

MINUTES OF THE SELECT COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Cindy Empson at 1:30 p.m. on March 13, 1995 in Room 522-S of the Capitol.

All members were present except:

Committee staff present: Laura Howard, Legislative Research Department  
Helen Abramson, Committee Secretary

Conferees appearing before the committee:

Merlyne Hines-Starr, State Board of Education  
Ferman Marsh, State Board of Education  
Bob Kelly, Independent Colleges

Others attending: See attached list

**SB 4 - Kansas postsecondary review program, termination date, duties and powers of KPR board, termination of participation in student aid program**

Dr. Merlyne Hines-Starr, Kansas Postsecondary Review Program Coordinator, State Board of Education gave an overview of the Postsecondary Review Program. In response to a growing rate of default of student loans throughout the United States an amendment was placed to the Higher Education Act. It is now sub-part H of the amendments to the Higher Education Act. Sub-part H specifies the protocol for monitoring postsecondary institutions in all states for student aid abuse and misrepresentations. Specified within the law are 11 indicators which may focus on possible abuse within an institution and these indicators were developed into a set of standards by which each state is mandated to monitor financial aid activities with secondary institutions - (SPRE) State Postsecondary Review Entity. Under Kansas law the State Board of Education (SBOE) has been designated as the appropriate institution for monitoring.

The Federal Government specifies that each State enter into an agreement with the Federal Government and within the United States, and it is up to the States to decide who has the responsibility of overseeing that legislation.

Congress is presently looking at reducing or terminating the postsecondary program. Secretary Riley and Assistant Secretary Longenecker are requesting if Congress cuts the program, that it remain in place until an amended program to address student fraud and abuses is put into place.

Ferman Marsh, Assistant Commissioner, Division of Lifelong Learning, State Board of Education, briefed the Committee on changes in SB 4 - (1) changes the sunset from 1995 to 1997; (2) requires the Review Board to make available information regarding their review priority system, prior to conducting a review of any postsecondary institution; (3) sets up the procedure for due process. These changes are necessary because Kansas law on SPRE was required to be enacted before federal regulations implementing the federal laws were adopted. With final federal regulations in place it is now known what must be included in the state law. These changes add nothing which is not required by the federal laws and regulations, but will add no additional burden to Kansas institutions.

Bob Kelly, Independent Colleges, stated the three items were not in existence when the law was passed and Kansas was the last State to finalize the review board.

Mr. Marsh stated the federal law says "each state" and there was considerable discussion as to what constitutes the state (are they an educational entity, legislature, Governor), and last year it was determined it was all of the foregoing, hence the delay in finalizing the review board.

Mr. Marsh informed the Committee it is his understanding if the federal government does not fund this program then the State is to cease and desist their program.

**Representative Barbara Ballard moved SB 4 be reported favorably for passage. The motion was seconded by Representative Jack Wempe. Motion carried.**

The meeting adjourned.

The next meeting is scheduled for March 14, 1994.

SELECT COMMITTEE ON HIGHER EDUCATION  
COMMITTEE GUEST LIST

DATE: March 13, 1995

NAME	REPRESENTING
J Marshall	ST Bd Ed
Merlyne Kings-Gary	St Board of Ed.
Ken [unclear]	FHSU
Sue [unclear]	K-State
David G. Monreal	Washburn University
Jon JOSSEBRAND	KY
ERIC Sexton	WSU