

MINUTES OF THE HOUSE COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Lisa Benlon at 3:30 p.m. on February 28, 2001 in Room 231-N of the Capitol.

All members were present except: Representative Gordon (E)
Representative Kuether (E)
Representative Pottorff (E)
Representative Reardon (E)
Representative Tanner (E)

Committee staff present: Paul West, Kansas Legislative Research Department
Avis Swartzman, Office of the Revisor of Statutes
Dee Woodson, Committee Secretary

Conferees appearing before the committee: David Monical, Executive Director of Governmental & University Relations, Washburn University
Dr. Kim Wilcox, Executive Director, Kansas Board of Regents (written testimony)
Bob Vancrum, Government Affairs Specialist, Johnson County Community College

Others attending: See attached sheet.

SB 05 - Kansas higher education coordination act, definition of post-secondary

Chairperson Benlon opened hearings on **SB 05**. David Monical, Washburn University, was the first conferee who spoke in support of this bill. He explained that this proposed legislation would add municipal university to the list of institutions defined as "post-secondary educational institutions" in the Kansas Higher Education Coordination Act (1999 SB 345). He said that the amendment is technical in nature and carried no fiscal note. Mr. Monical also requested an amendment to Section 3 asking that the effective date of implementation for this bill be upon publication in the Kansas Register rather than in the Statute Book. He said that this amendment would ensure that any legislation passed during the current session affecting post-secondary educational institutions with an effective date prior to July 1 would encompass Washburn University under the definition. (Attachment 1)

Dr. Kim Wilcox, Kansas Board of Regents, spoke in support of this bill, and said that all three bills being heard today are clean-up bills as part of the continuing transition of responsibilities from the Board of Education to the Board of Regents under the Higher Education Coordination Act, and they had the Regents' approval. (Attachment 2)

The Chair called for questions on this bill, and having none she closed the hearings on **SB 05**.

SB 06 - State Board of Regents, powers, duties and functions with respect to the Community Colleges.

The Chair opened hearings on **SB 06**. She called on Bob Vancrum, Johnson County Community College, who testified in support of **SB 06**. He stated that the Board of Regents and the Kansas Association of Community College Trustees (KACCT) have endorsed this legislation. He said that the Regents were to supervise and coordinate the community colleges, but the local boards of trustees were to retain governance and control of each such college and its property. Mr. Vancrum testified that this bill clarifies the original intent of SB 345 (1999). (Attachment 3)

Dr. Wilcox stated that **SB 06** was from the community college sector and specifically denoted the role of local boards of trustees in the maintenance of property and the responsibility for operation and management of the colleges.

CONTINUATION SHEET

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE, Room 231-N of the Capitol at 3:30 p.m. on February 28, 2001.

There being no other conferees present to testify nor questions from Committee members, the Chair closed the hearings on **SB 06**.

SB 10 - Post-secondary educational institutions, core indicators of quality performance

The Chair opened hearings on **SB 10**, and asked Mr. Vancrum for his testimony on this bill. He said that again this bill was endorsed by the Regents and KACCT, and was an effort to correct an omission that was made in SB 345 (1999) which involved allowing each post-secondary education institution to recommend which core indicators of quality performance was most applicable to such institution. He stated that there was no formal process specified giving each individual community college such input in the development of core indicators. Mr. Vancrum explained the wording in the proposed bill which was to formalize the way the process has in fact worked, and clarified the original intent of SB 345 (1999).

Dr. Wilcox again stated that this bill had the Kansas Board of Regents approval, and would add clarifying language to several sections of the statute originally adopted in SB 345 (1999). In his written testimony he stated that the changes are intended to codify this practice and ensure that it will continue in future years.

Chairperson Benlon asked if there were any questions concerning this bill, and seeing none closed the hearings on **SB 10**.

Representative Wells made a motion to pass out favorably to the Consent Calendar **SB 10** and **SB 06**. Representative Lane seconded the motion, and the motion carried.

Representative Wells moved the Committee pass out **SB 05** as amended. Representative Horst seconded the motion, and the motion carried.

Minutes for the Higher Education Committee for meetings on January 24, January 29, January 31, February 5, and February 7 were presented for approval or corrections. Representative Sloan made a motion to approve the minutes as presented. The motion was seconded by Representative Tafari, and the motion carried.

The Chair adjourned the meeting at 3:55 p.m. The next meeting of the House Higher Education Committee is scheduled for Monday, March 5, at 3:30 p.m. in Room 231-N of the Capitol.



WASHBURN UNIVERSITY

**Testimony to the
House Committee on Higher Education
supporting Senate Bill 5
by
David G. Monical
Executive Director of Governmental & University Relations
Washburn University
February 28, 2001**

Madame Chairwoman, Members of the Committee:

It is a pleasure to appear before you today to support enactment of Senate Bill 5.

This act amends the definition section of the Kansas Higher Education Coordination Act (1999 SB 345) which restructured all of Kansas post-secondary education. Specifically, the act would add to the list of institutions defined as "post-secondary educational institutions" the municipal university (Washburn).

Currently, Washburn is the only public post-secondary educational institution not included under this definition. The amendment is technical in nature and carries no fiscal note. Because there occur instances where legislation is intended to encompass all public post-secondary education, it seems appropriate that Washburn be included within this definition. A current illustration is House Bill 2015 which would provide an exemption from child care licensure laws for the operation of educational and recreational camps at any post-secondary educational institution.

We also would request you amend Section 3 regarding the effective date to implement the legislation on publication in the Kansas Register rather than in the statute book. This would ensure that any legislation passed during the current Session affecting post-secondary educational institutions with an effective date prior to July 1 would encompass Washburn University under the definition.

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Attachment 1**

TESTIMONY/DGM/HSHigherEdSB5.022801:skp

Statement to the House Committee on Higher Education

Senate Bills 5, 6, and 10

Kim A. Wilcox
Executive Director
Kansas Board of Regents

February 28, 2001

Madam Chairman and members of the Committee, my name is Kim Wilcox and I am the Executive Director for the Kansas Board of Regents. I appear before you today in support of Senate Bills 5, 6, and 10. There will be others who will address you on the various bills before the committee today, however, I would like to let you know that all of the bills you are hearing today are bills that have been approved by the Board of Regents. Senate Bills 5, 6, and 10 are essentially clean-up bills as part of the continuing transition of responsibilities from the Board of Education to the Board of Regents under the Higher Education Coordination Act.

SB 5 – is a Kansas Board of Regents bill that simply revises the definition of a postsecondary educational institution to include the words *municipal university* for Washburn University.

SB 6 – is from the community college sector and specifically denotes the role of local boards of trustees in the maintenance of property and the responsibility for operation and management of the colleges.

SB 10 – Representatives from the Kansas Association of Community College Trustees will speak in greater detail about this bill. I would, however, like to affirm our support and offer this brief explanation. This bill would add clarifying language to several sections of the statute

originally adopted in SB 345, which allow community colleges to have the same input to the development of core indicators for their colleges that the other postsecondary institutions enjoy. These amendments reflect what has been the actual practice in the development of core indicators for the community colleges. The changes are intended to codify this practice and ensure that it will continue in future years.

Thank you for your patience this afternoon and I would be happy to answer any questions that the committee might have.

Testimony of Bob Vancrum
Johnson County Community College
Government Affairs Specialist

House Higher Education Committee

Wednesday, February 28, 2001

Re: Senate Bill 6 and Senate Bill 10

Chairman Benlon and Honorable Representatives:

Both of these bills, endorsed by the Board of Regents and Staff and the Kansas Association of Community College Trustees were originally suggested by our college, arising from concerns we had with possible future interpretations of language in SB345 of the 1999 Session.

Senate Bill 6. Although it was clear from the context and the debates at the that time that the Regents were to supervise and coordinate the community colleges, but the local boards of trustees were to retain governance and control of each such college and its property, there was a sweeping grant of power given to the Regents in Section 6 of such legislation which could be construed as giving the Regents control and responsibility of its facilities, as well as the general operation, of the institution, particularly since the new Regents language was codified in Article 74 of the Statutes, far removed from earlier language in Article 72 granting powers of governance to the local boards. The suggested language should establish in the newer statute the original intent of SB345.

Senate Bill 10. Although everyone apparently believed SB345 of the 1999 Session allowed each post-secondary educational institution to recommend which core indicators of quality performance was most applicable to such institution, in fact there was no formal process specified giving each individual community college such input in the development of core indicators. The language added to page 3 of the bill was intended to formalize the way the process has in fact worked. Each institution recommends to the commission supervising and coordinating community colleges the core indicators that should apply, the commission reviews and revises as appropriate, and makes recommendations to the entire Board of Regents, which

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will continue to develop and approve the respective core indicators of quality performance. We believe this amendment also just clarifies the original intent of SB345.

Both bills have been reviewed and approved by KACCI as well as the Board of Regents. A question arose in the Senate concerning the language “to the greatest extent feasible” in SB10. To clarify that, the Board of Regents is the final arbiter of the core indicators, this has been changed to read “and, if feasible, shall include indicators developed” This is acceptable to all of us.

I will be happy to answer any further questions.

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