

MINUTES OF THE SELECT COMMITTEE ON HIGHER EDUCATION

The meeting was called to order by Chairperson Cindy Empson at 1:30 on March 7, 1995 in Room 527-S of the Capitol.

All members were present except: Representative Jim Garner

Committee staff present: Caroline Rampey, Legislative Research Department
Avis Swartzman, Office of Revisor of Statutes
Helen Abramson, Committee Secretary

Others attending: See attached list

Conferees appearing before the committee:

HB 2553 - Kansas council on the future of postsecondary education

Representative David Heinemann moved to approved the Committee minutes of February 2, 9, 16, and 23, 1995. The motion was seconded and carried.

Staff reviewed a draft of a memorandum from the Select Committee on Higher Education to the 1995 Legislature regarding the proposed legislation relating to the development of a state plan for postsecondary education (Attachment 1), and a draft of HB 2553.

After Committee discussion minor word changes were made in the memorandum. The time frame for implementation of the state plan for postsecondary education was also changed in the memorandum, and HB 2553 will be amended in Committee to reflect the change.

The memorandum will be revised and the bill will be amended in Committee.

The meeting adjourned.

The next meeting is scheduled for March 9, 1995.

February 28, 1995

Memorandum

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 members 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

*Select Committee on Higher Education
3-7-1995 Meeting
Attachment 1*

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 policy makers 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 recommend steps to implement 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 by the postsecondary education sectors themselves, not by the Legislature.** 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 may 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 should 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 perceived unwillingness of many 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, non-essential services, and duplicative efforts can no longer 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 making recommendations concerning the implementation of the plan. 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, to be finalized and reported on by November 1, 1996. The second two years of the Council's existence will involve developing strategies for 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.
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 by November 1, 1996. A status report on the development of the plan shall be made to the Legislative Educational Planning Committee (LEPC) by November 1, 1995. Copies of the final plan shall be submitted to the Governor, the LEPC, and to the respective governing boards or appointing authorities of the various members of the Council.

Following the completion of the state plan, it shall be the duty of the Council to make findings and recommendations on the implementation of the state plan by November 1, 1998. A status report on the implementation of the state plan shall be made to the LEPC by November 1, 1997. Final recommendations shall be submitted to the Governor, the LEPC, and to the respective governing boards or appointing authorities of the various members of the Council.

The Council shall terminate December 30, 1998.