

Approved March 26, 1991  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

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

3:30 a.m. on March 6, 1991 in room 519-S of the Capitol.

All members were present except:

Reps. Larkin, Blumenthal, Crumbaker, Reardon - All Excused

Committee staff present:

Avis Swartzman, Revisor of Statutes Office  
Ben Barrett, Legislative Research  
Dale Dennis, State Department of Education  
Donna Meister, Substitute Secretary to the Committee  
Conferees appearing before the committee:

Dr. Gary Livingston, Superintendent, 501 Schools  
Bob Kelly, KS Independent College Assn.  
Sen. Janice Lee  
David DePue

Chairman Bowden opened the meeting and brought to attention the minutes from February 19 and 20. They will be voted for approval at the next meeting.

The Chairman opened HB 2351 for hearing testimony.

The first conferee was Rep. Hensley. He stated the purpose of the bill is to recognize the adverse impact the state owned property has on the district's mill levy.

Rep. Hensley asked Ben Barrett to inform the committee of the memo sent to Sen. Nancy Parrish from the Legislative Research Department.  
(Attachment 1)

The next conferee speaking in favor of the bill was Dr. Gary Livingston, Superintendent of 501 Schools. He addressed the issue of property tax relief. In the 501 District, the boundaries are stagnant with no room for growth. When property goes off the tax rolls for state use, there is no opportunity for growth. He believes there are many advantages to having state property here in Topeka but it is a disadvantage to taxpayers. He proposed as a property tax relief measure that it would be outside the formula.

Chairman Bowden then closed the hearing on HB 2351 and opened the hearing on HB 2241.

Bob Kelley, KS Independent College Assn. spoke against the bill. He said this bill does not affect eligibility. It merely affects the awarding of dollars when appropriations are insufficient to fund fully the program.  
(Attachment 2).

There were no proponents testifying before the committee. Chairman Bowden closed the hearing on HB 2241 and open HB 2388 for hearing.

Senator Janice Lee spoke in favor of the bill and stated its purpose was to allow that it is no longer necessary to have a classified employee as a State Director. This is entirely federal money. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,

room 519-S, Statehouse, at 3:30 ~~am~~ <sup>XXX</sup>/p.m. on March 6, 1991.

The next conferee was David DePue, also a proponent of the bill, answered questions of the committee and urged them to favorably pass the bill out of committee.

The Chairman closed the hearing on HB 2388.

On motion by Rep. Harder and seconded by Rep. Amos, the minutes from February 26 and 27 were approved.

The meeting was adjourned at 4:30 p.m. with the next meeting scheduled for March 7th, 1991 in Rm. 519-S at 3:30 p.m.



#1

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N -- Statehouse

Phone 296-3181

February 26, 1991

TO: Senator Nancy Parrish  
Representative Anthony Hensley

Office No. 403-N  
278-W

RE: School Finance: State Impact Aid

The attached listing shows by county the number of parcels and the 1990 appraised valuation of property tax exempt state property. These data were extracted by Research Department staff from a database provided by the Division of Property Valuation of the Department of Revenue. It is interesting to note that such property is found in all but four Kansas counties: Cheyenne, Gray, Stafford, Stanton. (Wilson County did not report any exempt property data.)

As you perhaps know, the State Department of Education, based on an assumed assessment rate of 27.5 percent, has calculated an assessed valuation of tax exempt state property of \$223.7 million. Based upon a 1990 school district general fund budget statewide average mill rate of 52 mills, the Department estimates that this tax rate applied against the \$223.7 million assessed valuation would produce about \$11.6 million. In reference to the subject of S.B. 224 and H.B. 2351, each 1 percent of that levy would yield about \$116,000.

We hope this information will be helpful to you. Please contact us if we may be of further assistance to you.



Ben F. Barrett  
Associate Director

91-216/BFB/pb

Enclosure

HOUSE EDUCATION  
Attachment 1  
March 6, 1991

## EXEMPT STATE PROPERTY

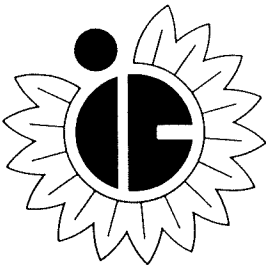
COUNTY	NO_PARCELS	1990 APP_TOTAL
-----	-----	-----
Allen	10	854,760
Anderson	3	343,640
Atchison	14	5,503,000
Barber	6	281,400
Barton	76	10,192,220
Bourbon	19	849,110
Brown	14	1,180,000
Butler	8	1,012,850
Chase	6	268,800
Chautauqua	1	28,630
Cherokee	34	3,499,470
Clark	12	259,600
Clay	6	143,700
Cloud	16	628,129
Coffey	7	494,150
Comanche	1	3,600
Cowley	16	15,198,600
Crawford	31	1,770,700
Decatur	3	69,900
Dickinson	15	2,680,990
Doniphan	8	413,250
Douglas	15	1,026,170
Edwards	2	190,760
Elk	1	3,240
Ellis	18	1,363,620
Ellsworth	6	12,429,120
Finney	25	1,903,310
Ford	12	5,920,400
Franklin	16	559,500
Geary	7	3,645,000
Grant	4	68,150
Graham	1	900
Grant	2	46,570
Greeley	4	131,310
Greene	3	133,350
Hamilton	7	300,240
Harper	3	166,400
Harvey	4	813,830
Haskell	6	124,650
Hodgeman	6	172,320
Jackson	4	79,790
Jefferson	7	140,490
Jewell	8	396,510
Johnson	52	24,869,900
Kearny	1	53,710
Kingman	20	1,437,530
Kiowa	2	85,170
Labette	13	5,719,790
Lane	5	166,700
Leavenworth	20	34,951,960
Lincoln	1	12,100

## EXEMPT STATE PROPERTY

1990

COUNTY	NO PARCELS	APP TOTAL
Linn	54	48
Logan	55	8
Lyon	56	28
Marion	57	12
Marshall	58	6
McPherson	59	10
Meade	60	13
Monmouth	61	11
Mitchell	62	5
Montgomery	63	12
Morris	64	5
Morton	65	32
Nemaha	66	13
Neosho	67	19
Ness	68	2
Norton	69	6
Osage	70	32
Osborne	71	8
Ottawa	72	6
Pawnee	73	7
Phillips	74	10
Pottawatomie	75	18
Pratt	76	7
Rawlins	77	1
Reno	78	25
Republic	79	11
Rice	80	4
Riley	81	40
Rooks	82	11
Rush	83	6
Russell	84	13
Saline	85	20
Scott	86	8
Sedgwick	87	99
Seward	88	6
Shawnee	89	76
Sheridan	90	17
Sherman	91	9
Smith	92	3
Stevens	95	1
Sumner	96	2
Thomas	97	6
Trego	98	8
Wabaunsee	99	11
Wallace	100	1
Washington	101	4
Wichita	102	2
Woodson	104	7
Wyanette	105	182

813,615,929



# KANSAS INDEPENDENT COLLEGE ASSOCIATION

Capitol Federal Building, Room 515, Topeka, Kansas 66603

Telephone (913) 235-9877

ROBERT N. KELLY, *Executive Director*

Testimony before House Education Committee on HB2241, March 6, 1991

House Bill 2241 is designed to require the Board of Regents to award tuition grants to those students who have the lowest Expected Family Contribution (EFC) to contribute toward their educational costs. Under existing statute, the Regents determine the manner of allocating funds using their rule-making authority.

To be eligible for a tuition grant, an independent college student must be full-time and a Kansas resident with financial need. This bill does not affect eligibility. It merely affects the awarding of dollars when appropriations are insufficient to fund fully the program.

There are basically two ways to award tuition grants. One is the method proposed in HB2241 which would decrease the number of applicants but provide for larger grants to the students with lower resources. Presumably the maximum grant would be the statutory "half the gap" maximum. This year this amount is \$1,900. The other method is the one used by the Board of Regents where the maximum grant is set at the amount estimated to be sufficient to provide awards to all eligible applicants who apply before the start of the school year. This year, that maximum is \$1,700. Under the procedure proposed in the bill approximately 3,000 students would receive a grant compared to approximately 3,400 under the Regents' system. As you can see, the difference between the two systems is relatively small now and would completely vanish if the program were funded fully at the "half-the-gap" maximum -- \$6 million rather than the present \$5.4 million appropriation. However, the difference becomes more significant the less funding there is. As a result, we must oppose the bill for the following reasons:

1. The Board of Regents as the agency responsible for administering the program should continue to have the authority and flexibility to determine how funds should be distributed.
2. The present method meshes well with the federal Pell Grant program which awards grants in somewhat the manner proposed in this bill except that awards are reduced as EFC grows. For example, someone with a family income of \$15,000 can receive a maximum Pell Grant (\$2,400) plus a \$1,700 tuition grant for a total of \$4,100. At a \$20,000 income level the awards would be approximately \$1,500 plus \$1,700 for \$3,200. At \$25,000, \$600 plus \$1,700 -- \$2,300. Above \$28,000 to approximately \$40,000, the student can receive only a \$1,700 or smaller tuition grant if need is less than \$1,700. Many of these students would receive no grant under this bill. Of course, students with no financial need, generally from families with incomes above \$40,000, receive no award.
3. The tuition grant program was enacted to help Kansans attend the college of their choice. However, a secondary purpose was to help the independent colleges compete for Kansas residents. Because of the availability of federal funds, we are able to compete quite successfully for students from poor families. The tuition grant helps us compete quite well for middle-income Kansas residents because of the way the Regents make awards.

HOUSE EDUCATION  
Attachment 2  
March 6, 1991



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

Robert Thiny, Chair  
Coordinator  
Ks. Carpentry Apprenticeship  
Perry

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

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

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

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

Allene Knedlik  
Director of Adult Education  
Coffeyville Community College  
Coffeyville

Jule E. Kuhn  
Counselor/Placement Coordinator  
Manhattan AVTS  
Manhattan

Janis Lee  
State Senator  
Farmer/Rancher  
Kensington

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

Carol Nigus, Director  
Brown County Kansas Special  
Education Cooperative  
Hiawatha

Lee Reeve  
Agribusiness Entrepreneur  
Garden City

Dick Rogenmoser  
Senior Vice President  
Martin Tractor Company  
Topeka

Roland Walsh  
President and CEO  
Pratt Regional Medical Center  
Pratt

Dr. David L. DePue  
Executive Director

**TO:** Chairman Bowden and Members, House Education  
Committee

**FROM:** Senator Janis Lee

**SUBJECT:** Comments on HB 2388

**DATE:** March 6, 1991

**Legislative History:** Congress established Vocational Councils in the 1968 Amendments to the Vocational Education Act. Their established mission was research and policy advisement. The 1976 amendments cleared up operational problems by separating the Council from the State Department of Education, providing more objectiveness in their oversight responsibilities. The 1984 legislation eliminated the term "advisory" from Councils and increased the scope of its reporting and representative audience. Congress further strengthened the role of State Councils in the 1990 legislation. Additional responsibilities include joint meetings with the State Board of Education, providing consultation on the establishment of evaluation criteria, and to review and analyze corrections education.

**Duties:** The State Council recommends and reports to the Governor, business community and general public. The Council advises the Governor, the State Board of Education, the State Council on Employment and Training (KCET), and the U.S. Secretaries of Education and Labor.

**Membership:** The Vocational Council's 13 members are appointed by the State Board of Education, each representing one of the constituent groups served by vocational education. The majority of the members as well as the Chair must be from the private sector. It is funded entirely by an annual grant from the U.S. Congress.

**The Need for HB 2388:** Current Kansas legislation essentially refers to enabling federal legislation. Autonomy and responsibilities have expanded with each new vocational act. However, this is not reflected in State legislation. The Council's work can be impeded by lack of understanding among policy makers. State legislation should spell out the requirements called for in Federal legislation. HB 2388 does this. Additionally, this legislation unclassifies the Council's Executive Director position, giving the group more control over their key staff position. An attachment provides further information.

HOUSE EDUCATION  
Attachment 3  
March 6, 1991



## SEC. 112. STATE COUNCIL ON VOCATIONAL EDUCATION

- (a) Each State which desires to participate in vocational education programs authorized by this Act for any fiscal year shall establish a State council, which shall be appointed by the Governor, or in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. Each State council shall be composed of 13 individuals, and shall be broadly representative of citizens and groups with the State having an interest in vocational education. Each State council shall consist of--
  - (1) seven individuals who are representative of the private sector in the State who shall constitute a majority of the membership--
    - (A) five of whom shall be representative of business, industry, trade organizations and agriculture, including--
      - (i) one member who is representative of small business concerns; and
      - (ii) one member who is a private sector member of the State job training coordinating council (established pursuant to section 122 of the Job Training Partnership Act), and
    - (B) two of whom shall be representatives of labor organizations;
  - (2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education, and may include members of vocational student organizations and school board members. In selecting individuals under subsection (a) to serve on the State council, due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act, or on State councils established under other related Federal Acts. No employee of the State board shall serve on the State council.
- (b) The State shall certify to the Secretary the establishment and membership of the State council by the beginning of each State plan period described in section 113(a)(1).
- (c) Each State council shall meet as soon as practical after certification has been accepted by the Secretary and shall select from among its membership a chairperson who shall be representative of the private sector. The time, place, and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.
- (d) During each State plan period described in section 113(a)(1), each State council shall--
  - (1) meet with the State board or its representatives to advise on the development of the subsequent State plan;

- (2) make recommendations to the State board and make reports to the Governor, the business community, and general public of the State, concerning--
  - (A) the State plan;
  - (B) policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and
  - (C) initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;
- (3) analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;
- (4) furnish consultation to the State board on the establishment of evaluation criteria for vocational education programs within the State;
- (5) submit recommendations to the State board on the conduct of vocational education programs conducted in the State which emphasize the use of business concerns and labor organizations;
- (6) assess the distribution of financial assistance furnished under this Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs;
- (7) recommend procedures to the State board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local employers and local labor organizations;
- (8) report to the State board on the extent to which individuals who are members of special populations are provided with equal access to quality vocational education programs;
- (9) analyze and review corrections education programs; and
- (10)(A) evaluate at least once every 2 years--
  - (i) the extent to which vocational education, employment and training programs in the State represent a consistent, integrated, and coordinated approach to meeting the economic needs of the State,
  - (ii) the vocational educational program delivery system assisted under this Act, and the job training program delivery system assisted under the Job Training Partnership Act, in terms of such delivery systems' adequacy and effectiveness in achieving the purposes of each of the 2 Acts, and
  - (iii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act;
- (B) comment on the adequacy or inadequacy of State action in implementing the State Plan;
- (C) make recommendations to the State board on ways to create greater incentives for joint planning and collaboration between the vocational education system and the job training system at the State and local levels; and

- (D) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor regarding such evaluation, findings, and recommendations.
- (e) Each State council is authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals. Each State Council may submit a statement to the Secretary reviewing and commenting upon the State plan. Such statement shall be sent to the Secretary with the State Plan.
- (f) (1) (A) Except as provided in subparagraph (B), from the sums appropriated pursuant to section 3(c) the Secretary shall first make grants of \$150,000 to each State council. From the remainder of such sums the Secretary shall allot to each State council an amount in accordance with the method of allotment set forth in section 101(a)(2) of this Act, provided that--
- (i) no State council shall receive more than \$250,000 for each fiscal year;
  - (ii) no State council shall receive less than \$150,000 for each fiscal year; and
  - (iii) no State council shall receive less than such State council was allotted in fiscal year 1990;
- (B) From the sums appropriated pursuant to section 3(c), for each fiscal year, the Secretary shall make grants of--
- (i) \$60,000 to each of the State councils of the Virgin Islands, and Guam; and
  - (ii) \$25,000 to each of the State councils of American Samoa, Palau (until the Compact of Free Association with Palau takes effect pursuant to section 101(a) of Public Law 99-658), and the Commonwealth of the Northern Mariana Islands.
- (2) The expenditure of the funds paid pursuant to this subsection is to be determined solely by the State council for carrying out its functions under this Act, and may not be diverted or reprogrammed for any other purpose by any State board, agency, or individual. Each State council shall designate an appropriate State agency or other public agency, eligible to receive funds under this Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.

# COUNCIL ORGANIZATION

KEY WORDS:

*SHALL*

*MAY*

*NO*

*AUTHORIZED*

*DETERMINED SOLELY*

SEC. 112(a)

STATE *SHALL*:

- ESTABLISH A STATE COUNCIL

GOVERNOR OR STATE BOARD *SHALL*:

- APPOINT THE MEMBERS

MAKE UP OF THE COUNCIL *SHALL* BE:

- THIRTEEN INDIVIDUALS

- BROADLY REPRESENTATIVE OF  
CITIZENS AND GROUPS HAVING  
AN INTEREST IN VOCATIONAL  
EDUCATION.

EACH STATE COUNCIL *SHALL* CONSIST OF:

(1) SEVEN PRIVATE SECTOR

(A) FIVE REPRESENTATIVE OF:

BUSINESS

INDUSTRY

TRADE ORGANIZATIONS

AGRICULTURE

INCLUDING --

(i) ONE SMALL BUSINESS

(ii) ONE JTCC MEMBER

(B) TWO REPRESENTATIVES OF  
LABOR ORGANIZATIONS

(2) SIX REPRESENTATIVES OF:

- SECONDARY AND POSTSECONDARY VOCATIONAL INSTITUTIONS (equitably distributed)
- CAREER GUIDANCE AND COUNSELING ORGANIZATIONS
- INDIVIDUALS WHO HAVE SPECIAL KNOWLEDGE AND QUALIFICATIONS WITH RESPECT TO THE EDUCATIONAL AND CAREER DEVELOPMENT NEEDS OF SPECIAL POPULATIONS
- ONE SPECIAL EDUCATION



- ▶ *MAY* INCLUDE MEMBERS OF VSOs  
AND SCHOOL BOARD MEMBERS
  
- ▶ DUE CONSIDERATION *SHALL* BE GIVEN  
TO THE APPOINTMENT OF:
  - PIC MEMBERS
  
  - MEMBERS OF STATE COUNCILS  
UNDER OTHER RELATED ACTS
  
- ▶ *NO* EMPLOYEE OF THE STATE BOARD  
SHALL SERVE

SEC. 112(b)

THE STATE *SHALL* CERTIFY THE  
ESTABLISHMENT AND MEMBERSHIP  
OF THE STATE COUNCIL AT LEAST  
90 DAYS PRIOR TO THE BEGINNING  
OF EACH PLANNING PERIOD.

SEC. 112(c)

EACH COUNCIL *SHALL*:

- MEET AFTER CERTIFICATION IS ACCEPTED AND SELECT A CHAIRPERSON FROM THE PRIVATE SECTOR.
- ESTABLISH RULES.

SEC. 112(e)

EACH COUNCIL IS *AUTHORIZED* TO:

- OBTAIN SERVICES OF PROFESSIONAL, TECHNICAL, AND CLERICAL PERSONNEL.
- CONTRACT FOR SERVICES TO CARRY OUT EVALUATION FUNCTIONS.
- DO THE ABOVE INDEPENDENT OF PROGRAMMATIC AND ADMINISTRATIVE CONTROL BY OTHER STATE BOARDS, AGENCIES, AND INDIVIDUALS.

THE RULES *SHALL* PROVIDE:

- THE TIME, PLACE, AND MANNER OF MEETING.
  
- OPERATING PROCEDURES AND STAFFING.
  
- NOT LESS THAN ONE PUBLIC MEETING EACH YEAR GIVING THE PUBLIC AN OPPORTUNITY TO EXPRESS THEIR VIEWS ON VOCATIONAL PROGRAMMING.

SEC. 112(f)(2)

- EXPENDITURE OF FUNDS  
*DETERMINED SOLELY*  
BY THE STATE COUNCIL
  
- EACH STATE COUNCIL *SHALL*  
DESIGNATE AN ELIGIBLE  
FISCAL AGENT

SEC. 112(d)

DURING STATE PLAN PERIOD, COUNCIL *SHALL*

- (1) ADVISE ON DEVELOPMENT OF THE STATE PLAN
- (2) RECOMMEND TO THE STATE BOARD AND REPORT TO THE:

GOVERNOR

BUSINESS COMMUNITY

GENERAL PUBLIC:

- (a) STATE PLAN
- (b) STRENGTHENING VOCATIONAL EDUCATION (handicapped)
- (c) MODERNIZATION THROUGH PRIVATE SECTOR

- (3) ANALYZE AND REPORT:
  - distribution of spending
  - availability of vocational education
  
- (4) FURNISH CONSULTATION ON ESTABLISHMENT OF EVALUATION CRITERIA
  
- (5) RECOMMEND THE USE OF BUSINESS CONCERNS and LABOR ORGANIZATIONS
  
- (6) ASSESS FINANCIAL ASSISTANCE FURNISHED TO SECONDARY AND POSTSECONDARY VOCATIONAL EDUCATION BY PERKINS
  
- (7) RECOMMEND PROCEDURES TO ENSURE AND ENHANCE PUBLIC PARTICIPATION -- EMPLOYEES AND LABOR ORGANIZATIONS
  
- (8) REPORT ON SPECIAL POPULATIONS ACCESS
  
- (9) ANALYZE AND REVIEW CORRECTIONS EDUCATION



(10)(A) EVALUATE AT LEAST EVERY 2 YEARS

(i) EXTENT VOCATIONAL EDUCATION,  
EMPLOYMENT AND TRAINING  
PROGRAMS REPRESENT A

- CONSISTENT
- INTEGRATED
- COORDINATED

APPROACH TO ECONOMIC NEEDS

(ii) ADEQUACY AND EFFECTIVENESS OF

- VOCATIONAL EDUCATION and
- JTPA

IN ACHIEVING THE PURPOSES OF  
EACH OF THE ACTS

(iii) MAKE RECOMMENDATIONS ON  
COORDINATION BETWEEN  
VOCATIONAL EDUCATION  
AND JTPA

(B) COMMENT ON IMPLEMENTATION OF THE  
STATE PLAN

(C) RECOMMEND INCENTIVES FOR JOINT  
PLANNING AND COLLABORATION  
BETWEEN VOCATIONAL EDUCATION  
AND JTPA

(D) ADVISE REGARDING EVALUATION,  
FINDINGS, AND RECOMMENDATIONS

GOVERNOR

STATE BOARD

STATE JOB TRAINING  
COORDINATING COUNCIL

SECRETARY OF EDUCATION

SECRETARY OF LABOR