

Approved January 28, 1991  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Rick Bowden at  
Chairperson

3:30 ~~am~~ p.m. on January 23, 19 91 in room 519-S of the Capitol.

All members were present except:

All Present

Committee staff present:

Avis Swartzman, Revisor of Statutes Office  
Ben Barrett, Legislative Research  
Carolyn Rampey, Legislative Research  
Donna Luttjohann, Secretary to the Committee

Conferees appearing before the committee:

Carolyn Rampey, Legislative Research Dept.  
Alan Conroy, Fiscal Analyst, Legislative Research Dept.  
Patricia E. Baker, Associate Executive Director, KASB  
Craig Grant, KNEA

Chairman Bowden opened the meeting and invited Rep. Richard Reinhardt to Chair the Committee.

Rep. Reinhardt introduced Carolyn Rampey of Legislative Research to speak in regard to Washburn's funding. She briefly explained how Washburn was governed and how State Aid is distributed. Attachment 1. Discussion took place afterward. Rep. Reinhardt then introduced Alan Conroy of Legislative Research who explained the Regent's Financing. Attachment 2.

Chairman Bowden then resumed Chairing the Committee and introduced Patricia Baker of the Kansas Association of School Boards. She made the request to introduce legislation on behalf of Kansas school boards proposing amendments to K.S.A. 60-2201, that it is not recommended that school board members be exempt from financial responsibility, only that the statute clearly reflect a legislative intent to allow that responsibility by means other than judicial lien and K.S.A. 72-1111, Statutory language setting forth standards to be met by non-accredited schools and regulatory procedures for ensuring such standards are met. Ms. Baker also made a proposal for Legislative Action on Alternative Routes to Accreditation. Attachment 3.

Representative Jess Harder moved that the requests of legislation by Pat Baker, on behalf of Kansas Association of School Boards, be authorized for introduction. Representative Cindy Empson seconded the motion. The motion carried.

Craig Grant, representing Kansas National Educators Association was then called upon to request legislation to amend K.S.A. 72-5443 and K.S.A. 72-5413 (1) as stated in Attachments 4 & 5. A motion by Rep. Hensley to introduce legislation presented by Craig Grant was made. Rep. Reinhardt seconded the Motion. The Motion carried.

There was a Motion to approve the minutes of the January 16 meeting by Representative Jones. It was seconded by Representative Empson, the Motion carried.

The meeting was adjourned at 4:25 p.m. The next meeting is scheduled for January 24, 1991 at 3:30 p.m. in Rm. 519-S.



# MEMORANDUM

## Kansas Legislative Research Department

Room 545-N -- Statehouse  
Topeka, Kansas 66612-1586  
(913) 296-3181

January 23, 1991

To: House Committee on Education

Re: Washburn University

### Characteristics of Washburn University

Washburn University is governed by a nine-member board of regents comprised of four members appointed by the Mayor of the City of Topeka (approved by the Topeka City Commission), one from each of the three Topeka state senatorial districts and one from the city at large; three members who are residents of the state appointed by the Governor; the Mayor of Topeka, or a member of the Topeka City Commission selected by the Mayor; and a member of the State Board of Regents selected annually by the State Board. The University's fall 1989 headcount enrollment was approximately 6,500 students and its F.T.E. enrollment was almost 4,600. It offers programs leading to associate and baccalaureate degrees, master's degrees in business, education, and psychology, and the juris doctor degree in law.

The University is under the jurisdiction of the State Board of Education, primarily for the purpose of distributing state aid. The State Board is given authority to develop rules and regulations and to conduct audits in connection with state aid entitlements. It also is responsible for approving all vocational education programs for which the associate degree is offered.

### Funding

Washburn receives its funding from student tuition and fees (38 percent of its FY 1991 revenues), City of Topeka taxes (27 percent), state aid and out-district tuition (23 percent), endowments (3 percent), and miscellaneous revenues (10 percent). The education and general portion of the University's general fund budget is almost \$30.0 million.

State aid to Washburn University is distributed through three programs:

1. **Credit Hour State Aid.** The current rate is \$28.00 for hours taken by undergraduate students, \$42.00 for hours taken by law students (1.5 times the undergraduate rate), and \$25.00 for hours taken by graduate students.
2. **Out-District State Aid.** Aid in the amount of \$24.00 per credit hour is paid for students attending Washburn who reside outside the City of Topeka (the University's levying boundaries). The aid is subject to a 64 credit hour limitation, except for a 72 hour limitation on students enrolled in terminal nursing programs or pre-engineering courses. (Counties and townships in Shawnee County outside the City of Topeka also pay a \$24.00 per credit hour rate for residents who attend the University.)

- 3. **Operating Grant.** Beginning in FY 1988 with an appropriation of \$200,000, the University has received an amount of state aid that is not based on credit hours but simply is subject to appropriation. Because the University's enrollment growth in recent years has been fairly stable, most of its increase in state aid has been distributed through the grant.

The table below shows the amounts of state aid estimated for the University based on the Governor's recommendation:

	Actual FY 1990	Est. FY 1991	Gov. FY 1992
Credit Hour State Aid	\$ 3,769,095	\$ 3,703,136	\$ 3,703,136
Out-District State Aid	661,644	667,416	667,416
Operating Grant	1,442,440	1,662,672	2,724,061
<b>TOTAL</b>	<b>\$ 5,873,179</b>	<b>\$ 6,033,224</b>	<b>\$ 7,094,613</b>

*Board of Ed  
at Washburn  
and Gov. 1992*

**State Affiliation**

In 1985, the Washburn University Board of Regents adopted a resolution to seek "full state affiliation" for the University as a free-standing institution under the State Board of Regents. The resolution stipulates as a condition of the affiliation that "Washburn" must be continued in the name of the University and the School of Law must remain at Washburn. Both the State Board of Education and the State Board of Regents have endorsed Washburn's entry into the state system, although how that entry is to be accomplished is subject to varying proposals.

# MEMORANDUM

## Kansas Legislative Research Department

Room 545-N -- Statehouse  
Topeka, Kansas 66612-1586  
(913) 296-3181

January 23, 1991

To: House Education Committee  
From: Alan Conroy, Principal Fiscal Analyst  
Re: Regents' Financing

The financing of higher education is of considerable interest to the Kansas Legislature. Traditionally, the Legislature makes many of its decisions regarding financing of higher education on a systemwide basis, applying them to each institution under the jurisdiction of the Kansas Board of Regents. Additionally, the Legislature reviews each of the institutions' individual budgets.

**Financing of University Budgets.** The term "general use fund" is central to discussion of the financing of institutional operating budgets. This term refers to those funds that can be used to provide general financial support for campus operations. General use funds include State General Fund appropriations, General Fees Fund revenues (primarily tuition income), and interest on certain investments. For Kansas State University they also include federal land grant funds and for the University of Kansas Medical Center and Kansas State University Veterinary Medical Center, general use funds include revenues from hospital and laboratory operations.

In contrast, "restricted use funds" are those that must be used in a manner consistent with the conditions attached to the receipt of the funds. While subject to appropriation by the Legislature, the majority of restricted use funds are treated as "no limit" appropriation accounts, *i.e.*, the institution has the authority to make expenditures from the fund subject to the limitation of available resources. Certain restricted use funds, such as Sponsored Research Overhead Fund, are subject to expenditure limitation and the institutions cannot expend resources in excess of the limitation without legislative approval. Other examples of restricted use funds include parking fees, student union fees, federal research grants, and income generated by campus revenue producing activities. Additionally, Wichita State University benefits from a 1.5 mill levy applied to property within Sedgwick County. The mill levy funds are largely under the jurisdiction of the Wichita State University Board of Trustees, as specified in K.S. A. 76-3a07 *et seq.* Most of those expenditures are not reflected in the state budget. It should be noted that the individual institutions benefit from expenditures by their respective endowment associations, much of which are not included in the state budgets.

The Board of Regents has developed certain procedures and guidelines for the restricted use funds. Further, certain restrictions are contained in appropriations provisos, which authorize expenditure of the Restricted Use funds. Nevertheless, the overwhelming majority of consideration given to the institutional budgets by the board, the Governor, and the Legislature, is directed to the

HOUSE EDUCATION  
Attachment 2  
January 23, 1991

General Use portion of the budget. In most instances, all recommendations of the Governor and the Legislature are reflected only as adjustments to the General Use budget and the Restricted Use budget is not formally updated following its original October 1 submittal by the institution. However, under present review procedures, such updates would be little more than an exercise, due to fluctuations in restricted fund receipts and the limited review given to those funds.

### **Operating Budget Characteristics**

The operating budget consists of all expenditures, except capital improvements. Further, the operating budget includes ongoing items and new requests. The items which comprise the maintenance or base budgets are typically those of an ongoing nature, as opposed to new requests which are considered program improvements. Review of operating budgets by both the Board of Regents and the Legislature is almost exclusively focused upon consideration of issues for the upcoming budget year or "out year." Legislative consideration of the Regents' budgets has not focused upon intensive review of expenditure trends during the current fiscal year. Further legislative consideration of those budgets has typically not included scrutiny of expenditure patterns among individual objects of expenditure (*i.e.* communications, contractual services, motor vehicle expenses, etc.) with the exception of utilities which are appropriated as a specific line item.

The Board's budget cycle involves making budget decisions at its June meeting. Prior to the Margin of Excellence, institutions submitted a listing of requested mission related enhancements as a part of their June submittal to the Board. These listings were without limitation in total dollars requested. The Board then set its limitations on the dollars requested, frequently as a percentage of the base budget. In the years subsequent to the Margin of Excellence, the Board has approved allocations of funding the achievement of faculty parity and mission related enhancements prior to the June budget meeting, and specified that the institutions are to develop requests within those allocations. The Board has not substantially altered those institutional requests, at its June budget meeting, unless those requests exceed allocations or appear outside the scope of institutional mission. The concept behind the allocation procedure is a requirement that the institutions submit projects representing their highest priorities, within the limitations of an allocation. However, maintenance items comprise the bulk of the new requests, due to the magnitude of the base to which maintenance recommendations are applied.

### **Program Maintenance Budgets**

As previously mentioned, the maintenance budgets consist of those items which are ongoing in nature. In most cases the decisions applied by the Board, the Governor, and the Legislature to the maintenance budgets have been systemwide in that the recommendation has been applied in a similar fashion to each institution. Most of the maintenance budget considerations are incremental, in that a percentage adjustment is applied to a previous base. Advantages to such incremental adjustments include its simplicity and the consistency of treatment given to each institution. Disadvantages to those incremental adjustments include not directly addressing actual expenditure requirements at the institutions or the relative differences among their respective base

budgets. Major exceptions to simple incremental budgeting have included the enrollment adjustment, which is formula driven. Further utilities have been financed at actual cost for several years.

### Board's Budget Review Procedure

The Board of Regents annually decides upon the maintenance increase request that it will submit for the upcoming year. Although the final decisions are made at the Board's June meeting, individual Board members and the Board's staff analyze various options prior to that June meeting. One source of information used by the Board and its staff is comparison for purposes of determining the adequacy of funding in several activities. These peer comparisons were initially developed as a proposal to finance the institutions through a formula funding procedure. Although the formula funding concept has not been adopted, use of the peer comparisons is a source of information used by the Board in its decision making.

Peer institutions were first selected by a Regents' task force in 1976 from states whose ability to support public education, higher education pattern, and populations were determined to be relatively similar to that of Kansas. The major basis for comparison was similarity in program responsibilities. Comparison institutions were to be similar in enrollment measures, and broad "missions" were to be similar. In addition, the institutions had to be publicly controlled, characteristics of image, expenditures, emphasis, head count enrollment, and doctoral enrollment had to be comparable, the institutions were not to be from either heavily or sparsely populated states, and no peer group was to be larger than five institutions. The Board of Regents designated peer institutions are listed in the table below.

<u>Regents' Institution</u>	<u>Peer Institution</u>
University of Kansas	University of Colorado University of Iowa University of North Carolina - Chapel Hill University of Oklahoma University of Oregon
Kansas State University	Colorado State University Iowa State University North Carolina State University Oklahoma State University Oregon State University
Wichita State University	University of Akron Portland State University Virginia Commonwealth University University of North Carolina - Greensboro University of Wisconsin - Milwaukee Western Michigan University

Emporia State University	Eastern New Mexico University
Fort Hays State University	Murray State University
Pittsburg State University	Western Carolina University
	Central Oklahoma University
	Eastern Washington University
	Northern Arizona University

### **Legislative Budget Review Procedure**

The Legislature has typically made its recommendations concerning institutional maintenance increased in a systemwide fashion, as has the Governor. The Legislature considers the recommendations of the Board and Governor. The Senate Ways and Means Committee and the House Appropriations Committee both make a set of systemwide recommendations, the numerical equivalents of which posted into the appropriations bill, as recommended by that committee. The following list displays those items that receive funding through systemwide recommendations concerning institutional maintenance budgets:

- Unclassified Salary Increase
- Classified Salary Increase
- Student Salary Increase
- Other Operating Expenditures
- Utilities

### **Current Year General Fee Release**

Tuition receipts are credited to the General Fees Fund of the university where the tuition is collected. Tuition receipts are considered general use moneys and General Fees Fund receipts are budgeted as an offset to amounts appropriated from the State General Fund. An expenditure limitation has traditionally been placed on the General Fees Funds.

To avoid shortfalls in university operating budgets, the Legislature has been relatively consistent in appropriating supplemental funding from the State General Fund when tuition collections have fallen below estimates. Disposition of collections when they exceeded estimates has not been consistent. At issue is whether to release revenues collected which are above projected levels during the fiscal year in which collected or to retain them as an offset to State General Fund appropriations in the subsequent year.

The rationale for fee release is predicated upon funding to immediately compensate an institution for the costs of additional students. As the unanticipated students paid fees, unanticipated general fee fund moneys are available. An increase in students typically requires institutions to add classes and temporary instructors. Further the additional students have an immediate impact upon expenditures for supplies and materials.

The 1986 Interim Special Committee on Financing of Regents' institutions reviewed the issue of fee release and recommended that 75 percent of the revenues resulting from larger than expected enrollments be released during the fiscal year in which unexpected enrollments occurred. The Legislature has followed that policy since FY 1987. However, it should be noted that fee releases are not permanent additions to the universities' base budgets and that no fee releases were



approved between FY 1982 and FY 1986. For FY 1991 the Regents' have requested a fee release of \$1,039,838.

### **Enrollment Adjustment**

The concept of an enrollment adjustment is predicated on the assumption that increases or decreases in student numbers impact the cost of operating an institution and that the institution's base budget should reflect the numbers of students in attendance. The enrollment adjustment originated in the 1981 Legislature and has been applied to university budgets since that time.

An enrollment adjustment is based upon actual changes in enrollment related to the actual cost of programs generating those enrollment changes. There are 24 academic disciplines (mathematics, agriculture, history, etc.,) and four levels of instruction (lower division, upper division, graduate 1, and graduate 2). Credit hour changes are related to the discipline and instructional level in which they occurred for purposes of producing the instructional component of an enrollment adjustment. These procedures were developed to more accurately relate enrollment changes to costs, a feature not present in previous enrollment adjustments. The formula also includes adjustments for student services components which theoretically do not vary by type of student. In addition to the concept of relating enrollment changes to costs, the procedure also contains one other feature, a corridor which buffered certain adjustments.

The concept underlying these corridors is that an institution should not be significantly impacted by relatively minor changes in enrollment. Conversely, larger changes in enrollment should be accompanied by some adjustment to the budget. Corridors for all six universities are currently 0.5 percent for enrollment increases and 2.5 percent for enrollment decreases. The 2.5 percent decrease would become 1.5 percent if the institution is financed at 100 percent of peers. Presently none of the institutions are financed at 100 percent of the peers. The current corridors result in institutions absorbing less of the costs of new students and being able to experience greater enrollment declines without suffering a budget reduction.

The Board of Regents has proposed that beginning with the FY 1992 enrollment adjustment request that the corridors be modified to provide declining percentages of full average cost. A declining percentage approach would also be recommended for enrollment adjustment decreases, as part of the Board's proposal. This would reduce the impact of substantial enrollment declines. The Board suggests that the proposal would eliminate the incentive for uncontrolled growth, particularly that in excess of 3.0 percent.

### **Student Tuition**

K.S.A. 76-619 grants the Board of Regents authority to set tuition at the institutions under its control. Although the Legislature has granted this direct authority to the Board, it reviews tuition rates and revenues. Additionally, the Legislature periodically gives general policy recommendations to the Board concerning student tuition. One rather comprehensive set of policy recommendations was issued in 1966 by the Legislative Council. The Council recommended that:

Resident and nonresident basic fees be fixed at a level so that basic fee income will provide on the average, 25 percent of the cost of the general educational program, *i.e.*, excluding the cost of organized research, extension service, auxiliary enterprises, and capital improvements.

The Council also recommended that the 25 percent level be an average based on several (three to four) years, rather than having fees changed annually.

The policy has generally been followed by the Regents and the Legislature since 1966. In recent years tuition increases have been considered more frequently than every three to four years. However, the general policy of systemwide general use expenditures for the education, institutional support, and physical plant (including utilities) programs has been retained.

The Legislature has typically reviewed the percentage actual tuition receipts have represented of total educational costs. For many years systemwide averages were in the range of 20 to 22 percent of the educational costs, with the three larger universities having individual percentages of 23 to 25 percent and the regional universities having percentages of 16 to 18 percent. The following table reflects the actual FY 1990 fee-cost ratios.

**FY 1990 Fee-Cost Ratio at Regents' Institution**

<u>Institution</u>	<u>Fee-Cost Ratio</u>
University of Kansas	33.0%
Kansas State University	27.4
Wichita State University	25.7
Emporia State University	21.3
Pittsburg State University	23.1
Fort Hays State University	18.9
System	27.8%

The Board of Regents has proposed in FY 1992 a 3 percent increase for resident tuition and a 10 percent increase for nonresident tuition. The Board is also currently considering larger tuition increases for FY 1993, especially for nonresident tuition.

TABLE I

KANSAS BOARD OF REGENTS MARGIN OF EXCELLENCE APPROVED AND REQUESTED GENERAL USE FUNDING

FY 1988 -- FY 1992

	FY 1988			FY 1989			FY 1990			FY 1991			FY 1992	
	FY 1988 Base <sup>1</sup>	Increase Approved by Legislature <sup>2</sup>	%	FY 1989	Increase Approved by Legislature <sup>3</sup>	%	FY 1990	Increase Approved by Legislature	%	FY 1991	Requested Increase <sup>4</sup>	%		
State General Fund	\$327,017,495	\$13,514,631	4.1%	\$340,532,126	\$36,468,291	10.7%	\$377,000,417	\$21,255,368	5.6%	\$398,255,785	\$49,797,662	12.5%		
General Fees	88,550,238	11,603,324	13.1	100,153,562	10,973,448	11.0	111,127,010	5,600,047	5.0	116,727,057	4,676,049	4.0		
Hospital Revenue	78,248,857	21,764,987	27.8	100,013,844	(178,426)	(0.2)	99,835,418	519,079	0.5	100,354,497	4,523,513	4.5		
Land Grant Funds	6,512,715	(48,800)	(0.7)	6,463,915	158,071	2.4	6,621,986	135,037	2.0	6,757,023	90,400	1.3		
Medical Scholarship Repayment	--	400,000	100.0	400,000	2,035,000	508.8	2,435,000	(802,471)	(33.0)	1,632,529	(1,632,529)	(100.0)		
<b>Total General Use Funds</b>	<b>\$500,329,305</b>	<b>\$47,234,142</b>	<b>9.4%</b>	<b>\$547,563,447</b>	<b>\$49,456,384</b>	<b>9.0%</b>	<b>\$597,019,831</b>	<b>\$26,707,060</b>	<b>4.5%</b>	<b>\$623,726,891</b>	<b>\$57,455,095</b>	<b>9.2%</b>		

- 1) The base is annualized to reflect full funding of the FY 1988 mid-year salary increase.
- 2) For FY 1989, the Legislature appropriated approximately \$4 million for 4 percent classified cost-of-living increase, which was not included in the Board's initial request.
- 3) For FY 1990, the Legislature provided funding for classified cost-of-living and health insurance increases, neither of which were originally requested by the Board. The revised approved amount for FY 1990 by the 1990 Legislature reflects a reduction of \$4,497,669 from the original approved amount.
- 4) No classified cost-of-living increasing is included in the FY 1992 request.



TABLE II

REGENTS INSTIUTIONS REQUESTED GENERAL USE FUND INCREASES  
FISCAL YEAR 1992

Expenditures	FY 1992 Requested	
Base Budget Percentage Adjustments	\$34,718,219	
Enrollment Adjustment	4,880,196	
Servicing New Buildings	177,275	
Subtotal -- Base Budget Improvements		\$39,775,690
Restoration of FY 1991 Shrinkage Reduction		2,470,717
Margin of Excellence -- Universities		
Faculty Salary Parity	7,750,000	
Mission Related Enhancements	4,000,000	
Other	403,994	
Subtotal -- Universities		12,153,994
Margin of Excellence -- Special Purpose Institutions		
KU Medical Center	2,205,694	
KSU Veterinary Medical Center	625,000	
Kansas College of Technology	224,000	
Subtotal -- Special Purposes Institutions		3,054,694
GRAND TOTAL -- Requested Increase for FY 1992		\$57,455,095



**TABLE III**  
**REGENTS INSTITUTIONS GENERAL USE BASE BUDGET IMPROVEMENTS -- FY 1992**

	<u>Percentage Adjustments</u>	<u>Enrollment Adjustment</u>	<u>Servicing New Buildings</u>	<u>Total</u>
KU	\$ 8,151,733	\$ 1,339,656	\$ 55,688	\$ 9,547,077
KSU	7,640,922	1,919,066	16,230	9,576,218
WSU	3,587,621	376,947	24,422	3,988,990
ESU	1,520,611	631,530	37,494	2,189,635
PSU	1,606,287	377,138	--	1,983,425
FHSU	1,474,635	127,334	43,441	1,645,410
KUMC	9,847,942	--	--	9,847,942
KSUVMC	639,044	--	--	639,044
KCT	<u>249,424</u>	<u>108,525</u>	<u>--</u>	<u>357,949</u>
<b>TOTAL</b>	<b><u>\$ 34,718,219</u></b>	<b><u>\$ 4,880,196</u></b>	<b><u>\$ 177,275</u></b>	<b><u>\$39,775,690</u></b>

**Requested General Use Base Budget Percentage Adjustments:**

Unclassified Salaries	5% (6.5% Health Care Workers)	\$ 17,905,746
Classified Pay Plan Adjustment	2.5% (Approximate)	3,003,811
Student Wages	16%	1,201,997
Other Operating Expenditures	4%	4,253,685
Health Insurance	20%	5,668,517
Shrinkage Reduction	(.25)%	1,258,630
Other Fringe Benefit Adjustments		<u>1,425,833</u>
<b>TOTAL</b>		<b><u>\$ 34,718,219</u></b>

90-728III/ac



TABLE IV

REQUESTED MISSION-RELATED PROGRAM ENHANCEMENTS FOR REGENTS INSTITUTIONS  
FISCAL YEAR 1992

Institution	FTE	Amount
University of Kansas		
Instruction		
Instructional and Support Personnel	8.5	\$ 238,500
Routine Supplies and Expenses		164,000
Research and Teaching Equipment		168,000
Academic Computing		75,000
Research and Public Service	3.0	159,200
Academic Support		
Libraries	1.0	159,500
Student Services		
Basic Student Services	4.5	77,200
Student Recruitment and Retention		118,600
Institutional Support		
Administrative Computing		75,000
Hazardous Waste Removal		100,000
Environmental Monitoring		25,000
Total -- University of Kansas	17.0	\$1,360,000
Kansas State University		
Library		
Core Information Resources		260,000
Improved Access to Other Sources		40,000
Computing		
Faculty Work Stations		130,000
Equipment Maintenance		200,000
Microcomputer Laboratories		100,000
Network Expansion		42,000
Equipment		
Basic Instruction		61,500
Start Up Support		100,000
Research Specialization		105,000
Replacement		33,500
Total -- Kansas State University		\$1,072,000
Wichita State University		
Capital Equipment and OOE Enhancement		450,000
Library Enhancements		246,000
Total -- Wichita State University		\$ 696,000



Institution	FTE	Amount
Emporia State University		
University-Wide Computing Enhancements	1.0	\$ 154,000
Library Resources Enhancement		100,000
Special Purpose Instructional Laboratories		50,000
	-----	-----
Total -- Emporia State University	1.0	\$ 304,000
Pittsburg State University		
Technology Equipment		98,825
Computer Equipment		45,000
Libraries		109,175
Telecommunications	1.0	55,000
	-----	-----
Total -- Pittsburg State University	1.0	\$ 308,000
Fort Hays State University		
Instruction		
M.S. in Nursing	1.0	\$ 51,000
Social Work Program	1.0	39,000
Teacher Education Accreditation	1.0	42,000
Off-Campus Instructional Centers	4.0	56,953
Student Services		
Campus Assistance Program	2.0	71,047
	-----	-----
Total -- Fort Hays State University	9.0	260,000
Subtotal -- Universities	28.0	\$4,000,000



<u>Institution</u>	<u>FTE</u>	<u>Amount</u>
University of Kansas Medical Center		
Library/Academic Support	1.5	538,750
Retention Incentives for Faculty and Staff		590,000
Critically Needed Faculty	12.0	682,000
Graduate Health Professions Education		394,944
	<hr/>	<hr/>
Total -- KU Medical Center	13.5	\$2,205,694
Kansas State University Veterinary Medical Center		
Faculty Salary Enhancement		182,000
Graduate Education Stipends		221,500
Clinical Residency Stipends		221,500
		<hr/>
Total -- KSU Veterinary Medical Center		\$ 625,000
Kansas College of Technology		
Faculty Salary Enhancement		83,033
Scientific Equipment		77,416
Library Improvement		14,551
Total -- Kansas College of Technology		<hr/>
		\$ 175,000
Subtotal -- Special Purpose Campuses	13.5	\$3,005,694
	<hr/>	<hr/>
GRAND TOTAL -- ALL INSTITUTIONS	41.5	\$7,005,694
	<hr/>	<hr/>



## TABLE V

GENERAL USE FUND  
PROGRAM ENHANCEMENTS THROUGH RESTORATION OF FY 1991 SHRINKAGE REDUCTION  
FISCAL YEAR 1992

Institution	Amount
University of Kansas Library Acquisitions	\$ 123,930
Kansas State University Base OOE Increase for Academic Departments	\$ 340,000
Base OOE Increase for Inst. Support, Research and Public Service	<u>223,036</u>
Total -- Kansas State University	\$ 563,036
Wichita State University Enhanced Computing Capacity	\$ 579,476
Action Plan for PC Software	<u>50,000</u>
Total -- Wichita State University	\$ 629,476
Emporia State University Equipment Funding	\$ 78,501
Pittsburg State University Technology Equipment	\$ 20,000
Computer Equipment	20,000
Science Equipment	20,000
Library Books and Periodicals	20,000
Physical Plant Equipment	<u>15,176</u>
Total -- Pittsburg State University	\$ 95,176
Fort Hays State University Library -- Maintain Holdings/Support Curriculum	\$ 50,000
Library -- CD - ROM Databases Network	50,000
Library -- Acquisitions Supporting Mission Related Enhancements	50,000
Computer Maintenance Equipment	<u>111,005</u>
Total -- Fort Hays State University	\$ 261,005
University of Kansas Medical Center Base OOE Support for Instruction and Research	\$ 682,995
Kansas College of Technology Three Aircraft for Pilot Training Program	<u>36,598</u>
GRAND TOTAL -- ALL INSTITUTIONS	<u>\$ 2,470,717</u>

90-728v/ADC



KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



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

Requests for Legislation

Before the House Education Committee

January 23, 1991

Presented by

Patricia E. Baker  
Associate Executive Director/General Counsel

Kansas Association of School Boards

Mr. Chairman, Committee members, thank you for the opportunity to request introduction of legislation on behalf of Kansas school boards.

HOUSE EDUCATION  
Attachment 3  
January 23, 1991

Proposal for amendment to K.S.A. 60-2201  
Judicial lien for pending litigation (lis pendens)

Purpose: To ensure that when school board members are sued individually in their official capacity no lien will attach to individually owned property. Upon proof of insurance or other form of financial responsibility the court shall order any lien released.

Rationale: School board members serve in a voluntary capacity without pay. In our litigious society an increasing number of lawsuits, both meritorious and frivolous, are filed against school districts and board members. When named as individual defendants board member and their spouses face the prospect of being unable to dispose of real property during the pendency of the action. The time frame for settling or litigating claims is often several years.

It is not recommended that school board members be exempt from financial responsibility, only that the statute clearly reflect a legislative intent to allow that responsibility be means other than judicial lien.

Proposal for Amendment to K.S.A. 72-1111  
Compulsory School Attendance

Purpose: To ensure that students enrolled in non-accredited private schools (including home schools) are receiving adequate educational opportunities.

Rationale: Currently there is no provision for investigation or regulation of non-accredited private schools (including home schools). The only available means for determining whether students are receiving the education contemplated by the compulsory attendance law is the filing of a petition under the code for care of children and a judicial decision. Neither county/district attorneys nor SRS has taken a proactive approach to ensuring compliance with the Compulsory Attendance Law. Under current statutes and procedures it is impossible to know which children enrolled in private non-accredited schools are indeed truant.

Recommendation: Statutory language setting forth standards to be met by non-accredited schools and regulatory procedures for ensuring such standards are met.

Proposal for Legislative Action  
on Alternative Routes to Accreditation

Purpose: To ensure that the knowledge and expertise of people of varied backgrounds is made available to enhance educational opportunities for Kansas students.

Rationale: Under current accreditation requirements, people with no official teacher education are not able to use their skills for the benefit of Kansas students. Persons with special skills or backgrounds should be encouraged to assist in the education of our students. It is not advocated that non-certificated employees replace regular classroom teachers; rather the intent is to allow schools to bring non-certified individuals into the building to enhance education.

If we truly wish to reform education, schools need to be able to draw on communities, business, industry and higher education.

Recommendation: Introduction of Resolution requesting the State Board of Education to modify accreditation standards to allow schools flexibility in meeting educational objectives through the use of persons who are not certificated but offer unique skills and knowledge.

AMENDMENT TO K.S.A. 72-5443.

K.S.A. 72-5443. RECOMMENDATION OF HEARING COMMITTEE; FINDINGS OF FACT; DETERMINATION OF ISSUES; DECISION BY BOARD; APPEAL TO DISTRICT COURT. (a) Unless otherwise agreed to by both the board and the teacher, the hearing committee shall render a written opinion not later than 30 days after the close of the hearing, setting forth its findings of fact and ~~recommendation~~ conclusions as to the determination of the issues. The opinion of the hearing committee shall be ~~submitted to the teacher and to the board~~ binding on both parties.

(b) ~~If the members of the hearing committee are unanimous in their opinion~~ After receiving the committee report, the board shall adopt the opinion as its decision in the matter and such decision shall be final, subject to appeal to the district court as provided in K.S.A. 60-2101, and amendments thereto.

(c) ~~If the members of the hearing committee are not unanimous in their opinion, the board shall consider the opinion, hear oral arguments or receive written briefs from the teacher and a representative of the board, and decide whether the contract of the teacher shall be renewed or terminated. The decision of the board under this subsection shall be submitted to the teacher not later than 30 days after the close of oral argument or submission of written briefs and such decision shall be final, subject to appeal to the district court as provided by K.S.A. 60-2101, and amendments thereto.~~

HOUSE EDUCATION  
Attachment 4  
January 23, 1991

PROFESSIONAL NEGOTIATIONS ACT

AMENDMENT TO KSA 72-5413 (1)

K.S.A. 72-5413 (1) "Terms and conditions of professional service" means (1) salaries and wages, including pay for duties under supplemental contracts; assignment and transfer procedures; hours and amounts of work; class size; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime, jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; re-employment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures and criteria; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; and (2) matters which relate to privileges to be granted the recognized professional employees' organization, including but not limited to, voluntary payroll deductions; use of school or college facilities for meetings; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (3) such other matters as the parties mutually agree upon as properly related to professional service. Nothing in this act, or acts amendatory thereof or supplemental thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution or this state. Except as otherwise expressly provided in this subsection, the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective. Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiations.