollment, school geographic location, student free & reduced lunch data, rapid changes to school enrollments and finally, a tournament success factor. Mr. Sheakley advised, *"With only one year's experience utilizing this new classification modifier, it is too early to tell what the ramifications are. What works in one state may not be mean it is right for another. Each state is unique and should do what best fits its needs and membership."*