

Approved March 16, 1988  
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Senator Joseph C. Harder at  
Chairperson

1:30 ~~XXX~~ ~~XXX~~ m. on Tuesday, March 15, 1988 in room 123-S of the Capitol.

All members were present except:

Senator Montgomery, excused

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:

HB 2647 - School districts, revenues received from federal government as a result of sales of mineral rights (Shore)

Proponents:

Representative Eugene Shore, sponsor of HB 2647  
Dr. Richard Funk, Assistant Executive Director, Kansas Association of School Boards

SB 706 - Postsecondary education institutions, requirements for conferral of degrees and registration of courses (Ways and Means)

Proponents:

Dr. Martine Hammond, Director of Academic Affairs, State Board of Regents  
Mr. Bob Kelly, Executive Director, Kansas Independent College Association  
Mr. John Peterson, Kansas Association of Private Career Schools  
Mr. Ted Ayres, General Counsel, State Board of Regents

HB 2882 - School districts, capital outlay levies, asbestos control projects (Local Government)

Proponents:

Dr. Richard Funk, Assistant Executive Director, Kansas Association of School Boards  
Mr. Gerald Henderson, Executive Director, United School Administrators of Kansas

Following a call to order by Chairman Joseph C. Harder, Senator Arasmith moved that minutes of the Committee meeting of March 3 be approved. Senator Warren seconded the motion, and the minutes were approved.

HB 2647 - After calling the Committee's attention to HB 2647, the Chair recognized Representative Eugene Shore, sponsor of the bill. Representative Shore related that when the bill was passed by the House Education Committee, it had been placed directly on the Consent Calendar. He further stated that the bill is similar to SB 474, sponsored by Senator Hayden, which had been passed by the Senate Education Committee and placed on the Consent Calendar. Representative Shore explained that the purpose of the bill is to allow the Elkhart School District to use federal monies received from the sale of certain mineral rights within the district to defray the cost of a new school. He said that when the district had approved the bond issue for the new school, it was with the common understanding that such monies, when received, would be used to help retire the bond and interest indebtedness. The bill, he added, would have statewide application.

Dr. Richard Funk, representing the Kansas Association of School Boards, stated his support for HB 2647.

The Chairman told the Committee that he had spoken with Senator Hayden, sponsor of SB 474, and Senator Hayden had indicated that he supports passage of HB 2647 by the Senate Education Committee.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

room 123-S, Statehouse, at 1:30 ~~am~~ p.m. on Tuesday, March 15, 1988

When the Chair asked the Committee if it wished to take action on HB 2647, Senator Kerr moved that HB 2647 be recommended favorably for passage and that it be placed on the Consent Calendar. Senator Karr seconded the motion, and the motion carried.

SB 706 - Dr. Martine Hammond, Director of Academic Affairs, Kansas Board of Regents, testified that there has been an increase in both the number of courses offered and institutions seeking information on degree-granting authority in Kansas by out-of-state postsecondary institutions. She stated that the primary concern of the Board is that it has no authority to review for degree-granting purposes those institutions whose main campus is located outside the state of Kansas. She said the Board feels that out-of-state institutions should meet the same standards as in-state institutions to ensure that all programs meet some minimum level of academic credibility. (Attachment 1)

Mr. Robert Kelly, Executive Director, Kansas Independent College Association, stated that he strongly supports SB 706 and that it would close a loop hole in present law.

Mr. John Peterson, Kansas Association of Private Career Schools, also testified in support of SB 706. He stated that the Kansas Proprietary School Law does not affect the degree-granting out-of-state institutions, and they are not under the jurisdiction of the Board of Regents. Mr. Peterson said that he had testified before the 1202 Commission concerning this same anomaly.

Mr. Ted Ayres, General Counsel, State Board of Regents, also mentioned that the concept of SB 706 had been presented previously to the Legislative Education Planning Committee when it was called the 1202 Commission. He said that although the Regents Board has had contact with some of the institutions concerned, they did not respond positively.

When the Chair asked the Committee's pleasure regarding SB 706, Senator Salisbury moved, and Senator Karr seconded a motion to recommend SB 706 favorably for passage. The motion carried.

HB 2882 - The Assistant Director of the Kansas Association of School Boards, Dr. Richard Funk, expressed support for HB 2882 and explained that the bill would allow school districts to make expenditures from their capital outlay funds to help finance the undertaking of the asbestos reinspection and management plans in order to comply with the federal asbestos control requirements. He said that HB 2882 would allow school boards more flexibility in dealing with the problem. (Attachment 2) In reply to a question dealing with the possible cost for such programs, Dr. Funk replied that it would be difficult to determine such costs. Mr. Dale Dennis of the State Department of Education responded that the inspection alone might cost about \$5million statewide and range from between two and a half to seven cents per square foot. He also confirmed that October 12, 1988 is the current deadline for this federal mandate.

The Executive Director of the United School Administrators, Mr. Gerald Henderson, stated that confusion over the seriousness of the problem has made systematic planning and financing of control projects difficult. (Attachment 3) He, too, said that HB 2882 would give added flexibility for financing these projects. Mr. Dale Dennis of the State Department of Education indicated that a similar mandate might very well apply to municipal buildings in the future.

When the Chair called for action on HB 2882, Senator Arasmith moved that the Committee recommend HB 2882 favorably for passage. Senator Salisbury seconded the motion, and the motion carried.

The Chairman called the Committee's attention to several handouts, including written testimony from conferees who were unable to testify at the Feb. 25 meeting. The Chairman then adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, March 15, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Martine F. Hammond	Topeka	Ks. Bd. of Regents
Jane Elapple	Wichita	FFT
Ray L. Hance	Wichita	Visitor
Bob Kelly	Topeka	KICA
Howard F. Saiger	Topeka	KDHE
Ron Mallon	Salina	Close-Up N/S
Sandy Utterback	Salina	Salina Central - Close-Up Ks
Kari L. Yenkay	Salina	S. Central - close-up Ks
J. Russell Talley	Salina	SHCS Chapter, Natl. Forensics League
Marty & Cheryl Nichols	Minnetonka MN	Self
Mark Tallman	Topeka	H/S/K

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, March 15, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Harley Duncan	Topeka	Dept of Revenue
Richard J Fork	"	KASD
Gerald Anderson	Topeka	USA
Bella Highfill Scott	Topeka	USA
Kay Cole	Topeka	K-NEA
Craig Grant	Topeka	K-NEA
Helen Stephens		USD #500

March 15, 1988

Testimony in Support of Senate Bill 706

Martine F. Hammond, Director of Academic Affairs  
Kansas Board of Regents

In recent years the number of out-of-state institutions, defined as foreign institutions in Senate Bill 706, delivering courses and degrees in Kansas has escalated. As the lists which I have provided indicate, there has been an increase in both the number of courses offered and in institutions seeking information on degree granting authority in Kansas.

Our primary concern are those foreign institutions offering degrees in Kansas. Current law requires nothing more than course registration for an institution for which the main campus is located outside of Kansas. While we strive to insure that Kansas institutions of postsecondary education are of the highest quality, foreign institutions are permitted to offer degrees of undetermined quality. Unfortunately, it is often those students most unfamiliar with and unprepared to make judgments about higher education who become involved with these programs. The proposed bill does not seek to limit educational opportunities in Kansas but to insure that all programs meet some minimum level of academic credibility.

The Kansas Board of Regents currently reviews for degree granting authority those institutions with the main campus located in Kansas. Why should foreign institutions not meet the same standards?

Kansas Board of Regents  
March, 1988

Institutions Requesting Information re Procedures for  
Degree Granting Authority in Kansas  
(since March, 1987)

Central Michigan University  
Mount Pleasant  
Michigan 48859

Cleveland Chiropractic College  
6401 Rockhill Road  
Kansas City, Missouri 64131

Christian College  
1402 N. Byron  
Wichita, Kansas 67212

Fame Aid Management for Education, Inc.  
5301 N. Dixie Highway, Suite 12  
Ft. Lauderdale, Florida 33334-3403

Lesley College (Mass.)  
710 11th Avenue, Suite L90  
Greeley, Colorado 80631

Lincoln Jefferson Law College  
2344 Northwood Lane  
Salina, Kansas 67401

National College of Business  
321 Kansas City Street  
Rapid City, South Dakota 57709

National College of Education  
2840 Sheridan Road  
Evanston, Illinois 60201

Newman Hospital School of Nursing  
1127 Chestnut  
Emporia, Kansas 66801-2598

University College  
Southwest Baptist University  
Bolivar, Missouri 65613-2496

Sunrise International Company  
6600 West 95th Street  
Overland Park, Kansas 66212

University of Phoenix  
4615 East Elwood Street  
Phoenix, Arizona 85040

Yoga Midwest  
1027 Massachusetts  
Lawrence, Kansas 66044

Number of Courses Registered in Kansas  
by Out-of-State Institutions

	FY 79 (1978-79)			FY 80 (1979-80)			FY 81 (1980-81)			FY 82 (1981-82)			FY 83 (1982-83)				
	Sum	Fall	Spr	Sum	Fall	Spr	Sum	Fall	Spr	Sum	Fall	Spr	Sum	Fall	Spr		
Avila College																see next page	
Brigham Young University																see next page	
Central American Bible College									6								
Central Bible College										6	7			6	4	see next page	
College of St. Francis																	
Kansas City									1	1	1	1	1	1	1	see next page	
Wichita		1	1	1	1	1	1	1	1	1	1	1	1	1	1	see next page	
Columbia College																	
Topeka		6	6	2	3												
Wichita		25	18	16													
Drew University									2	3						see next page	
Eastern Montana College																see next page	
Gallaudet College													2			see next page	
Gesell Institute						1											
Jesuit School of Theology					2	3			2	2							
Loyola University																see next page	
Marycrest College																see next page	
Memphis State University																see next page	
National College of Business		16	31	13	13	24		9	12	19	14					see next page	
National College of Naturopathic Medicine		5	4		3	2											
Northwestern State Univ of Louisiana																see next page	
Oklahoma Christian College																	
Emporia		3	2		2	3			4	5		2	5	3	2	3	see next page
Lansing			1		1	2	5	2	1								
Park College																see next page	
Platt College																	
Hutchinson (year-long courses)											1			1		see next page	
Lansing (year-long courses)										2		1				see next page	
Topeka (year-long courses)											1			1		see next page	
School of Metaphysics																	
Hutchinson					3	4											
Kansas City					2			3	3	1	1						
Topeka					3	4		4	3	1	1						
Wichita					3	4		4	3	1	1						
Tarkio College																see next page	
University of LaVerne		1	1		4	4	1	1									
University of Missouri - Columbia			2		1									1		see next page	
University of Missouri - Kansas City									1		1		2		1	see next page	
University of Missouri - St. Louis									1								





KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

TESTIMONY ON H.B. 2882

by

Richard S. Funk, Assistant Executive Director  
Kansas Association of School Boards

March 15, 1988

Mr. Chairman and members of the committee, we appreciate the opportunity to appear today on behalf of the 302 members of the Kansas Association of School Boards. KASB supports the provisions found in H.B. 2882.

Local boards of education will incur additional expenses due to the federal asbestos control legislation. It has been opined that local boards cannot use their capital outlay funds for asbestos reinspection and management plans. They may use capital outlay funds for asbestos removal or encapsulation.

The provisions found in H.B. 2882 would give local boards additional flexibility to deal with the asbestos issue. With all of the demands placed upon our public schools, flexibility is needed.

We ask you to support the provisions in H.B. 2882 and report this bill favorably for passage. Thank you for your consideration.





HB 2882

Testimony presented before the Senate Committee on Education  
by Gerald W. Henderson, Executive Director  
United School Administrators of Kansas

March 15, 1988

Mister Chairman and members of the committee:

Asbestos control has become a major problem confronting schools. The confusion over the past few years while EPA and others debated over the seriousness of the problem has made systematic planning and the financing of control projects difficult.

Our members welcome the flexibility offered by HB 2882.

GWH/ed

Attachment 3, 3/15/88