

M I N U T E S

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

(1202 Commission)

August 24 and 25, 1976

Room 510 -- State House

Members Present

Senator Joseph C. Harder, Chairman
Representative Don Crumbaker, Vice-Chairman
Senator George Bell
Senator Ross Doyen (August 24)
Senator Jan Meyers
Representative John Bower
Representative Kalo Hineman
Representative Ruth Luzzati
Representative Roger Robertson
Representative Fred Weaver

Staff Present

Carolyn Rampey, Kansas Legislative Research Department
Ben Barrett, Kansas Legislative Research Department
Gail Harkness, Kansas Legislative Research Department
Avis Badke, Office of the Revisor of Statutes

Conferees

T. C. Anderson, President, Topeka Board of Education
Representative Richard E. Brewster, Shawnee County Legislator
Representative William W. Bunten, Shawnee County Legislator
Samuel Cohen, Chairman, Washburn University Board of Regents
Don D. Depew, Chairman, Washburn University Task Force of Greater Topeka Chamber
of Commerce
Earl H. Hatcher, Member, Washburn Board of Trustees
Representative Ron Hein, Shawnee County Legislator
Dr. John W. Henderson, President, Washburn University
Dr. Hugh V. Leach, Faculty Representative, Washburn University Board of Regents
Frank E. McGrath, President, Washburn Alumni Association
Rolland Parr, Resident, Rural Shawnee County (Rossville)
Representative Jim Slattery, Shawnee County Legislator
Senator Bob W. Storey, Shawnee County Legislator
Ed Walbourn, Executive Director, Kansas Association of Community Colleges

Nursing Education

Dr. Harkness gave the Committee a progress report on the nursing education study and said she believes the persons who have returned questionnaires constitute a representative sample of nurses, doctors, and other employers of nurses.

Although the study is not complete, Dr. Harkness told the Committee it is apparent from the data that nurses as a group want continuing education and want to be able to move from one type of nursing education program to another with a minimum loss of credit. Dr. Harkness said it is also apparent that nurses generally go to work in the part of the state where they attended school.

Dr. Harkness told the Committee a problem in nursing is the number of nurses who are inactive. She said many nurses work only a few years and then drop out of the profession.

Dr. Harkness told the Committee she expects to complete the study in September or October. After Committee discussion, it was agreed that a report of the study would be submitted to the entire Committee for its consideration.

Washburn University Feasibility Study

Having received background information on Washburn University at its last meeting, the Committee devoted part of its August meeting to receiving testimony from persons who are affiliated with the University or who are otherwise interested in the feasibility study.

Frank McGrath, President of the Washburn University Alumni Association, told the Committee he prefers that the school remain a municipal university and not become part of the state system. He said he believes credit hour state aid to the University should be increased and that the University's tax base should be broadened to include all of Shawnee County, not just the City of Topeka.

Representative Ron Hein listed the options he believes exist regarding Washburn University:

1. Continue funding at present level.
2. Expand tax base to include all of Shawnee County. (He said he doubts Shawnee County voters would approve such a proposal.)
3. Determine level of state support on a year-to-year basis, with the University asking for more state aid each year.
4. Bring Washburn into the state system.

Representative Hein said it is his personal opinion that Washburn should remain a municipal university, but he realizes the University might eventually be forced into the state system. He said he thinks there is a limit to the amount of support the University can expect to receive from students and that further tuition increases would cause students to decide against attending Washburn University.

Don Depew, Chairman of the Washburn University Task Force of the Greater Topeka Chamber of Commerce, said the Task Force has no position on the feasibility study except to say that the Topeka business community is strongly supportive of Washburn. Having studied Washburn, the Task Force concludes that the financial condition of the University is presently sound but that additional funds will be required to meet future needs.

He told the Committee sources of additional funds include higher taxes on the City of Topeka, entry into the state system, a broader tax base, higher student tuition, and a three-tiered tuition base. In response to a question from a Committee member, Mr. Depew said he thinks expanding the tax base might be a realistic option.

Representative Jim Slattery said he hopes the present relationship between the University, the City of Topeka, and the state continues and that the University does not become a state school. He said the University presently enjoys the support of the City of Topeka as well as support from the state, and that this arrangement permits the school to remain independent. He said he doubts private financial support would continue at a high level if the school were to enter the state system.

Representative Slattery told the Committee he believes credit hour state aid should be increased in order to prevent a tuition increase or an increase in property taxes in Topeka. He recommended state aid in the amount of \$17.00 for both graduate and undergraduate hours.

Representative Bill Buntin, who is sponsor of the legislation that would broaden the Washburn tax base, said either taxes, state aid, or tuition must be raised.

He said Washburn can be dealt with locally at the present time, but the future of the school will have to be decided in the broader context of the educational needs of the entire state.

Earl Hatcher, a member of the Washburn Board of Trustees, told the Committee that Washburn University should receive more state aid but remain a municipal institution. He said the state benefits from the University because, were Washburn not operating, the state would have to educate many of the students presently attending Washburn at one of the Regents' institutions.

He noted that Topeka is greatly advantaged by having a municipal university and said the university's high level of private financial support reflects the pride Topekans, alumni, and others feel for the school. He said the Board of Trustees is presently launching a drive to raise \$5 million for construction. He told the Committee he believes private financial support would decrease if Washburn became a state school.

T. C. Anderson, President of the Topeka Board of Education (USD 501), said ties between Washburn University and USD 501 are extensive. In addition to the Topeka Board of Education appointing four members to the Washburn Board of Regents, Topeka area teachers get their degrees and receive continuing education at Washburn. He said some Topeka students begin their college work at Washburn during their senior year in high school.

Mr. Anderson said it is his recommendation that the Washburn tax base be extended to include all of Shawnee County and that the state should increase credit hour state aid by \$500,000. He told the Committee that expanding the tax base and increasing state aid would allow Washburn to lower student tuition.

Samuel Cohen, Chairman of the Washburn University Board of Regents, told the Committee that Washburn University is a vital force in the Topeka economy. He said that Washburn should always be a full university, not an adjunct or associate of some other school.

Mr. Cohen told the Committee the Board of Regents' recommendations are the following:

1. Increase credit hour state aid to Washburn at a two-year interval so that it is not necessary to appeal for increased aid each year.
2. Increase the mil. levy limit on property within the City of Topeka from five to ten mills for the general operation of the school.
3. Expand the Washburn tax base to include all of Shawnee County.

Mr. Cohen introduced Frank Rice, Vice-Chairman of the Board of Regents. Mr. Rice told the Committee some duplication of programs exists because Kansas University and Kansas State University are coming into the Topeka area to offer programs similar to those offered at Washburn.

Rolland Parr, a resident of rural Shawnee County told the Committee he opposes expansion of the Washburn tax base to all of Shawnee County on the grounds that the property tax is basically unfair to persons engaged in agriculture. He said other forms of taxation might be less objectionable.

Dr. Hugh Leach, Faculty Representative to the Washburn Board of Regents, told the Committee he believes Washburn fills the particular need of students who want to live at home while they go to school or who must go to school in a place where they can also find work.

He told the Committee that Washburn University produces outstanding alumni and maintains high standards despite a lean and frugal budget.

He said faculty members are concerned about future funding of Washburn if it remains a municipal institution. But the faculty is also concerned over Washburn's future if it goes into the state system. In particular, he said the faculty fears that Washburn might become a junior college, that other Regents' institutions would stifle Washburn, or that transfer to the state system would fail to improve the school's financial situation.

William McCormick, Mayor of Topeka, was unable to appear before the Committee but he submitted a statement in which he pointed out the value of a municipal institution. He said he believes it is important to maintain an institution that is responsive to local needs and interests.

He said expanding the Washburn-tax base to include all of Shawnee County and raising credit hour state aid are preferable to becoming a state school. He noted that rising student tuitions could eventually make it impossible for all but wealthy students to attend Washburn.

Senator Bob Storey told the Committee the present financial condition of Washburn is sound but the future is uncertain.

He said personally he does not think Washburn would benefit from coming into the state system. He cited the School of Law as a particular problem and speculated that competition between the Washburn and Kansas University Schools of Law would be troublesome if both were state schools.

Senator Storey told the Committee he favors raising the mill levy limit on property within the City of Topeka. He said full funding of the school under the State Board of Regents is the last option he would recommend.

Representative Richard Brewster told the Committee 70 percent of rural Shawnee County is in his district and that the area contains one-ninth of the Shawnee County population. He said taxpayers in his district pay between 25 and 30 percent of the taxes collected in the county.

He told the Committee he is opposed to a proposal to expand the Washburn tax base to all of Shawnee County and does not think rural residents of Shawnee County would support it. He explained to the Committee that the concept of taxing property is not always well understood and can be a very unfair method of generating revenue.

He pointed out that the urban nature of Washburn University is of more benefit to persons in Topeka than to rural residents of Shawnee County.

In response to a question from a Committee member, Representative Brewster said it is not his recommendation that taxes on property within the City of Topeka be increased.

Dr. John W. Henderson, President of Washburn University, addressed the Committee and provided an overview of Washburn's programs and services. (A copy of his presentation is in the Committee notebooks.) Dr. Henderson pointed out Washburn's unique programs and discussed in particular educational television, the nursing program, the School of Business, the School of Law, the criminal justice program, and other programs and services the University provides.

Regarding Washburn's financial condition, Dr. Henderson said existing levels of support are not adequate to meet rising expenditures. He said further tuition increases would adversely affect enrollment and that present taxes on City of Topeka property do not generate enough revenue to fund new programs and meet inflationary costs. He told the Committee private contributions have been diverted to restoration and maintenance of the physical plant.

Dr. Henderson said he is particularly concerned about the University's failure to receive increased credit hour state aid and interprets the Governor's policy of "zero-based budget" as an indication that state aid to Washburn might be phased out since the school is not a state institution.

In discussion with Committee members, Dr. Henderson said Washburn's financial crisis is some years away but he wants the legislature to be aware of the uncertainties Washburn faces in the future. He said he will not make a recommendation as to whether Washburn should become a state school, but added that he does not fear state control. He told the Committee that, at the present time, his recommendations concerning Washburn are the following:

1. Increase state aid for FY 1978 to \$17 per credit hour (undergraduate, graduate, and law school) and to \$18.50 per credit hour for FY 1979.

2. Increase the mill levy limit on property within the City of Topeka from five to ten mills for general operations and from one and one-quarter to two and one-half mills for debt retirement and construction.
3. Submit the proposal to expand the Washburn tax base to a vote of the people residing in rural Shawnee County. Dr. Henderson suggested that 1978 might be a timely year in which to vote since it will take a year or so for opinions to form regarding the proposal.

Vocational Education

Mr. Barrett presented information relating to federal and state support of selected vocational education programs for FY 1975-1976 and information on selected area vocational education contracts. (Copies of both memorandums are in Committee notebooks.)

Regarding federal and state aid, Mr. Barrett showed comparisons between community colleges that received aid via a contract with an area vocational school as opposed to those that received aid directly under the community college vocational aid program. He noted that in some cases the amount of aid received exceeded program expenditures.

In the memorandum relating to contracts involving area vocational schools, Mr. Barrett described the various relationships that exist, including multicampus area vocational schools, single campus area vocational schools with satellite programs, single campus area vocational schools contracting with community colleges, and single campus area vocational schools cooperating with USD's.

Following Mr. Barrett's presentation, Ed Walbourn, Executive Director of the Kansas Association of Community Colleges, addressed the Committee concerning differential funding for vocational education programs. Dr. Walbourn told the Committee that vocational education programs are more expensive to community colleges than academic programs, yet the state aid per credit hour is the same -- \$15.50.

Dr. Walbourn proposed that the state pay more credit hour aid for vocational education programs. He said state aid per credit hour either could vary according to the cost of each vocational education program, or, preferably, be based on an average cost of all vocational education programs offered.

Dr. Walbourn said the Kansas Association of Community Colleges recommends that the state pay \$30 per hour for vocational programs. According to Dr. Walbourn, such aid would amount to \$2,414,469 for FY 1976, or \$360,000 more than presently being paid.

Proposed Off-Campus Postsecondary Vocational Education Program at Hays, Kansas

Earlier this summer, the State Board of Education requested that the matter of new off-campus postsecondary programs, with specific reference to the proposed programs at Hays, be referred to the 1202 Commission.

Having heard conferees from several area vocational schools and from the Hays area at its July meeting, the Commission resumed consideration of the proposed programs. In discussing the situation, Commission members made two general observations. First, it was agreed that approval or disapproval of specific vocational programs is the responsibility of the State Board of Education, not the 1202 Commission.

Secondly, Commission members expressed concern that the process by which proposed off-campus postsecondary programs are approved takes place in the absence of specific guidelines or rules and regulations. Reference was made to a policy statement adopted by the State Board of Education on February 2, 1972, which says that the establishment of off-campus attendance centers to extend vocational-technical services is subject to guidelines established by the State Board of Education. However, it was noted that such guidelines were never formulated.

In light of its opinion that the State Board of Education is responsible for approval of new programs and that such approval should take place within established guidelines, the Commission adopted the following motion:

It is moved by Representative Crumbaker and seconded by Representative Bower that this group, as the 1202 Commission, report that it believes the approval or disapproval of this request is beyond its jurisdiction under present statutes and therefore returns the request to the State Board of Education where the authority resides for its disposition. However, we recommend that guidelines or rules and regulations be formulated which would be observed in approving or disapproving off-campus postsecondary offerings and that these should be submitted to the 1202 Commission.

Society for College and University Planning
(SCUP)

Representative Bower and Senator Bell reported on the SCUP Conference both attended in Washington, D.C. Representative Bower said he was particularly impressed with efforts some schools are making to design buildings and campuses for use by handicapped students. He said many modifications and improvements to accommodate handicapped students are not major and require only an awareness on the part of architects and planners of the particular problems and needs of handicapped persons.

Other Matters

The next meeting will be September 27 and 28 (Monday and Tuesday).

The minutes of the previous meeting were approved.

The meeting was adjourned.

Prepared by Carolyn Rampey

Approved by Committee on:

Date

MEMORANDUM

TO: Legislative Educational Planning Committee August 23, 1976
(1202 Commission)

FROM: Kansas Legislative Research Department

RE: Information Relating to the Washburn School
of Law

The Washburn School of Law was organized in 1903. It is a member of the Association of American Law Schools and approved by the American Bar Association, the official accrediting organization for legal education. The law school awards the degree of Juris Doctor.

Fall headcount and full-time equivalent enrollments for the Washburn School of Law, as well as for the Kansas University School of Law, for the years 1971-1975 are shown below:

TABLE I

LAW SCHOOL ENROLLMENT

Fall	Headcount		Full-Time Equivalent ⁽¹⁾	
	Washburn	Kansas University	Washburn	Kansas University
1971	447	468	399	468
1972	519	481	475	475
1973	592	451	549	461
1974	590	432	557	420
1975	623	456	591	445

1) Based on 15 credit hours.

SOURCE: George B. Smith Enrollment Report Nos. 36-48.

The average student load for law school students is shown in Table II.

TABLE II

AVERAGE LAW SCHOOL STUDENT LOADS

Fall	Washburn	Kansas University
1971	13.4	15.0
1972	13.7	14.8
1973	13.9	15.3
1974	14.2	14.6
1975	14.2	14.6

SOURCE: George B. Smith Enrollment Report Nos. 36-48.

From material previously presented to the Committee, it may be recalled that the Washburn University student body is characterized by a large number of part-time students who do not carry full loads. This finding is less true for Washburn law school students than for any other category of Washburn students. As can be seen in Table II, the average law school student load at Washburn approximates a full-time course load (15 credit hours).

Taking into account students who graduated in the fall 1975, spring 1976, and summer 1976, the Washburn School of Law awarded a total of 193 law degrees this year. The Kansas University School of Law awarded 142 degrees in the comparable period.

Additional information on the Washburn School of Law (including comparable data for the Kansas University School of Law) is shown in Table III.

TABLE III
INFORMATION ON WASHBURN AND KANSAS UNIVERSITY
SCHOOLS OF LAW

	<u>Washburn</u>	<u>Kansas University</u>
Number full-time faculty (headcount) Fall, 1975	16	18
Number part-time faculty (headcount) ⁽¹⁾ Fall, 1975	22	13
Full-time faculty-student ratio Fall, 1975 ⁽²⁾	36.9	24.7

- 1) Figure includes law school dean and assistant dean (Washburn) and law school dean and associate dean (Kansas University) who also teach.
- 2) Determined by dividing number of full-time equivalent students by number of full-time faculty members (headcount).

SOURCE: Legislative Research Department, Washburn School of Law, and Kansas University School of Law.

It should be noted that the Washburn School of Law makes great use of part-time or adjunct faculty. When the number of part-time law school faculty members at Washburn is converted to full-time equivalency based on an average full-time teaching load of seven credit hours per semester, the result is the equivalent of 7.6 additional full-time faculty members. If this figure is added to the number of regular full-time faculty members, it changes the faculty-student ratio for fall, 1975, to 25.0. (The faculty-student ratio for the Kansas University School of Law would also be lowered by converting part-time faculty to full-time equivalency.)

As a basis for comparison, the average faculty-student ratio of law schools approved by the American Bar Association, which accredits the Washburn School of Law, is one full-time faculty member to 21 or 22 full-time students.

Salary information relating to the Washburn and Kansas University Schools of Law is shown in Table IV.

TABLE IV

SALARIES OF FULL-TIME INSTRUCTIONAL LAW SCHOOL FACULTY
CONVERTED TO 9-10 MONTH SALARY CONTRACTS, 1975-76

	<u>Washburn</u>		<u>Kansas University</u>	
	<u>Number of Persons</u>	<u>Mean Salary</u>	<u>Number of Persons</u>	<u>Mean Salary</u>
Professors	6	\$23,640	10	\$29,300
Associate Professors	4	20,798	8	21,108
Assistant Professors	<u>6</u>	<u>17,350</u>	—	—
TOTAL	16	\$20,571	18	\$25,659

SOURCE: Legislative Research Department, Washburn University, and Kansas University.

It can be seen in Table IV that law school faculty salaries at Washburn are lower than those at Kansas University. Personnel at the Washburn School of Law say the Washburn law school faculty salaries are \$700 below the national median. Of the 162 law schools approved by the American Bar Association, Washburn University is ranked 103 on the basis of faculty salaries.

Salaries of the Washburn School of Law faculty members compared to salaries of all Washburn faculty members are shown below.

TABLE V

SALARIES OF WASHBURN UNIVERSITY FULL-TIME INSTRUCTIONAL FACULTY CONVERTED TO 9-10 MONTH SALARY CONTRACTS, 1975-76

	<u>Total Faculty Including Law School</u>		<u>Law School Faculty Only</u>	
	<u>Number of Persons</u>	<u>Mean Salary</u>	<u>Number of Persons</u>	<u>Mean Salary</u>
Professors	38	\$19,588	6	\$23,640
Associate Professors	23	16,078	4	20,798
Assistant Professors	69	13,639	6	
Instructors	<u>31</u>	<u>11,084</u>	<u>—</u>	<u>—</u>
TOTAL	161	\$14,893	16	\$20,571

SOURCE: Legislative Research Department and Washburn University.

MEMORANDUM

TO: Legislative Educational Planning Committee August 23, 1976
(1202 Commission)

FROM: Kansas Legislative Research Department

RE: Information on Washburn University Alumni

Washburn University maintains a mailing list of 14,000 Washburn alumni. (The list includes law school alumni.) Based on Washburn University records, the residence of these 14,000 persons is as follows:

<u>Residence</u>	<u>Number (Estimated)</u>
Shawnee County	5,750
Other Kansas	3,000
Total Kansas	8,750
Out-of-State	<u>5,250</u>
TOTAL	14,000