

Approved: 1/18/96  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Bill Mason at 3:30 p.m. on January 11, 1996 in Room 519-S of the Capitol.

All members were present except: John Ballou (Excused)

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

Conferees appearing before the committee: Ted Ayers, State Board of Regents  
Dale Dennis, State Board of Education  
Dr. Merle Hill, Kansas Association of Community Colleges  
Gerald Henderson, United School Administrators  
Mark Tallman, Kansas Association of School Boards  
Susan Chase, Kansas National Education Association (KNEA)

Others attending: See attached list

Ted Ayers reviewed legislative initiatives of mutual interest and concern with no specific requests for bill introduction (Attachment 1). Policy issues of particular interest included: 1) A Bonding Proposal to fund \$163 million for building repair renovation, remodeling and renewal on university campuses through a 15-year bond issue; 2) Various suggestions and proposals for "Tuition Accountability"; 3) A Comprehensive Grant Program to benefit students while reducing administrative burdens; 4) Proposed changes in Rhodes Scholar Program to enhance the quality and funding mechanism; and 5) Provide increased purchasing authority of local regents institutions without involvement of the Purchasing Director.

Dale Dennis announced the State Board of Education's intention to bypass their request for legislation to allow another delegation to make the presentation.

Dr Merle Hill requested bill introduction to allow the 19 community colleges to determine its own tuition for out-of-state students, as well as, in-state students (Attachment 2).

Representative Shore moved that a committee bill be introduced to allow all community colleges to set their own out-of-state tuition and Representative Morrison seconded the motion. The motion carried.

Gerald Henderson had no specific bill requests at this time. He discussed finance issues on Base State Aid Per Pupil, planning of school district budgets, the Local Option Budget, funding services for children with special needs and provisions for stable revenue sources (Attachment 3). Teacher Due Process continues to be an Accountability issue sparking controversy. The need for teacher protection is not argued but local boards feel that personnel decisions are being removed from their jurisdiction in those cases that go to court.

Mark Tallman presented an overview of legislative action the Kansas Association of School Boards would like to see developed and supported (Attachment 4). Such action should include finance measures to fully fund current obligations and correct inadequate levels of base budget support; to continue support of Quality Performance Accreditation and support **SB 145** to redesign the teacher and administrator certification system; and, to support **HB 2283** to expand the ability of local school districts to react to actions in the interest of the district.

Susan Chase announced three priorities established by the Kansas National Education Association (KNEA) for this legislative session: 1) Invest in Public Education; 2) Involve others for Safe Schools; and, 3) Insure the Future of Public Education (Attachment 5). In an attempt to insure that schools are safe and secure for children and faculty, the KNEA is defining needed actions for buildings if a potential violent situation arises, for communication and cooperation between schools and other agencies that have supervisory duties for a

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m.  
on January 11, 1996.

particular student and to encourage the development of alternative placements for students who are violent or potentially violent.

The meeting adjourned at 4:50 p.m.

The next meeting is scheduled for January 16, 1996.



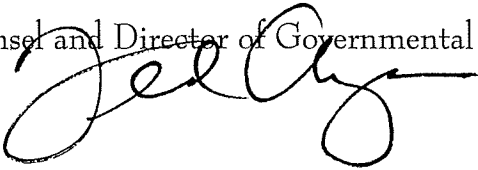
# KANSAS BOARD OF REGENTS

700 SW HARRISON • SUITE 1410 • TOPEKA, KS 66603-3760

GENERAL ADMINISTRATION - 913 296-3421 • STUDENT ASSISTANCE - 913 296-3517 • FAX 913 296-0983

## MEMORANDUM

TO: Chairman Mason  
Members, House Education Committee

FROM: Ted D. Ayres, General Counsel and Director of Governmental  
Relations 

RE: Issues/1996

DATE: January 11, 1996

We appreciate this opportunity to be with the Committee. I am pleased to have this time to review legislative initiatives, which I trust are of mutual interest and concern, with you.

First, permit me to briefly comment on the "substantive legislative initiative" (as compared with budget requests) process for the Board and Regents Institutions, i.e., Item 5.b.(1) on page 2G of the Board Policy Manual which provides, in part, that:

The Board must approve all requests made to the Legislature for funds, programs, changes in legislation and new legislation affecting the Board and the Regents institutions. Requests for legislation shall be submitted to the Board for consideration and inclusion in the Regents annual legislative proposals no later than the November meeting of the Board.

As a result of this effort, the Kansas Board of Regents considered a number of requests for substantive legislation at its meeting in November of 1995. As a result, the attached initiatives were approved for the 1996 session of the Legislature. I do not believe that introduction by your Committee will be required, but I wanted to take this opportunity to share the approved initiatives with you for purposes of your information and in case any particular initiative might be assigned to or come through your committee.

House Education  
1/11/96  
Attachment 1

In addition to these approved initiatives, there are a variety of policy issues that are of particular interest to the Board and the Regents Institutions. We have already begun discussions with a variety of audiences in the executive and legislative branches of government on these issues. Specifically:

1. **BONDING PROPOSAL:** An effort to fund \$163,000,000 worth of building repair, renovation, remodeling and renewal on our university campuses through a 15 year bond issue. This is the effort which generally follows-up on the "Crumbling Classroom" booklet which you all received last year. In this regard, the Governor made the following recommendation in his "State of the State" address on January 8:

Our Regents universities also comprise an essential element of our state's commitment to education. In response to the need to comply with accessibility standards, fire and safety codes, and in recognition of the crumbling condition of many of our campus buildings, I am endorsing a \$163 million facilities repair and rehabilitation program. This program is especially prudent when one considers that the interest to be paid on the bonds issued is lower than the rate of inflation for construction costs.

In the explanatory documents accompanying the Governor's budget proposal, the following additional points were made:

. . .the Governor recommends that KDFFA issue bonds in FY 1997 in the amount of \$156.5 million to address a wide variety of rehabilitation and repair projects at the universities. With interest earnings, the total project costs would be an estimated \$163.6 million.

2. **TUITION ACCOUNTABILITY:** On August 25, 1995, Dr. John Hiebert, Chairperson of the Kansas Board of Regents, met with the members of the Special Committee on Ways and Means/Appropriations. In his presentation, Dr. Hiebert offered various suggestions and proposals, on behalf of the Board of Regents and the Regents Institutions, relative to "Tuition Accountability." Dr. Hiebert spoke to six basic elements in this concept:

A. Implement a linear tuition structure. In other words, KU and KSU students currently pay on a per credit hour for the first six hours; at hour seven, the student pays the full semester cost of tuition regardless of how many additional hours the student registers for. In the linear structure, the student would pay on a credit hour basis for all courses taken.

B. Develop a consensus tuition estimating process using representatives from the Regents Office, State Budget Office, Legislative Research Department and each University.

C. Establish a student credit hour enrollment base and re-establish that base every three years.

D. Regents institutions retain all tuition revenue associated with enrollment growth and eliminate enrollment adjustment and fee release.

E. Retain a portion of the revenue associated with tuition rate increases to help address longstanding base budget OOE needs.

F. The initial FY 97 budget for ESU, FHSU, PSU, KUMC, KSU-VMC, and KSU-Salina (the Governor has recommended that WSU not participate in FY 97, but be prepared to change in the following fiscal year) would be based upon those institutions remaining on existing budgeting methods.

The essence of this proposal is that participating institutions would be allowed to keep one-fourth of the tuition revenue generated by tuition rate increases to address priority funding needs (targeted for equipment and other operating expenditures in the Instruction Program). A second component of tuition accountability would allow participating universities to retain all tuition revenue resulting from enrollment growth to finance the additional costs of higher enrollment (conversely, when enrollment declines result in reduced tuition revenue, the universities will have to absorb the income loss).

3. Comprehensive Grant Program: I am submitting to you a copy of our Executive Director's August 25, 1995, testimony before the Legislative Budget Committee on this important topic. In that testimony, Dr. Jordan explains why a comprehensive grant program could benefit a wider array of students while also reducing administrative burdens to students, schools and the state of Kansas. He also suggests some potential drawbacks to such a program.

In its report on **Proposal No. 53**, the Joint Committee on Legislative Budget Committee recommended that no action be taken on the issue of creating a comprehensive grant program at this time. However, the Committee went on to say:

The Committee does, however, express its general support for the concept of merging some of the existing Kansas financial aid programs into one comprehensive grant program. The Committee notes that 1995 H.B. 2551

remains in the House Appropriations Committee and could be used as a discussion vehicle during the 1996 Session.

### Summary and Conclusion

I appreciate the opportunity to appear before the Committee and to spend some time highlighting or discussing some of the issues that the Board of Regents and the Regents Institutions feel are of particular importance during the 1996 session. On behalf of the Board and the Institutions, I express our gratitude for the decisions you have made and the work that lies ahead; we look forward to working with you and assisting you in your efforts.

Upon the motion of Regent Havner, as seconded by Regent Nolan, the Board unanimously approved requests a. through j. (with request f. being previously withdrawn and request e. being modified [as noted above]), i.e.,

a. Seek amendment of statutes relating to write-off of accounts receivable (K.S.A. 75-3728a et seq.)--requested/recommended by Council of Presidents and Board staff in follow-up to revision/updating of Board Policy Manual.

b. Seek amendment of K.S.A. 74-3264 to delegate easement/right-of-way authorizations to the chief executive officer of each Regents institution--requested/recommended by Council of Presidents and Board staff in follow-up to revision/updating of Board Policy Manual.

c. Seek amendment of statutes relating to Board of Regents responsibility and authority to adopt rules and regulations governing parking of vehicles and speed limits at the Regents Institutions (K.S.A. 74-3209 et seq.)--requested/recommended by Council of Presidents and Board staff in follow-up to revision/updating of Board Policy Manual.

d. Seek amendment of Act K.S.A. 76-749 to provide additional authority to Regents Institutions to purchase insurance for students studying abroad--requested/recommended by the University of Kansas.

e. Seek passage of statute which would enact into law the current criteria used at the University of Kansas Medical Center in awarding student loans--requested/recommended by the University of Kansas.

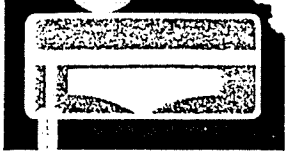
g. Seek continuation or reinstatement of K.S.A. 76-833, which exempts certain capital projects funded with private funds from state purchasing requirements--requested/recommended by the University of Kansas.



h. Seek statutory authorization for the University of Kansas to (i) create/maintain a University of Kansas Hospital Depreciation Reserve Fund, (ii) for the Chancellor to transfer specified amounts from the University of Kansas Hospital Reserve Fund to the Depreciation Reserve Fund, and (iii) to credit interest earned from investment of balances in the Depreciation Reserve Fund to such Depreciation Reserve Fund--requested/recommended by the University of Kansas.

i. Seek amendment of K.S.A. 79-5028 to provide county tax lid exemption for Extension Districts--requested/recommended by Kansas State University.

j. Seek amendment of appropriation language to add pharmacists, physical therapists and psychiatrists to the listing of employees for which the KSU Student Health Center provides malpractice coverage--requested/recommended by Kansas State University.



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Legislative Budget Committee  
August 25, 1995  
Room 123-S -- Statehouse

Creation of a Comprehensive Grant Program  
Stephen M. Jordan, Executive Director

## Background

With the report and recommendations of the Task Force on Student Financial Aid in 1992, and the subsequent creation of the Regents Student Financial Aid Committee in 1993, student financial aid achieved increased visibility as a contributor to Kansas college and university revenue streams and for its role in individual student financing strategies.

In January 1992, The Task Force on Student Financial Assistance recommended to the Board of Regents, among other initiatives, the merger of the following programs to take place in academic year 1996-97:

Regents Supplemental Grant	Kansas Tuition Grant
Kansas State Scholarship	Ethnic Minority Scholarship

The proposed enabling legislation was premised upon the Task Force's best judgement of the lead time needed in order to minimize disruption to students, counselors and universities. Consumer information and application forms are printed eleven months prior to college freshman enrollment in order to assist high school seniors who begin planning in October of their senior year for the following September of their college freshman year. Additionally, substantive program reconfiguration needs lead time for adjustment by students, counselors and parents.

## Analysis and Discussion

The reasons, identified by Task Force members and Board of Regents staff, for recommending a merger of these four programs into a Kansas Comprehensive Grant program include:

- ~ broader targeting of aid to financially needy, academically committed students,*
- ~ increased participation of "non-traditional" students in Kansas programs,*

- ~simplification and timeliness of delivery of aid to students, and
- ~administrative streamlining.

The reasons can be further described as follows:

#### **Broader targeting of aid . . .**

Approximately 250 students are cross-awarded (receive funding from more than one of the four programs), receiving \$2,500-4,200 each in state-funded awards. Furthermore, the State Scholarship and Minority Scholarship programs are effectively closed to non-traditional students because scholarship designation occurs during the high school senior year. Students who do not begin college immediately from high school or who are not exceptional high school performers cannot later be considered for scholarship funding, no matter how exemplary their college academic achievement.

#### **...to academically committed students**

Requiring recipients just graduated from high school to have completed a designated preparatory curriculum would ensure an identifiable foundation of academic preparedness by recipients. Non-traditional students might be required to complete two semesters of full-time post-secondary course work prior to eligibility for aid. This protects the integrity of the program by focusing on access, choice *and commitment* rather than simply access and choice. The attached communication to Kansas high school principals emphasizes the relationship between student preparation and collegiate perseverance and success.

#### **Increased participation of "non-traditional" students . . .**

For purposes of discussion, non-traditional students are those who meet at least one of the following definitions: do not begin college until two or more years after high school graduation, are married, more than 24 years of age, veterans, or parents. Generally, with the exception of how long students wait to begin college, such students also qualify as "independent" students for federal financial aid purposes which means parental income is not considered. Thirty-eight percent of undergraduate students who apply for student financial aid at Kansas baccalaureate colleges and universities are classified as independent. This compares to 8% of State Scholars and Minority Scholars. A Comprehensive Grant Program, especially if fully funded, would assist more academic achievers who begin their college careers later than immediately following high school.

#### **Simplification and timeliness of aid delivery . . .**

By merging the four existing programs and allocating funds to campuses, all need-based programs can be administered at the institutional level using an allocation and awarding formula set annually by the

Board. For three years, the Tuition Grant and Regents Supplemental Grant programs have been successfully administered using this process. When funds are allocated to institutions, re-awarding can occur on a daily basis as students leave school or drop below half-time.

In contrast, the State Scholarship and Ethnic Minority Scholarship programs require schools to return canceled funds for re-awarding by the Board office. The second round of awards occurs in early September (after 20th day of classes) with third and fourth rounds occurring in January and March. Students who must wait 4-6 months into an academic year may make less desirable enrollment and loan decisions because funds were not available to them at enrollment or within 30 days thereafter.

Important to the discussion is the fact that the 7,400 students receiving Tuition Grant or Regents Supplemental Grant have to complete only the federal form. However, currently the centrally administered programs (State and Minority Scholarship) continue to require an additional form accompanied by a \$10.00 processing fee. Approximately 2,500 apply for these scholarships for a total cost of \$25,000.

#### **Administrative Streamlining . . .**

The concern by legislators and taxpayers that staff increases at state agencies are undesirable is appreciated by this office. Therefore, streamlining programs without sacrificing program quality is a shared goal. To provide timely and adequate service to recipients scattered among sixteen programs which serve 9,700 recipients from 39,700 applicants annually simply requires more time than providing timely and adequate service to recipients of eleven programs. Managing separate program structures takes time, no matter how few recipients are served or how small the appropriation. Programs with similar goals which can be merged or reconfigured to improve delivery of service is a desirable alternative to reduced timeliness of service.

#### **Public Policy Issue: When Need & Merit Diverge**

It is the State Scholarship and Minority Scholarship program recipients who must be considered in the merger of programs. It is well known in the admissions and the financial aid community that income and family ability to finance college expenses correlates positively with academic achievement. Therefore, recipients in these two programs tend to be less needy than students in the two grant programs. Well prepared, financially poor students score better on standardized tests such as the ACT than unprepared affluent students. However, on average, test scores are higher for students from affluent families than for poorer families.

Research indicates that an individual's financial strength does not predict intelligence but affluence *does* make it possible for students to be employed for fewer hours each week while in high school, attend schools with more academic options, contract for test preparation services and so forth. This effect of relative affluence shows up even in Kansas need-based scholarship programs. Current State Scholars and Ethnic Minority Scholars have higher incomes than Tuition Grant and Supplemental Grant recipients. Therefore, these scholarship recipients will have less likelihood of receiving funding under a Comprehensive Grant program with no set-a-sides because the pool will be larger and needier.

However, the symbolism associated with receiving scholarship recognition should not be underestimated. The public policy goals regarding access to and choice of post-secondary institutions must be clearly understood and agreed to by policy makers such as you. The State of Kansas has traditionally limited its non-service scholarship funding to needy students . . . but not without protest. There is a bidding war going on in the educational arena and some states recruit students with a high SAT (National Merit) or ACT score, offering multi-thousand dollars scholarship awards without regard to financial need. Kansas must recognize this recruiting environment and either reconfirm its commitment to need-based aid or consider a merit only scholarship component to financial aid programs.

It is also important to be aware of other considerations relative to the funding of minority applicants. Minority students, on average, are later applicants for funds. The 1994 Student Financial Aid Committee work group comprising financial aid directors from each sector recommended that a certain level of funds in a Comprehensive Grant Program be targeted to minority students. One possibility would be to reserve approximately 12% of funds for minority students because 12.5% of 1994 Kansas high school graduates are minority students and 11.5% of Kansas high school graduates reporting enrollment in college are minority students.

### **Conclusion**

We have provided, as members of the education community, reasons why a comprehensive grant program could benefit a wider array of students while also reducing administrative burdens to students, schools and the State of Kansas. We have also suggested some drawbacks to such a program.

If a comprehensive grant is pursued, we encourage our office's involvement with active consultation from financial aid directors through the state in preparing the draft legislation so that such legislation does not unintentionally disadvantage some students and schools.

HISTORICAL REVIEW OF THE FOUR PROGRAMS RECOMMENDED FOR MERGER

The four programs, summarized below, were created to assist particular student groups.

The Regents Supplemental Grant, established in 1993, is designed to assist financially needy students who are enrolled full-time at a Regents institution. Special consideration is not given to academically accomplished students in part because, increasingly during the last decade, institutions target institutional funds to students who achieve scholastically at the high school or collegiate level.

The Kansas Tuition Grant, established in 1972, was created to assist financially needy students who choose to attend independent Kansas colleges. This student assistance effort recognizes both the vitality independent institutions bring to the higher education environment and that students, to the extent possible, should not have their higher education options limited by family financial circumstances.

The State Scholarship, established in 1963, preceded many current federal programs and most, if not all, need-based institutional scholarship programs. It was designed to encourage college attendance by high school achievers, as measured by ACT Assessment scores, who did not have adequate family financial support. This program has received scrutiny in recent years due to the type of criteria used to measure scholastic achievement and collegiate potential.

The Ethnic Minority Scholarship, established in 1989, was designed to recognize the achievement and potential of minority students and to assist financially needy students in attending college with less reliance on loans. Minority students were underrepresented in the State Scholarship program and in full-time college enrollment. The State's interest in encouraging collegiate enrollment of academically able minority students is reflected in this program.

Comparative Data  
Academic Year 1994-95

Program	Participants	Regent	Independent	Washbrn	CommCol	Expenditures
Supplemental Grant	3,600*	100%	00%	00%	00%	\$ 2,777,000
Kansas Tuition Grant	3,777	00%	98%	02%	00	5,602,544
Kansas State Scholarship	1,042	72%	21%	02	05	1,005,670
Ethnic Minority Scholarship	194	84%	09%	02	05	<u>288,188</u>
Total: 4 programs	8,613	\$3,743,161	\$5,802,471	\$63,077	\$64,693	\$ 9,673,402
Full-time Enrollment		49,037	8,622	3,500	19,533	
Aided Students (duplicated headcount)		4,513	4,018	118	62	
Aided Students as % of Enrollment		9.2%	46.6%	3.4%	.3%	
Average Award		\$829	\$1,444	\$535	\$1,043	
Tuition and Fees		\$1,790	\$7,738	\$2,729	\$906	
Average Award as % of Tuition/Fees		46%	18.6%	19.6%	86.8%	

\*final figures available in November 1995



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GENERAL ADMINISTRATION - 913 296-3421 • STUDENT ASSISTANCE - 913 296-3517 • FAX 913 296-0983

## MEMORANDUM

To: Kansas High School Principals  
From: Stephen M. Jordan, Executive Director  
Date: August 21, 1995

RE: **REGENTS RECOMMENDED CURRICULUM- 1995 REPORT**

Recent and continuing research is confirming what long-time educators already know; that students who engage in rigorous high school course work achieve higher standardized test scores and perform better in their postsecondary studies. I believe you will find the following information helpful when you work with your counseling and teaching staff as well as parents and students to encourage greater participation in core curriculum and college preparatory curriculums.

### Regents Recommended Curriculum

In 1995, 80% of Kansas high schools submitted names of Regents Recommended Curriculum completers. This compares to a 34% participation rate in 1990, the first year records were maintained. The percentage of students reported as completing the curriculum increased from 8% to 16% during the same period. However, the recent trend is less encouraging. Although the numbers of schools participating in the program have steadily increased, the percentage of students reported as having completed the curriculum has declined from a high of 20% in 1993 to 16% in 1995. If high school graduates are to be better prepared for vocational schools, community colleges or universities, then we need to encourage students to take a rigorous high school curriculum. Enclosed is a chart showing the program's participation history.

### ACT Core Curriculum

Using data provided by ACT, 48% of the 1995 Kansas high school seniors taking the ACT Assessment reported enrollment in a basic core curriculum as defined by ACT. This compares to a 60% national rate for ACT test takers. The standard core curriculum is less rigorous than the Regents Recommended Curriculum, with the standard core representing what many educators think should be the minimum high school curriculum. The following chart compares the two preparatory curriculums.

	English	Mathematics	Science	Social Science	Foreign Language
National Core (ACT)	4 years	3 years, not less than Algebra I, Algebra II, Geometry	3 years	3 years	no
Regents Recommended Curriculum	4 years	3 years, not less than Algebra I, Algebra II, Geometry	3 years, not less than Biology, Chemistry, Physics	3 years	2 years

### Preparatory Curriculums Improve Standardized Test Scores

ACT data show that Kansas students completing the core curriculum score higher in each component of the ACT Assessment and post an average Composite Score of 23 compared to 19.6 for students taking less than the core curriculum. Furthermore, Kansas students who complete the Regents Recommended Curriculum post an average ACT Composite of 25 points. *And what a difference three and five points can make.*

A Composite Score average of:

- 19.6 (less than core) represents the lower 44% of test takers,
- 23 (core curriculum) represents the upper 31% of test takers, and
- 25 (Regents curriculum) represents the upper 19% of test takers.

Additionally, students planning for any postsecondary education need to know that research repeatedly shows that high school graduates completing a rigorous college preparatory curriculum perform better in postsecondary programs as measured by grade point averages than students selecting less rigorous curriculums. *Preparation makes a difference.*

Research by ACT shows that unprepared students will have lower grades in their post-secondary school studies. For example, high school seniors with ACT composite scores of 22 will have a 50% likelihood of earning a B grade in intermediate college algebra. Importantly, a 22 composite score is achieved by 53% of the students taking a core curriculum, but is achieved by only 21% of the students who do not take a core curriculum. Page 7 of the 1995 ACT Assessment Results, Summary Report provides further explanation.

Finally, because Kansas students tend to enter postsecondary education at a higher rate than the national average (70.5% vs. 62.6%), when they do not prepare themselves academically they are likely to achieve lower grades, fewer scholarships, and reduced rates of graduation. Students, schools and the State of Kansas benefit when students complete college preparatory curriculums.

#### **Financial Aid Implications**

The Regents Recommended Curriculum is one criteria for the State Scholarship, Ethnic Minority Scholarship and Kansas Teacher Scholarship programs. Furthermore, the 1996 Kansas Legislature is expected to consider legislation which will give awarding priority for Kansas Tuition Grants and Regents Supplemental Grants to high school applicants who have completed the curriculum. Financially disadvantaged students are likely to improve their mix of financial aid, especially state funded aid, when they complete the Regents Recommended Curriculum.

I hope this information has been helpful to you and will be useful as you encourage students to take advantage of the courses offered at your high school which will best help them prepare for their postsecondary training and education.

Enclosure: Regents Recommended Curriculum History 5/25/95  
Memorandum to High School Counselors 4/27/95

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# KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Jayhawk Tower, Suite 401 • 700 S.W. Jackson • Topeka, KS 66603

W. Merle Hill  
Executive Director

Phone 913/357-5156  
Fax 913/357-5157

To: House Committee on Education

From: Merle Hill, Executive Director  
Kansas Association of Community Colleges

Date: January 12, 1996

Subj: Request for Bill Introduction in Behalf of the 117 Locally-elected Trustees of the Kansas Association of Community Colleges

Thank you, Mr. Chairman and members of the Committee. I am Merle Hill, executive director of the Kansas Association of Community Colleges.

Just as the State Board of Regents, appointed by the Governor, is the **governing** board of the state's six universities, the 19 locally-elected boards of community colleges are the **governing** boards of the community colleges. The state regents and the community college trustees have almost identical responsibilities and authority. A major exception is that **it is the Legislature rather than the locally-elected community college trustees** which determines the rate of tuition charged to out-of-state students attending the 19 colleges.

Until the 1995 legislative session, the Legislature also determined the tuition rates community colleges could charge for instruction per credit hour. As the result of action taken by the Legislature in 1995, 71-301 (a) (1) now reads: "... the board of trustees shall charge to and collect from each in-state student tuition at **rates per credit hour enrolled which shall be established by the board of trustees.**"

House Education  
1/11/96  
Attachment 2

The exceptions are for out-of-state students, foreign students and students who reside on a military base. The Council of Trustees, consisting of all 117 locally-elected members, should like to have the authority to determine tuition rates for out-of-state students. Currently, **out-of-state students must pay tuition rates which are three times the tuition per credit hour rate** charged to in-state students.

It must be noted that the **community colleges do not receive state aid for out-of-state students**, and the Council of Trustees does not intend to convert commuting out-of-state students into residents of the State of Kansas.

According to figures in the annual enrollment reports produced by the Kansas Legislative Research Department, 96 percent of community college enrollees are residents of Kansas. Most of the four percent out-of-state enrollees live in counties just across the state's borders near Kansas "border-county" community college sites. These out-of-state students, their families and acquaintances, for the most part, do their shopping in Kansas and many are employed by Kansas businesses and industries. Many of them reside closer to the Kansas community colleges than do thousands of Kansas residents now attending the community colleges at in-state tuition rates.

The Fiscal Auditing Team Leader for the State Board of Education has assured me that authorizing community college boards of trustees to charge out-of-state students **the same tuition** charged in-state students or an **amount less than the current three-times-tuition rate** will not confuse the Board's auditors who **audit all credit hours at community colleges** and authorize payment of state aid.

The 117 Kansas community college trustees believe the colleges they govern can better serve their wider economic communities by providing affordable education to both in-state and out-of-state students if **each college can determine its own tuition for all students**.

I shall be pleased to answer any questions you might have. Thank you.

Attachment: 1995-96 Tuition & Fee Schedule for Kansas Community Colleges

**KANSAS COMMUNITY COLLEGE  
1995-1996 TUITION & FEE SCHEDULE**

COLLEGE	RESIDENCE	TUITION <i>per credit hour</i>	FEES <i>per credit hour</i>
ALLEN CO.	RESIDENT	27.00	7.00
	NON-RESIDENT	81.00	7.00
BARTON CO.	RESIDENT	25.00	12.00
	NON-RESIDENT	75.00	12.00
BUTLER CO.	RESIDENT	26.50	10.00
	NON-RESIDENT	79.50	10.00
CLOUD CO.	RESIDENT	28.00	12.50
	NON-RESIDENT	84.00	7.50
COFFEYVILLE	RESIDENT	23.00	13.00
	NON-RESIDENT	69.00	13.00
COLBY	RESIDENT	27.00	9.00
	NON-RESIDENT	81.00	9.00
COWLEY CO.	RESIDENT	27.00	11.00
	NON-RESIDENT	81.00	11.00
DODGE CITY	RESIDENT	30.00	12.00
	NON-RESIDENT	90.00	12.00
FORT SCOTT	RESIDENT	27.00	9.00
	NON-RESIDENT	81.00	9.00
GARDEN CITY	RESIDENT	27.00	7.00
	NON-RESIDENT	81.00	7.00
HIGHLAND	RESIDENT	27.00	10.00
	NON-RESIDENT	81.00	10.00
HUTCHINSON	RESIDENT	29.00	7.00
	NON-RESIDENT	87.00	7.00
INDEPENDENCE	RESIDENT	25.00	10.00
	NON-RESIDENT	75.00	10.00
	INTERNATIONAL	95.00	10.00
JOHNSON CO.	RESIDENT	32.00	7.00
	NON-RESIDENT	98.00	7.00
KANSAS CITY	RESIDENT	27.00	6.00
	NON-RESIDENT	81.00	6.00
LABETTE	RESIDENT	25.00	8.00
	NON-RESIDENT	80.00	8.00
NEOSHO CO.	RESIDENT	26.00	11.00
	NON-RESIDENT	78.00	11.00
PRATT	RESIDENT	26.00	11.00
	NON-RESIDENT	78.00	11.00
SEWARD CO.	RESIDENT	27.00	10.00
	NON-RESIDENT	81.00	10.00



## 1996 LEGISLATIVE OVERVIEW

Testimony presented before the House Committee on Education  
by Gerald W. Henderson, Executive Director  
United School Administrators of Kansas  
January 11, 1996

Mister Chairman and Members of the Committee:

I appreciate this opportunity to visit with the committee about a few legislative issues my members think are important. I will make no specific bill requests this afternoon, but if any of the issues I raise make sense to the committee, I will of course be happy to work with you toward that end. Included in the packet of materials attached to my testimony is a copy of the 1996 legislative position statements of USA. I will not review the entire document with you this afternoon. Our statements are brief and to the point, and I hope you will take the time to read them at your convenience. I will limit my comments to two categories, money and accountability.

I will most likely have an opportunity later on in the Session to share some of our positions on school finance with both the Tax and Appropriations Committees. I share them now with you for what I hope are obvious reasons. I will focus my comments about school finance on Base State Aid Per Pupil (BSAPP), planning of school district budgets, the Local Option Budget (LOB), funding services for children with special needs, and providing for stable revenue sources. I will discuss these issues in reverse order.

### STABLE REVENUE SOURCES

USA has for the 11 years I have been with the organization supported a balanced mix of the three major revenue sources - property tax, sales tax and income tax - used to support Kansas public schools. There are essentially two reasons for this position. One, we believe that a balanced mix of taxes used in support of public services guards against the potential disruptions caused by a sudden failure of one of the revenue sources. One need only look

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to our two neighbors to the south, Texas and Oklahoma, to understand the problems caused when a dominant revenue source dries up. The second reason for our support of a balanced mix of taxes is that such a mix allows **all** Kansans to participate in the support of public services. We are appreciative of the stance taken by the Governor on the re-authorization of the 35 mill statewide levy. We encourage the legislature to act affirmatively on the governor's recommendation.

### **SPECIAL EDUCATION**

The nation's public schools have over the past several years enrolled an ever larger number of children who are products of an increasingly troubled and strained society. Kansas is not immune from this phenomenon. The move from serving troubled children in institutions to serving them in community settings has added to the numbers and to the strain. The governor's \$4.7 million in new dollars will almost maintain special education funding at current levels, which means that district general funds will continue to bear much of the burden. The kids with almost overwhelming special needs keep coming. I wish they did not, because serving them is frightfully expensive, but they do.

### **LOCAL OPTION BUDGET**

LOB was included in the 1992 school finance plan for two reasons. One, to allow districts spending more than \$3600 BSAPP to continue spending at those levels. Secondly, to provide for some flexibility at the local level. LOB was never intended to become an ongoing part of the school finance picture. Quite to the contrary, the original law required that as BSAPP was increased, LOB was to be decreased by a corresponding amount. The plan was that eventually BSAPP would catch up with need and LOB would disappear. Since the current finance plan seems to be suffering from the same malady as the old SDEA, under funding, USA supports making the Local Option Budget subject only to a vote of the local board of education. 138 districts must renew their LOBs next year or loose up to 25% of their operating budgets. If the six largest districts loose LOBs, more than a third of the state's children will be affected. In Wichita, loss of the LOB would amount to loosing the budget authority needed to operate their senior high schools. If a change is to be made in LOB regulations, the 1996 Session must take action. Next year will be too late.

## **BUDGET PLANNING**

In order to comply with the continuing contract law, Kansas school administrators must make staffing recommendations to their boards of education by May 1. Solid information about revenue is not available until September 20. Estimating future enrollments has become hazardous at best, especially in small districts, where the unexpected loss of an employer in the community could cause major disruptions to the budget planning process. USA supports adding a provision for declining enrollment to the current law much the same as existed under the old law. We recommend that for the purpose of computing maximum allowable budget a school district be allowed to use the previous year's FTE enrollment or the current year's FTE enrollment, whichever is greater.

## **BASE STATE AID PER PUPIL**

Attached to my testimony are three exhibits which explain why in the face of the governor's message, USA would take a position in support increasing BSAPP to \$3800. The cost of doing business in Kansas has risen from 2.5% to 5.4% per year for the past five years. If BSAPP had been supported by the Kansas Legislature at only 2% per year we would be at \$3820 now. My members do not believe that asking for support of BSAPP at \$3800 for next year is out of line. In 1992 the legislature tied accountability measures to the new finance law. In 1995, under Quality Performance Accreditation, the evidence is growing that schools have responded positively to your call for accountability, and are indeed doing better. Teachers and administrators are working harder and longer at making a demonstrated difference for kids than at any time in my memory. Just last evening I left a meeting at Seaman at about 5:20 and two committees of teachers, administrators and patrons were still working. That kind of dedication needs to be recognized with reasonable salary increases. The public hearing notice from Western Resources illustrates the squeeze public school districts are in. A 9.5% increase in gas bills will be difficult for schools to handle with no increase in revenue.

## **ACCOUNTABILITY**

Under the category of Accountability I would like to visit about only one of the position statements contained on pages six and seven of our brochure. That issue is **Teacher due**

**process.** Our position is not to remove from teachers protection from "arbitrary and capricious" actions by administrators and boards of education. Under the old three member panel system, if an issue got to court, the court applied the "arbitrary and capricious" test to the decision of the board.

Under court interpretation of the 1991 law, which replaced the panel with a hearing officer, that important test is applied not to the board's decision but to the decision of the hearing officer. We think that is wrong and that it was never the intent of the legislature to effectively deny local boards the authority to make personnel decisions. Again, teachers must be protected against arbitrary and capricious actions by administrators and boards of education. But, boards must be allowed to make personnel decisions in Kansas school districts. USA is in favor of any legislation which will restore this authority and at the same time protect teachers.

I appreciate this opportunity to visit with the committee, and will attempt to answer any questions.

BUDGET PER PUPIL

ESTIMATES

<u>1993-94</u>	<u>1994-95</u>	<u>1995-96</u>	<u>1996-97</u>
\$ 3,600	\$ 3,708	\$ 3,819	\$ 3,934
<u>1.03%</u>	<u>1.03%</u>	<u>1.03%</u>	<u>1.03%</u>
\$ 3,708	\$ 3,819	\$ 3,934	\$ 4,052
\$ 3,600	\$ 3,673	\$ 3,745	\$ 3,820
<u>1.02%</u>	<u>1.02%</u>	<u>1.02%</u>	<u>1.02%</u>
\$ 3,673	\$ 3,745	\$ 3,820	\$ 3,897



CONSUMER PRICE INDEX

PERCENT INCREASE

Calendar Year	1990	5.4 percent
	1991	4.2 percent
	1992	3.0 percent
	1993	3.0 percent
	1994	2.5 percent
	1995	2.8 percent*

\*Estimate

"I would not favor 80 mph and the (turnpike) board wouldn't want 80,"

**PUBLISHER'S NOTICE**

**Sunday, Dec. 31, 1995**

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**Kansas City Kansan**

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stricter enforcement will be practiced, with less of a grace allowance by police, Wohlforth said. Eichorn was less specific about grace allowances by the highway patrol

**Winning lottery numbers**

Here are the winning numbers drawn Saturday night for various area lottery games:

Kansas Pick 3: 2, 8, 7

Kansas Cash Lotto: 1, 7, 17, 27, 30, 32

Missouri Lotto: 3, 9, 11, 21, 23, 28

Powerball: 7, 4, 13, 2, 26, 33

Clark Viaduct, may have a minimum of 50 mph, he said.

There is no design room, according to Brewer, because it would depend on a number of factors involving terrain and weather.

Two-lane highways throughout the state vary as far as minimum design requirements when they were built, Brewer said.

"Anything we've designed during my career has been for at least 55 and generally 60," he said. "Any brand new highways we would design we would probably consider going to 70."

The highway patrol will step up safety efforts in school systems because of higher speed limits, Eichorn said.

**Notice of Public Hearing**

Kansas Corporation Commission

on application for natural gas rate increase

Docket No. 193,305-U

To: KPL/KGE/Western Resources Customers:

Notice is hereby given that Western Resources has filed an application with the Kansas Corporation Commission requesting a \$36 million natural gas rate increase for both KPL and KGE customers.

The Commission has scheduled three public hearings concerning the request by Western Resources to allow customers to testify before the Commission on the application. Each public hearing will take place in two parts. First, there will be a question and answer period to allow customers to ask Commission staff and company representatives questions pertaining to the case. In the second part of the hearing, ratepayers will be allowed to make their statements to the three-member Commission.

**Public hearings**

The following public hearings have been scheduled:

7:30 p.m. Wednesday, January 24, Kansas Corporation Commission, Hearing Room,

1500 S.W. Arrowhead Road, Topeka, Kansas

7:30 p.m. Thursday, January 25, Bicentennial Center, 800 Midway, Salina, Kansas.

6:30 p.m. Wednesday, January 31, City Council Chambers, 455 N. Main, Wichita, Kansas.

The Commission will also accept written comments from Western Resources' customers through February 9. Comments regarding the case should reference Docket No. 193, 305-U and be sent to the KCC Office of Public Affairs, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027.

The Commission will hold a technical hearing on the request beginning February 12 at 10:00 a.m. in the main hearing room at the Commission's Topeka office. The Commission must issue its decision by April 13, 1996.

**Western Resources proposal**

Western Resources requested permission to increase natural gas rates by \$36 million, which represents an overall increase of 9.4 percent for both KPL and KGE customers.

In its application Western Resources said it was requesting the rate increase to recover increased operating and maintenance costs, costs associated with the company's natural gas distribution line replacement program, and to attract capital and earn an adequate return on equity to protect its financial integrity. The company's last natural gas rate increase was granted in January 1992, when the company was allowed to increase rates by \$39.3 million or 9.5 percent.

Western Resources, through its KPL and KGE operating companies, provides natural gas service to approximately 608,000 customers in eastern and central Kansas.

**Additional information available**

For more information about the proposal or the public hearings, contact the KCC Office of Public Affairs and Consumer Protection at 1-800-662-0027. Any person requiring special accommodations under The Americans With Disabilities Act needs to give notice to the Commission at least 10 days prior to the scheduled hearing date.

Western Resources, Inc.

818 Kansas Avenue

Topeka, KS 66612



TO: Members of the House Committee on Education  
FROM: Mark Tallman, Director of Governmental Relations  
DATE: January 11, 1996

We appreciate the opportunity to present an overview of our association's major legislative concerns for the 1996 session, and to request bill introductions.

The KASB Board of Directors has selected priority issues to strengthen the three-part system of public education established by the people of Kansas in Article Six of the state constitution.

- ◆ First, *the Legislature* is given the responsibility to provide suitable financing for the state's educational system.
- ◆ Second, *the State Board of Education* has the primary responsibility for educational accountability through its general supervision and accreditation powers.
- ◆ Third, *locally elected school boards* have the authority to maintain, develop and operate public schools on behalf of their community.

Today, we would ask you to consider legislative action in the following areas:

### **Finance**

We urge you to develop and support legislation which:

1. Fully funds the current obligations of the state under the school finance system, as provided by the Governor's budget recommendations; and
2. Addresses the inadequate level of base budget support provided to larger school districts in Kansas, resulting in disproportionate reliance on the local option budgets (many of which expire at the end of the next school year); and the need to respond to rising education costs by all districts.

### **Educational Accountability**

We urge you to continue support for the Quality Performance Accreditation system of school accountability. We continue to support a system of accreditation based on improvement in school and student performance, with locally developed strategies for achieving improvement targets and a system of assistance and sanctions for schools which fail to improve over time.

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We urge you to support efforts to redesign the teacher and administrator certification system to reflect performance. We support strengthening the teacher evaluation system. One component should be removal of evaluation criteria and procedures from the professional negotiations process. A carryover bill to accomplish that step is SB 145, which was introduced last year at our request. That bill is in the Senate Education Committee

We would request that the committee introduce the legislation recommended by the Joint Committee on Children and Families that would amend the Gun Free Schools legislation passed last year. We support the committee's recommendations.

We also support amendments to the School Safety Act passed last year. We are working with one of the sponsors of the bill in the House last year, and do not have specific amendments to propose at this time.

### **Local Authority**

To expand the ability of local school districts to meet changing community needs and seek innovative ways to operate more efficiently, we request that the committee support legislation which would grant local school boards the authority to take any actions which are not contrary to state and federal law or regulations and are taken in the interest of the district. This legislation was introduced last year as HB 2283. It carries over in this committee.

We urge the committee to address the issue of teacher due process studied this summer by the Special Committee on Education. Last year, at our request the Senate Education Committee introduced SB 136, which remains in the that committee. Rather than ask for specific legislation by this committee, we are prepared to consider any alternative proposals to strengthen the ability of local boards to set employee standards while maintaining legitimate rights for teachers. We would encourage you to hold hearings on this issue.

We continue to support a requirement that local school board members receive periodic inservice training as a condition of board service. This concept was introduced last year as HB 2017, which carries over in this committee. We believe this issue should be considered in conjunction with the two issues discussed above.

### **Summary**

Our only "new" bill request at this time is legislation to amend the Gun Free Schools Act.





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

Susan Chase Presentation Before  
House Education Committee  
Thursday, January 11, 1996

Thank you Mr. Chairman and members of the committee for allowing the Kansas National Education Association to make this presentation. We are pleased with the commitment you have made to the education of all Kansas' children.

The Kansas National Education Association has established three priorities for this session.

Invest in Public Education  
Involve Others for Safe Schools  
Insure the Future of Public Education

### **Invest in Public Education**

The Kansas National Education Association, in a departure from previous years, has established priorities for the funding of education. These priorities were established in recognition of the limited resources of the State of Kansas. We believe the state should invest its resources in the following order:

1. Movement to 100% funding of Special Education
2. Funding of the second year of the correlation weighting
3. Increasing the At-Risk Weighting factor
4. Increase the base per pupil amount

### **Involve Others for Safe Schools**

We have begun to look at ways to insure our schools are safe and secure for the children and faculty. We are researching three issues to determine what legislation would be needed to facilitate action in these areas.

The first area involves actions taken by buildings if a potential violent situation arises. These would be situations where a student becomes extremely violent or an armed intruder enters the building. We believe that simple crisis plans should be developed that insure the safety of the children and the faculty in the building. These plans would be similar to fire or natural disaster plans in that they would contain plans for either evacuation or lock down of the building and establish a chain of command for the reporting and monitoring of the crisis. These plans should be well known and easily executed by the children and faculty of the building.

The second issue is one of communication and cooperation between the schools and other agencies that have supervisory duties for a particular student. We are investigating legislation instituted by the State of Washington that designates all agencies that deal with students 'juvenile care agencies'. It then allows and encourages those agencies to share information about a student who is under their supervision with other juvenile care agencies who have supervisory duties related to that student. We are examining how this would fit into our system and how we can insure the information is passed on to the person that has direct contact with the student.

Finally we are researching ways to encourage the development of alternative placements for students who are violent or potentially violent. These would not necessarily be school-run programs but would be cooperative community ventures.

Susan Chase Presentation  
January 11, 1996  
Page Two

We believe that safe schools are a community investment, and are committed to working with others to encourage a community approach to creating a safe environment for children.

**Insure the Future of Public Education**

My final point, but by no means a lesser priority, is to insure the future of public education. We believe that public education is the cornerstone of a strong democracy. We are committed to preserving and enhancing public education in this state. This is not an issue in which we are proposing legislation but a measuring stick by which we measure all legislation.

I want to thank you for your time. I hope you will continue your efforts to insure a strong public education for the children of Kansas.