

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:30 p.m. on February 1, 2001 in Room 123-S of the Capitol.

All members were present except: Senators Hensley & Oleen, excused

Committee staff present: Avis Swartzman, Revisor of Statutes  
Ben Barrett, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Judy Steinlicht, Secretary

Conferees appearing before the committee: Kim Wilcox, KS Board of Regents  
David Monical, Washburn University  
Andy Tompkins, KS Board of Regents  
Bob Vancrum, Johnson County Community College

Others attending:

**SB 5 - Kansas higher education coordination act, definition of postsecondary educational institution.**

Kim Wilcox identified **SB5** as a bill that revises the definition of post-secondary educational institutions in Kansas to include "municipal university" for Washburn University. David Monical of Washburn University spoke in favor of the bill. (Attachment 1)

Senator Downey made a motion for passage of SB5 which was seconded by Senator Teichman. Motion passed. Senator Vratil moved that SB5 be put on the consent calendar. Seconded by Senator Teichman. Motion passed.

**SB 6 - State board of regents, powers, duties and functions with respect to the community colleges.**

**SB7 - State board of education, powers and duties.**

**SB10 - Postsecondary educational institutions, core indicators of quality performance.**

**SB 11 - Vocational education, supervision of programs.**

Kim Wilcox spoke briefly favoring the passage of **SB6**, **SB 7**, **SB10** and **SB 11**. He also asked for an amendment to K.S.A. 72-4421. (Attachment 2) Statute K.S.A. 72-4421 is not presently in **SB 11**, but after discussion, it was believed that it could be amended into **SB11**. Senator Vratil recommended that the Chairman ask staff to review the relevant provisions of K.S.A. 72-4421 in the context of the request of the requested amendment and report back to the committee. This bill was passed over for further consideration. Andy Tompkins added a few comments in support of **SB 11**.

Bob Vancrum, Johnson County Community College, offered his testimony in favor of passing **SB 6** and **SB 10**. (Attachment 3)

Senator Vratil made a motion to amend SB 10 on page 3, line 2 by striking the words "to the greatest extent" and replacing them with the word "if". Seconded by Senator Teichman. Motion passed.

Senator Lee made a motion for passage of SB 6, SB 7 and SB 10 as amended. Seconded by Senator Schodorf. Motion passed.

A motion to approve the minutes for January 23, 24 and 25 was made by Senator Vratil. Seconded by Senator Downey. Motion passed.

Chairman Umbarger adjourned the meeting at 2:10 p.m.



**WASHBURN UNIVERSITY**

**Testimony to the  
Senate Education Committee  
supporting Senate Bill 5  
by  
David G. Monical  
Executive Director of Governmental & University Relations  
Washburn University  
February 1, 2001**

Mr. Chairman, 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.

Statement to the Senate Committee on Higher Education

Senate Bills 5, 6, 7, 10 and 11

Kim A. Wilcox  
Executive Director  
Kansas Board of Regents

February 1, 2001

Chairman Umbarger 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, 7, 10 and 11. 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, 7, and 10 as 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 colleges 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 7 – comes from the Board of Regents. Since all nineteen community colleges are accredited by the North Central Association of Schools and Colleges/Commission on Institutions of Higher Education, it is not necessary for either the Board of Education or the Board of Regents to act as

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Attachment 2

the accrediting agency for community colleges. Simply stated, if this bill is approved, the State Board of Education would no longer be responsible for accrediting junior colleges, and by transference of responsibility via the Higher Education Coordination Act, the Board of Regents would no longer be responsible either.

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.

SB 11 – As many of you know, the management and operation of the Carl D. Perkins Vocational and Technical Education program was the last component to be addressed in the transfer of responsibilities from the Board of Education to the Board of Regents. Part of the reason for that delay was the fact that funds for this program have traditionally been split 50/50 between secondary and post-secondary education and so the selection of a single administrative unit was not clear. Last year, the legislature directed the two boards to develop a joint plan for the Perkins program. This bill represents the product of that planning. If this bill were adopted, the Department of Education would continue as the sole supervisory agency through June 30, 2004, and the completion of the current Perkins State Plan. On July 1 of that year, those duties would

transfer to the Board of the Regents. More importantly, the two Boards have signed a Memorandum of Agreement whereby we will maintain the 50/50 division of funds, as well as develop a joint oversight team with staff from the two agencies who will cooperatively administer the program. We believe that this partnership will serve Kansans well in the coming years.

In addition to the revisions before you, we would also ask your consideration of an amendment to K.S.A. 72-4421 by striking subsection (c). These provisions require that the state board (defined as the Kansas State Board of Education) approve cooperative vocational education agreements entered into by various educational boards. These local boards, typically unified school district boards, boards of control at technical schools and colleges, and community college boards of trustees are legally constituted and authorized to enter into these agreements. Their content and duration is fixed by law. Thus review by a state board appears to add no value or benefits to the content of the agreements, and is an unnecessary step in facilitating these cooperative agreements; so there is no reason to transfer those responsibilities to the Board of Regents.

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

Senate Education Committee

Thursday, February 1, 2001

Re: Senate Bill 6 and Senate Bill 10

Chairman Umbarger and Honorable Senators:

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

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. There is a question 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 should read “and, if feasible, shall include indicators developed . . . .

I will be happy to answer any further questions.

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