

Approved February 6, 1986  
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by SENATOR JOSEPH C. HARDER at  
Chairperson

1:30 ~~xxx~~/p.m. on Monday, February 3, 1986 in room 254-E of the Capitol.

All members were present except:

Committee staff present:

Mr. Ben Barrett, Legislative Research Department  
Ms. Avis Swartzman, Legislative Revisor's Office  
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

SB 55 - Community colleges, capital outlay tax levy, increase limitation  
(Education - 1985)

Proponents:

Dr. W. Merle Hill, Executive Director, Kansas Association of Community Colleges  
Ms. Carol Sader, Chairperson, Trustees Section, Kansas Association of Community Colleges; Chairperson, Board of Trustees, Johnson County Community College  
Ms. Connie Hubbell, Topeka, member, State Board of Education

SB 422 - Community colleges and municipal universities out-district tuition and out-district state aid; Re Proposal No. 43 (LEPC)

Proponents:

Dr. W. Merle Hill, Executive Director, Kansas Association of Community Colleges  
Dr. John Gwaltney, President, Pratt Community College  
Ms. Connie Hubbell, Topeka, member, State Board of Education

Comments:

Mr. Ed Walbourn, Washburn University

Concerns:

Ms. Beverly Bradley, Topeka, Legislative Coordinator, Kansas Association of Counties

Following a call to order by Chairman Joseph C. Harder, Senator Karr moved that the Committee minutes of January 29 be approved. The motion was seconded by Senator Arasmith, and the motion carried.

SB 55 - The Chairman then recognized Dr. W. Merle Hill of the Kansas Association of Community Colleges. Dr. Hill clarified the intent of SB 55, and he emphasized that under the proposed bill no community college would be allowed to increase its mill levy for capital outlay purposes more than two mills. Dr. Hill then said he would like to introduce to the Committee Ms. Carol Sader, also a proponent of SB 55.

Ms. Sader stated that she was speaking on behalf of the trustees of all the community colleges in Kansas as the chairman of the trustees of the Kansas Association of Community Colleges and, particularly, on behalf of the Johnson County Community College as chairman of its Board of Trustees. Ms. Sader acknowledged that she is aware of the financial difficulty of the state and that is why she is supporting an increase in the capital outlay mill levy fund from one to two mills. Ms. Sader presented to the Committee a compilation entitled "Johnson County Community College Fall Headcount Enrollment, 1969-1985", Attachment 1, to illustrate past enrollment growth at the college and predictions for its future growth and needs. Further testimony by Ms. Sader is found in Attachment 2.

Ms. Connie Hubbell of the State Board of Education testified in support of SB 55, and her testimony is found in Attachment 3.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,

room 254-E, Statehouse, at 1:30 ~~xxx~~ p.m. on Monday, February 3, 19 86

Following Ms. Hubbell's testimony, the Chair asked if there was any additional testimony to be heard, but there was no response. The Chair then announced that the hearing on SB 55 was concluded and that the bill would be taken under advisement.

SB 422 - The Chair recognized Dr. W. Merle Hill of the Kansas Association of Community Colleges, who testified in support of SB 422. Dr. Hill's testimony, Attachment 4, includes a brief history of out-district tuition.

When the Chairman recognized Dr. John Gwaltney, president of Pratt Community College, Dr. Gwaltney said he supports elimination of the 64/72-hour restriction placed on out-district tuition for two reasons: Kansas is the only state in the union which has this restriction, and the restriction is not equitable or just. Dr. Gwaltney said the restriction promotes a negative impact upon a community college's potential to expand its facilities to meet the needs of the community, and the restriction prevents communities from paying their fair share of support for community colleges in Kansas. Dr. Gwaltney stated that the Council of Presidents of the KACC is supportive of this bill as well as SB 55. Attachment 5

Ms. Connie Hubbell testified in support of SB 422 on behalf of the State Board of Education and asked for an amendment to the bill so as to change the effective date from June 30, 1987 to June 30, 1986. (Attachment 6)

Mr. Ed Walbourn, testifying on behalf of Washburn University, confirmed that SB 422 proposes to eliminate the 64/72-hour restriction on out-district tuition payments currently imposed upon community colleges. Mr. Walbourn said he supports the bill and testimony thus far presented and that he is not requesting any amendments at this time. He stated, however, that he is reserving an option for the possibility of Washburn University to be included in the bill at a future date should that be deemed necessary.

Ms. Beverly Bradley expressed concerns regarding SB 422 on behalf of the Kansas Association of Counties. Her testimony is found in Attachment 7.

Following testimony by Ms. Bradley, the Chair announced that the hearing on SB 422 was concluded and that the bill will be taken under advisement.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: February 3, 1986

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Kelly Fairbanks	1353 Boswell, Topeka	Washburn Student
Don Becker	2110 McKean Topeka	Washburn Student
Dev Bradley	Lawrence	KS Assoc of Counties
Allan Huski	Lawrence, KS	Johnson County Comm. College
Carol Sader	Prairie Village, KS	Johnson County Comm. College
Connie Huebner	Topeka	St. Bd. of Ed.
Ruth Walker	"	AAUP
J. H. All	"	Associated Students of KS

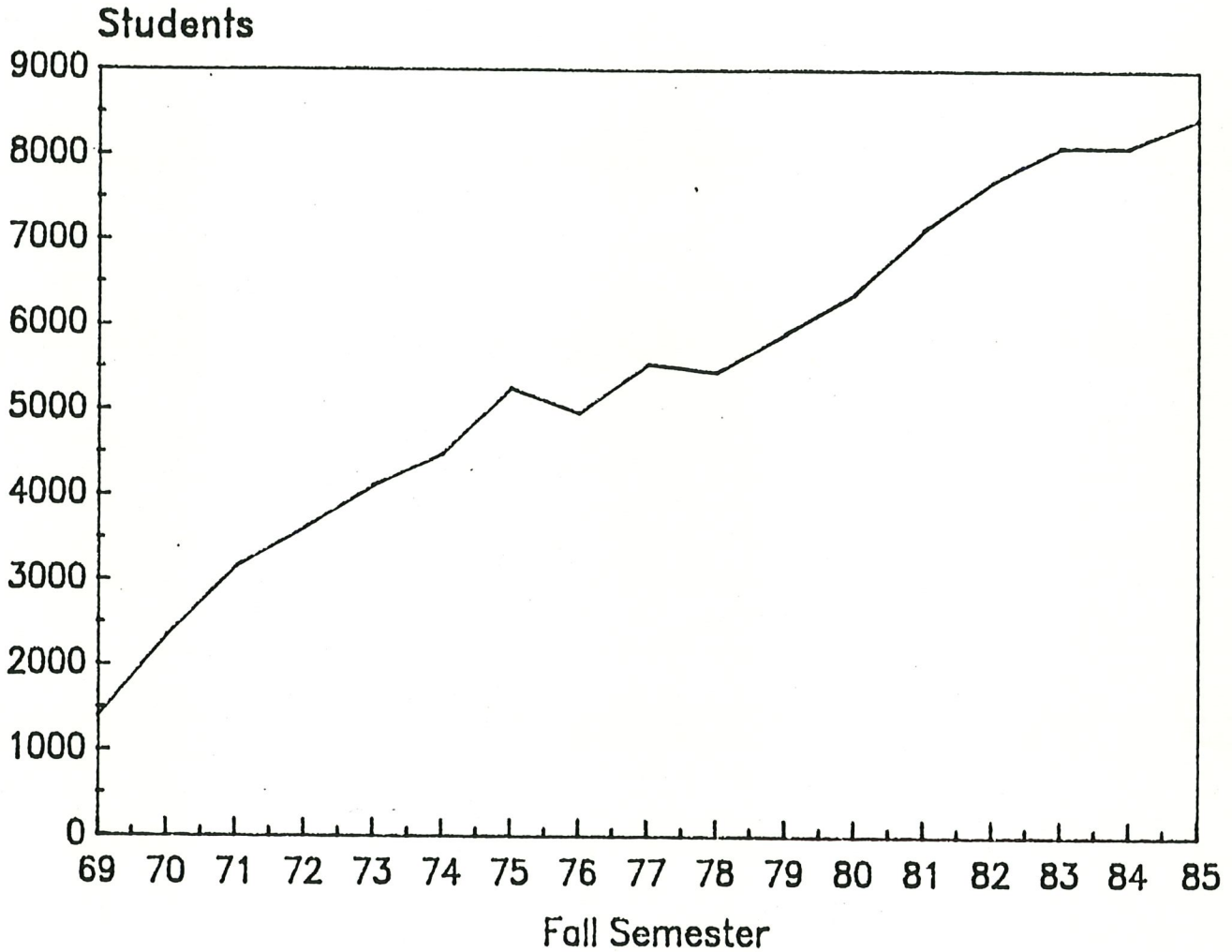
SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: February 3, 1986

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Billy Skalle	Topeka	AP
Ken Ragg	Paula	SBE
M. Harvey	Topeka	CCW January
John Gaultney	Pratt	PCC
Merle Hale	Topeka	KACC
Karen Keen	Topeka	Sen Langworthy
Jim Yanally	Overland Park	USD #512
Ed Walksarn	Topeka	Worklum U.
Ann Burnett	Topeka	USD 581#
Bill Curtis	Topeka	KASB

# Johnson County Community College Fall Headcount Enrollment, 1969-1985



1980-1985 change: +32%

JOHNSON COUNTY COMMUNITY COLLEGE  
 STUDENT HEADCOUNT ENROLLMENT  
 BY FALL SEMESTER AND ENROLLMENT STATUS  
 1969 - 1985

Year	Full-time	Full-time % change	Part-time	Part-time % change	Total	Total % change
1969	831	--	549	--	1,380	--
1970	1,414	+70.2%	921	+67.8%	2,335	+69.2%
1971	1,672	+18.3%	1,478	+60.5%	3,150	+34.9%
1972	1,734	+3.7%	1,877	+27.0%	3,611	+14.6%
1973	1,878	+8.3%	2,229	+18.8%	4,107	+13.7%
1974	1,923	+2.4%	2,556	+14.7%	4,479	+9.1%
1975	2,148	+11.7%	3,105	+21.5%	5,253	+17.3%
1976	1,909	-11.1%	3,045	-1.9%	4,954	-5.4%
1977	2,008	+5.2%	3,536	+16.1%	5,544	+11.9%
1978	1,820	-9.4%	3,620	+2.4%	5,440	-1.9%
1979	1,958	+7.6%	3,950	+9.1%	5,908	+8.6%
1980	2,059	+5.2%	4,318	+9.3%	6,377	+7.9%
1981	2,143	+4.1%	4,981	+15.4%	7,124	+11.7%
1982	2,227	+3.9%	5,471	+9.8%	7,698	+8.1%
1983	2,392	+7.4%	5,714	+4.4%	8,106	+5.3%
1984	2,279	-4.7%	5,824	+1.9%	8,103	-0.04%
1985	2,303	+1.1%	6,140	+5.4%	8,443	+4.2%

JOHNSON COUNTY COMMUNITY COLLEGE  
STUDENT ENROLLMENT SUMMARY  
FALL, 1985

	Headcount		FTE	
	Number	Percent	Number	Percent
<u>ALL STUDENTS</u>	8,443	100.0%	4,196.7	100.0%
<u>Enrollment Status</u>				
Full-time	2,303	27.3%	2,131.6	50.8%
Part-time	6,140	72.7	2,065.1	49.2
<u>Sex</u>				
Male	3,560	42.2%	1,925.4	45.9%
Female	4,883	57.8	2,271.3	54.1
<u>Student Level</u>				
Freshman	5,128	60.7%	2,603.4	62.0%
Sophomore	2,021	24.0	1,115.7	26.6
Special	1,294	15.3	477.6	11.4
<u>Residence</u>				
Johnson County	7,193	85.2%	3,520.1	83.9%
Other County in Kansas	923	10.9	510.8	12.2
Out of State	327	3.9	165.8	3.9
<u>Ethnic Category</u>				
American Indian, Alaskan	23	0.3%	9.7	0.2%
Hispanic	104	1.2	54.8	1.3
Asian or Pacific Islander	106	1.2	55.5	1.3
Black	151	1.8	76.5	1.8
Caucasian or other	8,059	95.5	4,000.2	95.3
<u>Program Type</u>				
Transfer*	--	--	2,738.6	65.3%
Career*	--	--	1,433.4	34.2
<u>Age</u>				
Average:	27.5 years			
Median:	24.3 years			
<u>Average Student Load:</u> 7.5 credit hours				





# KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Columbian Title Bldg., 820 Quincy • Topeka 66612 • Phone 913-357-5156

W. Merle Hill  
Executive Director

ATTACHMENT 2

To: Senate Education Committee  
From: Carol Sader, Chairman, Trustees Section,  
Kansas Association of Community Colleges  
Date: February 3, 1986  
Subj: Senate Bill 55

I come before you this afternoon on behalf of the trustees of all of the community colleges in Kansas as the chairman of the trustees of the Kansas Association of Community Colleges and, particularly, on behalf of the Johnson County Community College as chairman of its Board of Trustees. My purpose is to encourage your favorable response to Senate Bill 55, requesting authorization for community college Boards of Trustees to increase the capital outlay mill levy from 1 to 2 mills.

This bill is extremely important to us for a number of reasons:

1. We are aware of the financial difficulty the state is presently experiencing. At the same time, in Johnson County, for example, our college enrollment is growing and is projected to continue to grow at an average rate of 2 percent each year between now and 1990. It is estimated that our campus facilities will be at full use by the fall of 1988. It takes a number of years to have new facilities in place. Therefore, they must be planned and developed now. The economic development of Johnson County and, indeed, of all of Kansas depends on the continuing ability of the community colleges to respond to the increasing needs of business and industry within our communities. The anticipated enrollment growth is not in 18-22 year college-age students but will come from people already in the workforce who need retraining and continuing education. In Johnson County, a top priority for any capital expansion is a multi-purpose center for adult learning with 250 additional parking spaces. Such a building is estimated to cost approximately \$6.5 million. An additional capitol mill levy of 1 mill would provide approximately \$1,300,000 a year for the purpose. This is strictly a local issue and requires no state funding.



Thus, the money that is raised through this mill increase will help us to meet the enrollment growth needs that our colleges face.

2. Most community college facilities in the state are now aging to the point where more maintenance is required. In addition, capital equipment is rapidly increasing in cost. A one-mill levy in many cases is not sufficient to prevent deterioration of facilities. The money raised through this mill increase will permit the community colleges throughout the state to maintain the excellent campuses they now have - again, without any cost to the State of Kansas.

3. This bill provides for a strictly local initiative which would give the community college elected Boards the authority, if they deem it advisable, to increase the mill levy to 2 mills. Currently fourteen (14) community colleges in Kansas have chosen to utilize this permissive legislation as it now exists. Any potential for abuse is eliminated by the fact that this legislation would be subject to the same protest petition requirements that are now in force.

If economic development is the key to our state's future financial security, please do not ignore the vital role which our state's community colleges are ready and able to play in achieving that objective. This legislation would help us to continue to respond to these growing community needs with no fiscal note to the state attached.

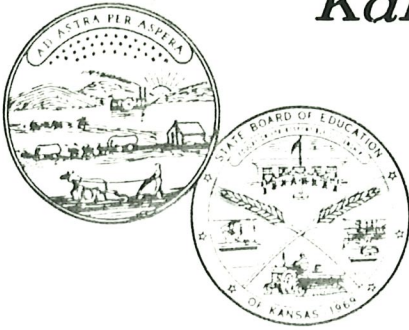
I ask you to please give very serious consideration to these arguments and I thank you for permitting me to bring them to your attention today.

CS:am

# Kansas State Board of Education

Kansas State Education Building ATTACHMENT 3

120 East 10th Street Topeka, Kansas 66612-1103



Kay M. Groneman  
District 1

Connie Hubbell  
District 4

Bill Musick  
District 6

Evelyn Whitcomb  
District 8

Kathleen White  
District 2

Sheila Frahm  
District 5

Theodore R. Von Fange  
District 7

Robert J. Clemons  
District 9

Dale Louis Carey  
District 3

February 3, 1986

Marion (Mick) Stevens  
District 10

TO: Senate Education Committee  
FROM: State Board of Education  
SUBJECT: Senate Bill 55

My name is Connie Hubbell, Legislative Chairman of the State Board of Education. I appreciate the opportunity to appear before the Committee on behalf of the State Board.

Senate Bill 55 permits community colleges to increase their capital outlay levy from one mill to two mills for a period not to exceed five years following the publication of a resolution for three consecutive weeks provided that five percent of the qualified electors do not submit a petition.

Current law authorizes one mill for the (19) community colleges with two special laws that grant specific community colleges authority to go up to two mills.

Many of the community college campuses were built in the mid to late 1960's and the cost for maintenance and repair is beginning to create some problems for the boards of trustees.

The State Board of Education recommends that the community colleges be given the right to increase their capital outlay up to two mills provided the patrons of the district be given the right, through protest petition, to bring the issue to a vote.

The State Board also recommends that the two special laws, K.S.A. 71-503 and K.S.A. 71-505, be repealed.

Senate Education  
Attachment III 2/3/86



## KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Columbian Title Bldg., 820 Quincy • Topeka 66612 • Phone 913-357-5156

W. Merle Hill  
Executive Director

To: Senate Committee on Education  
From: Merle Hill *Merle Hill*  
Date: February 3, 1986  
Subj: Senate Bill 422 and A Brief History of Out-District Tuition

Prior to 1973, a community college billed charges for a student from outside the community college district to the county of the student's residence. The theory on which these charges were based was that some property tax contribution should be made by taxpayers of the "sending" county to assist the "receiving" county to finance its college's operations. This charge was called out-district tuition but was an in-lieu-of-property-tax fee.

Subject to certain restrictions, the rate of out-district tuition was computed by multiplying a county's total of full-time-equivalent students by the institution's average maintenance and operating costs per FTE, less student-paid tuition, credit hour aid received from the state and anticipated federal aid. Since the maintenance and operating costs of the colleges were not identical, it was probable that a county with two students attending different colleges would have to pay "out-district tuition" at different rates.

In 1973, legislation was passed which, in effect, split the out-district liability of a county with the state. The law provided that 50 percent of the computed out-district tuition liability of a county would be paid by the county and the other 50 percent would be paid by the state. Neither out-district tuition nor state out-district aid was paid for over-64/72-hours.

In 1977, House Bill 2209 was introduced to eliminate the restriction on paying out-district tuition and state out-district aid on over-64/72-hours. The bill passed both the House and the Senate, but on April 7, Governor Bennett vetoed it. The House overrode the veto by a vote of 84 to 39, but the Senate override-attempt failed by a vote of 18 to 19.

Senate Committee on Education  
Senate Bill 422  
February 3, 1986  
Page 2

In 1982, out-district tuition and state out-district aid were increased to \$21.50, and they are currently at \$23. The restriction still applies to over-64/72-hours. Kansas is the only state that has such a restriction for its community colleges.

The original purpose of the over-64/72-hours restriction was to keep the two-year, public community colleges from thinking about becoming four-year colleges. The community colleges do not want to become four-year institutions, but they do want to serve their clientele and their areas. Economic conditions have changed significantly in the last twenty years, and so has the make-up of a community college student body. Many community college students are older adults with families and are attending the college to retool or retrain or to secure the training needed to enter a different occupation. What the over-64/72-hour restriction does is to force the taxpayers of a community college district to "over-tax" themselves to pick up the liability not paid by a student's county of residence.

MH:am





# KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Columbian Title Bldg., 820 Quincy • Topeka 66612 • Phone 913-357-5156

W. Merle Hill  
Executive Director

ATTACHMENT 5

To: Senate Committee on Education  
From: Dr. John Gwaltney, President, Pratt Community College  
Date: February 3, 1986  
Subj: Senate Bill 422 (Elimination of over-64/72-hour restriction on payment of out-district tuition and matching state out-district aid)

Information on out-district students who entered Pratt Community College in August, 1985 with more than 64 earned hours of college credit.

We have 18 students enrolled this semester that entered with more than 64 credit hours. We pinpointed the following students to gather information on since they all have more than 64 credit hours and reside outside of Pratt County.

The following are nursing students.

## ANGIE

- o Has B.A. in music and is certified to teach.
- o Husband is minister. Has two children.
- o Returned to get R.N. to increase job opportunities. Wants to incorporate her music into her nursing.
- o Chose Pratt Community College because it was affordable for her and close to her home.

## RACHEL

- o Originally was in Physical Education with desire to be women's basketball coach.
- o Married with two children.
- o Has worked in health-related occupations and found she enjoyed this type of work. Wished to have a career that she could support herself and family, if it becomes necessary.
- o Chose Pratt Community College because it was close to her home.

## ROGENE

- o Has A.A. degree, is Emergency Medical Technician (EMT) - Intermediate Level RMT and EMT Instructor/Coordinator (teaches EMT classes for Pratt Community College).
- o Married, 2 children.



- o Chose to come back to school to get RN to increase her job opportunities. Has had desire to be nurse since becoming involved in EMS work. Self-improvement was also a factor.
- o Stated that she felt fortunate to live close to a college offering nursing program since she would not be able to achieve her goal if she had to drive to Hutchinson or Wichita every day.

WANDA

- o Has Associate of Science degree.
- o Has worked in several areas, including driving a truck. Returned for retraining, better job opportunities and for self improvement.
- o Is a single parent.

COLLEEN

- o Is an LPN, but returned to school to upgrade to RN.
- o Married, 3 children.

Also contacted:

DALE

- o Has an associate degree in auto mechanics.
- o Returned to school for retraining in Computer Science because two firms he worked for had to take bankruptcy because of economic conditions in the area. Felt he needed a career with more job security.
- o Has a family. His wife has also returned to school and is majoring in accounting.

In summary, all of the full-time students listed above live out-of-district, returned to college to retrain for better job opportunities, for self improvement. They all needed a college that was close to home so that they could fulfill their responsibilities to their families, and that was affordable.

There are also several other students who are attending part-time and who are retraining for better jobs, but for various reasons cannot attend on a full-time basis.

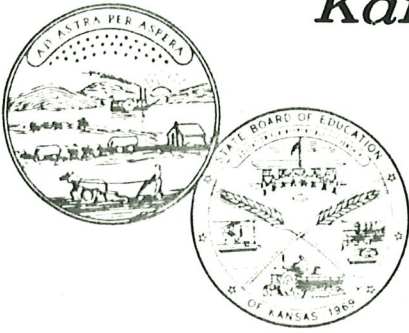
One student from Pratt County stated that she wishes to be accepted into an optometry school, but found that requirements had changed since she took her earlier work. She chose to come to Pratt community college to take the needed courses because it was close to home.

JG:am

# Kansas State Board of Education

Kansas State Education Building ATTACHMENT 6

120 East 10th Street Topeka, Kansas 66612-1103



Kay M. Groneman  
District 1

Connie Hubbell  
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Kathleen White  
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Sheila Frahm  
District 5

Theodore R. Von Fange  
District 7

Robert J. Clemons  
District 9

Dale Louis Carey  
District 3

February 3, 1986

Marion (Mick) Stevens  
District 10

TO: Senate Education Committee

FROM: State Board of Education

SUBJECT: Senate Bill 422

My name is Connie Hubbell, Legislative Chairman of the State Board of Education. I appreciate the opportunity to appear before the Committee on behalf of the State Board.

Senate Bill 422 and House Bill 2090 removes the 64/72 limitation on the computation of out-district state aid and out-district tuition for community colleges with an effective date of June 30, 1987.

The passage of Senate Bill 422 would not increase out-district state aid and out-district tuition during fiscal year 1987. The fiscal year 1988 out-district state aid and out-district tuition would increase by an estimated \$600,000.

It is our understanding that Kansas is the only state that places a limitation on state aid as a result of the number of credit hours that a student has completed. In the last few years, there has been an increase in the number of students who desire to enroll in the community colleges for the purpose of training or retraining in the vocational education area. There is a closer working relationship between the community colleges and the business community and as a result some of those students taking advantage of this vocational training have over the 64/72 limitation.

The State Board of Education supports Senate Bill 422 with an effective date of June 30, 1986, rather than June 30, 1987.

Senate Education  
Attachment VI 2/3/86

# Kansas Association of Counties

ATTACHMENT 7

*Serving Kansas Counties*

Suite D, 112 West Seventh Street, Topeka, Kansas 66603

Phone 913 233-2271

February 3, 1986

Chairman Harder

Members of the Senate Education Committee:

My name is Beverly Bradley, from the Kansas Association of Counties. I appear today with concerns about SB 422.

Counties are concerned about the economy of our State as well as legislators are, however they continue to struggle to comply with State mandates without funding, as item 21 of the County Platform states. The number of \$552,644 in State aid and an approximately equal amount in county out district tuition was mentioned as the estimated cost of removal of the 64/72 hour limitation at the current rate of \$23.00 per credit hour. If HB 2709 should pass that would be yet another increase.

The continued "Hue and Cry" of county commissioners is to be sure the students actually complete the courses, and satisfactorily complete them.

We appreciate the cooperation of most Community Colleges to get their budget figures to Counties in a "timely" manner and to work with counties to eliminate further abuses of the out district tuition situation. We still have a way to go.

Thank you for the opportunity of appearing here today.