

M I N U T E S

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

(1202 Commission)

October 18 and 19, 1977

Room 519 - State House

Members Present

Representative Ruth Luzzati, Chairperson
Senator Joseph Harder, Vice-Chairperson
Senator Billy McCray
Senator Jan Meyers (October 18)
Senator Tom Rehorn (October 19)
Representative Don Crumbaker
Representative Kalo Hineman
Representative Loren Hohman II
Representative Bill Reardon

Staff Present

Phillip E. Jones, Director, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Deb Krajnak, Kansas Legislative Research Department
Linda Tigges, Kansas Legislative Research Department
Marlin Rein, (October 19), Kansas Legislative Research Department
Avis Badke, Revisor of Statutes Office

Conferees Present

Ralph Denny, Director, Electronic Computer Programming Institute of Topeka
Mr. Gary Talley, President, Brown Mackie College (Salina); Chairman, Advisory Commission on Proprietary Schools; President, Kansas Association of Private Career Schools
John Lewis, Administrative Officer, Wichita Automotive Institute
Larry Praether, Financial Aid Officer, Bryan Institute (Wichita)
Glen Atherly, Education Specialist for Proprietary Schools, State Department of Education
Jim Maag, Legislative Liaison, Office of the Governor
Pete Loux, Chairperson, Kansas Advocacy and Protective Services for the Developmentally Disabled
Dr. Tom Rawson, Research Officer, Kansas State Board of Regents
Dr. Gene Kasper, Extension Officer, Kansas State Board of Regents
Sam Newland, Education Specialist for Community Junior Colleges, Kansas State Board of Education
Dr. Bob Kelly, Executive Director, Associated Independent Colleges of Kansas

October 18, 1977

The minutes of the previous meeting were approved.

Proprietary School Planning Activities

The staff presented the third in a series of reports on postsecondary planning activities. The presentation focused upon the 12 nationally accredited proprietary schools located in Kansas.

The staff noted that the mission of proprietary schools most closely resembled that of area vocational schools, in that both types of schools had outcome oriented missions and sought to train students for immediate entry to the job market, for job re-training, or for job advancement. Of the 12 nationally accredited schools reviewed, six offered business programs, two had computer programming curriculums, and the four remaining schools had programs for medical-dental assistants and programs in air conditioning, heating and refrigeration, automobile mechanics, and electronics.

Mr. Talley said he welcomed the opportunity to work with the Legislative Educational Planning Committee (1202 Commission) because he believed proprietary schools should be included in the state plan for postsecondary education.

Mr. Talley began his presentation by noting that proprietary schools spent disproportionately more money on instruction and related activities than did other types of educational institutions. He said proprietary schools were able to cut costs only in the area of physical facilities since they did not have to maintain a campus or an expensive physical plant.

He said the measure of the success of a proprietary school was placement of its graduates in jobs and that, at Brown Mackie, 86 percent of the graduates were placed in jobs for which they were directly trained. A total of 95 percent were placed in jobs directly or indirectly related to their training.

Mr. Talley said the school was quite conscious of the need to place graduates and that they tended to eliminate students at the onset who did not show promise of successfully completing programs. He said a prison program Brown Mackie participated in had been discontinued because of the large number of students who had dropped out and also because it had been feared the image of the school might have suffered.

Mr. Talley said double standards existed with regard to proprietary schools, although the situation had improved at the federal level. He cited the case under state law whereby state schools were under a very loose refund policy that permitted them to keep a large part of a student's tuition if the student dropped the course, while proprietary schools were required to refund a much greater percentage of a student's tuition.

He told the Committee that approximately 60 percent of the students at Brown Mackie received some form of student financial aid.

Mr. Talley said Brown Mackie eventually hoped to offer an associate degree. He said currently the enrollment at Brown Mackie was going up and that there were more women and affluent students taking courses now.

Mr. Lewis said proprietary schools were subjected to many kinds of reviews and inspections. He told the Committee that the real test of any kind of education was employment -- enabling a graduate to find a job doing what he or she enjoyed and did best.

Mr. Praether told the Committee that his school, Bryan Institute, had two schools in St. Louis, one in Tulsa, and one in Wichita where they trained students to become medical and dental assistants. The Wichita school also offered courses in computer programming.

He said their market was drawn largely from senior high school graduating women and that 12 to 16 students entered the medical assistants programs each month (for the four schools combined). He said the four schools graduated around 375 dental assistants per year.

Mr. Praether said he liked operating in Kansas because he was kept informed about Kansas rules and regulations.

Mr. Atherly said the Kansas State Department of Education viewed proprietary schools as a total part of the educational picture.

He said that, since the Proprietary School Act was adopted in 1971, the number of Kansas proprietary schools had remained fairly stable but the number of out-of-state schools licensed to operate in Kansas had declined.

He told the Committee that proprietary schools had to be bonded for \$20,000 and each individual who represented such a school off-campus had to be bonded for \$2,000 (both in- and out-of-state schools).

Postsecondary Data Collection

The staff presented preliminary fall, 1977, enrollment figures for Kansas post-secondary institutions and noted that both headcount and full-time equivalent enrollments were generally up. Final enrollment figures will be reviewed at the next Committee meeting.

Nursing Education

The staff reported that errors had been discovered in the figures used to predict nursing supply and demand by 1980 and that the data were currently being reexamined. The staff said that the Kansas State Board of Regents had been asked to postpone making its recommendations to the Committee until the data had been corrected.

Community College 64-Hour Limit for State Aid

Mr. Maag addressed the Committee and said that Governor Bennett was working on a series of proposals that would directly affect the community colleges. He referred to the Governor's proposals as a "higher education omnibus bill" and said the package would address the 64 hour limit for community college state aid, contracts between area vocational schools and community colleges, and other issues.

The Committee invited Mr. Maag to return when details of the Governor's proposal had been developed. In the meantime, it decided to wait to take action on the question of the 64 hour limit for community college state aid until after Mr. Maag's presentation. Mr. Maag said it would be late November or December before details of the Governor's proposal would be worked out.

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Vocational Education for the Disabled

Mr. Loux appeared before the Committee to call its attention to Section 504 of the federal Rehabilitation Act that required any postsecondary institution that received funds from HEW to make its educational activities and programs available to handicapped individuals. Mr. Loux said he was not making a specific proposal or request before the Committee but was simply trying to make members aware of the need to extend educational opportunities to everyone.

In response to a question, Mr. Loux discussed Title XX of the Social Security Act and said that certain social services had been curtailed or eliminated because the federal money available to Kansas on a matching basis had been exhausted. (\$27 million was available to Kansas to be matched on a 25 percent basis by state money and public and private donated funds.) Mr. Loux said that, although the \$27 million dollars in federal money had been exhausted, the state could expand its effort and support services that had been cut. For example, he said the state could support some activities currently funded by Title XX money from other funds, such as the general fund. By so doing, some of the Title XX money would be freed to be matched by public and private donors.

Mr. Loux emphasized that, while the \$27 million dollars was a limit to the amount available in federal funds, the state could put any amount it cared to into social services and prevent needed services from being cut.

Report on Regents' Task Force on Formula Budgeting

Dr. Rawson told the Committee that the Kansas State Board of Regents intended to recommend to the 1979 Session that the Regents' institutions adopt a new method of

determining their level of funding. He said the proposed method would take into account the fact that costs varied widely among disciplines and course levels and among the different Regents' institutions.

Dr. Rawson explained that peer institutions had been selected across the country for each Regents' institution. He said every effort had been made to pick peer institutions as similar to the Kansas institutions as possible and that, with one exception, each Kansas school had five peer institutions. He said the next step would be to determine an average funding figure for each set of peer institutions which would serve as a basis for appropriations to each Regents' institution. Were formula budgeting to be adopted, each institution's budget request could be justified on the basis of how that institution's funding compared to the funding of similar institutions around the country. It would be up to the Legislature and the Governor to determine whether to fund each Regents' institution at the level of its peer institutions or at some other level. Dr. Rawson said that funding for certain items that did not lend themselves to formulas, such as museums, galleries, and the extension activities carried out at Kansas State University, would be based on zero-based program budgets.

It was noted that the proposed method of budgeting was an acquisition formula designed to determine a level of funding and not a formula designed to allocate funds internally. Dr. Rawson said, however, it was not unusual for acquisition formulas to be applied internally.

In response to a question, Dr. Rawson said he did not know whether the formula funding would result in requests for an increase in state appropriations.

Approval of Degree-Granting Institutions and Registration of Courses Offered by Out-of- State Institutions

The staff reviewed a draft of a bill that would transfer the authority to approve certain degree-granting institutions from the Kansas State Board of Education to the Kansas State Board of Regents and would require out-of-state institutions to report certain information to the Board of Regents concerning courses they planned to offer in Kansas.

Upon a motion by Representative Crumbaker, seconded by Senator McCray, the Committee voted to recommend that the bill be prefiled for introduction during the 1978 Session. The Committee requested that the bill be introduced in the Senate.

Extension Course Guidelines

Dr. Kasper reviewed guidelines that had been approved by the Regents' Council of Presidents and the Extension Subcommittee of the Kansas State Board of Regents. Primary points in the guidelines were that: (1) independent institutions should be treated separately and should be encouraged to cooperate with other postsecondary institutions, (2) community colleges should not offer courses within a 20-mile radius of a Regents' institution unless approved by the Regents' institution, (3) a Regents' institution should not offer a lower division course outside a 20-mile radius of the Regents' institution unless approved by the community college nearest the course location, and (4) courses should be taught by regular faculty as part of their regular assigned responsibilities.

Regarding the independent colleges and universities, Dr. Kasper said the Associated Independent Colleges of Kansas had no authority to regulate the independent schools, that the independent schools had no statutory authority under Kansas law that would justify their inclusion in a public policy statement, and that taxpayers could not be denied access to a public institution.

In response to questions, Dr. Kasper said he estimated that six percent of the Regents' off-campus courses were taught by graduate students and that out-of-state and foreign classes were taught by regular faculty. He estimated that 4,400 credit hours offered fall, 1977, were at the freshman and sophomore level.

Mr. Newland reviewed guidelines that had been developed at the staff level by representatives of the Kansas State Board of Education, the Kansas State Board of Regents, and the Associated Independent Colleges of Kansas. The guidelines had been approved by the Kansas State Board of Education.

Major points in the guidelines were that: (1) independent institutions should be treated separately and should be encouraged to cooperate with other postsecondary institutions, (2) Regents' institutions should not offer lower division courses outside the county in which they were located unless approved by the community college nearest the course location (an exception was noted for contracts with military installations and penitentiaries), and (3) community colleges should not offer courses in a county where a Regents' institution was located unless approved by the Regents' institution (an exception was noted for contracts with military installations and penitentiaries).

Mr. Newland said that community college off-campus instructors were hired on the basis of education, training, and expertise in their teaching areas and that the institutions themselves did their own evaluation of their off-campus faculty.

He told the Committee the 20-mile radius concept contained in the guidelines presented by Dr. Kasper was not acceptable to the community colleges because the 20-mile area cut into some community college districts. He said counties were better units to use in determining service areas for each school.

Jack Lundy, Director of Continuing Education at Colby Community College, said at his schools extension course instructors participated in on-campus workshops and were evaluated by students and campus facilitators. He said their work was also reviewed by advisory boards.

He said many able persons lived in western Kansas who made fine off-campus instructors. He said to require all off-campus instructors to teach on-campus part of the time would greatly limit his school's ability to meet the educational needs in that part of the state.

When asked if he thought the method of evaluating off-campus instructors used at Colby Community College would be applicable to all community colleges, Mr. Lundy said he was hesitant to apply the system to all community colleges since he did not know what systems they presently used.

Dr. Kasper said the Regents' institutions had used the community college-type approach to hiring off-campus faculty for years, but had abandoned it in favor of using regular faculty members to ensure a higher quality of instruction. He said that if the Regents' institutions were not bound to using regular faculty, they could greatly expand their off-campus offerings.

Dr. Kelly said the independent schools were supportive of the guidelines adopted by the Kansas State Board of Education. He said the guidelines had been presented to all of the independent schools and had received their endorsement.

He told the Committee he was hopeful that common courtesy would prevail whereby schools would consult with each other before offering courses in each other's service area.

Dr. Robert Haywood, Vice-President of Academic Affairs, Washburn University, said he did not share Dr. Kelly's optimism that common courtesy would prevail regarding extension course offerings. He said duplication of courses was going on and cited an example of a Regents' school asking if it could offer a class on the Washburn University campus. When told that Washburn University was already offering the course, the Regents' institution offered the course anyway, elsewhere in Topeka. He acknowledged that, particularly in the past, student tuition had been considerably higher at Washburn University than it had been at the Regents' institutions.

Dr. Haywood said several points about the proposed guidelines bothered him. Primarily, he was concerned that Washburn University had been excluded and that Shawnee County appeared to be "open territory" to be divided between Regents' institutions and community colleges. He said he was also concerned that, under the guidelines developed by the Regents' institutions, Washburn University could only use regular faculty members to teach extension courses. He said that Washburn University made extensive use of adjunct faculty for both on- and off-campus courses and that the school would suffer if it had to use regular faculty members only.

Representative Crumbaker and Representative Hineman, speaking for the Committee, told Dr. Haywood that it never had been the intention of the Committee to exclude Washburn

University from participating in the development of the guidelines and that they believed Washburn University should be given the opportunity to have input.

Norman Myers, President, Pratt Community College, told the Committee he disagreed with the statement that schools were interested in extension courses because they wanted the extra enrollment and money. He said in his part of the state the population was so sparse the only way to meet educational needs was to take courses off the campus.

Dr. Myers said if the community colleges had to use only regular faculty for extension courses, Pratt community college would have to hire 20 additional faculty members at salaries of \$13,500 per person in order to maintain their extension program. He said they presently budgeted \$50,000 for off-campus faculty.

Dr. Myers called attention to the stipulation contained in the guidelines adopted by the Kansas State Board of Education that extension course faculty be evaluated by appropriate faculty members in the parent institution. He warned that such a requirement ran counter to certain negotiated agreements relating to the evaluation of faculty members.

In response to questions, Dr. Kasper and Mr. Newland said requests to have schools offer extension courses came from a variety of sources, including organized groups and school districts. Dr. Kasper said a school usually knew the need in its service area and had a general awareness of what interest there was for particular courses.

After additional Committee discussion, Representative Luzzati acknowledged receipt of both sets of guidelines and said the matter of extension courses would be taken up at the next meeting and that, in the meantime, Washburn University should have the opportunity to participate in the development of the extension course guidelines.

Next Meeting

The Committee will hold its next meeting November 9 at 9:30 a.m. in Room 522.

The meeting was adjourned.

Prepared by Carolyn Rampey

Approved by Committee on:

11-9-77

(Date)