

Approved: 4/17/00
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Representative Ralph Tanner at 9:00 a.m. on March 16, 2000 in Room 313-S of the Capitol.

All members were present except: A quorum was present

Committee staff present: Avis Swartzman, Revisor of Statutes
Ben Barrett, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Renaë Jefferies, Revisor of Statutes
Linda Taylor, Committee Secretary

Conferees appearing before the committee: Bill Docking, Chairman, State Board of Regents
Dr. Kathy Rupp, Associate Director of Academic Affairs,
State Board of Regents
Dr. Kim Wilcox, Executive Director, State Board of Regents
Carolyn Rampey, Legislative Research

Others attending: See Attached List

The House Education Committee met in joint session with the LEPC and the Senate Education Committee.

Bill Docking appeared before the committee to give the long-term plans of the newly constructed Board of Regents. He stated that the Board began as an organization that dealt with six universities and now deals with 37 institutions. He also stated that the Board has just begun to answer the role it will play in the new form of governance and transition and to specifically identify areas of long-term system-wide planning.

Dr. Kathy Rupp, Associate Director for Academic Affairs, Board of Regents, addressed the Committee on the University Program Review Process. She explained that the review process examines the large elements of the universities to make sure that they are working smoothly; its purpose is to support the campus mission and initiatives and to support the efforts of the universities and the Board to maximize the use of resources.

Carolyn Rampey of the Legislative Research Department appeared before the committee to present a summary of **SB 657 - Postsecondary education, powers and duties of state board of regents, membership of midwestern higher education commission.** (Attachment 1) Ms. Rampey stated that the changes were mostly of a technical nature.

Dr. Kim Wilcox, Board of Regents, presented testimony concerning the role and responsibilities of the new Kansas Board of Regents which include continued governance of the universities and coordination and supervision of the community colleges, technical schools and Washburn University. (Attachment 2)

Avis Swartzman, Revisor of Statutes presented an explanation of the proposed revisions to **SB 657**.

The next meeting is scheduled for March 17, 2000.

The meeting was adjourned at 10:30 a.m.

HOUSE EDUCATION COMMITTEE

GUEST LIST

DATE: March 16, 2000

| NAME | REPRESENTING |
|-----------------|------------------|
| William Dorkin | Board of Regents |
| Dylvia Robinson | " |
| Jan DeBauge | " |
| STEVE CLARK | " |
| Kim Wilcox | " |
| Sherry Jarvis | " |
| Kathy Rupp | " |
| Val DeFever | St. Bd of Ed. |
| Fredson | Bd of Regents |
| Maure Desutti | KNEA |
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SUMMARY OF S.B. 657

The 1999 Legislature restructured postsecondary education in S.B. 345, the Kansas Higher Education Coordination Act. It was expected when the legislation was enacted that more legislation would be needed to address issues that were unforeseen at the time or that the new Board of Regents would identify for further action. The major proposed change, which is contained in other legislation (H.B. 2996 in the House Appropriations Committee), would make changes in how community college operating grants are determined. Other proposed changes, which are contained in S.B. 657, generally concern community colleges and area vocational schools, because statutes applicable to these institutions were among the most affected by 1999 S.B. 345. The changes contained in S.B. 657 are generally technical and consist of the following:

- On page 1, beginning in line 19, vocational education funds of community colleges, which currently are set to expire June 30, 2000, would be continued. S.B. 345 abolished community college vocational education funds because the funds were considered unnecessary, once community colleges begin to receive funding in FY 2001 through an operating grant and separate levies for vocational education are abolished. However, retaining vocational education funds would make it possible to have an audit trail in order to account for federal and other vocational education funds that community colleges receive.
- On page 2, line 20, an obsolete reference to Johnson County Area Vocational-Technical School would be deleted. Johnson County Area Vocational-Technical School merged with Johnson County Community College in the mid-1990s.
- On page 2, beginning on line 30, a sentence would be deleted that requires area vocational-technical schools to have approval of the State Board of Regents before they can construct or acquire buildings or land. "Area vocational-technical school" refers to schools that are governed by a multi-board of control made up of representatives of participating school districts. All other area vocational schools are governed by a single school district board of education or by a community college board of trustees. Presently, the only area vocational-technical schools are Northwest Kansas Technical School in Goodland and Southeast Kansas Area Technical School in Coffeyville. None of the other area vocational schools or technical colleges has to have approval of the State Board of Regents to construct buildings or to acquire buildings and land. The amendment contained in S.B. 657 is proposed by the State Board of Regents in order to treat similar institutions in a uniform manner.
- On page 4, beginning on line 24, the definition of "adult supplementary education program" would no longer be a course "taught for personal enrichment" but would be defined as a course other than courses in adult basic education or courses approved for state funding purposes. The change being proposed is intended to recognize that not all adult supplementary education programs are hobby and recreational, as the term "personal enrichment" might infer, but in fact include such things as professional licensure courses. Adult supplementary education programs do not receive state aid and are supported by user

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fees.

- On page 5, line 6, the term “out-district” would be inserted in an item that pertains to the duties and functions of the State Board of Regents. The use of the term “out-district” targets the community colleges and provides that course locations outside the community college district would have to be approved by the State Board of Regents, which would continue a function that was performed by the State Board of Education. The change would make it clear that, within the community college district, the location of courses would be determined by the community college board of trustees.
- On page 5, beginning on line 42, and continuing on page 6, are changes relating to Kansas’ membership on the Midwestern Higher Education Commission. Currently, a member of the State Board of Education and a member of the State Board of Regents or a designee are on the Commission. However, since the State Board of Education no longer has postsecondary education programs under its jurisdiction, the proposed change would delete the State Board of Education’s representative and give the State Board of Regents two member positions. One of the members would represent two-year institutions and one would represent four-year institutions. Other amendments on page 6 would delete obsolete language that was needed when membership on the Commission originally was established. Other Kansas commissioners would continue to be the Governor or a designee and two legislators—one from the House of Representatives and one from the Senate.
- On page 6, beginning on line 27, several provisions of existing law would be repealed because the State Board of Regents considers that they no longer are necessary. They are:
 - K.S.A. 71-1001 through 71-1003. These provisions require the State Board of Regents to develop a State Plan for Community Colleges. The State Board considers the requirement obsolete because the Kansas Higher Education Coordination Act requires the State Board to develop a comprehensive plan for the coordination of all of higher education in Kansas, a plan that would encompass the community colleges.
 - K.S.A. 1999 Supp. 71-901 and 71-902. These provisions establish the Advisory Council of Community Colleges. The State Board of Regents considers it unnecessary to continue the Advisory Council because there now is a commission of the State Board that is responsible for matters relating to community colleges and vocational-technical education. Further, one of the traditional functions of the Advisory Council was to review the State Plan for Community Colleges, which the State Board of Regents recommends be discontinued.



KANSAS BOARD OF REGENTS

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KANSAS BOARD OF REGENTS

TESTIMONY to SENATE EDUCATION COMMITTEE on SENATE BILL 657

By

**Dr. Kim A. Wilcox, Executive Director
Kansas Board of Regents
March 16, 2000**

Madam Chair, Mr. Chair, members of the Senate and House Education Committees, thank you for the opportunity to appear before you today to speak in favor of Senate Bill 657.

As you are aware, anytime legislation the magnitude of Senate Bill 345 is enacted, there are bound to be a few clarifications or technical cleanup issues as the new law is implemented.

Working closely with our colleagues at the Kansas Association of Community College Trustees and the Kansas Association of Technical Schools & Colleges, we have identified five such areas, which the Board of Regents deems worthy of statutory fine-tuning:

As you know, the purpose of Senate Bill 345 was to coordinate public postsecondary education in Kansas. As we worked through these proposals all the parties at the table kept firmly in our minds the role and responsibilities of the new Kansas Board of Regents: Continued governance of the universities and coordination and supervision of the community colleges, technical schools and Washburn University.

We believe these proposed changes are consistent with the foundation of Senate Bill 345, and dovetail nicely with the spirit and intent of that historic legislation.

This exercise proved enormously worthwhile in one very important respect: While all stakeholders – universities, community colleges, technical schools and Board staff -- agreed these cleanup proposals were strictly technical in nature, the process of working through them provided us a “real-life” example of the challenges the Board will face in differentiating between strict ‘governance’ and the more nebulous ‘coordination and supervision.’

I would like to stress that none of these five are policy changes. We view them as cleanup, clarification and, in many cases, confirming a shift of responsibilities from the State Board of Education to the Board of Regents.

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The first is the Community College Vocational Fund. Senate Bill 345 would have appropriately eliminated the community college levy authority for vocational courses or programs effective June 30, 2000. This action, however, inadvertently eliminated the vocational education fund, which serves as a depository for vocational funds, such as the federal Carl Perkins grants.

The proposal spelled out in Senate Bill 657 will provide community colleges the flexibility they currently enjoy in administering vocational education funded through grants.

The second proposed change deals with inconsistent language in the statute dealing with building projects. As written, the law would require two institutions -- the Northwest Kansas Area Vocational-Technical School campus in Goodland, and the Southeast Kansas Area Vocational-Technical School campus in Coffeyville, to seek Board of Regents approval before embarking upon construction, reconstruction or land acquisition.

The language presented in Senate Bill 657 simply brings consistency throughout as it relates to the 11 technical schools.

The third clarification has to do with the definition of Adult Supplementary Education. This change is recommended to conform with what was pre-existing language to the actual practice of the community colleges. The Adult Supplemental Education Fund is used not only for "personal enrichment" as detailed in statute, but is used as the funding mechanism for training and retraining when not reported for state funding.

The fourth proposal contained within Senate Bill 657 clarifies the role of the Board of Regents in the approval of locations of course offerings by the various institutions of public postsecondary education in Kansas. In this case, the Board of Regents simply assumes a duty previously carried out by the Board of Education.

This specific language, drafted by the Revisor of Statutes Office, meets with approval by the various parties involved in our efforts to reach consensus.

And finally, the fifth recommended change deals with appointments to the Midwestern Higher Education Commission by clarifying that responsibility lies with the Board of Regents. The language in Senate Bill 345 left one of those appointments to the state Board of Education. One of the appointees is to represent four-year schools and the other is to represent two-year schools.

The Board offers special thanks to Avis Swartzman of the Revisor of Statutes Office and Carolyn Rampey of your Legislative Research Department for their assistance in helping us bring this proposal together.

Thank you for the opportunity to appear. I would be happy to respond to any questions you may have.