

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don Crumbaker at
Chairperson

3:30 ~~am~~ p.m. on February 20, 1984 in room 313-S of the Capitol.

All members were present except: Representatives Harder, Hassler, Lowther, Moomaw, Murphy
Smith and Williams, all were excused.

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office
Ben Barrett, Legislative Research Department
Dale Dennis, State Department of Education
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

James Yonally, Shawnee Mission USD #512
Alicia Salisbury, State Board of Education
Representative Robert Vancrum

The Chair recognized Ben Barrett of staff who briefed the committee on the three bills being heard on this day. (ATTACHMENT I) HB 2631 is the Legislative Educational Planning Committee's suggestion to establish a new Type II AVTS in Johnson County. HB 2632 is designed to freeze creation of Type I schools, proposed by the Legislative Educational Planning Committee. HB 3014 would remove the moratorium on Type II schools with approval from the State Board of Education and the Legislature for a successful application.

James Yonally, Shawnee Mission School District USD #512, testified in support of HB 2631. He stated that Olathe and Shawnee Mission have already been approved for Type I schools, but the area prefers a single Type II school. They feel the Type II would be a better coordinated program involving all five of the school districts and one community college in their area, increasing efficiency. If HB 2631 is passed, the Type I approvals would be rescinded.

Mrs. Alicia Salisbury, State Board of Education, testified in support of HB 3014. She stated that the state had a need for more high tech training facilities and the future would have more students looking for the programs available in the AVTS. She also suggested if HB 2632 is favorable to the committee, to please consider a sunset amendment. She added that requiring a moratorium on all technical schools is taking a short range view. Mrs. Salisbury further added that from the LEPC hearings this past summer, the State Board Members would support HB 2631.

The Chairman asked Mrs. Salisbury and the Commissioner of Education, who was in the audience, about the existing approval of the two Type I schools in Olathe and Shawnee Mission. Both the Commissioner and Mrs. Salisbury answered that when the motion was approved by the State Board for the two Type I schools, it was understood that if the Legislature approved a Type II school for Johnson County, the approval of the Type I schools would be rescinded.

The Chairman recognized Representative Robert Vancrum, who stated a request for a bill to be introduced by the committee by request. His stated request was for a local option sales tax as an alternate source of finance for schools. This tax would be effective only if approved by the County Commissioners and passed by popular vote. This measure would also in his opinion, give some relief in property taxes.

The Chairman opened the meeting to possible action the committee may desire to take at this time.

Representative Brady made a motion to amend HB 2848. (ATTACHMENT II) HB 2848 affects the Kansas proprietary school act, exemptions. Representative Bussman seconded the motion. The motion carried.

Representative Brady moved that HB 2848 be recommended favorable for passage as amended. Representative Branson seconded the motion. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

room 313-S, Statehouse, at 3:30 ~~xxx~~/p.m. on February 20, 1984

Representative Kline moved that Representative Vancrum's proposal be introduced as a committee bill "By Request". Representative Laird seconded the motion. The motion failed.

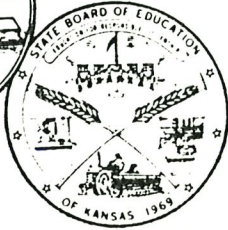
Representative Hensley moved that HB 2731 be reported favorable out of committee. HB 2731 increases the per credit hour rates for student tuition enrolled in community colleges. Representative Apt seconded the motion. The motion carried.

HB 2514 was next brought to the committee's attention. This bill affects educational agencies, giving them immunity from liability for alcohol and drug abuse referrals. HB 2514 would be similar to the child abuse immunity in effect at this time. Representative Reardon moved to conceptually amend HB 2514 to include appropriate language to cover employees of accredited non-public schools also. Representative Kline seconded the motion. The motion carried.

Representative Apt moved that HB 2514 be reported favorable as amended. Representative Kline seconded the motion. The motion carried.

The meeting was adjourned by the Chairman at 4:36 p.m.

The next meeting of the committee will be February 21, 1984 at 3:30 p.m.



Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612

November 10, 1983

TO: Ben Barrett, Associate Director
Legislative Research Department

FROM: Dale M. Dennis, Asst. Commissioner
Division of Financial Services

SUBJECT: Brief Review of Area Vocational School Approvals

The State of Kansas currently has (14) area vocational schools/area vocational-technical schools which have been operating since 1967. There are nine (9) area vocational schools operated by a unified school district, one (1) area vocational school operated by a community college board of trustees, and four (4) area vocational-technical schools operated by a board of control. There is currently a freeze on approval of Type II area vocational-technical schools. The State Board of Education has authority to approve new Type I area vocational schools. Listed below is a breakdown showing the schools and their locations.

AREA VOCATIONAL SCHOOLS (Type I)

Northeast Kansas Area Vocational-Technical School, Atchison
AVTS Division, Cowley County Community College, Arkansas City
Southwest Kansas Area Vocational-Technical School, Dodge City
Flint Hills Area Vocational-Technical School, Emporia
Kansas City Area Vocational-Technical School, Kansas City
Liberal Area Vocational-Technical School, Liberal
Manhattan Area Vocational-Technical School, Manhattan
Salina Area Vocational-Technical School, Salina
Kaw Area Vocational-Technical School, Topeka
Wichita Area Vocational-Technical School, Wichita

AREA VOCATIONAL-TECHNICAL SCHOOLS (Type II)

North Central Kansas Area Vocational-Technical School, Beloit
Southeast Kansas Area Vocational-Technical School, Coffeyville
Northwest Kansas Area Vocational-Technical School, Goodland
Central Kansas Area Vocational-Technical School, Newton

ATTACHMENT I

(2-20-84)
HOUSE EDUCATION

NEW AREA VOCATIONAL SCHOOLS APPROVED FOR OPERATION
IN FISCAL YEAR 1985

Pratt Community College--Area Vocational School

The Pratt Community College application for designation as an area vocational school was submitted in the Fall of 1982. State Board of Education staff members reviewed the application and a public hearing was held before the State Board on the application. In early January, 1983, an area vocational school was approved for Pratt Community College effective July 1, 1984. The implementation of this new school was anticipated to cost approximately \$98,900 in the form of increased credit hour state aid. In addition, Pratt Community College would be eligible to participate in AVTS capital outlay aid if the the Legislature appropriates funds for such purpose.

Following approval of the Pratt Community College application, the State Board of Education conducted a study on the criteria for approval of new area vocational schools/area vocational-technical schools. The State Board adopted new criteria which would be used in any future applications (copy attached).

NEW AREA VOCATIONAL SCHOOLS APPROVED FOR OPERATION
IN FISCAL YEAR 1986

U.S.D. #512, Shawnee Mission, Area Vocational School
U.S.D. #233, Olathe, Area Vocational School

The State Board of Education received the application from U.S.D. #512, Shawnee Mission, and an updated application from U.S.D. #233, Olathe, in the Summer of 1983. The State Board held a public hearing on each of the applications following a review on whether the two (2) area schools would meet the newly adopted criteria.

During the Fall of 1983, the State Board approved two (2) additional area vocational schools--U.S.D. #512, Shawnee Mission, and U.S.D. #233, Olathe, effective July 1, 1985. These two (2) schools are estimated to cost from \$1,100,000 to \$1,200,000 in state categorical aid and state postsecondary aid. The two (2) schools would also become eligible for any state AVTS capital outlay aid if appropriated by the Legislature.

FISCAL IMPACT

If additional appropriations are not provided by the Legislature for Pratt Community College in fiscal year 1985 (\$98,900) and for Shawnee Mission and Olathe in fiscal year 1986 (\$1,100,000 to \$1,200,000), this would result in the proration of state funds among the area schools and/or community colleges, whichever is applicable.

**PROPOSED
CRITERIA* FOR APPROVAL
OF A
NEW AREA VOCATIONAL SCHOOL AND/OR COMMUNITY COLLEGE**

1. Each applicant shall serve a designated area, which will include one or more local education agencies and have an assessed valuation of at least \$100,000,000.
2. Each applicant shall serve an area having a minimum total population of 2,000 students in grades eleven and twelve and such a student population level is projected to remain at or above this number for the next five-year period.
3. Each applicant shall provide education programs within commuting distance of the population to be served. Commuting distance is defined as a fifty-mile radius from the institutional site or one of its attendance centers.
4. Each applicant shall provide evidence of need for a new institution by surveying business, industry and agricultural needs in the geographic areas to be served. Projected labor market needs relative to persons to be trained in the proposed service area will be obtained from state agencies representing labor and agriculture and other state agencies that collect and analyze demographic information. Such data will be submitted as supporting evidence to the application.
5. Each applicant shall provide, as evidence supporting the application, student interest surveys indicating that fifteen or more students will participate in each of the programs proposed.
6. Each area vocational school applicant shall offer a minimum of ten occupationally specific programs in at least five of the program areas. Attendance centers may be established within the proposed service area that will provide a minimum of five programs per site.
7. Each community applying for a community college shall provide results of a district-wide assessment of general education, vocational education and continuing/community education needs supporting the applicant's claims of a potentially full-time equivalent enrollment of 1,500 students in the surveyed instructional areas.
8. Each area vocational school and area vocational-technical school applicant shall provide accessibility to vocational education programs for eleventh and twelfth grade students in the proposed service area by developing participating agreements with at least 75% of the Unified School Districts in that proposed service area. Evidence shall be provided that such participating agreements will result in the applicant structuring program schedules that facilitate access to program services by students from participating school districts. These participating agreements will specify the level of financial support and specific transportation arrangements to be contributed by each participating Unified School District.
 - When in the judgment of the State Board of Education unusual circumstances prevail, alternative delivery methods other than establishing new institutions may be authorized to provide needed programs.

All criteria cited in K.S.A. 71-1101-1102 and K.S.A. 72-4416 must be incorporated in these proposed criteria in full or by reference, or these laws must be amended.

ATTACHMENT I



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2213
CONSUMER PROTECTION: 296-3751

November 15, 1983


The Honorable Denise C. Apt
State Representative, Tenth District
810 Meadowbrook Rd.
Iola, Kansas 66749

Dear Representative Apt:

Enclosed please find Attorney General Opinion No. 83-169 regarding the authority of the State Board of Education over area vocational schools. Although we must conclude that the Board may not speculate on the availability of state funding in its approval of area vocational schools, it would be possible to change state law to bring the funding issue into consideration. The legislature could reserve final approval of area vocational schools in itself and thus bring state financing factors into the decision-making process.

I trust that this opinion will be of assistance to you in your deliberations. If we may be of further assistance, please do not hesitate to contact us.

Sincerely,


ROBERT T. STEPHAN
Attorney General

November 15, 1983

ATTORNEY GENERAL OPINION NO. 83- 169

Honorable Denise C. Apt
Representative, Tenth District
810 Meadowbrook
Iola, Kansas 66749

Re: Schools--Vocational Education--Plan for Establishment; Approval by State Board of Education

Synopsis: The State Board of Education lacks the discretion to reject a plan for the establishment of a proposed area vocational school solely for the reason that the legislature may not provide additional financial support therefor. Cited herein: K.S.A. 72-4416, Kan. Const., Art. 6, §§1, 2 and 6.

Proposed Amendment to House Bill No. 2848

On page 2, in line 48, after "association", by inserting ",
and for which no tuition fee is charged to the student"

ATTACHMENT II

(2-20-84)
HOUSE EDUCATION