

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on March 20, 1995 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Brenda Dunlap, Committee Secretary

Conferees appearing before the committee: Representative Cindy Empson
David Monical, Washburn University
Senator Sherman Jones
Susan Chase, KNEA
Mark Tallman, KASB
Gerry Henderson, USA
Onan Burnett, USD 501

Others attending: See attached list

HB 2553 - Kansas council on the future of post-secondary education

Representative Cindy Empson as the spokesperson for the Select Committee on Higher Education, provided information explaining the Committee's background, activities, conclusions, recommendations, mission and required reports. The committee sponsored this bill, which would create the Kansas Council on the Future of Post-secondary Education, which would be charged with developing a state plan for post-secondary education. The plan, along with recommendations as to how it should be implemented, would be completed and a report made to the Legislative Educational Planning Committee, the Governor, and others by November 1, 1996. Following development of the plan and recommendations for its implementation, the Council would be charged with monitoring the implementation of the plan and with submitting a final report by November 1, 1998. The council would terminate on December 30, 1998. (See Attachment 1)

David Monical, Executive Assistant to the President of Washburn University, presented written testimony in support of the bill. In noting the impetus provided by the Legislative Educational Planning Committee and the Joint Committee on Governance, President Thompson requested the Select Committee on Higher Education to consider the role which Washburn should play in the activities of the Joint Committee and with respect to the policies being developed which will affect all of Kansas post-secondary education. They are very pleased that, under the legislation, one member of the fifteen member council will be a member of the Washburn University Board of Regents. This ensures their representation at this council works to develop an action plan to address issues and concerns facing all the state's post-secondary institutions. (See Attachment 2)

SCR 1612 - Concurrent Resolution - urging the State Board of Education to emphasize contributions to Kansas history made by African-Americans

Senator Jones, who introduced the resolution, said a few words about why he feels the resolution is so important. He learns a little more each year how African-Americans have played an important role in Kansas development, and thus, the history of the state is sprinkled with African-American input. It should be taught in our school systems to ensure the full truth and facts of the state's development are learned. To request the State Board of Education to encourage local boards and schools to include Kansas African-American achievements in their curriculum is not a mandate by any means, but a reminder that many achieved and we should take note and report it properly and truthfully. (See Attachment 3)

Chairman Kerr and Senator Jones explained the amendment to the bill that would soften the language a bit. (See Attachment 4)

Susan Chase, Kansas National Education Association, testified in support of the resolution. They strongly feel that all students must be provided information on the contributions of minorities to the progress of this state. Unfortunately, in the past, many of these contributions have been overlooked. Therefore, as educators, they believe it necessary to make a conscious effort to include the contributions of all people that make up the United States. The Association supports efforts that provide for dissemination of information and programs that include the values, heritage, language, culture and history of the Black American, and celebration of Black

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION Room 123-S-Statehouse, at 1:30 p.m. on March 20, 1995.

History Month as a means of acknowledging the contribution of Black Americans to the history and development of this United States. (See Attachment 5)

Gerry Henderson, United School Administrators of Kansas, testified in support of the resolution, which urges the Kansas State Board of Education to determine an effective way to expand and emphasize contributions made to Kansas history by African-Americans. They are especially supportive of the language on page two of the resolution which calls for an understanding of the contributions of African-American Kansans related to the development of a better state, nation and world. Only when people learn to recognize similarities in people rather than differences, will progress be made in establishing cohesive, supportive communities. The recognition of the contributions to Kansas history by Americans of African decent will go a long way toward such progress. (See Attachment 6)

Mark Tallman, Kansas Association of School Boards, testified in support of the resolution. The KASB supports furthering the awareness of the contributions of Kansans of African descent. With new awareness, the education of all Kansas school children will be enriched. We also believe a much greater understanding and appreciation of the state's history and the role that many African-Americans played in the development of the state will result from passage of this resolution. (See Attachment 7)

Onan Burnett, Representative of USD 501, stated that the district supported the resolution.

A motion was made by Senator Jones to amend **SCR 1612** as previously stated and to pass the resolution out favorably. Senator Lawrence seconded the motion, and the motion carried.

A motion was made by Senator Lawrence to pass out favorably **HB 2553**. Senator Hensley seconded the motion. The motion was withdrawn.

A motion was made by Senator Langworthy to amend **SB 291** to remove the clause determining the membership of the KNEA would have to rejoin each year, and to remove the clause that would require all amounts to be deducted as payroll deductions not to be pre-printed on the membership forms. The motion was seconded by Senator Lawrence. There was a long discussion, and the motion was withdrawn.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for March 21, 1995.

SENATE EDUCATION COMMITTEE COMMITTEE GUEST LIST

DATE: 3-20-95

NAME	REPRESENTING
Diane Gjerstad	USD 259
Mark Talkman	KASB
Ken Baker	4th Enrollment USD's
Sue Chase	KNEA
David G. Monical	Washburn University
Gregory W. Henderson	USA of KS
Nenise Apat	USA
Don Ryan	River Valley 321
Jacque Oaker	SQE
Craig Grant	KNEA
Barbara Gale	KNEA
Pat Kulmb	NEA-Jopka
Morie Neely	KNEA
Deana Horat	St Rep, 68th Dist
Don Burnett	USD 307
Jim Youallop	USD #512
Harold Pitts	KCOA
Cedy Empe	
TED D. AYLES	REGENTS STAFF

STATE OF KANSAS



TOPEKA

HOUSE OF
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COMMITTEE ASSIGNMENTS
MEMBER: FEDERAL AND STATE AFFAIRS
EDUCATION
LEGISLATIVE EDUCATIONAL
PLANNING COMMITTEE

March 20, 1995

HB 2553 sets up a working group composed of the providers of post secondary education in our State. Their charge, over a 4 year time frame, is to make recommendations and propose legislation which will reorganize and coordinate our post secondary education delivery system and then monitor implementation of those recommendations.

The bill contains a specific charge for this group with definite time frames for completion. The Select Committee on Higher Education's report further clarifies the intentions of the committee (copy attached).

*Senate Education
3-20-95
Attachment 1*

MEMORANDUM

Kansas Legislative Research Department

300 S.W. 10th Avenue
Room 545-N -- Statehouse
Topeka, Kansas 66612-1504
Telephone (913) 296-3181 FAX (913) 296-3824

Revised March 10, 1995

To: The 1995 Legislature

From: The Select Committee on Higher Education

Re: Proposed Legislation Relating to the Development of a State Plan for Postsecondary Education

Background

The Select Committee on Higher Education was appointed by the Speaker of the House of Representatives to consider and make recommendations relating to postsecondary education. The scope of the Committee's charge was broad and relatively undefined, leading to a review by the Committee of matters that included postsecondary education governance, finance, and coordination.

Activities

The Select Committee met regularly beginning on January 19. It also delegated some of its work to a Subcommittee. Activities undertaken by either the Committee or the Subcommittee included a review of previous postsecondary education reports and studies; briefings on activities of the Western Kansas Educational Compact, the Southeast Kansas Higher Education System, and the South Central Kansas Postsecondary Educational Consortium; a presentation relating to the role of Washburn University; the plans of three area vocational schools to become technical colleges; a report on postsecondary education governance and coordination in other states; and a review of the activities of the Joint Advisory Committee on Governance.

The Joint Advisory Committee on Governance evolved from informal interaction over the years between members of the Kansas Board of Regents and the State Board of Education. In September, 1994, the Joint Advisory Committee resolved to assume more responsibility for the coordination of higher education and adopted a formal charter that was approved by both boards. The charter states that the purpose of the Joint Advisory Committee is "to address issues that concern both boards and to provide leadership in those areas where collaboration by the boards is essential, particularly on those issues pertaining to postsecondary education and the transition of students from secondary schools to college." The charter articulates the Joint Advisory Committee's commitment to "enhancing the overall quality, responsiveness, and accountability of the public education system in Kansas."

The Joint Advisory Committee is comprised of four members of each Board including both chairs, the Governor or a member of the Governor's Office, and two legislators (one from the House and one from the Senate). The chairs of the State Board of Education and the Kansas Board of Regents serve

as co-chairs of the Joint Advisory Committee. The Joint Advisory Committee meets monthly during the academic year and makes reports to the two boards. It also considers requests made to it by the two boards.

Committee Conclusions and Recommendations

The Committee applauds the Kansas Board of Education and the Kansas Board of Regents for their decision to formalize a voluntary relationship committed to resolving differences between them. For too many decades, postsecondary education has been characterized by individual institutions and sectors advocating their own interests while failing to find common ground and joint solutions to issues that confront them all. The evidence presented to the Committee is that the times may be changing.

Examples of cooperation and coordination abound, ranging from the closer interaction between the Board of Regents and the State Board of Education to the cooperative arrangements and regional consortia that have developed among Regents institutions, Washburn University, community colleges, area vocational schools, and, in some cases, independent colleges and universities. The Committee believes it is no coincidence that the closer interaction has developed during a time of scarce financial resources and that legislators and other policymakers have been increasingly persistent in their call for postsecondary education reform.

These gratifying examples of cooperation lead the Committee to expect more and to lend its support to the efforts underway. Specifically, the Committee endorses the efforts of the Joint Advisory Committee on Governance and recommends the statutory creation of an entity modeled after the Joint Advisory Committee, with a four-year charge to develop and oversee the implementation of a state plan for postsecondary education in Kansas. Whether the entity recommended by the Committee replaces the existing Joint Advisory Committee or exists independently of the Joint Advisory Committee is a matter left to the discretion of the Kansas Board of Regents and the State Board of Education. The Committee recognizes that the agenda set by the Joint Advisory Committee to address specific issues and to resolve jurisdictional problems between the two boards is different from the broader charge to develop a state plan.

Whatever the manner in which the participants choose to operate within the statutory framework recommended by the Committee, the Committee is firm in its belief that certain principles should guide their work:

1. **The state plan should be developed primarily by the postsecondary education sectors.** If one characteristic of the failed plans of the past two decades emerges, it is that most of them were developed without the input of all the various postsecondary educational sectors. The results were predictable: each plan failed to get the support of one or more key players and was never implemented. The Committee believes it is critical that all postsecondary interests be represented in the development of a state plan and that whatever plan is developed should win the support of all the players. The Committee is not unmindful of the Legislature's prerogative to set public policy and to develop its own plan. If no state plan is forthcoming from the sectors themselves, the Legislature will exercise its prerogative to undertake the task. However, the Committee is not interested in a plan that is superimposed on the existing structure or one that fails to take into account relationships that already exist and are working well. The Committee prefers to rely upon the judgement and goodwill of the educational interests in the state to know best what their problems are, to identify workable solutions, and to plan their own future. What the Committee seeks to do is to encourage their efforts by creating the expectation that a state plan

will be developed in the near future and that the Legislature will play a role in its implementation.

2. **The state plan shall be based on a realistic assessment of the state's financial resources.** Any arrangement, however unworkable, is attractive if it is well-funded. The Committee is not interested in funding proposals under the guise of educational reform that fail to address substantive issues in postsecondary education and merely call for an increase in state aid. Committee members recognize that funding is the basis for some of the most troublesome and persistent problems in postsecondary education, but the fact is that dramatic increases in state aid for any sector are not likely in the near future. If anything, the state's present financial situation, and the unwillingness of taxpayers to accept increases in their financial burden in support of governmental programs and services, may serve to focus more attention on areas such as governance, institutional role and mission, and better coordination among sectors. Now, more than at anytime in the last few years, may be the best time for a serious planning effort to begin. Inefficiencies, nonessential services, and duplicative efforts cannot be afforded. Students, parents, and taxpayers expect the educational system to serve them well and respond quickly to their needs. The state's economic development efforts are based on the need for a well-trained workforce. The fact that these demands do not necessarily translate into public support for greater expenditures for postsecondary education is a fact that legislators live with. The Committee expects the educational interests of the state to be cognitive of that fact as well.

3. **The state plan should build upon existing relationships, but strive to simplify and streamline lines of authority and responsibility.** The Committee believes a plan with the greater probability for success will be one that takes into account the way institutions and governing boards have evolved and presently interact. The Committee sees much that works well about the present system and does not want to abandon relationships and structures that developed out of the mutual willingness of players to devise better ways to serve students. What has happened, however, is that over the years relationships have changed without a corresponding change in structure and lines of authority. An example of this are the consortia and cooperative agreements among several types of institutions that have developed on a voluntary basis. In some cases, the Legislature has been asked to make piecemeal changes in the law to accommodate these arrangements, the result being that postsecondary education policy lacks an overall vision and is becoming increasingly fragmented. It is the Committee's charge to the educational sectors that they develop a framework within which decisions about postsecondary education can be made in a rational way and not on a case-by-case basis.

The recommendation of the Committee is that a Council on the Future of Postsecondary Education be created statutorily. The new Council, to be representative of all of the sectors of postsecondary education and the Legislature, will be charged with developing a state plan for postsecondary education and with overseeing its implementation. The Council will terminate on December 30, 1998. The first two years of the Council's existence will be occupied with developing a state plan and with making recommendations for its implementation. The second two years of the Council's existence will involve monitoring the implementation of the state plan, with final recommendations to be made prior to the Council's termination.

To implement its recommendation, the Committee supports the enactment of legislation during the 1995 Session that incorporates the following features.

Name of Council. The Kansas Council on the Future of Postsecondary Education.

Mission. The purpose of the Kansas Council on the Future of Postsecondary Education is to develop a state plan for postsecondary education that encompasses institutions under the Kansas Board of Regents, the State Board of Education, Washburn University, and the independent colleges and universities. The Council is to develop a state plan that will address issues of concern to all segments of postsecondary education, including governance, coordination, finance, access to programs, and delivery and content of services.

Organization. The Council shall be comprised of the following 15 members:

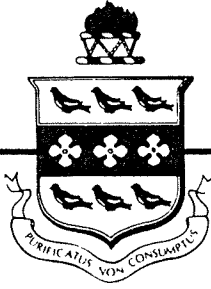
1. four members of the Kansas Board of Regents, including the Chairperson;
2. four members of the State Board of Education, including the Chairperson;
3. one member of the Washburn University Board of Regents, selected by the Board;
4. one representative of the independent colleges and universities, selected by the Kansas Independent College Association;
5. four legislators, one selected by the President of the Senate, one by the Speaker of the House of Representatives, and one each selected by the minority leader of the Senate and the minority leader of the House; and
6. one appointee of the Governor.

The chairpersons of the Kansas Board of Regents and the State Board of Education shall serve as co-chairs of the Council. Members of the Council shall be eligible for compensation and expenses paid by their respective appointing authorities. Members of the Council shall rely upon their respective staffs for staff support.

Duties and Required Reports. It shall be the duty of the Council to develop a state plan for postsecondary education, to make recommendations concerning its implementation, and to monitor the plan's implementation. A status report on the Council's activities shall be made to the Legislative Educational Planning Committee (LEPC) by November 1, 1995. Copies of the final plan and recommendations for its implementation shall be submitted to the Governor, the LEPC, and to the respective governing boards or appointing authorities of the various members of the Council by November 1, 1996.

Following the completion of the state plan and recommendations for its implementation, it shall be the duty of the Council to monitor the plan's implementation and make a final report by November 1, 1998. The final report shall be submitted to the Governor, the LEPC, and to the respective governing boards or appointing authorities of the various members of the Council. A status report on the implementation of the state plan shall be made to the LEPC by November 1, 1997.

The Council shall terminate December 30, 1998.



WASHBURN UNIVERSITY

Topeka, Kansas 66621
Phone 913-231-1010

**Testimony to the Senate Committee on Education
House Bill 2553
March 20, 1995
by
David G. Monical
Executive Assistant to the President**

Mr. Chairman, Members of the Committee:

I am appearing before the Committee today to indicate that Washburn University and its Board of Regents support the proposals contained in House Bill 2553.

In February, the Chair of our Board of Regents, Mr. Dean Ferrell, and the University President, Dr. Hugh Thompson, provided detailed statements on Washburn's role and scope to the House Select Committee on Higher Education. Mr. Ferrell reiterated the position of the Washburn Board of Regents endorsing and supporting full state affiliation for the University. President Thompson requested development of a more fully articulated policy statement of Washburn's relationship to the state until such time as Washburn becomes a full partner within the state Regents system.

In noting the impetus provided by the Legislative Educational Planning Committee and the Joint Committee on Governance, President Thompson requested the Select Committee on Higher Education to consider the role which Washburn should play in the activities of the Joint Committee and with respect to the policies being developed which will affect all of Kansas post-secondary education.

House Bill 2553 creates the Kansas Council on the Future of Postsecondary Education. We are very pleased that, under the legislation, one member of the fifteen member council will be a member of the Washburn University Board of Regents. This ensures our representation as this council works to develop an action plan to address issues and concerns facing all the state's post-secondary institutions.

We hope the Committee will support passage of HB2553.

SHERMAN J. JONES

SENATOR, 4TH DISTRICT

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CLAIMS AGAINST THE STATE
CHAIRMAN LEGIS. BLACK CAUCUS

Testimony by Senator Sherman Jones
Senate Education Committee
Monday, 3-20-95

Mr. Chairman and members of the Senate education committee:

I appreciate the opportunity to make comments on SCR 1612. I have always been a strong advocate of education at all levels. As a high school student, my highest level of achievement was in geography and history. Both subjects offered great questions for me to ponder. Geography allowed me to wonder about far away places, the peoples who lived there, their cultures and how they were different than me - History asked a much greater question --- who did what, where, when and why they did it. As a youngster, my exposure to national and state history was from books that were handed down to my school by the majority Board of Education. As I got older and move dto a more liberal and open society, I started learning that american history took on a new appearance. Many persons had impacted our nation's development that I knew nothing about, and felt that I should have had that information as a 10th grader in high school.

State history enlightenment is even more eye opening and revealing. My home state is two hundred years older than Kansas, obviously, I became strongly interested in certain areas of the historical development of my adopted state. It seems that I learn a little more each year how African Americans have played an important role in Kansas development hence the history of this state is sprinkled with African American input. It would be taught in our state school systems the full truth and facts of this state's development.

Senate Education
3-20-95
Attachment 3

Many people, worldwide, know something about the 1954 Brown vs. Board of Education case that dramatically changed our public education system in this country - But very few even in Kansas, know who the person was that argued the case in Topeka - few know that the first African American female lawyer in America was a Kansan.

To request the State Board of Education to encourage local boards and schools to include Kansas African American achievements in their curriculum is not a mandate by any means, but a reminder that many achieved and we should take note and report it properly and truthfully.

Thank you.

Proposed Amendment to Senate Concurrent Resolution No. 1612

On page 2, in line 22, by striking "urges" and inserting "encourages"; in line 23, by striking "expand and emphasize within" and inserting "make available to schools expanded"; in line 24, after "offerings", by inserting "regarding";

In the title, in line 9, by striking "urging" and inserting "encouraging"; in line 10, by striking "expand and emphasize within" and inserting "make available to schools expanded"; also in line 10, after "offerings", by inserting "regarding"



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Susan Chase Testimony before
Senate Education Committee
March 20, 1995

Thank you Mr. Chairman. I am Susan Chase and I represent the Kansas National Education Association. I appreciate your giving me the chance to appear before this committee in support of SCR 1612.

The Kansas National Education and the National Education Association have a long standing history of support for programs and curricula that create an awareness of the contributions of minorities in the growth and development of this state and this country. KNEA currently has a resolution which states that educators must be involved in the implementation of programs for minority students "which promote both the preservation of their cultural heritage and their role as participants in the U.S. society". NEA's resolution states "The Association supports efforts that provide for dissemination of information and programs that include the values, heritage, language, culture, and history of the Black American; and celebration of Black History Month as a means of acknowledging the contribution of Black Americans to the history and development of these United States."

We strongly feel that all students must be provided information on the contributions of minorities to the progress of this state. Unfortunately in the past many of these contributions have been overlooked. Therefore, as educators we believe it is necessary to make a conscious effort to include the contributions of all people that make up the United States.

We applaud this body for recognizing the need for this effort and strongly support the measure you have before you.



SCR 1612

Testimony presented before the Senate Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
March 20, 1995

Mister Chairman and Members of the Committee:

United School Administrators of Kansas is pleased to support **SCR 1612**, which urges the Kansas State Board of Education to determine an effective way to expand and emphasize contributions made to Kansas history by African-Americans. The examples of Americans of African descent used by the author of the resolution should cause us all to want to ensure that our children know about them, and for the most part they do not. At least my children had some profound holes in their knowledge.

We are especially supportive of the language on page two of the resolution which calls for an understanding of the contributions of African-American Kansans related to the development of a better state, nation and world. Only when people learn to recognize similarities in people rather than differences will progress be made in establishing cohesive, supportive communities. The recognition of the contributions to Kansas history by Americans of African descent will go a long way toward such progress. USA would urge the committee to report **SCR 1612** favorably.

Senate Education
3-20-95
Attachment 6



TO: Senate Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: March 20, 1995
RE: Statement on S.C.R. 1612

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear today in support of S.C.R. 1612. The resolution urges the State Board of Education to determine an effective way, through curricular offerings, to expand and emphasize the contributions made to Kansas history by African-Americans.

The Kansas Association of School Boards supports furthering the awareness of the contributions of Kansans of African descent. With new awareness, the education of all Kansas school children will be enriched. We also believe a much greater understanding and appreciation of the state's history and the role that many African-Americans played in the development of the state will result from passage of this resolution.

KASB supports this resolution and stands willing to work with the State Board of Education to ensure its fulfillment. Thank you.