

Approved: 2/8/96  
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 25, 1996 in Room 519-S of the Capitol.

All members were present except: Patricia Pettey (excused)

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

Conferees appearing before the committee: Dr. James Grote, President-Seward County Community College  
Mary Ruiz, Student-Seward County Community College  
Dean Doug Fitch, Dean of Students-Seward County Community College  
Dr. Patrick McAtee, President-Cowley County Community College  
Terry Malone, Trustee-Dodge City Community College  
Carol Strobel, Trustee-Dodge City Community College

Others attending: See attached list

Hearings opened on **HB 2671**-concerning community colleges student tuition rates.

Dr. James Grote, President-Seward County Community College spoke in support of **HB 2671** (Attachment 1). In 1995, the Kansas Legislature gave the community college boards of trustees the responsibility of establishing tuition policies, except for the requirement to charge out-of-state students three (3) times the tuition rate of in-state students. For community colleges located near the state boundaries, this is a deterrent for out-of-state students, especially since other states have concessions to make their schools attractive to Kansas students. The community of interests do not stop at state boundaries and this bill would allow flexibility to better serve the educational needs of their local communities and areas.

Mary Ruiz, Student-Seward County Community College appeared in support of **HB 2671**. She was a former Kansas student; now a student from Guymon, Oklahoma in the Associate Nursing program. She has been made to feel isolated and penalized by a few miles that result in higher educational costs that could only be met by grants and student loans.

Dean Doug Fitch, Dean of Students-Seward County Community College testified in favor of **HB 2671**. Regional hospitals and consumer communities of interest make it difficult to explain the reasoning for difference in tuition rates for in-state and out-of-state students.

Dr. Patrick McAtee, President-Cowley County Community College appeared in support of **HB 2671** (Attachment 2). The college's location of two miles from the Oklahoma border defines the service area as contiguous counties in both states. The ability to set out-of-state tuition rates would allow better competition in this marketplace.

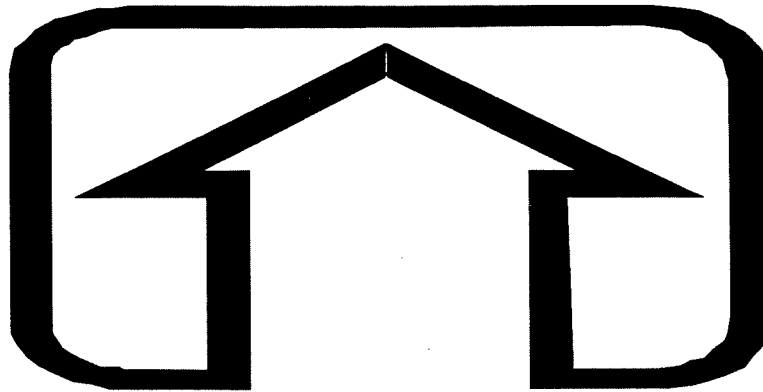
Trustees Terry Malone and Carol Strobel-Dodge City Community College support **HB 2671** by letter (Attachments 3 and 4).

Chairman Mason called for additional proponents; opponents. None were present. The hearing on **HB 2671** was closed.

The meeting was adjourned at 4:25 p.m.

The next meeting is scheduled for January 29, 1996.





H.B. 2671: Testimony

House Committee On  
Education

Seward County Community College

Liberal, KS.

Thursday, January 25, 1996

House Education  
1/25/96  
Attachment 1

## TESTIMONY

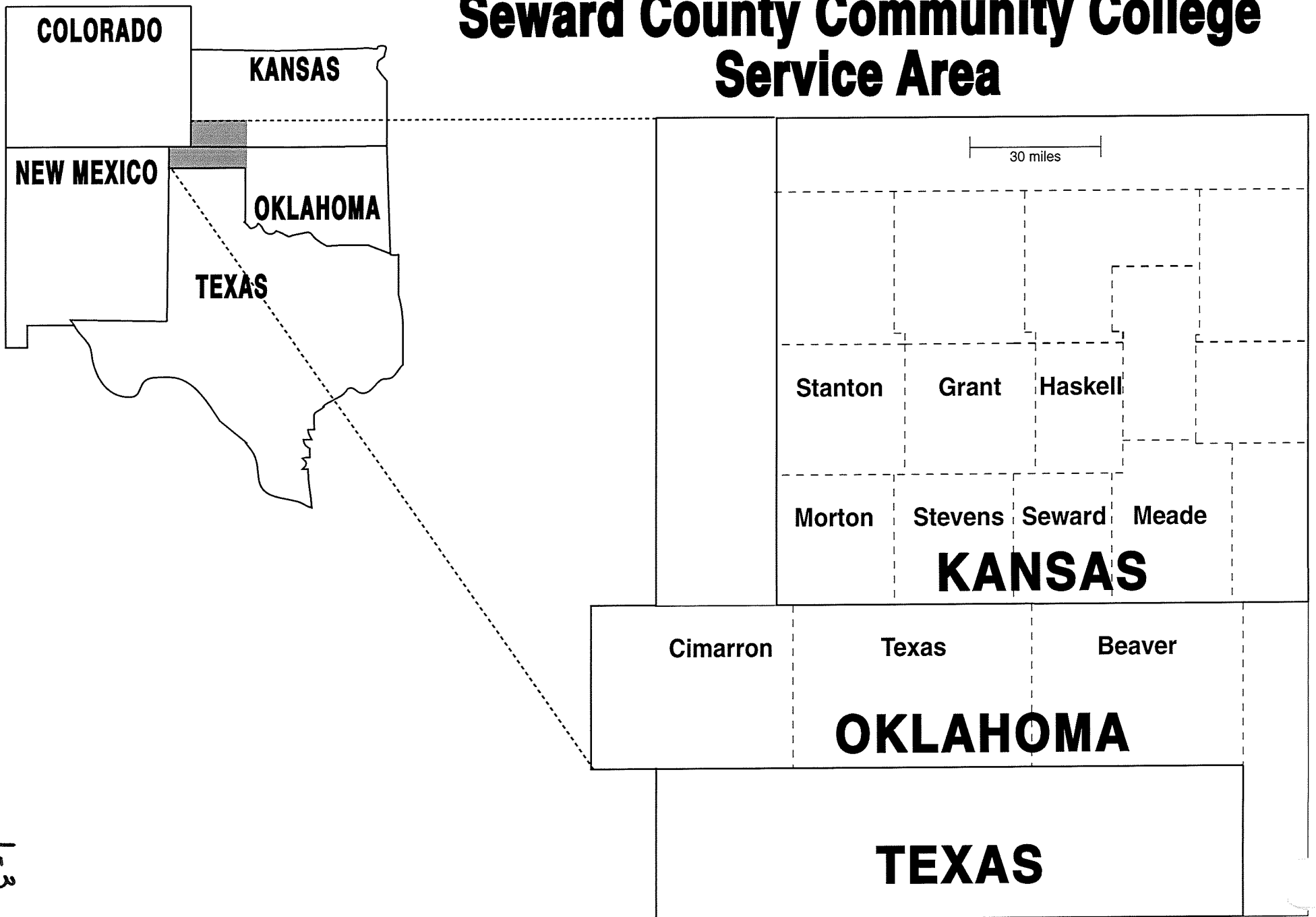
Good afternoon, Representative Mason, Chair, and Representative Shore, Vice-chair, and other members of the House Committee on Education. It is indeed a privilege to offer testimony in support of H.B. 2671: a House Bill related to out-of-state tuition.

My name is James Grote, President, Seward County Community College, Liberal, Kansas. As you are aware, in 1995, the Kansas Legislature recognized that local Community College Boards of Trustees should be given the responsibility of establishing tuition policies for their respective institutions without having to follow mandates set by the Kansas Legislature. The one exception, however, is the requirement to charge out-of-state students three(3) times the tuition rate of in-state students. No state funds are received by the community colleges for out-of-state students.

Seward County Community College is located in Liberal, Kansas. Residing in a border county, Seward County Community College is located some three miles from the Oklahoma line and only 32 miles from the State of Texas. This is graphically demonstrated by the map on the following page.

The population of Seward County(1990 Census) was 18,743; the population of Liberal, Kansas, was estimated at 16,492(1990 Census). Based upon data from the 1992-93 Kansas Statistical

# Seward County Community College Service Area



Abstract, Seward County was listed as having a "pull" factor of 1.49, ranked as one of the top three Kansas Counties with the highest "pull" factor(a "pull" factor which is higher than 1.0 indicates that the county is attracting business). Thus, Seward County and Liberal, Kansas, are regional trading/shopping centers, attracting business/industry and trade traffic from Oklahoma, Texas, and Colorado.

Based upon the Fall, 1995 Semester, Seward County Community College had a total headcount enrollment of 1801. Of that total, out-of-state enrollments accounted for 16 percent(289 out-of-state enrollments). Of this 16 percent, nearly 68 percent of that total was from Oklahoma; 24 percent was from Texas; 5 percent was from Colorado; with the remaining 3 percent from other states. As a border county, the percentage of out-of-state enrollments is certainly understandable. In addition, and as a regional trading/shopping center, there is a great deal of mobility with the population moving back and forth across the state lines.

Competition for students in southwest Kansas occurs among a number of out-of-state educational institutions. The closest to Seward County Community College are Panhandle State University, Goodwell, Oklahoma, and West Texas A & M, Canyon, Texas. **Both institutions waive out-of-state tuition to Kansas residents.** Additionally, Oklahoma State University waives out-of-state tuition to high school students under conditions of grade point and ACT scores.

The waiving of out-of-state tuition is also practiced in Kansas. For example, the Board of Regents has extended this opportunity to Pittsburg State University and authorizes the waiving of out-of-state tuition to students who reside within a particular radius of the PSU campus. Additionally, the Kansas Area Vocational Technical Schools have the authorization to treat out-of-state students as in-state following the students' declarations of intent to reside in Kansas (if the students are eighteen years of age or older).

The above conditions are exacerbated by the rapid change in and increasing sophistication of educational technology, such as Instructional Television Networks, satellite programming, and the internet. In many instances, and at Elkhart, Kansas, as an example, out-of-state institutions, such as Lamar Community College, Lamar, Colorado, and Panhandle State University, Goodwell, Oklahoma, are providing educational services across state lines using this technology. With the development of this technology, state lines simply delineate geographic features on a map, rather than establish boundaries that separate and define access to higher educational services.

As an institution in a border county, it is increasingly difficult, if not impossible, to remain responsive and serve the needs of our community/area in this type of competitive environment without control/flexibility over out-of-state tuition. Our out-of-state

restrictions impede the ability of our institution to adapt and adjust to our environment.

Certainly, we are not advocating the ability to call out-of-state residents, Kansas residents, but rather to allow locally-elected Boards of Trustees to have the authority to establish out-of-state tuition rates. No state funds are received by the community college for out-of-state students.

In the final analysis, locally-elected Community College Boards of Trustees are answerable to their constituents for their stewardship and should be given latitude to deal with budgetary matters, admission policies, and graduation requirements. Therefore, local Boards of Trustees should be given the opportunity to set their own tuition rates for out-of-state students, in order to better serve the educational needs of their local communities and areas.





*Cowley*  
*Committed to Teaching Excellence*  
*Office of the President*

**DATE:** January 24, 1996

**TO:** House Education Committee

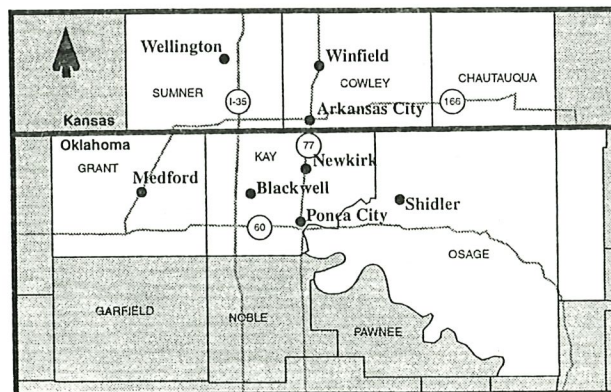
**FROM:** Patrick J. McAtee, President *PJM*  
Cowley County Community College & Area Vocational-Technical School

Cowley County Community College and Area Vocational-Technical School supports House Bill No. 2671. Cowley is located two miles from the Oklahoma border and has the potential to serve 40,000 people in a thirty mile radius to our South in the contiguous counties of Kay, Grant, and Osage in Oklahoma. The towns include Newkirk -- 2,413; Ponca City -- 27,700; Blackwell -- 8,400; Shidler -- 708; and Medford -- 1,419. Many of these people work and shop in the Cowley County service area.

A major contributor to our College, the Home National Bank, who recently contributed \$250,000 for our new Arts, Sciences and Technology Building has a branch bank in Ponca City with 80 employees from Oklahoma. The college provides training for the bank and is required by law to charge \$27 an hour for residents of Cowley and \$81 an hour for residents of Oklahoma. The College has also established a partnership with Pioneer Technical College in Ponca City and would like to do degree completions like we do for the Wichita Technical College. However, the \$81 is a barrier for their students.

Cowley has 100 students from out-of-state. One-half of these students are from Oklahoma. There are no athletes currently from the contiguous out-of-state counties of Kay, Grant, and Osage. The College does not receive any state funds for out-of-state students.

Presently, the Board of Trustees has the authority to set tuition for in-state students. We support a bill that would extend the authority to include the contiguous counties to our south border in Oklahoma. This would allow us to better serve the many people who frequent the Cowley County service area.



*Quality Education Since 1922*

House Education  
1/25/96  
Attachment 2

WILLIAMS, STROBEL,  
MALONE, MASON & RALPH, P.A.

ATTORNEYS AT LAW

BANK IV BUILDING P.O. BOX 39 PHONE (316) 225-4168 FAX (316) 225-7261

DODGE CITY, KANSAS 67801-0039

January 24, 1996

*Sent via fax.*

Bill Mason, Chairman  
House Committee on Education  
State Capitol  
Room No. 446 North  
Topeka, Kansas 66612

RE: House Bill No. 2671

Dear Chairman Mason:

Please accept this letter as my testimony of support of house bill no. 2671.

I have served on the Board of Trustees of Dodge City Community College since 1989 and am a native Kansan. I firmly believe that the trustees should have the authority to set tuition rates for out-of-state students. This is a local issue and should be controlled locally. All of the tuition money for out-of-state students is retained by the community college to pay operating expenses and none of it is paid to the State of Kansas or any of its agencies.

The Board of Regents are authorized to reduce tuition for out-of-state students when it is felt to be in the best interests of the state universities. It seems that the community colleges should also have the authority to reduce out-of-state tuition if the trustees determine it to be in the best interests of the community college.

Apparently some concern has been expressed about out-of-state athletes being the primary beneficiaries of reduced tuition. It is true that several of the out-of-state students attending Dodge City Community College are athletes and that some of the athletes are recipients of partial athletic scholarships. However, those athletic scholarships are funded strictly from private donations that are channelled through the Dodge City Booster Club. The booster club members, for the most part, are local residents that annually raise approximately \$60,000 per year for out-of-state athletic scholarships. In reality these donations are just another tax on the local business owners and supporters that make up the booster club, albeit a voluntary tax.

House Education  
1/25/96  
Attachment 3

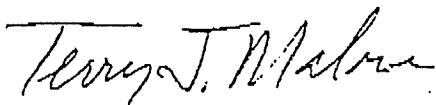
Bill Mason  
Re: House Bill 2671  
Page 2  
January 24, 1996

From a purely personal perspective, I believe it is a good idea to attract students from other states to attend Kansas colleges. My daughter is a senior in high school and is presently searching for engineering schools. She has performed very well in her classes and on her college entrance exams. Although Kansas has excellent engineering colleges at KSU and KU, she is considering other schools because of their willingness to waive or substantially reduce her out-of-state tuition. Those colleges have made it clear that they want her as a student and are willing to offer her financial incentives to lure her away from Kansas. Therefore, she is able to consider attending college in another state, which would not be a possibility without the financial assistance.

The trustees who serve on community college boards must answer to their constituents concerning their decisions on community college matters, including financial ones. I believe the trustees should have the responsibility to set tuition. If the trustees make decisions that are contrary to the wishes of their constituents, the voting public has ways of voicing their displeasure at election time.

Thank you for your consideration of my viewpoint.

Very truly yours,



Terry J. Malone  
Trustee of Dodge City Community College

TJM:lp

Transmitted via Facsimile:  
January 25, 1996

Mr. Bill Mason, Chairman  
House Committee on Education  
State Capitol  
Room No. 446 North  
Topeka, Kansas 66612

Re: House Bill No. 2671

Dear Chairman Mason:

It is my understanding that the House Education Committee will be conducting hearings today on HB 2671 relating to out-of-state tuition for Kansas community colleges. Although I cannot appear personally, I would appreciate your accepting this letter as evidence of my support for the adoption and passage of HB 2671.

As I understand, HB 2671 would authorize local community college boards to establish out-of-state tuition at a level of not less than the in-state tuition rates. As a member of the Board of Trustees of Dodge City Community College, I believe the local Board should have the flexibility authorized by this proposed legislation. At the present time, out-of-state students are by Statute required to pay three times the in-state tuition rate established by the Board. Although many out-of-state students are attracted to Kansas community colleges by a wide array of program offerings, the required out-of-state tuition rate stands as a barrier to their recruitment and attendance at Kansas institutions.

As a Board member, I am interested in attracting high quality students to our institution, regardless of their state of residency. Unfortunately, at the present time, most out-of-state recruiting is limited to athletic programs where partial scholarship money is available through the local booster club to help defray the excessive out-of-state tuition charge. The number of out-of-state student athletes is regulated by athletic conference rules to which most community colleges are subject. Although I support a good athletic program, I am interested in increasing the school's opportunity for recruitment of non-athlete students as well. Our institution offers a wide variety of excellent programs and instruction from which students, in-state or out-of-state, would benefit. Obviously, the institution itself would benefit from increased enrollment and increased student participation in these programs.

House Education  
1/25/96  
Attachment 4

Mr. Bill Mason, Chairman

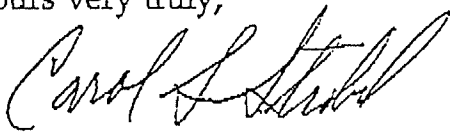
Page 2

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The legislature has seen fit to entrust the establishment of in-state tuition to local boards. It seems only logical that the local boards, as trustees of local spending, should also have the ability to establish the out-of-state tuition rate which is commensurate with the financial needs of the institution.

Thank you again for this opportunity.

Yours very truly,



CAROL S. STROBEL, TRUSTEE  
DODGE CITY COMMUNITY COLLEGE

c: Dr. Carl Heinrich, Interim President  
Dodge City Community College