

Approved: B. Lawrence
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Barbara Lawrence at 9:00 a.m. on March 10, 1997 in Room 123-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Senator Salmans
Representative Bill Mason
Sheila Frahm, Executive Director, Kansas Association of
Community Colleges

Others attending: See attached list

Chairperson Lawrence called the meeting to order and asked for action on the minutes of February 17, 18, 19, 20, 21, 24, 25 and 26. Senator Umberger moved approval of the minutes. Senator Lee seconded the motion. The motion carried.

HB 2112--special ed services; termination of agreements

Senator Salmans spoke briefly on the bill, stating that he would like to see the bill pass out of Committee favorably without any amendments.

The Chairperson stated that this bill would allow a school or groups of schools in a special education cooperative to petition to withdraw from a cooperative with a two-thirds majority vote; what is required now is a unanimous vote. She asked for discussion.

One of the Committee expressed his concern over what this would do in his county as he had not been able to contact the persons he needed to speak with about the bill. He was assured that his county was alright.

One of the Committee members asked if it was correct if two-thirds wanted to change, it would be reviewed by the State Board of Education.

The response was that if the State Board did not think the change would work, it has the power to deny.

The Chairperson stated that the particular amendment in question would not be considered as the case is in court and the outcome not known. It would be better to pass out a clean bill.

Senator Lee moved to recommend HB 2112 favorably for passage. Senator Oleen gave a second to the motion.

It was reiterated that the bill has the safeguard of Board review. It will not allow the quality of education for these children to be destroyed.

Mr. Dennis, Deputy Education Commissioner, stated there were two issues involved - quality of service for kids and the cost to the local districts of the state. In the official guidelines it is cost - quality.

After additional comments, the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, ROOM 123-S-Statehouse, at 9:00 a.m.
March 10, 1997.

HB 2015--community colleges; student residence; determination of state aid entitlements

Representative Mason, bill sponsor, spoke to the bill and distributed his testimony (Attachment 1) He stated that in 1996, Community Colleges requested and saw a bill passed that allowed local Boards of Trustees to set the out-of-state tuition rates for the Community Colleges. Previously the out-of-state tuition was three times the amount of the in-state tuition. This had proven to be a hardship for those colleges adjacent to the borders of the state and whose trade area extended into other states. In the process of correcting this problem for the colleges last year, another major problem was created. This bill simply reinstates the residency rules that applied before the change. The absence of the residency rules did not allow the Department of Education to pay for military personnel who are receiving educational services from the Community Colleges.

Sheila Frahm, Executive Director, Kansas Association of Community Colleges, appeared next on the bill. (Attachment 2) She stated they did not know that last year's legislation removed these exemptions. **HB 2671** when introduced last year, was intended to permit local community college boards of trustees to determine the tuition charged to out-of-state students. The community college trustees and legislators were unaware that this bill also eliminated the seven exemptions for authorizing payment of state credit-hour aid for some individuals residing in Kansas, that is, military personnel, workers recruited by business and industry, etc. **HB 2015** puts back into statute those seven exemptions.

Ms. Frahm's testimony ended by stating that **HB 2015** also has the State Board of Education rather than local boards of trustees determine which courses of instruction are eligible for state credit-hour aid.

A person from one of the community colleges stated that during any given year, 600-700 take classes to fulfill degree requirements, career advancement and general educational opportunities.

Several members of the Committee questioned the bullet which read, "persons who have special domestic relations circumstances". As staff was unsure of a definitive answer, the Chairperson stated she would get back to the Committee tomorrow with the answer.

After several further comments, the Chairperson asked the Committee's wishes.

Senator Emert moved that **HB 2015** be recommended favorably for passage.

Senator Downey gave a second to the motion.

The motion carried.

The meeting was adjourned.

The next meeting is scheduled for March 11, 1997.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE: March 10, 1997

NAME	REPRESENTING
Jan Wilson	Visitors - Larned
Jean Wilson	Visitor with Selmans-Lawrence Co
Marilyn Selmans	" " "
Richard Drum	Dodge City Community College
Sheila Fedson	KACC
Ron Votil	Barton County Community College
Marlene Emsting	Barton County Community College
BOB BURCH	BUTLER Co. Com Coll.
Paul Maneth	Barton Co. Comm Coll.
Jackie Velti	Butler County Com College
Jacquie Dabbs	SPE
Mald Henderson	USA of KS
Diane Hierstad	USD 259
Denise Ayst	USA
John Peterson	Ks Assn of Community Colleges
Kathie Sparks	DOB
Craig Grant	KNEA
Sue Chase	KNEA
Mark Tallman	KASIB

WILLIAM G. (BILL) MASON
REPRESENTATIVE, 75TH DISTRICT
BUTLER COUNTY



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIRMAN: ECONOMIC DEVELOPMENT
VICE CHAIRMAN: JOINT COMMITTEE ON ECONOMIC
DEVELOPMENT
MEMBER: BUSINESS, COMMERCE AND LABOR
FEDERAL AND STATE AFFAIRS
BOARD MEMBER: KANSAS TECHNOLOGY
ENTERPRISE CORPORATION

SENATE EDUCATION COMMITTEE
March 10, 1997
TESTIMONY ON HB 2015

Madame Chairperson and Members of the Committee

Thank you for the early hearing you are giving us on **HB 2015**. I come today as a proponent of that bill.

In 1996, the Community Colleges requested and we passed a bill that allowed local Boards of Trustees to set the out-of-state tuition rates for the Community Colleges. Previously the out-of-state tuition was 3 times the amount of the in-state tuition. This had proven to be a hardship for those colleges adjacent to the borders of the state and whose trade area extended into other states.

In the process of correcting this problem for the Colleges last year, we created another major problem which this bill addresses. This bill simply reinstates the residency rules that applied before the change. The absence of the residency rules did not allow the Department of Education to pay for military personnel who are receiving educational services from the Community Colleges. The budget includes these services so there is no fiscal note.

Dodge City Community College, Barton County Community College and Butler County Community College are severely impacted by this situation with sizable losses of revenue after the services have been given.

This bill passed the House 125 to 0 which is an amazing accomplishment in itself.

There are several representatives from the Community Colleges here this morning to help answer any questions you may have.

I urge your favorable passage of **HB 2015**.

*Senate Education
3-10-97
Attachment 1*

KANSAS ASSOCIATION OF COMMUNITY COLLEGES

700 S.W. Jackson St., Suite 401 -- Topeka, Kansas 66603-3757

Sheila Frahm
Executive Director

Phone: 913-357-5156

Fax: 913-357-5157

To: **Senate Committee on Education**
Senator Barbara Lawrence, Chairman

From: **Sheila Frahm, Executive Director**
Kansas Association of Community Colleges

Date: March 10, 1997

Subj: **House Bill No. 2015**

Thank you very much for scheduling this hearing. These highlights regarding **HB 2671** are provided to assist as your committee reviews and prepares to work this bill.

1. **HB 2015** is "corrective" legislation necessitated by passage of **HB 2671** last year.
2. The **single thrust of HB 2671** when introduced was to permit local community college boards of trustees to determine the tuition charged to out-of-state students.
3. No state aid is received for out-of-state students.
4. **Both community college trustees and legislators were unaware that HB 2671 also eliminated the seven exemptions for authorizing payment of state credit-hour aid for some individuals residing in Kansas** - military personnel, workers recruited by business and industry, etc.
5. **HB 2015 merely puts back into statute those seven exemptions**, exemptions which have been effect for years.
6. The Governor's FY 1997 budget already includes state credit-hour funding for students in the seven exempt categories. **NO NEW DOLLARS NEED TO BE APPROPRIATED.**
7. **HB 2015 also has the State Board of Education rather than local boards of trustees** determine which courses of instruction are eligible for state credit-hour aid.

Senate Education
3-10-97
Attachment 2

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2015

As Recommended by House Committee on
Education

Brief*

H.B. 2015 concerns financing of community colleges. The amendments are designed, beginning in FY 1997, to provide for the payment of credit hour, outdistrict, and general state aid for the following classes of persons who may be determined by the State Board of Education to be Kansas residents for such purpose:

- persons who are in active military service of the United States;
- persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within 30 days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not timely enough established to meet the residence duration requirement of K.S.A. 71-406;
- persons who are employees of a community college;
- persons who have special domestic relations circumstances;
- persons who have lost their resident status within six months of enrollment;
- persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the State Board of Education within six months of enrollment at a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.ink.org/public/legislative/fulltext-bill.html>.

community college, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who were entitled to admission at a state educational institution pursuant to K.S.A. 72-116; and

- persons who are domiciliary residents of Kansas, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of K.S.A. 71-406.

Background

H.B. 2015 proposes to reinstate community college credit hour, outdistrict, and general state aid entitlements for certain classes of nonresident students. These entitlements were repealed by 1996 legislation which, among other things, removed all statutory constraints of community college boards of trustees with respect to setting student tuition rates.

The sponsor of the bill, Representative Mason, explained that the bill is designed, beginning in FY 1997, to reinstate a concept that inadvertently was removed in H.B. 2671 which was passed by the 1996 Legislature. Under the former law, outdistrict, credit hour, and general state aid was paid on behalf of the enrollment of persons in the categories listed in the bill brief (above). Other proponents included members from the Barton County, Butler County, and Dodge City community college boards of trustees. In general, these persons expressed the view that elimination of the various state aids for those classifications of students was inadvertent and that the schools very much needed the state aid to support programs that serve such students.

The fiscal note explains that the State Department of Education indicates the bill would not require any additional appropriations.