

Approved 3-2-90
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Buntten at
Chairperson

1:30 ~~am~~/p.m. on February 13, 1990 in room 514-S of the Capitol.

All members were present except: All present.

Committee staff present: Ellen Piekalkiewicz, Legislative Research Department
Debra Duncan, Legislative Research Department
Jim Wilson, Revisor of Statutes
Sharon Schwartz, Administrative Aide
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Denise Apt, Governor's Education Advisor
Representative Al Lane
Dr. Stanley Koplik, Executive Director, Kansas Board of Regents
Dr. Jim Coffman, Provost, Kansas State University
Bill Curtis, Kansas Assn. of School Boards
David DePue, Executive Director, Kansas Council on Vocational
Education
Mayor Butch Felker, City of Topeka
Mary Holmgren, Topeka City Commissioner
Bill Townsend, Topeka City Commissioner
Dick Koerner, Deputy Secretary for Operations, DOC
Mary Quiett, East End Neighborhood Improvement Association

Others attending: See attached list.

INTRODUCTION OF BILLS

The Department on Aging requested introduction of a bill pertaining to a long-term care ombudsman program which is necessary to conform to federal statutes (Attachment 1). Representative Teagarden moved introduction of the bill. Representative Chronister seconded. Motion carried.

HB 2791 - Qualified admissions to state board of regents institutions.

Denise Apt, Governor's Education Advisor, appeared in support of HB 2791 and provided written testimony (Attachment 2). Ms. Apt believes through a qualified admissions policy, students would be prepared to succeed in their college careers. As proposed in HB 2791, there would be a four-year phase-in of the qualified admissions policy. Also, the bill allows the Board of Regents to adopt policy for the admission of students.

Representative Al Lane appeared in support of HB 2791 stating qualified admissions would enhance our educational system as well as better prepare our students for their careers (Attachment 3). Representative Lane supports a window of opportunity for 15-18 percent of students who decide to go to college, but may not have taken the required preparatory curriculum. During discussion, it was noted that students electing to follow the vo-tech course of study now need better education in math and science than was required in the past.

Dr. Stanley Koplik, Executive Director, Kansas Board of Regents, appeared in support of HB 2791 and provided written testimony (Attachment 4). Dr. Koplik emphasized that students will be better served through an admissions process which specifies and enforces entry-level preparation and abilities. He believes this would also result in the most efficient and effective use

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations

room 514-S, Statehouse, at 1:30 ~~xxx~~/p.m. on February 13, 1990

of Kansas' fiscal resources. Dr. Koplik indicated that under the provisions of the bill, it is the intent of the Board of Regents to establish a qualified admissions policy at all of the Regents institutions.

Representative Turnquist asked Dr. Koplik to advise him of the average GPA of graduates of the Regents institutions. He also requested information on the GPA and/or ACT score of the dropout students from college. Representative Chronister emphasized the need for parents to help their high school juniors make decisions about college versus vocational school.

Dr. Koplik advised that out-of-state students must meet admissions requirements at the University of Kansas like those proposed in this bill. Of the total enrollments at KU, 35 percent are out-of-state students.

Dr. Phillip Paludan, Professor of History, University of Kansas, submitted written testimony in support of HB 2791 (Attachment 5).

Dr. Jim Coffman, Provost, Kansas State University, testified he feels many students today lack the necessary level of preparedness to succeed in higher education and he believes that HB 2791 addresses that problem.

Bill Curtis, Kansas Association of School Boards, appeared in opposition to HB 2791 and advised that he also is representing Kansas National Education Association, the United School Administrators, and USD 501-Topeka (Attachment 6). Mr. Curtis noted that if admissions criteria are developed, they should be placed in statute rather than left to the Kansas Board of Regents. Representative Lowther asked Mr. Curtis to provide him the data on which the Association of School Boards' opposition to qualified admissions is based.

David DePue, Executive Director, Kansas Council on Vocational Education, appeared in opposition to HB 2791 (Attachment 7). He proposed a restructuring of education with emphasis on computer skills, statistics, and knowledge of technical systems.

HB 2804 - Authorizing transfer of certain real property to the city of Topeka, Kansas, for a fire station.

Representative Hensley explained that HB 2804 would allow for the transfer of 1.21 acres of land located at the corner of 6th and Rice Road in Topeka to the City of Topeka on which construction of a fire station is proposed. Representative Hensley distributed a legal description of the tract of land (Attachment 8).

Mayor Butch Felker, City of Topeka, testified in support of HB 2804 and provided written testimony (Attachment 9). He noted if the decision is made to not build a fire station on this site, the land would revert back to the state under the provisions of the bill.

Mary Holmgren, Topeka City Commissioner, appeared in support of HB 2804 and provided written testimony (Attachment 10). In addition, Bill Townsend, Topeka City Commissioner, appeared in support of HB 2804.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations,

room 514-S, Statehouse, at 1:30 ~~am~~/p.m. on February 13, 1990

Dick Koerner, Deputy Secretary for Operations, DOC, testified that the DOC supports the proposal in HB 2804. Representative Moomaw asked if there was an appraisal of the land to be transferred. Mr. Koerner stated the DOC has not had the land valued, but believes a fire station located on the land will benefit the correctional facilities nearby.

Mary Quiett, East End Neighborhood Improvement Association, appeared in support of HB 2804 and provided written testimony (Attachment 11).

HB 2797 - Sale and lease of real estate used by correctional institutions.

Representative Heinemann explained that HB 2797 would renew a lease agreement between the state and the city of Lansing for a five-year period. The previous lease was for fifteen years, but the Department of Corrections has requested the shorter term on the renewal.

Dick Koerner, Deputy Secretary for Operations, DOC, appeared in support of HB 2797.

Representative Brady requested an opportunity to review HB 2797 in connection with the review of the Kansas State Penitentiary budget by the subcommittee. Chairman Bunten asked the subcommittee to work with Representative Martha Jenkins, the bill's sponsor, to resolve their questions on this bill prior to Committee final action.

Chairman Bunten announced that the hearing on HB 2793 will be delayed until tomorrow's meeting. The meeting was adjourned at 3:40 p.m.

GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: 2-13-90

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Bahara Joseph		AP
Louis Chabwa	Capital	Budget
Grant Burnett	Topoka	11 S.D. 501#
Michael Kramer	Capitol	Leg. Research Dept.
Jim Coffman	Manhattan	Regents - KU
Phil Paludan	Lawrence	Regent - KU
Stanly Z. Koplik	Topoka	Regents
Rod Griffin	Lawrence	Daily Kansan
Pam Sallner	Lawrence	Daily Kansan
Jim Yonally	Overland Park	USD 512
Bill Curtis	Topoka	Ks. Assoc. of School Bds.
Judy Kelen	Shawnee	K-NEA
Mindy Haas	Jola	Illinois - Nebraska
Martine J. Hammond	Topoka	Ks. Board of Regents
Steve Schmidt	Topoka	Ks. Board of Regents
Alan Stephens	Emporia	ESU
W.D. Clements	Wichita	Earle
H. Stephens	Topoka	staff
M. Quinn	Topoka	Eastland W. A.
Bill Townsend	Topoka	Topoka City Council
Richard Kemer	Topoka	Ks. Dept. of Corr.
David Monical	Topoka	Washburn
Bob Kelly	Topoka	Ks. Independent Assoc.
Marty Kennedy	"	Budget
Mike Bohnhoff	Topoka	Budget

BILL NO. _____

AN ACT concerning the department on aging; relating to the office of the state long-term care ombudsman; prescribing powers, duties and functions therefor and for the secretary of aging relating thereto; establishing the long-term care ombudsman enforcement fund; amending K.S.A. 75-5916, 75-5917, 75-5918, 75-5920 and 75-5921 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. The provisions of sections 1 through 7 and amendments thereto and K.S.A. 75-5916 through 75-5922 and amendments thereto shall be known and may be cited as the Kansas long-term care ombudsman act.

New Sec. 2. (a) No individual involved in the selection or designation of any ombudsman shall have any pecuniary or other interest in any facility. No ombudsman, officer, employee or other representative of the office shall have any pecuniary or other interest in any facility.

(b) The secretary shall administer and enforce the provisions of this section and shall ensure compliance therewith. The secretary shall adopt policies and procedures to identify and remedy all conflicts of interest prohibited by this section.

New Sec. 3. The secretary shall ensure that:

(a) Legal counsel is available to each ombudsman for advice and consultation and that legal representation is provided to any ombudsman against whom suit or other legal action is brought in connection with the performance of the ombudsman's official duties; and

(b) each ombudsman has the resources and authority to pursue administrative, legal and other appropriate remedies on behalf of residents.

HA
2-8-90
Attachment 1

New Sec. 4. No individual shall investigate any complaint filed with the office of the state long-term care ombudsman unless the individual has received the training required under subsection (f) of K.S.A. 75-5918 and amendments thereto and has been designated by the state long-term care ombudsman as an ombudsman qualified to investigate such complaints.

New Sec. 5. No ombudsman shall be liable under state law for the good faith performance of official duties in administering the office of the state long-term care ombudsman.

New Sec. 6. (a) No person shall willfully interfere with any lawful action or activity of an ombudsman, including the request for immediate entry into a facility.

(b) No person shall take any discriminatory, disciplinary or retaliatory action against any officer or employee of a facility or government agency or against any resident or any guardian or family member thereof for any communication by any such individual with an ombudsman or for any information given or disclosed by such individual in good faith to aid the office in carrying out its duties and responsibilities.

(c) Any person that violates the provisions of subsection (a) shall be subject to a civil penalty in a sum not exceeding \$2,500 per occurrence. Any person that violates the provisions of subsection (b) shall be subject to a civil penalty in a sum not exceeding \$5,000 per occurrence.

(d) The secretary may assess and collect a civil penalty under this section, after notice and an opportunity for hearing before a hearing officer designated by the secretary to hear the matter upon a determination that a person violated the provisions of subsection (a) or (b). All hearings conducted pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any action of the secretary pursuant to this section shall be subject to review in accordance with the act for judicial review and civil enforcement of agency actions.

New Sec. 7. The long-term care ombudsman enforcement fund is

hereby established in the state treasury. The long-term care ombudsman enforcement fund shall be administered by the secretary. All moneys received for civil penalties imposed under section 6 shall be remitted to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury to the credit of the long-term care ombudsman enforcement fund. All expenditures from the long-term care ombudsman enforcement fund shall be for support of the operations and activities of the office of the state long-term care ombudsman. Such expenditures shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or the secretary's designee.

Sec. 8. K.S.A. 75-5916 is hereby amended to read as follows: 75-5916. As used in ~~this~~ the Kansas long-term care ombudsman act:

(a) "Ombudsman" means ~~a person or persons responsible for~~ carrying the state long-term care ombudsman and any regional long-term care ombudsman or other individual who has received the training required under subsection (f) of K.S.A. 75-5918 and amendments thereto and who has been designated by the state long-term care ombudsman to carry out the powers, duties and functions of the office of the state long-term care ombudsman.

(b) "Secretary" means the secretary of aging.

(c) "Facility" means an adult care home as such term is defined in K.S.A. 39-923 and amendments thereto.

(d) "Resident" means an individual kept, cared for, treated, boarded or otherwise accommodated in a facility.

(e) "State long-term care ombudsman" means the individual appointed by the secretary to administer the office of the state long-term care ombudsman.

(f) "Regional long-term care ombudsman" means an individual appointed by the secretary as a subordinate officer of the office of the state long-term care ombudsman.

(g) "Office" means the office of the state long-term care ombudsman.

Sec. 9. K.S.A. 75-5917 is hereby amended to read as follows: 75-5917. There is hereby established under the supervision of the secretary of aging within and as a part of the department on aging ~~an~~ the office of the state long-term care ombudsman, the head of which shall be the state long-term care ombudsman. The state long-term care ombudsman shall be appointed by the secretary of aging and shall be in the classified service of the Kansas civil service act. The secretary of aging shall appoint each regional long-term care ombudsman and all subordinate officers and employees of the office of state long-term care ombudsman, within the department on aging. Each regional long-term care ombudsman and all such subordinate officers and employees shall be within the classified service under the Kansas civil service act. Under the supervision of the secretary of aging, the state long-term care ombudsman shall administer the office of the state long-term care ombudsman.

Sec. 10. K.S.A. 75-5918 is hereby amended to read as follows: 75-5918. The state long-term care ombudsman shall:

(a) Investigate and resolve complaints made by or on behalf of the residents relating to action, inaction or decisions of facilities, the representatives of facilities, other long-term care service providers, public agencies, or social service agencies, which may adversely affect the health, safety, welfare or rights of such residents;

(b) develop continuing programs to inform and assist residents of--facilities, their family members or other persons responsible for residents of--facilities--of--their regarding the rights and responsibilities of residents and such other persons;

(b) (c) provide the legislature, the governor and the secretary with an annual report relating--to--the--needs--of residents--in--facilities,--including--recommendations--for--meeting those-needs;

(c) collect data for analysis to inform other agencies,--the legislature,--the--governor,--the--secretary--and--the--public--of--the needs--of--residents--in--facilities;

~~(d) promote cooperation among the various agencies concerned with the regulation of facilities, or providing services to residents therein, and the department on aging;~~

~~(e) provide information to agencies and others as required, and containing data and findings regarding the types of problems experienced and complaints received by or on behalf of residents and containing policy, regulatory and legislative recommendations to solve such problems, resolve such complaints and improve the quality of care and life in facilities;~~

(d) analyze and monitor the development and implementation of federal, state and local government laws, regulations, resolutions, ordinances and policies with respect to facilities and long-term care services provided in this state, and recommend any changes in such laws, regulations, resolutions, ordinances and policies deemed by the office to be appropriate;

(e) provide information to public agencies, legislators and others, as deemed necessary by the office, regarding the problems and concerns of older individuals residing in facilities, including recommendations related thereto;

(f) provide for the training of all individuals who are officers or employees of the office appointed by the secretary under K.S.A. 75-5917 and amendments thereto and other representatives of the office, in (1) federal, state and local laws, regulations, resolutions, ordinances and policies with respect to facilities located in Kansas, (2) investigative techniques, and (3) such other matters as the secretary deems appropriate;

(g) coordinate ombudsman services provided by the office with the protection and advocacy systems for individuals with developmental disabilities and mental illness established under part A of the federal developmental disabilities assistance and bill of rights act, 42 U.S.C.A. 6001 et seq., and under the federal protection and advocacy for mentally ill individuals act of 1986, public law 99-316;

(h) consider any representative of an entity providing

ombudsman services who has been designated as an ombudsman by the state long-term care ombudsman, whether an employee or an unpaid volunteer of such entity, shall be deemed to be a representative of the office for purposes of this section;

(i) collaborate with the department of health and environment and the department of social and rehabilitation services to establish a state-wide system to collect and analyze information on complaints and conditions in facilities for the purposes of publicizing improvement and resolving significant problems;

(j) have the right to attend exit conferences conducted by the department of health and environment under K.S.A. 39-935 and amendments thereto; and

~~(f)~~ (k) perform such other duties and functions as may be provided by law or as may be directed by the secretary of aging.

Sec. 11. K.S.A. 75-5920 is hereby amended to read as follows: 75-5920. With the written consent of the resident of the facility, guardian of the resident or next of kin of a deceased resident, an ombudsman shall have access to all records and documents kept for or concerning the resident. In addition, in assisting a resident of a facility, an ombudsman shall have access to all records and documents of the facility which are relevant to such assistance. ~~An ombudsman shall have access to books, records and other documents maintained by the facility~~ to the extent necessary to carry out the provisions of ~~this~~ the Kansas long-term care ombudsman act.

Sec. 12. K.S.A. 75-5921 is hereby amended to read as follows: 75-5921. All information, records and reports received by or developed by an ombudsman which relate to a resident of a facility, including written material identifying a resident or other complainant, are confidential and not subject to the provisions of K.S.A. 45-201 to 45-203, inclusive, and amendments thereto, and shall not be disclosed or released by an ombudsman, either by name of the resident or other complainant or of facts which allow the identity of the resident or other complainant to

be inferred, except upon the order of a court or unless the resident or the resident's legal representative or other complainant consents in writing to such disclosure or release by an ombudsman, except the state long-term care ombudsman shall forward to the secretary of health and environment and the secretary of social and rehabilitation services copies of reports received by the state long-term care ombudsman relating to the health and safety of residents. A summary report and findings shall be forwarded to the facility, exclusive of information or material that identifies residents or any other individuals.

Sec. 13. K.S.A. 75-5916, 75-5917, 75-5918, 75-5920 and 75-5921 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

STATE OF KANSAS



OFFICE OF THE GOVERNOR

State Capitol
Topeka 66612-1590
(913) 296-3232

Mike Hayden *Governor*

TESTIMONY ON H.B. 2791

Denise Apt, Governor's Aide for Education

Thank you Mr. Chairman, members of the Committee.

House Bill 2791 is a qualified admissions bill proposed by the Board of Regents and endorsed and supported by the governor. I quote from the "State of the State:"

"Accessibility to higher education is a priority, but our students must be adequately prepared in order to succeed. Consequently, I recommend a qualified admissions policy for all Regents institutions, to be phased in.

This would provide adequate warning and preparation time for students currently in the Kansas high school system to prepare for a college career."

H.B. 2791 amends KSA 72-116 as amended to read:

"Any person who completes a four-year course of study in any high school accredited by the state board of education and who meets the admission requirements established by the state board of regents pursuant to K.S.A. 76-717."

HA

2-13-90

Attachment 2

H.B. 2791 amends KSA 76-717 to read:

The board of regents may adopt rules and regulations for the admission of students at the state educational institutions and such rules and regulations may prescribe minimum admissions criteria for one or more of the state educational institutions, such minimum admissions criteria shall include, but not be limited to, completion, with a minimum grade point average of 2.00, of a high school curriculum which includes (1) four units of English; (2) three units of mathematics; (3) three units of social studies; (4) three units of natural science; and (5) two units of foreign language. The board of regents may authorize the chief executive officer of each state educational institution to adopt additional rules and policies relating to admissions of students.

Joint Rules and Regulations Committee can of course review the Regents' Rules and Regulations, and the legislature can change the statute as it pleases.

Why qualified admissions? First a much better name would be enhanced preparations or educational institution readiness. Because that is what we're addressing. Better preparation or readiness for our youth in order that they may have better access or choice. Access to any career which they might choose so that no door is closed.

Following is a statement from a group of K-State students:

"We feel that students need to be better prepared to face the challenges that today's changing and more complex society will put forth and also be able to succeed when faced with these challenges. With a proposal of a qualified admissions policy, we are trying to encourage students to meet the stated requirements. This will enable them to enroll in stronger academic programs while attending college and, therefore, be more competitive in the careers they choose." And this is from the students who are affected.

Yes, state universities are publicly supported: Those who pay for them should have the right to attend them. That's the rationale behind the current open admissions policy.

But the open admissions policy ignores a fundamental fact about education. IT is a cumulative process. The proposal concerns only institutions of "higher education." That distinction presupposed that some "lower" education must be completed before advancing.

A student may well have some democratic "right" to be allowed to enroll in a fourth year French class in a public school. But a student who knows not a word of French will be in deep trouble if he does. Allowing such a student to enroll

in the class would waste the time of the instructor and the other students. Only a fool would argue that admission to an advanced French class should be "open to all" with no restrictions.

This situation is analogous to the problem with Kansas state universities. Allowing unprepared students to attend, as the current open admissions policy does, wastes time and money. Universities are expensive places to remediate students.

Open admissions is an easy answer and qualified admissions requires more effort on the part of the student and the part of the high school, but the results are worth it.

Pre-college curriculum can be addressed in every high school in this state by local cooperation, telecommunications or other creative ways. Herndon High school, the smallest in the state, offers a full college prep course and is proud of it!

Dollars are lost as students drop or flunk out of college, but worse is the loss of human potential that may well be loss of a young person who is set up for failure.

Opponents of qualified admissions in the past have said it doesn't allow students the breadth of high school curriculum such as art, band or vocational courses. Those same opponents support dual credits for high school students in a college setting. Isn't it better for that student to prepare himself at a peer level and then proceed to college level curriculum?

Finally, again I quote from the "State of the State":

"Maintaining an educational edge is a herculean effort that will require the support of the broadest spectrum of Kansans. But this effort will be well-rewarded. I can think of nothing more critical to the survival and competitiveness of our state, and our nation, than the education of our citizenry."

The governor asks for your support and favorable passage of HB 2791. Thank you.

STATE OF KANSAS

ALFRED J. LANE
REPRESENTATIVE, TWENTY-FIFTH DISTRICT
JOHNSON COUNTY
6529 SAGAMORE ROAD
MISSION HILLS, KANSAS 66208
(913) 362-7824



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: EDUCATION
LABOR AND INDUSTRY
LOCAL GOVERNMENT

TESTIMONY ON HOUSE BILL 2791, REPRESENTATIVE AL LANE
HOUSE APPROPRIATIONS COMMITTEE
FEBRUARY 13, 1990

Thank you, Mr. Chairman, members of the committee.

I'm here today to speak in support of HB 2791, qualified admissions.

In 1947, prior to my entry into Grandview High School in Columbus, Ohio, I had to select the college preparation program or the vo-tech oriented program for the high school curriculum. My wife had the same choice prior to her entry into high school in Hernando, Mississippi.

All four of our children except one, went K-12 in the Shawnee Mission School system.

I did not realize that Kansas did not have a qualified admissions program. The students know! When our son was in high school, we were watching TV one day and I said something to the effect of, why don't you go up and study. You can bring that C up to a C+ and the B up to an A. It's going to help when you start looking around for colleges.

He said, "Why should I do that. Anybody who graduates from a Kansas high school has to be accepted into the Kansas universities."

HA

2-13-90

Attachment 3

It still did not dawn on me that we did not have a qualified admissions program. I found out when Rep. Vancrum made a presentation to the education committee last session. I have to admit, I was in a state of shock!

Since that time I have taken every opportunity to speak out in favor of qualified admissions.

Every year the Shawnee Mission School District has a Student in Government Program. It includes students from the other school districts in Johnson County.

I was asked to speak to the group of students during an orientation session this past fall. In addition to discussing the mechanics of the Legislature, I was asked to address what I thought would be some of the 1990 issues. One of the issues we discussed was the qualified admissions program.

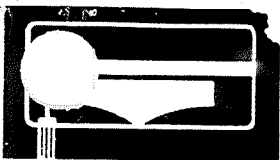
The students come here to the Legislature in November for their session. They go through the bill process procedure as we do.

A qualified admissions bill was introduced, went through the whole procedure and was signed into law by their Governor.

I certainly hope we can follow their lead. Qualified admissions would enhance our educational system as well as better prepare our students for their careers.



Al Lane



KANSAS BOARD OF REGENTS

SUITE 609 • CAPITOL TOWER • 400 SW EIGHTH • TOPEKA, KANSAS 66603-3911 • (913) 296-3421

STATEMENT BY DR. STANLEY Z. KOPLIK
TO HOUSE APPROPRIATIONS COMMITTEE

House Bill 2791
February 13, 1990

Chairman Bunten and Members of the Committee:

We have all heard the expression "if it ain't broken, don't fix it." I appear before you today to argue that the current system of open admissions is broken and in need of repair in order that we might better protect the investment we are making in education at all levels in Kansas. For approximately the last seventy-five years we have maintained that the exit standard from high school, a high school diploma, represents the entry standard to our universities. Ladies and gentlemen, it is a very different world today and we had better recognize this. To get right to the point, I would simply assert that far too many high school graduates come to our Regents universities lacking the necessary preparation, motivational skills and attributes required to complete a bachelor's degree in five years or less.

The single most important reason for the Board of Regents' support of qualified admissions is that students will be better served through an admissions process which specifies and enforces entry-level preparation and abilities. The present system governed by the open admissions statute, gives absolutely no guidance as to what constitutes adequate college preparation. It does not tell us which courses and which competencies students need to succeed at a Kansas Regents university. As a result, Kansas lacks any mechanism which specifies how students are to make the transition from high school to college effectively.

Qualified admissions will benefit students in at least three ways: First, by knowing the expectations and possessing the minimal competencies to meet them, students and their advisors will be better able to evaluate their preparation for entry level college study. Since we are all interested in student success, this is important for public school administrators and parents as well as students. Qualified admissions will help to guard against students being shocked or victimized by gaps they discover between their preparation and the expectations universities have for them.

HA

Second, while the data are not absolute, a consistent relationship is present between student preparation and academic success. Students who are better prepared tend to have higher grade point averages and tend to persist in their studies toward graduation. We do not expect to eliminate student failure, nor student attrition, but we believe that indicators of student success will be favorably affected by the implementation of qualified admissions. This expectation has received substantial support in our experience with admissions standards to our teacher education programs. We have found that we are producing a higher quality of teacher, in part, because we have insisted that applicants meet certain standards before they are admitted into our education programs.

Third, by making admissions standards required, rather than recommended, the Regents and the state will demonstrate to students the seriousness of college preparation. The best way to insure that students have the minimal level of preparation necessary for success in college is to require them to be prepared prior to admission. Establishing the standards as requirements will motivate students to enroll in courses which will benefit them in college.

Here are a few illustrations I would make to help support this argument.

1. The American College Testing Service (ACT) reports that Kansas students who have taken the Regents recommended preparatory curriculum perform significantly better on standardized examinations than those who have not. For example, students who have taken the college preparatory curriculum including foreign language scored on average 22.7 as measured against the statewide average composite score of 19.1 in 1989. Higher ACT scores represent an effective predictor of student success.
2. In the Regents System, one out of three freshmen students will not return for the sophomore year. The overwhelming majority of these students are academic casualties.
3. The assessment of basic skills of Regents university students is providing data which demonstrates the need to increase the levels of entering student preparation.
 - a. Pittsburg State University reported to the Board of Regents in October 1989 that student performance on the mathematics skills assessment test was very disappointing. Moreover, the institution reported that only 60 percent of the students who enroll in college algebra successfully complete the course.
 - b. The University of Kansas reported to the Board of Regents in September 1989 that only 50 percent of enrolled students successfully completed Math 002 Intermediate Mathematics and Math 101 College Algebra, the two elementary mathematics courses.

4. The University of North Carolina, a peer of The University of Kansas, reports that rates of student attrition and degree completion were favorably affected as admission standards were increased. In recent years, the percentage of students completing degrees within five years at the University of North Carolina, Chapel Hill is 70 percent. For 1982 entering students at Kansas Regents universities, degree completion after five years of study are:

KU	46.5%
KSU	41.0%

5. According to a report from the Kansas State Department of Education, approximately 30 out of 304 school districts in Kansas, did not offer foreign language during the 1989-90 school year.
- These thirty districts contain approximately two percent of students in public schools. In 1988-89, Kansas enrolled a total of 426,598 students. The total number of seniors was 28,783; two percent represents 576 students.
 - For the 1989-90 school year, every school district in Kansas is required by the State Board of Education to offer at least one unit of foreign language.
 - By 1991 all school districts are required to offer two years of foreign language instruction.
6. The Regents Educational Communications Center is augmenting the ability of Kansas school districts to deliver the Preparatory Curriculum to high school students.
- The RECC is transmitting Spanish I, a year long secondary school course in 1989-90. The course is being transmitted to 72 schools and has 829 students. Spanish II will be offered in addition to Spanish I in the 1990-91 Academic Year.
 - The RECC offered a short course in Genetics to high school biology students in May 1989. Twenty-three schools participated, providing instruction to 349 students.
7. Data collected by Regents universities indicate that since 1983, approximately 17 percent of resident undergraduates have taken the college preparatory curriculum. Many students will continue to resist taking a more rigorous curriculum until it becomes a prerequisite for entry to college.
8. With an FTE enrollment of 17, Herndon High School is the smallest high school in the state. Herndon provides its students the entire preparatory curriculum including foreign language. For 1988 graduates, ACT scores range from 22 to 26. Four of the six 1988 graduates enrolled in a four-year college or university.

9. Arguments are frequently made on behalf of opportunities for "late-bloomers." Perhaps the better approach would be for unprepared or unsure students to get their start at a community college. The community colleges do an exceptionally good job helping students make the transition from high school to college level work. The Regents universities do not do the job nearly as well, and we are much more expensive.

Finally, I would point out that Kansas remains alone without any requirements for admission to any of its universities beyond the high school diploma. This, by itself, doesn't mean that we should enact standards or requirements. The important, and I believe compelling, argument is that no institution or state system which has put admissions requirements in place has ever retreated and taken those requirements away. We are confident that if we raise the high bar in Kansas our high school students will respond, just as I am convinced that this kind of urging is necessary if we are to make the most effective and efficient use of our human and fiscal resources.

Thank you for your consideration.

OPEN ADMISSIONS IN KANSAS: THE VIEW FROM THE
TRENCHES

By Phillip Paludan

Put yourself in my place. There are about 250 freshmen out there in front of you and your job is to make them excited about American history, to tell them the story of how the nation became what it is and what that means to who they can be. That's an important job and you want to do it the best you can.

You think you can do it. You've won two teaching awards, been nominated for three or four others, your classes always fill up.

But there is a problem. You know that out there are students who just barely got out of high school, students who have never been required to take education seriously, students who have a hard time reading books that demand strict attention, students who haven't acquired the background for college level work, students who are scared about their own lack of preparation and because they are scared they try not to show it. They act as if they don't care. They spend alot of their time being sociable because that is something they are good at.

Also out there are students who are prepared, not necessarily honors students, but people ready to learn at a college level because they had good background courses, learned to study. They've worked very hard to get ready for the next challenge.

The problem is who do you teach the course to? In the abstract that may not be a problem--teach at the level of the better prepared students and if the unprepared ones can't keep up at least they had the chance. But we're not talking abstractions here. You're in my place, and my place is in front of that class. What's that like?

Today's lesson is on the Constitution and you want to start with the preamble, to explain and make the students care about what the goals of the founding document are. So you start but you spot a couple of confused looking students, and some who have given up listening because they don't understand, or couldn't finish the background reading. And because in that situation you are face to face with someone who is confused and because you are a teacher, you see them and you go back over something you've just said and try to say it in a way that that confused looking student will understand. And you see the student who isn't listening and because you are excited about the subject and want others to be excited too you push yourself to grab their interest, trying to say what you've been saying in a more exciting way. And while you're trying and trying to reach those students who are not ready to hear you you know that the ones who are ready

are losing something and you are losing something too.

The students who are ready are hearing something three times that they only need to hear once. They are missing the chance to ask a question because you are paying attention to the students most in need. When you do stop for that question you see out of the corner of your eye that the unprepared student doesn't understand the question, or your answer. And so the prepared student begins to worry about asking questions that you seem to have to answer in too simple a way. Or that student begins to feel frustrated, because there are exciting and interesting things to think about and wonder about, but you seldom get to those things because the elementary material needs to be explained and explained.

You give the students an exam and the unprepared students write essays that don't make sense, show that they haven't done the reading or understood it. Or you assign a term paper and the poorer students hand in something from the World Book Encyclopedia, something you handed in in seventh grade. So you spend hours writing comments on their papers, trying to show them how to improve from seventh grade level work. And the time you spend doing that is time you can't give to the students who worked so hard in high school so that they could be pushed even further in college.

You aren't only bothered by what happens in your classroom, you are also very concerned about doing the other major thing that the university and the state ask you to do--your research. The mission of the university is to not just pass on knowledge, it is to discover new knowledge. There is excitement here of course, your research not only opens new frontiers of knowledge, it adds interest to your classes by bringing new facts and ideas to light. There are also the economic benefits to the state that research brings. But because of the time and the energy you have to spend on teaching unprepared students, you can't spend the time on your research that the mission requires of you, and you know the state loses something there too.

You know that Kansas began its open admission policy seventy five years ago, in 1915, when a high school diploma was more rare than it is today, when it was a sign of more preparation for university work than it would be today. You wonder if it's time to consider the possibility that the intentions of the writers of the old law were to insure better preparation for higher education, not to provide a chance for poorly prepared people to enter it.

You also know very well, by talking to your children and their friends, and to your own students, that high school, even in the 1950s when you went to Glendale High in California, is not high school today. There are so many more social problems connected to the high school experience--your children's high school has a resident drug and alcohol abuse counsellor, for example. Your children tell you that so many kids they know in

high school feel as though they can goof off, get drunk, study as little as possible, because they know they can get into the university with minimum effort. Of course the drug problem has more complex roots, and changing admissions policies might not affect the drug problem at all. But you do wonder if a step which made kids who are thoughtful think a bit about costs wouldn't do something to help.

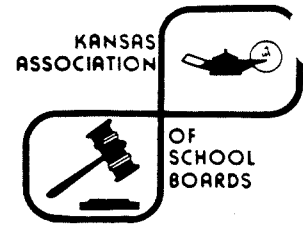
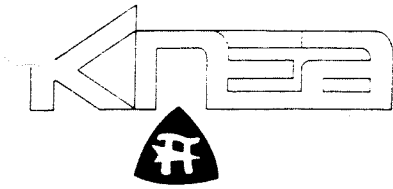
Since you are big basketball fan you've been watching the ways in which the NCAA has given up its permissive attitude about college entrance for athletes. Proposition 48 was the result and now athletes have to show some ability to do college level work. You wonder why the NCAA should be in advance of the state of Kansas.

And so you are frustrated and tired, more tired than you should be, because you are working and working to reach the more needy students and they still stay in need. Your class is becoming a place to dispense elementary material rather than a place to exchange exciting ideas and information. Your best teaching confuses the unprepared students. The university sometimes begins to feel like a high school. You get sad and angry because you know what good classes can be and what intellectual excitement there is when people who are prepared get together and talk about things that matter.

If you care about the society outside the university you worry about the weakness of the educational system in the country. Somehow that seems connected to the country's loss of competitive position in the world. You can't help contrasting the work ethic of many of the foreign students you meet with the laziness of so many American students. You can't help believing that the demanding school systems of foreign countries might help provide the incentive that moves them ahead.

Sometimes you can get some comfort in knowing that the problem solves itself in individual cases. You know that the unprepared student will be gone after a semester or two and that your advanced classes will be free of them. You try not to worry about the time and effort and resources you and the state spent on people who weren't ready to be there. You try not to think about the frustration felt by the unprepared students who are now back home somewhere, angry and confused, feeling they are failures because they were trying to do something they weren't ready to do.

Phillip Paludan, author and award winning teacher, is a professor of history at the University of Kansas.



Testimony on HB 2791
before the
House Appropriations Committee

by

Bill Curtis, Assistant Executive Director
Kansas Association of School Boards

February 13, 1990

Mr. Chairman and members of the Committee, we appreciate the opportunity to testify on HB 2791, a proposal which would do away with open admissions to regents institutions. My name is Bill Curtis, representing the Kansas Association of School Boards but I have been authorized to issue joint testimony also on behalf of the Kansas National Education Association and United School Administrators.

The Kansas Association of School Boards has devoted many hours of study to the subject matter of HB 2791. We have heard eloquent speakers and reviewed much printed material on both sides of this important issue. Following this study and review, our members voted in December 1987, December 1988 and December 1989 to continue to support our long standing position in favor of the present state policy of open admissions to our regents institutions. We have not seen any evidence of hardship or failure which we believe would result from a continuation of that policy which allows any Kansas high school graduate to continue their education at any tax supported Kansas institution of higher education.

HA
2-13-90
Attachment 6

We object particularly to the approach suggested in HB 2791, which would leave the development of selective admissions criteria to the Kansas Board of Regents. We believe that this is such an important matter of state public policy that if admissions criteria are to be developed, they should be developed by this legislative body and placed in statute. Our preference, obviously, is to continue the present policy of open admissions for graduates of accredited Kansas high schools.

As an addendum to the above statement, I must also include another statement to the open admissions policy of KASB. Clearly, this additional statement reflects only the view of KASB and not the other two organizations. At the meeting of our Delegate Assembly in December, 1989 the following language was added: "... if qualified admissions standards are instituted for these institutions, there should be differential standards for each institution that are related to the mission of each institution."

We appreciate the time and attention of the Committee. The three organizations listed above would prefer to retain the open admissions policy.

6-2



**KANSAS COUNCIL ON
VOCATIONAL
EDUCATION**

717 KANSAS AVE * TOPEKA, KANSAS 66603-3811
913-296-2451

Eddie Estes, Ph D., Chair
President, Western Kansas
Manufacturers Association
Dodge City

Dr. David L. DePue
Executive Director

Gary Withrow, Vice Chair
Employee Involvement Coordinator
Eaton Hydraulics Division
Hutchinson

MEMORANDUM

Frances Graham
Executive Committee Member
Vocational Counselor
Johnson County AVTS
Olathe Center
Olathe

TO: Representative Bunten and Members of the House
Committee on Appropriations

FROM: David L. DePue

DATE: February 13, 1990

J. C. "Cash" Bruner
Business Representative
International Assn. of Machinists
and Aerospace Workers
Wichita

SUBJECT: Concerns with Proposed Regents Admissions
Standards in H.B. 2791

Karen A. Conklin
Market & Survey Research Analyst
Johnson Co Community College
Overland Park

Janis Lee
State Senator
Farmer/Rancher
Kensington

D. Joe Midrexi
Dean of Community Services
Colby Community College
Colby

Jerrilee Mosier, Ed.D.
Vice President, Instruction
Allen County Community College
Iola

Carol Nigus
Director, Brown County
Kansas Special Education Cooperative
Hiawatha

Lee Reeve
Agribusiness Entrepreneur
Garden City

Dick Rogonmoser
Senior Vice President
Martin Tractor Company
Topeka

Robert Thiry,
Coordinator
Ks. Carpentry Apprenticeship
Perry

Andrea Welborn
Coordinator, Turning Point-ALRC
University of Kansas
Lawrence

It is a pleasure to appear before this committee in behalf of the members of the State Council. This Council provides oversight and policy advisement for the U.S. Congress, the Governor, the State Legislature and State Board of Education. Each of the thirteen members represents one of the constituent groups served by their federally funded programs.

I am here today to express concern about setting universal standards for admitting the sons and daughters of our constituents into Regents Institutions. This movement is based upon at least two incorrect assumptions.

I. Will higher entrance standards improve the dropout rate in Regents institutions?

I have taught at four major universities and was academic officer of my division at the University of Illinois-Champaign Urbana Campus (U of I). This institution has the highest entrance requirements in the State system. Yet, I had to "drop" or put on academic probation about one-fifth of the freshman each year, including some high school valedictorians. The symptoms (reason given on the form) were usually poor grades. The real problem was almost always either; 1) social, 2) personal, or 3) financial.

II. Will the proposed liberal arts curriculum help the majority of our young people have successful careers?

Most voters aspire to see their children go on to college. A Regents specified curriculum would become the standard in our public schools. The reform movement of the

HA
2-13-90
Attachment 7

80's raised academic standards yet had no real effect on dropouts at the high school or university level. In fact, given the demographic shifts, the higher standards may have worsened the problem.

Over 80% of young people list job related aspirations as a reason for university enrollment. Yet, we've learned that 80% of the new jobs available in the year 2000 will require postsecondary education or training at less than the baccalaureate level.

Liberal arts courses will not help the nearly 20% who drop out of high school, the 20% who seek employment after school graduation, the over 20% who drop out of the university the first year, nor the 20% who graduate with a baccalaureate and are found to be living at home working in the retail trade.

THE SOLUTION: RESTRUCTURING EDUCATION

A wave of education reform is taking place across America and around the world. The global economy and international competitiveness in the workplace has dramatically revised worker expectations. The traditional entry level occupations in the manufacturing sector are all but gone. Next to disappear are many of the entry level jobs in the service sector. Workers are expected to solve production and management problems in team activities. Computer skills, statistics, and knowledge of technical systems are required. Now the middle management positions are disappearing. Those were the entry level targets of many of our non-technical university graduates. Research by the Hudson Institute, Kansas Inc., the Wichita WI/SE Partnership for Growth, and several states have documented the challenge and requirements for a new model.

In summary, all students need competencies in broad transferable skills to enable the Kansas workforce to compete in a global economy. The 80%, as well as the potential engineer and scientist, need skills in keyboarding, data manipulation (charts, graphs, and statistics) problem solving/decision making, understanding information systems, and other technical-technological systems, resource management, economics of work, applied math and science, and career planning.

Our companies are already exporting work and importing workers to handle these new requirements. Increasing the number of traditional courses and emphasizing a liberal arts curriculum will not make Kansas more competitive in the global workforce. This was the tactic of the 80's reform movement. We slipped further behind then. Should we ignore the signs, the data, the advice of business leaders, and regress further?

LEGAL DESCRIPTION

A tract of land located in the Northwest Quarter of Section 3, Township 12 South, Range 16 East of the 6th P.M., more particularly described as follows:

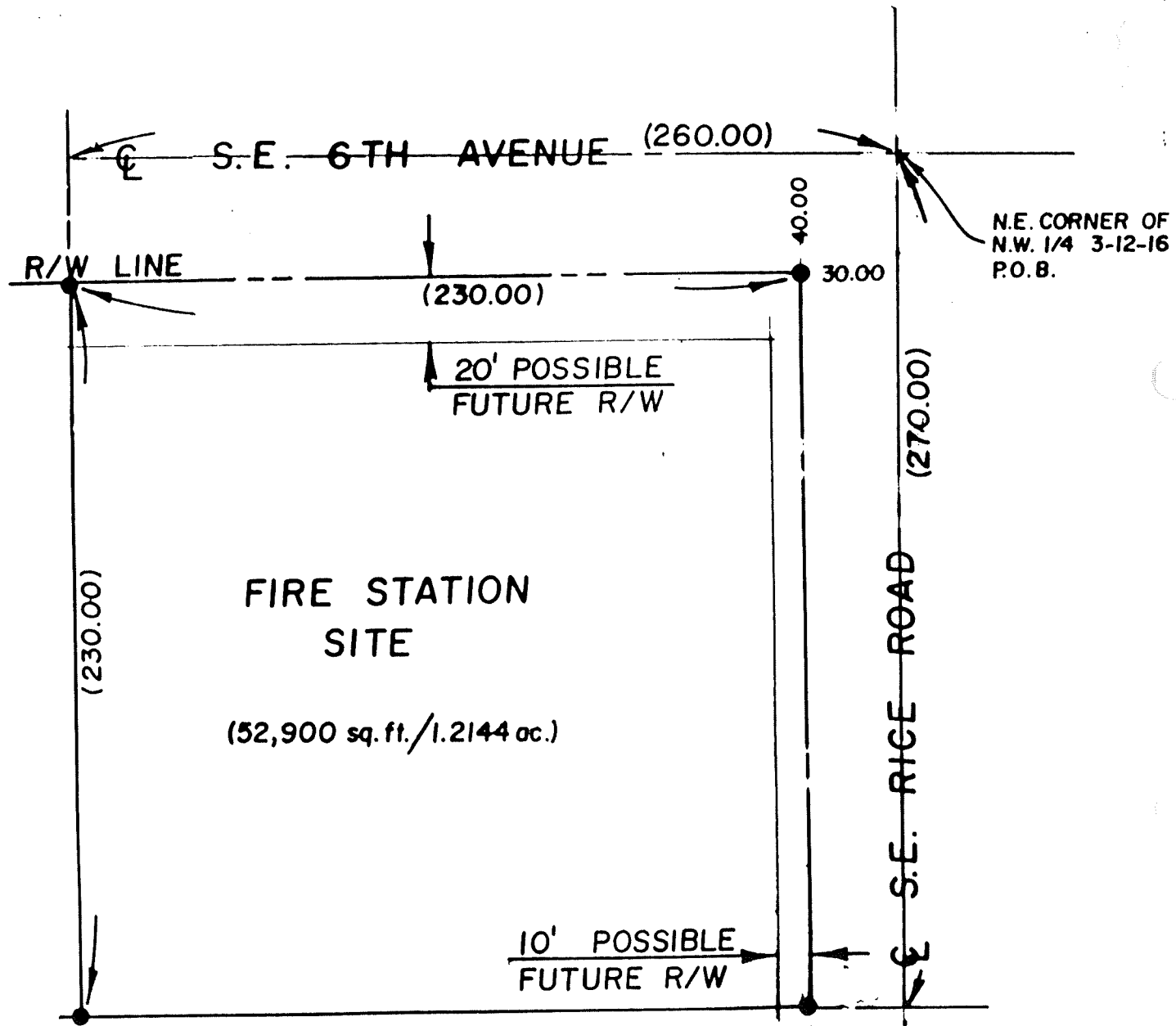
Beginning at a point that is forty (40.00) feet South of and thirty (30.00) feet West of the Northeast corner of said Northwest One-Quarter (1/4) Section; thence South two hundred thirty (230.00) feet along the West right of way line of Rice Road; thence West at right angles, two hundred thirty (230.00) feet; thence North two hundred thirty (230.00) feet to the South right of way line of East Sixth Avenue; thence East two hundred thirty (230.00) feet to the point of beginning.

All in the City of Topeka, Shawnee County, Kansas. Containing 1.21 acres more or less.

HA

2-13-90

Attachment 8



SCALE: 1" = 50'

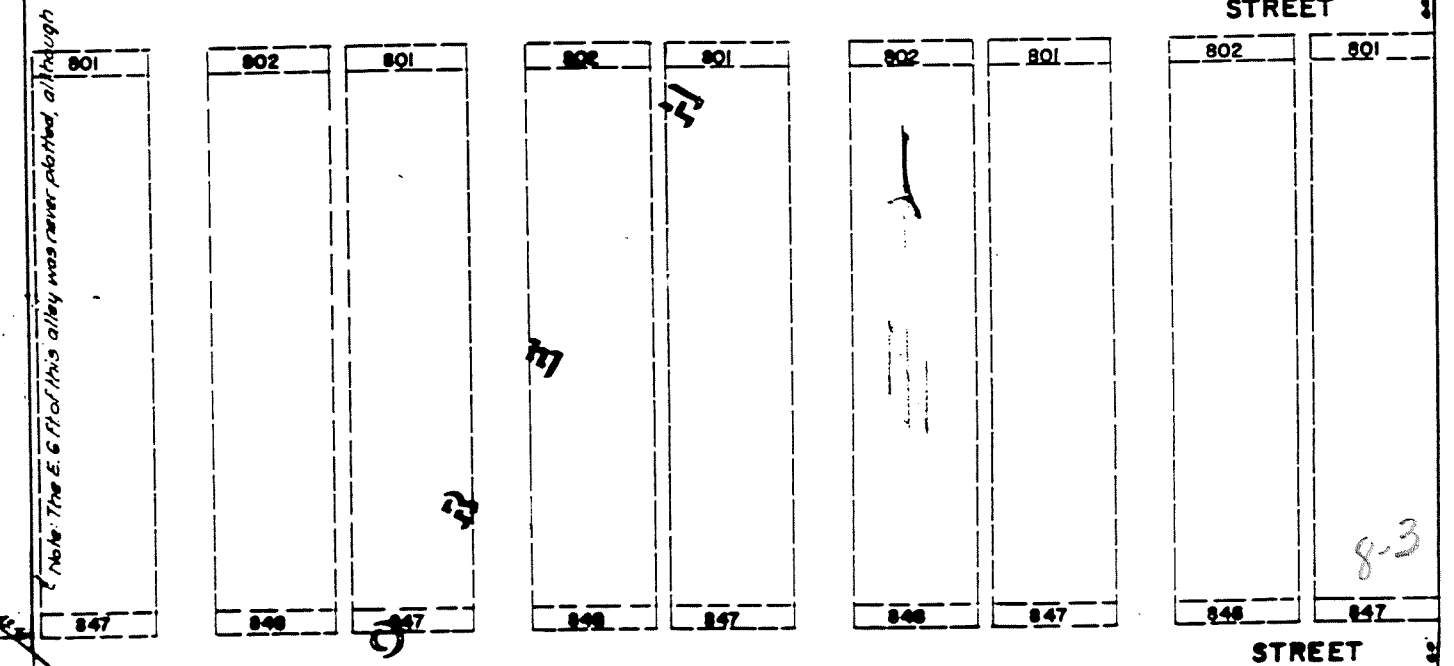
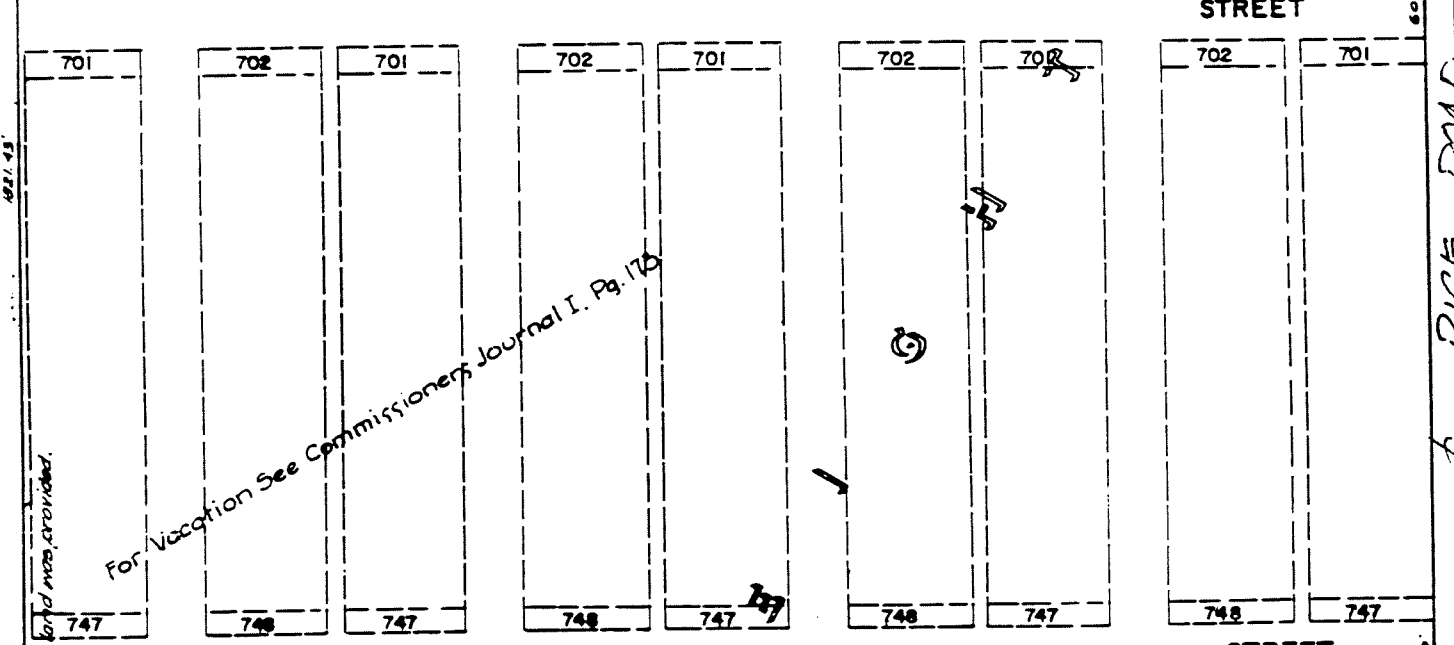
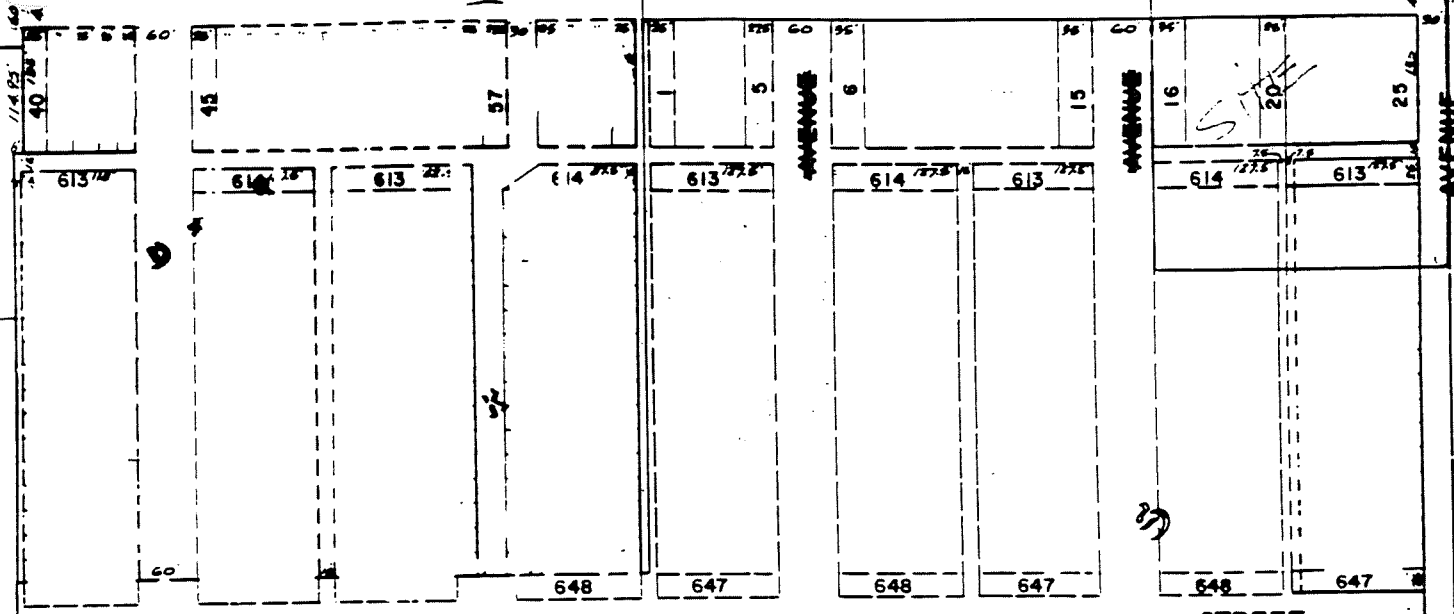
2-8

7859.00

7860

AVENUE

AVENUE



Note: The E. 6 ft of this alley was never platted, although land was provided.

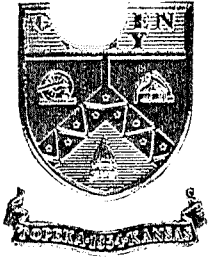
For Vacation See Commissioners Journal I. Pg. 173

RICE ROAD

787.75

8-3

STREET



CITY OF TOPEKA

Harry "Butch" Felker, Mayor
215 E. 7th Street Room 352
Topeka, Kansas 66603
Phone 913-295-3895
Fax Number 913-295-3850

HOUSE APPROPRIATIONS COMMITTEE TESTIMONY

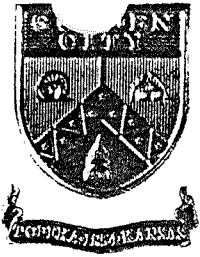
**MAYOR FELKER on HB 2804 - Room 514 S - Tuesday, February 13, 1990,
1:30 p.m.**

Thank you for this opportunity to speak to you today. I brought a map which shows the outer perimeter of the city limits, the red dots are the existing stations and the yellow areas are the underserved areas according to fire response standards.

The City Council has planned to add two additional stations in the 1990 Capital Improvement Program. The No. 1 priority is the east and north areas of Topeka. The blue dot represents the Oakland Expressway and the 75 Bypass. As you can see, there will be accessibility to go north and south. This bill helps us financially obtain a fire site without paying for land acquisitions. It seems when the City wants to purchase land, the value is very high, when we want to sell land, the value is very low. This site is an advantage to the state for on-site fire protection of state owned facilities and when development occurs further east and south, the City can respond immediately.

The reverter clause is there in case but we do feel it will happen. We can't bring the CIP to a complete stop - we ask your assistance to pass this bill to build this station. The Department of Corrections has been supportive and working with us.

HA
2-13-90
Attachment 9



CITY OF TOPEKA

City Council
215 E. 7th Street Room 255
Topeka, Kansas 66603
Phone 913-295-3710

Testimony to the House Appropriations Committee

Mary Holmgren - February 13, 1990

Thank you for the opportunity to testify in favor of HB 2804. For nearly five years, I have been the city council representative in the area in which this land transfer would occur. While I do not speak for the City as an officially designated representative, as an individual council member, I strongly support this bill, and would like to share with you my reasons:

1. The City of Topeka Capital Improvements program projects that two fire stations should be built in Topeka. The transfer of land proposed in HB 2804 enables the city to build a fire station at the 6th and Rice Road location, without bonding the cost of purchase of the property. The state of Kansas has an opportunity to work with us to provide services and minimize the tax burden.

2. This transfer sends a positive message to the citizens of Topeka. In the past, the relationship between the Department of Corrections, and the neighborhood have been stormy at times. This proposed transfer signals a new era of cooperation between the Agency and the citizens and the city government. This is a relationship which I would like to see nurtured into a long term and mutually beneficial one, and I have confidence that this will

HA
2-13-90
Attachment 10

Testimony, House Appropriations Committee
Mary Holmgren, Topeka City Council
2-13-90

occur.

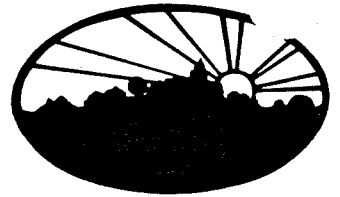
3. When a fire station is built, it will physically enhance this neighborhood. It will be a community symbol and a source of pride for the neighborhood. The fire station will, to a certain extent, provide a buffer between the correction facilities and the entrance to the residential neighborhood nearby.

4. The state through its cooperative effort will enhance the city's ability to provide public safety services to the citizens of East Topeka.

Because of the city's management and budget process, a few months may elapse before the City Council makes a specific commitment on this fire station project. I want to assure you that I, as an individual council member, am committed to the project and will do all that I can to ensure that it is thoughtfully considered and approved by the city council. Your approval of this legislation will provide encouragement for the council, and will be greatly appreciated.


Mary Holmgren, City Council Dist. 3

East End Neighborhood Improvement Association



February 13, 1990

Mr. Chairman, Representatives,
My name is Mary Quiett, I have lived in eastgate for 19 years. I'm here today to tell you in person, I'm in favor of house bill # 2804.

Since 1957 East Topeka has heard a rumor of a Fire Station being built there. This is 1990 and still no Fire Station!

A new one was built on E.29th in the 70's. Then in the 80's Topeka got a new Expo Center with a new Fire Station. East Topekas new Fire Station was still just a "rumor".

we have been told the responce to reach us is 7-10 Minutes. A tragedy could happen in that lenght of time. If a fire truck responding is comming from the Seward Station and it goes down Rice RD. It could be held up by a train!

This new station could help cut down responce time to 2-3 minutes! A life could be saved!

A few months ago, with the Dynamatic, postive change of the Sec. of the D.O. C. an idea was born! and today I'm here with you speaking in favor of this bill.

with the help of this bill the City of Topeka shouldn't have any excuses for East Topeka just having a "rumor" of a fire station.

with the passing of this bill, The City's willingness to build the station and the D.O.C.S idea of the land being given to the City, We can step into the 90s together a winner!

Again, Thank you for the chance to speak in favor of House Bill # 2804!

Mary Quiett
President, E.E. N.I.A.

HA
2-13-90
Attachment 11