

MINUTES OF THE COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Tom Sloan at 3:30 p.m. on February 12, 2003 in Room 231-N of the Capitol.

All members were present except: Representative Krehbiel, Excused
Representative Pottorff, Excused

Committee staff present: Mary Galligan, Legislative Research
Paul West, Legislative Research
Jim Wilson, Revisor's Office
Mona Gambone, Committee Secretary

Conferees appearing before the committee: Winston Brooks, Dick Wade, Crystal Sanhueza, Donna Massey, Veronica Casteneda, Itcia Aparicio, Carlos Gonzalez, Melinda Lewis; Mary Prewitt, Chief Counsel, Board of Regents

Others attending: See attached list

Chairman Sloan called the meeting to order at 3:35 p.m..

Chairman Sloan called on Paul West, Legislative Research, to explain **HB 2145**. Mr. West suggested that the Committee would now be working from the proposed substitute language as it better conforms with federal law (Attachment 1). Mr. West and Jim Wilson, Revisor's Office, responded to questions from the Committee.

Chairman Sloan then recognized Representative Storm who gave an overview of the origin of the bill (Attachment 2).

Chairman Sloan then opened the hearing on **HB 2145**. He introduced proponents of the bill, in the order of their appearance: Winston Brooks, Superintendent of Wichita Public Schools (Attachment 3); Dick Wade, Barton County Community College (Attachment 4); Crystal Sanhueza, Newton High School teacher (Attachment 5); Donna Massey, parent, Olathe (Attachment 6); Veronica Casteneda, Wichita State University student (Attachment 7); Itcia Aparicio, Emporia State University student (Attachment 8); Carlos Gonzalez, Newton High School student (Attachment 9) who also had a letter from Tracy Callard, 2002 Kansas Teacher of the Year (Attachment 10); Melinda Lewis, El Centro, Johnson and Wyandotte counties (Attachment 11); Elias Garcias, Chairman, Kansas Democratic Hispanic Caucus (Attachment 13). Written testimony from other proponents was distributed to the Committee.

Appearing in neutral position on the bill: Mary Prewitt, General Counsel, Kansas Board of Regents (Attachment 12).

No opponents testified on the bill.

Melinda Lewis, Mary Prewitt and Chad Lopez, Topeka Commander of the GI Forum and Jim Wilson, Revisor's Office spoke in response to questions from the Committee

Chairman Sloan then closed the hearing on **HB 2145**.

Chairman Sloan called the Committee's attention to the Sub-Committee report on Work Force Development which was before them (Attachment 14).

Chairman Sloan called the Committee's attention to the minutes of the February 10 meeting which were before them and asked them to call the Committee Secretary by 5:00 the next day with any changes or they would be considered approved as printed.

CONTINUATION SHEET

MINUTES OF THE COMMITTEE ON HIGHER EDUCATION at 3:30 p.m. on February 12, 2003 in Room 231-N of the Capitol.

Chairman Sloan asked Mary Galligan to explain prior legislative initiatives related to the number and terms for persons attending professional schools out of state under Regents auspices. She distributed copies of SB 65(2001) (Attachment 15) and SB 333(2001) (Attachment 16) and the UMKC 4-Year Cost Estimate (Attachment 17), and explained them. She then responded to questions from the Committee. Chairman Sloan asked the Committee what they wanted to do about this issue: pass **HB 2173**, defeat **HB 2173** or study other proposals until next week. Committee discussion indicated an interest in working the bill on Monday. Chairman Sloan then closed the discussion.

There being no other business, the meeting was adjourned at 5:00 p.m..

The next meeting is scheduled for February 17, 2003.

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE February 12, 2003

NAME	REPRESENTING
Isabel D. Bojorguez	Great Bend (^{Harvest} America Corp.)
Veronica Castaneda	Wichita
Delia Garcia	Wichita (WSU HALO/KAX)
Daniel Sanchez	KSU/Garden City
Bianca Lina	Kansas State University
PAUL ENRIQUEZ FLORES	WICHITA KS.
JULIO CESAR GARCIA ROBLES	WICHITA KS.
Edgar Omar Acosta	Great Bend (Barton County Community College)
Guadalupe Magdalena	hispanos unidos wichita KS.
MARIA Isabel Piña	Hispanos Unidos Wichita KS.
Adela Medina	Hispanos Unidos Newton KS.
Luz Vara	Hispanos Unidos Wichita KS.
Miguel Angel Hernandez	Hispanos Unidos NHS
Jesús Salazar	Hispanos Unidos NHS
Roberto Lujano	Hispanos Unidos NHS
Alejandro Negrete	Hispanos Unidos NHS
Hector Vara	HISPANOS UNIDOS NHS
Aaron Casey	Hispanos UNIDOS NHS
Tamica Moser	Hispanos Unidos NHS
Raymond Rico	University of Kansas
Raymond Rico	

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE _____

NAME	REPRESENTING
CIAUDIA LUJANO	HISPANOS UNIDOS NHS
Eduan Martinez	Hispanos unidos NHS NHS
Anselmo Angu	Hispanos unidos NHS
Gerardo Lopez	Hispanos Unidos (NHS)
Javier Magdaleno	Hispanos unidos
Sinai Solis	HISPANOS UNIDOS OLATHE KS
Thea Britton	Olathe District Schools
Mila Britton	Olathe South High School
Constancio Garay	THS & HP Hispanics
Mariela Ferrell	THS
Nawn M. Romero-Hunter	Topeka High School
Robert Soria	Citizen
Raul R. Luevano	Buena Vista
Steve & Donna Massey	Individuals
Trisha Ruiz	Hispanic Affairs (KACHA)
Joaquin Samaya	Washburn U. H.A.L.O
Crystal Sanhueza	Hispanos Unidos Teacher NHS
Becky Leon	Manhattan
LEO PRIETO	U.S. HISPANIC LEADERSHIP INST.
Melinda Lewis	El Centro, Inc.

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE 2/12/03

NAME	REPRESENTING
Jennifer Gordon	21 Centro
Winston Brooks	USA #259
Diane Gjerstad	Wichita Public Schools

ra Gambone - '0-N

*Rep. Storm wants to briefly introduce the bill.

- ✓ 1. Dr. Winston Brooks, Wichita School District
- ✓ 2. Mr. Dick Wade, Barton County Community College
3. Nelly Ramirez, Newton High School
- * ✓ 4. Dr. Brent Metz, University of Kansas
5. Javier Magaleno, Jardine Edison Middle School
- ✓ 6. Donna Massey, parent, Olathe
- ✓ 7. ~~Veronica~~ Veronica Castañeda, WSU
- * 8. Melinda Lewis, El Centro, Kansas City
9. Thea Britton, Olathe School District
- ✓ 10. Maggie Eceiza, Emporia State University
11. Daniel Sanchez, K-State University
- ✓ 12. Carlos Gonzalez, Newton High School
13. Leo Prieto, USTHL
14. Delia Garcia, MAHO WSU
15. Crystal Sanhueza, Newton School District
16. Joaquin Sumaya, Washburn MAHO
17. ~~Veronica~~ ~~Veronica~~ Itcia Aparicio, ESU
18. Cynthia Martinez - Newell, Wichita School District

Mona,

We know this is a lot of people! We have been overwhelmed with the interest in this issue around the state. We have arranged this list so that, if we don't make it all the way through, we will have covered the major constituencies + perspectives. And everyone has been instructed to limit remarks to 3 minutes. If you already have any of these names, I apologize. Everyone indicated that they wanted me to submit them. Thank you! melinda

HOUSE COMMITTEE ON HIGHER EDUCATION

February 12, 2003

HB 2145

Proponents:

Paul West
Rep. Storm

Winston Brooks, Wichita School District

Dick Wade, Barton County Community College

~~Dr. Brent Metz, University of Kansas~~

Donna Massey, parent, Olathe

Veronica, Castaneda, Wichita State University

Ircia Aparicio, Emporia State University

Carlos Gonzalez, Newton High School

Melinda Lewis, El Centro, Kansas City, KS

Crystal Sanhueza, Newton School Supt. 11

Neutral:

Mary Pruitt, Board of Regents, *Chief Legal Counsel*

HOUSE BILL No. 2145

By Committee on Higher Education

1-31

Proposed Amendment
For Consideration by Higher Education Committee
February 12, 2003

House Higher Ed. Comm
2/12/03
Attach #1

9 AN ACT concerning public postsecondary education; certain persons
10 deemed to be residents for purposes of tuition and other fees at pos-
11 tsecondary educational institutions.

12
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) Notwithstanding any other provision of law, any indi-
15 vidual who is enrolled or has been accepted for admission at a postse-
16 condary educational institution as a postsecondary student shall be
17 deemed to be a resident of Kansas for the purpose of tuition and fees for
18 attendance at such postsecondary educational institution. The provisions
19 of this section shall not apply to any individual who has a valid student
20 visa.

21 (b) As used in this section,

22 (1) "postsecondary educational institution" has the meaning ascribed
23 thereto in K.S.A. 74-3201b and amendments thereto; and

24 (2) "individual" means a person (A) who has attended an accredited
25 Kansas high school and who has either graduated from an accredited
26 Kansas high school or who has earned a general educational development
27 (GED) certificate issued within Kansas, (B) who has been a domiciliary
28 resident of Kansas for a period of three years or longer immediately pre-
29 ceeding the date the person enrolls at the postsecondary educational in-
stitution as a postsecondary student, regardless of whether the person is
is not a citizen of the United States of America.

for three or more years

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.

House Higher Education Committee
Meeting Date: 2/12/03
Attachment No.: 1



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: EDUCATION
HIGHER EDUCATION
HEALTH & HUMAN SERVICES
LOCAL GOVERNMENT

SUE STORM

REPRESENTATIVE, 22ND DISTRICT
JOHNSON COUNTY

8145 MACKEY

SHAWNEE MISSION, KS 66204

(913) 642-3121

STATE CAPITOL—272-W

TOPEKA, KANSAS 66612-1504

(785) 296-7650

(DURING SESSION: 1-800-432-3924)

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KS AREA LOCAL CALL 715-5000

e-mail: storm@house.state.ks.us

**Testimony on House Bill 2145
Committee on Higher Education
February 12, 2003**

Thank you, Mr. Chairman, and Committee colleagues, for agreeing to introduce and to hear this very important legislative proposal.

Simply put, this bill would allow a person, regardless of immigration status, who has attended a Kansas high school for at least three (3) years and graduated from a Kansas high school, or who has achieved the GED credentials to enroll in our public institutions of higher education at the in-state tuition rate.

This is not a crazy idea. California, Texas, Utah and New York have already passed such legislation, and it is being considered this session in several other states.

Sen. Orrin Hatch of Utah, supported by our own Senator Brownback, has introduced legislation at the federal level which would change these students' immigration status so that not only would they be eligible for in-state tuition, but would also be eligible for Pell Grants and other financial aid. If that bill were law, we would not need to have this discussion today.

Granted—the timing for this bill is not optimal. The tragedy of September 11 has made many people suspicious of those who are not U.S. citizens. Let me remind you that "terrorists" were in this country on "legal" student visas. Second, the controversy created by one of the races for the Kansas State Board of Education this summer has stirred the passions of some Kansans. The Supreme Court said in 1983 that we had the obligation to serve these children in K-12 classrooms. Is their access to an education to cease the minute they graduate high school?

These students aren't going anywhere. They are going to remain in Kansas. They will work in Kansas. It is in their best interest and in the best interest of all Kansans that they have the training and education necessary to get good jobs in order to provide for themselves and their own children. They should have the opportunity to make the very most of their potential and to fulfill their dreams for the future.

I urge you to listen carefully to the testimony today. I hope you will find that you should support this legislation, HB 2145.

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No.: 2



**House Higher Education Committee
H. B. 2145 – in-state tuition
Representative Sloan, chair**

*Presented by: Winston Brooks
Superintendent
Wichita Public Schools*

February 12, 2003

Mr. Chairman, members of the committee:

I rise in strong support of House Bill 2145, a bill recognizing the need to educate *all* students and permit *all* students access to higher education. The bill before you today is about people and doing the right thing for young people.

It is appropriate the Higher Education committee hear this bill. This committee has recognized the importance of workforce development by creating a subcommittee, chaired by Representative Tafanelli, who has held a number of hearings on workforce development issues. This bill is a workforce development issue.

For many years Kansans had automatic access to state universities. In recent years the legislature has modified this to require high school students graduate in the top third, score well on ACT or have a certain grade point average. Qualified admissions is access to a high quality higher education for most Kansas students, but there is a growing group of students who even though they hit all these goals are left out of the dream of an affordable college education.

The bill before you today would extend the same opportunity for hope, growth and career opportunities to a growing segment of our state's population. Today a student who graduates from our high schools with honors could be required to pay out-of-state tuition, if the student is undocumented. A student could have attended Kansas's schools for twelve years only to find out during the college entrance process that his or her parents are in the country without the appropriate documentation. The question for us – will our policies today punish the children?

Why should policy makers be worried about this? "*What's It Worth? Field of Training and Economic State*", a U.S Census Bureau document outlines the importance of post high school education. In our society educational attainment translates into greater earning capacity. As the number of people with post high school education increases, so the does the pressure for all others to catch up.

"As the economic rewards of education continues to increase, so too do the number of people in the United State with degrees and credentials. In 1996 more people in the United States held postsecondary education credentials than ever before. Thirty – one percent of the adult population had degrees or certificates above the high school level in 1996, up from 21 percent on 1984. A greater portion with postsecondary degrees means a smaller one with a high school education or less. The percentage of adults with less than a high school diploma feel from 26 percent in 1984 to 18 percent in 1996."

"What's It Worth? Field of Training and Economi

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No.: _____

3

This Census Bureau document further details how educational level translates into earning power:

- Full time workers who did not complete high school earned the least.
- The monthly earnings of full time workers with professional degrees were approximately \$7000.
- Even small amounts of postsecondary education were associated with higher earnings. People who had “some college but no degree” studied one year past high school – however this level of additional education was enough to increase earnings by \$340 per month.
- High school completion paid off as well. Average earnings for people whose highest degree was high school diploma was \$580 per month higher than for those who did not complete high school.
- Hispanic earnings were lower than those of whites. Hispanics with educational levels equal to whites would still have a 59% earnings gap.

The bill before you today is not only in the best interest of the students involved, it is in the best interest of Kansas business and our communities. An educated citizenry is the basis of an orderly society. At a time when business is clamoring for highly skilled, well educated workers the policy of this state should be to make college attainable for *all* students – not just some.

On the next page I have attached a few selected comments from Wichita East High School students who will be impacted by this bill – either it’s passage or not. They have shared their dreams, fears and tears with their counselor. The stories of our students and the students you will hear from today are all very different. But they share the same love of learning and zest for life we all want for our own children, just as their parents desire the same opportunities for them.

Undocumented students can currently attend a state university but at the higher out-of-state tuition level. In other words, we will let them attend school regardless of documentation the only difference is the amount of tuition they pay. This difference in tuition puts a university degree out of range of many of these students.

This bill is not a short cut. It requires successful graduation from high school. Students successfully graduating from high school have become proficient in English – they are truly bi-lingual, a skill which businesses of all types are eager to employ.

The current policy strikes at a core Kansas value – do a good job in high school and go on to college.

Thank you, Mr. Chairman, for considering our views on H. B. 2145. I would stand for questions.

Here are a few comments of students at Wichita East High who are hoping House Bill 2145 is passed.

CRISTIAN

My name is Cristian. I am eighteen years of age and plan to graduate this year. I am married and have two children of my own. I work when I'm not in school to support my family and buy my school supplies. I was brought to the United States ten years ago by my mother. I did not have any choice in the matter. My hopes and dreams for the future are to enter college and get a degree in law or architecture to give a better life to my family and to help my community. The first two years of high school I took the wrong path, but I realized that knowledge is power and that is why I am in school today. The last two years my grades have been all A's and B's. I hope that bill 2145 is passed so I can attend college and have a bright future for myself and my family.

***Cristian have been very active in high school and middle school in speaking to students about not becoming involved in gangs. He is involved in Latino Leadership and a great person.*

LAURA

My name is Laura. I'm 16 years old. I lived in Mexico most of my life and came to the United States when I was in fifth grade. I have attended East High School for three years. I hope to go to college. Please pass house bill 2145.

***Laura currently has a GPA of 3.42.*

MOHAMMED

My name is Mohammed and I am from Pakistan. I came to the United States at the age of eight with my mother and sister. My father was finishing his PH.D from KSU and let me stay with him in the United States. My father said I should attend school in the United States. I had started to despise the schools of Pakistan where the teachers beat you if your uniform is not ironed or if you get one math problem wrong. I started to fall in love with the freedom to express myself in front of my school mates and when the time came that even my father had to go back to Pakistan, I refused to leave. I was completely brokenhearted at the thought of leaving. I am currently living with a friend of the family. I have a 4.0 and want to attend college to become a doctor.

MARIA

My name is Maria. I've been in Kansas for 14 years. I crossed the border as an immigrant with a U.S. family. My family came here to give us a better chance to succeed. I've always hoped of getting a career but as I became a senior, I didn't have hope anymore. the only hope now is that this bill is passed or that my family gets our residency. We have done the paperwork, but it takes 5 or 6 years.

MARTIN:

My family came from Mexico in 1996. I was in fifth grade and knew no English. I now have a GPA of 2.74 and am fluent in English and Spanish. I play soccer for East High, am involved in Latino leadership, have helped organize our multi-cultural assembly, and hope to attend college on a soccer scholarship. I would like to go to college to be an architect. I applied for my residency papers 4 years ago, but normally it takes much longer to receive residency papers.

VICTORIA

My family came from Mexico because my brother was hospitalized in the US. I came to the United States in 1996. I am fluent in two languages - Spanish and English and hope to be able to use my language skills to help other children. I hope to be a counselor or psychologist in the future. I am involved in Latino Leadership.

Hello.

My name is Dick Wade and I am Dean of Enrollment Management at Barton County Community College.

I am a second generation, lifelong resident of Great Bend Kansas.

In the last decade, much has changed in Great Bend including a major increase in our Hispanic population.

I have seen decrepit houses turned into refurbished homes.

I have seen the workforce changing and I have seen nearly all our new business starts come from our Hispanic population.

I see undocumented residents paying sales taxes in our stores.

I see them paying property taxes to our college through their rent.

I have seen their W-2s showing the payment of state and federal taxes.

And, I have seen high school graduates afraid to consider their college opportunity.

It seems only fair that our college and our state accept a growing portion of our residents who contribute to our success through their work, their taxes, and their culture.

If we cannot provide their documentation by virtue of their contributions to our community, I hope you will see fit to reward their contributions by considering them Kansas residents when it comes to their college educations.

Thank you.

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No.: _____

4

Judiciary Committee on Higher Education
House Bill #2145
Hearing February 12, 2003

Good afternoon ladies and gentlemen, my name is Crystal Sanhueza, I am a member of Sunflower Community Action's "Hispanos Unidos" Chapter. I teach Spanish and a Native Speakers class at Newton High School. I want to thank ~~_____~~ each of you as members of this committee, for giving us the opportunity to be heard. For the past 15 years I have watched intelligent and academically strong young students graduate from Newton High School and move on to factory and construction jobs. Higher education in Kansas was not an option for these talented undocumented young people.

These student's parents settled in Kansas with the dream to improve life for themselves and their children, only to watch their children's educational dreams come to a dead end once they graduated from high school. These young people have worked double, learning academic English and the required course work. They have earned their high school diploma with a yearning for more and then we tell them, "Sorry all your effort has gotten you to a dead end." They deserve the same opportunity as other high school graduates to continue their educational goals at Kansas Universities and Colleges.

If we truly believe the statement "No Child Left Behind", we must reconsider our current Kansas laws. Let's not throw away the hours of time Kansas teachers have dedicated to the education of these young students.

These young people are family orientated. If we educate them in Kansas Universities they will stay and work in Kansas cities, improve Kansas communities and encourage others to also become more educated. Kansas Universities and Colleges will gain dedicated students and the state of Kansas will gain a more educated working population. It's a win-win situation.

I and other Kansas educators have spent countless hours helping these young people succeed in our schools. Let's not be a state that continues to selectively leave a group of our young students behind. I believe that Representative Sue Storm's bill number 2145 offers a solution that assures our students that they can continue believing in their dreams to go to college or university to be students and professionals that the state of Kansas and this nation can be proud of.

Thank you for your time and please give your support to House bill number 2145.

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No.: _____

5

During her junior year in high school, my daughter Courtney met a young man named Guillermo from Mexico who was attending high school in the United States on a student visa. They dated through graduation and entered a college in Iowa in August of 2001. The attacks on September 11 caused the college officials to check the visas of foreign students, and Guillermo's had expired. He avoided being discovered, and they returned to Olathe at the end of that semester.

Courtney and Guillermo decided to get married, against our advice, on January 4, 2002, because they felt like that was the only way he could stay in the country and attend college. They spent their first weekend of married life filling out papers so that he could become a resident and go to college. He attended Johnson County Community College in the spring and then Mid-America Nazarene University in the fall. Courtney worked full time at a child care center and took a couple of classes each semester.

There were problems right from the start. Guillermo went through several jobs of short duration and spent lots of money, including Courtney's college fund which had enough money for four years of college for her. We heard about and witnessed lots of verbal abuse on Guillermo's part. Courtney also told us about some "minor" physical abuse. Courtney worked hard at the marriage and had even left several times, but she still felt a commitment to her wedding vows.

On November 4, 2002, I got a call that she had not reported for work. We walked into their apartment on their ten-month anniversary to find both of them dead. He had stabbed her and then himself.

Courtney told me that the marriage would not have occurred if Guillermo could have enrolled in college on his own. There were obviously too many problems for someone so young to handle, but she felt she had no alternative.

Our lives have been changed forever because the laws in this country prevented someone from going to college. Our daughter was a beautiful, intelligent, and giving person—I can't even begin to tell you how much we miss her and how much she could have given to the world.

We urge you to allow young people of illegal status to attend college if they so desire. They deserve the same opportunity for a higher education that our children have so that they can better their lives.



1528 N. Broadway Wichita, Ks 67214
(316) 264-9972 - Fax: (316) 267-3580
E-mail: info@sunfloweract.com
Website: www.sunfloweract.com

Good afternoon my name is Veronica Castañeda, I am a member of Sunflower Community Action, Hispanos Unidos Chapter. I am also a student at Wichita State University.

I would like to thank all of the members of this committee, for giving us the opportunity to be heard.

We know that all of you must make tough and wise decisions these days, under the current atmosphere that we are living. We will respect those decisions, if they will make our country a safe and better place; yes I say our country because it is also our home. However, we urge not to make your decisions based on founded fear ignorance.

In the past I was an undocumented student, therefore, I know it feels to live in fear of not being able to accomplish the dreams of having a career. A career that would help build a strong community and that would help keep this nation strong. Now, that I am a documented student, an active member of my community and a productive member of society...I ask each and everyone of you in this Jucidiciary Committee, to allow others students who are in the same situation that I was, who have intelligent minds, good hearts and faithful souls. Who only want an opportunity to continue with their education, to accomplish their dreams, to have a career, to serve this Nation, which is now their home.

We believe that Representative Sue Storm's Bill 2145, offers the solution to these undocumented students it also assures that we as Americans continue to believe in the accomplishments in our communities. For many of the students who are undocumented and want to go to college or a university, it means making their parents and teachers proud of them, by becoming professionals and being all that they can be, to keep this Nation a strong Nation.

Thank You.

Veronica Castañeda

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No.: _____ 7

Irzia Aparicio

Re: HB2145

I came from Mexico on My sophomore year on High School; My parents came here to work and brought us along. Neither me or my brothers had a choice. We never ask to come here but at 14 years old the decision wasn't up to me.

I graduated From emporia high on 2000 among the Top of my class.

I also played soccer through High School. On my senior year I received notification that I had earned a teaching scholarship for Kansas State and a Soccer scholarship for Sterling College. Unfortunately due to my residency status I was not able to take either of them.

Right now am an International Student at Emporia state university. I have to go to school part time because I cannot afford to pay fulltime.

It is frustrating to see how even after trying really hard finishing my education seems long ways away.

My little brother a young bright man is currently assisting Advance Classes even though he's only 13 years old he approaches me and asks me that what is the point of studying hard and be smart if eventually we will not be able to pay his college career.

I used to think that as long as God gave me health I was able to do anything; but unfortunately my education is not up to me anymore.

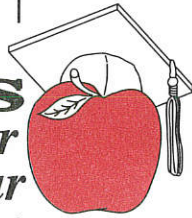
Good afternoon, my name is Carlos Gonzalez I'm a member of sunflower community action's Hispanos unidos chapter and a students at Newton high school.

I want to thank all the members of this committee for giving us the opportunity to be heard.

When I first came to the United States, I was happy because my parents talk to me. They said that I was going to get a better education, if I moved to that United States. But now that I'm almost done with high school I realize that I can't go to college like I plan to, is not going happen anytime soon. My dream is to be an engineer I have been taking classes for the last 4 years so I can be ready when I go to college. But now that I realize just because I don't have one stupid thing that is require I can't finish my career. That why I join that sunflower community action so I can help other get there dream. I know is going to be a hard decision because of the act of terrorism. We respect you decision if they will make our country safer because this is also our home. Please take into consideration the future of many talents.

Who's legal status present the from reaching there dream. You have the opportunity to change many life's please support sue storm's bill 2145 Thank you for allows me to speak this afternoon.

KANSAS
*Teacher
of the Year*



February 11, 2003

Dear Kansas Legislators:

I am writing this letter asking that you and your committee support House Bill No. 2145, which would allow children who graduate from Kansas high schools to be considered state residents at Kansas's state universities, regardless of whether or not they are citizens of the United States.

Over the past nine years, I have had the privilege of working with the children of many recent immigrants to the U.S. As a rule, their families have been ardent supporters of their children's education, and hold dear to their hearts the American Dream – that their children will work hard in school and will become successful adults.

While the vast majority of immigrant children are living here with proper documentation, some of my students entered the United States without the necessary papers. Many came here as infants and toddlers, but all consider themselves to be loyal Kansans. Each morning, they proudly stand and salute the United States flag. They lift their voices as they sing *Home, Home on the Range*, and work hard on projects documenting the travels of Kansas pioneers, the courage of Amelia Earhart, and the struggle of "Bleeding Kansas" to become a free state. These are children who love Kansas and firmly believe that "there's no place like home."

I recently learned from a former student, Perla Valenzuela, that our Regents institutions do not recognize all children in Kansas as state residents. Perla came to Wichita as a baby, the only child of Mexican immigrants. Throughout elementary school, she was a top student – a quiet little girl who studied, did her homework, and earned straight As. She attended magnet schools for both middle and high school, took honors classes, and dreamed of becoming an attorney. As a junior in high school, however, Perla's guidance counselor informed her that she would not be able to attend Wichita State for one simple reason – She did not have legal residency in the United States. Perla did graduate last year, but her dreams of law school are abandoned. Knowing that she couldn't attend college this fall she decided, at age 19, to simply get married.

If Perla gets the chance to attend WSU, Wichita will one day benefit from the expertise of another bilingual professional in our community. House Bill 2145 would not only give 19-year-old Perla the chance to fulfill her dreams, it will improve Kansas's communities by providing us with an educated, bilingual work force in the twenty-first century.

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No. :

10

If you need any further information, or would like to meet with children or parents at my school to discuss this issue in further detail, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Tracy T. Callard". The signature is written in a cursive style with a large, prominent "T" and "C".

Tracy Taylor Callard
2002 Kansas Teacher of the Year

February 12, 2003

Melinda Lewis

Chairman Sloan and Honorable Members of the House Higher Education Committee,

These students, educators, and concerned community advocates have expressed far better than I could the personal consequences of current policy defining undocumented immigrant students as out-of-state residents for the purposes of assessing tuition rates at Kansas institutions of post-secondary education. While I, too, know many students who, if given a chance, could make significant positive contributions to our society and economy, I will limit my comments to some of the technical and fiscal details of HB2145. Thank you for the opportunity to be here today, and thank you for your attention to the ways in which the status quo is depriving students, universities, and our entire state of opportunities important to our future success.

This legislation would impact all nonpermanent resident students in Kansas, regardless of race or ethnicity. As Latino immigrants comprise the vast majority of all Kansas immigrants, however, they would be the population group most dramatically impacted. Let us consider briefly, then, the current educational picture for Hispanic young people in Kansas. In Kansas, Hispanic students had the highest dropout rate of any population group, more than double the state average of 2.2%.ⁱ While many factors impact a student's decision to drop out of school, several studies have illustrated that, for Latino immigrant students, contextual factors, including perceived lack of post-graduation opportunities, are at least as powerful as personal factors such as family pressures or school failure. These students "realize that, no matter how hard they work, they will still be relegated to low-paying jobs, or, worse, no jobs at all. These beliefs are translated into actions. Disaffected students withdraw from academic pursuits, act up in class, ignore assignments and homework, cut classes, and eventually drop out. Students' unwillingness to participate comes from their assessment of the costs and benefits of playing the game. It is not that schooling will not propel them up the ladder of success; it is that the chances are too slim to warrant the attempt."ⁱⁱ Reducing the dropout rate, an anticipated consequence of creating greater incentives for continuing education, would save the state significantly, as it is estimated that states spend approximately \$250,000 for each dropout in supportive educational services, justice system costs, public benefits, and other costs.ⁱⁱⁱ Attainment of higher education benefits the state long after the student graduates from college, as well; a high school graduate earns only 56% of what a college graduate earns, on average, and pays far less in taxes over his/her lifetime.^{iv}

Given the large and growing Latino student populations in many districts around the state, school systems have a vested interest in addressing these challenges and achieving academic parity for Hispanic students. In 2002, 60% of students in Liberal, 58% in Garden City, 37% in Emporia, and 25% in Kansas City were Hispanic. Many of these students are U.S.-born citizens, but many others are recent immigrants. A Supreme Court ruling in 1982^v determined that public schools must admit all students who live within the district's service area, regardless of immigration status.

Our concern here today is with those students who have not yet become permanent residents by the time of their high school graduation. After having overcome many obstacles to graduate from high school, many students find the financial burden of out-of-state tuition to be an insurmountable barrier. For example, at the University of Kansas, out-of-state tuition is \$8099 per year instead of \$2336 for a Kansas resident. These differential tuition rates serve to facilitate the enrollment of Kansas taxpaying students, and these immigrant families are paying taxes: sales taxes, property taxes, income taxes, Social Security and Medicare taxes. Some of these students are undocumented; others have other, nonpermanent immigration statuses.

House Higher Education Committee

Meeting Date: 2/12/03

Attachment No. _____

11

Currently, Texas, Utah, New York, and California allow these immigrant students to be admitted as in-state residents, paying the same tuition and fees as other taxpaying resident students. The language of such state initiatives must be phrased to be consistent with Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, something we have had to amend HB2145 to ensure, but federal law is clear that there is no prohibition on allowing undocumented students to enroll and, if citizen students receive the same benefits, to be charged the equivalent of in-state tuition at public colleges and universities.

This legislation is far from a total solution to the educational challenges facing immigrant students. Immigrant students would still have to overcome significant challenges to graduate from high school and position themselves to enroll in college, and, until we can reduce dropout rates among this population, this will remain an all-too-rare achievement. In fact, relatively few students in Kansas would be eligible to benefit from this legislation: approximately 1280 from U.S. Census estimates.^{vi} Assuming that college enrollment patterns for this population reflect statewide trends, it is estimated that 78%, or 998, of these students would enroll in a 2-year or 4-year postsecondary education program, comprising less than 1% of the 2002 enrollment in Kansas' public colleges and universities.^{vii} This is similar to other states' experiences: in California, fewer than 1% of students in the University of California system were undocumented one year after the passage of legislation similar to HB2145. We do not know how many students are currently paying out-of-state tuition solely because of their immigration status, because of difficulties in the way that institutions collect and can share this data, but we know that it is rare.

To reiterate, this legislation is far from a "free ride" to immigrant students. They must still qualify for admission to a post-secondary education program. They must still pay full in-state tuition without the benefit of federal financial aid. And they must:

- Have attended a high school in Kansas (public or private) for at least three years, and;
- Have graduated from a Kansas high school or attained the equivalent of a high school diploma in Kansas.

HB2145 does not apply to any student here on a foreign student visa, and it is in no way incompatible with homeland security concerns. In fact, HB2145 is about education, not about immigration at all.

These students will legalize their statuses and intend to stay in the United States. We then are faced with the question: "Will they be educated citizens or uneducated ones?"

Melinda Lewis
El Centro, Inc.
913-677-0100 x.119
mlewis@elcentroinc.com

ⁱ Kansas State Board of Education. 2000-2001 School Year statistics. Available from: www.ksbe.state.ks.us

ⁱⁱ Mehan, H. (1997). Contextual Factors Surrounding Hispanic Dropouts. Hispanic Dropout Project. See also Suarez-Orozco and Suarez-Orozco. (2001). *The Children of Immigration*. Cambridge, MA: Harvard University Press.

ⁱⁱⁱ House Research Organization analysis of Texas House Bill 1403 (2001), www.capitol.state.tx.us

^{iv} Kansas State Board of Education. (2002). Economic Returns of Education. Available from: www.ksbe.state.ks.us

^v Supreme Court decision Plyer v. Doe, 487 U.S. 202 (1982)

^{vi} Based on 2000 Census data. Contact mlewis@elcentroinc.com for the formula used to arrive at this figure.

^{vii} Figures obtained from Kansas State Board of Education and the Kansas Board of Regents. (2002). Available from: www.ksbe.state.ks.us and www.kansasregents.org



KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-3421
FAX – 785-296-0983
www.kansasregents.org

Testimony regarding H.B. 2145
House Higher Education Committee

February 12, 2003

Mary D. Prewitt
General Counsel, Kansas Board of Regents

Chairman Sloan and members of the Committee, I appreciate this opportunity to appear before you to comment on the bill proposed by Representative Storm to allow some undocumented immigrants to pay tuition at resident rates at the State's higher education institutions.

Representative Storm has been diligent in including the Regents Office in her development of this bill. We earlier expressed reservations to her based upon the federal Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA). Under the Act, undocumented aliens may not be eligible for any postsecondary education benefit that is given on the basis of residence within a state unless a U.S. citizen or national is eligible for the same benefit without regard to whether the citizen or national is a state resident. While the relevant section of the Act does not specifically mention resident tuition, language attached to the legislation by lawmakers states that the section on postsecondary benefits "provides that illegal aliens are not eligible for in-state tuition rates at public institutions of higher education."

We were privileged to see proposed amendments to this bill that, we believe, would remove the provisions that may have violated federal law. With those amendments, the bill will provide tuition at resident rates for students who have attended high school in Kansas for three or more years and attained either a Kansas high school diploma or a GED issued in Kansas. We appreciate this effort to enhance the likelihood that students who either graduate from high schools or earn state issued GEDs will attend one of the state's institutions of higher education. This state needs a highly educated workforce if it is to reach its full potential. Measures that remove barriers to access are helpful and important in that regard. We also recognize, however, that it is for the legislature to make the fundamental decisions about what entitles individuals to receive the substantial benefit of attending those institutions at resident rates. The Board of Regents and the state's universities stand ready to implement this provision if it is enacted into law.

As the fiscal note to the bill indicates, we are unable to provide estimates of the numbers of students that might be impacted by the bill, however, we do not see an increased burden to registrars or admissions officers resulting from this bill.

I will be happy to address any questions the Committee members may have.

House Higher Education Committee

Meeting Date: 2/12/03

12

00/12/03

A quien Corresponda

Quisiera dar mi apoyo acerca de que si se les dara la oportunidad de entrar a la Universidad a personas inmigrantes que no tenga papeles como residencia etc.

yo considero que es muy beneficioso no solamente para las personas sino para el pais engenera (ya que gente preparada vale por dos. ademas se debe considerar que estas personas en un futuro podrian arreglar sus papeles y con una preparacion mejor beneficiarian a este pais.

Espero que lo que ustedes decidan sea justo ya que abemos varias personas rogand por una oportunidad no pedimos que sea gratuita sino que nos ayude a prepararnos en la vida ablo por mi y por tantos Estu diantes que sus sueños son truncados solo por una mala dccacion o un egoismo ya que con el estudio se puede llegar muy lejos no solo por el beneficio perso nal sino por el pais completo.

Gracias Espero Consideren mi
Opinion ATT MARIA Gil

2701 Bel aire Emporia ks. 66801

Of. Antonio ADONIS CE
310 S. Mariscal St.
Emporia, KS 66801

Emporia, KS 11 de febrero del 2003

Señores A Quien Corresponde:

Me es grato saludarlos, a la vez agradecerles de antemano al ser escuchada mi petición.

Nosotros venimos a esta Gran Nación con el afán de progresar, por ello le pedimos que interceda por nosotros para que se apruebe una ley o se de la oportunidad a todos inmigrantes ilegales seguir una carrera profesional en una universidad.

Yo creo, si este País da esa gran oportunidad con el tiempo, verá personas capaces dignas, capaces de engrandecer más aún este país.

Los estudios dignifican al hombre, por eso nunca es tarde para aprender.

Tengo una hija que es ilegal, en Marzo del 2003 termina sus escuela y si no hay oportunidad que ella siga en la universidad sus sueños se verán truncados.

Por el contrario si a ella se le brinda esa gran oportunidad sería mucho mejor por beneficio de esta sociedad y también el de ella porque a pesar de sus 17 años aún, ella demuestra sus habilidades de crecer en sus conocimientos.

Agradezco esta oportunidad de poder expresar mis inquietudes deslondole por señores a ustedes por darme esta oportunidad

Atte.

Chacelly Pena

(12/03

A quien corresponda.

Es para mi un placer dirigirme
a ustedes Señores:

Mi nombre es Carlos de 21 años
de edad, estudiante de la school Kansas
(Operation Advance) estoy estudiando
Ingles y a la vez cursando el GED.
Soy salvadoreño y con mucho deseo de
superacion.

Estoy muy orgulloso de saber que hay
organizaciones que se preocupan por la
comunidad latina y apollo la propuesta
que han echo para que las personas
sin documentos puedan continuar sus
estudios, Es una oportunidad muy
grande para nosotros y espero
que esto sea un logro para todos.

Att. Carlos Santeliz.

Operation ADVANCE
315 S. Market St.
Emporia, KS 66801

Adult Basic Education
315 S. Market
620-341-2450

Alternative School
1001 Commercial
620-341-2251

Butcher Children's School
1200 Commercial
620-341-5301

Emporia High School
3302 W. 18th
620-341-2365

Emporia Middle School
2300 Graphic Arts
620-341-2335

Flint Hills Special
Education Cooperative
216 W. 6th
620-341-2325

Flint Hills Technical College
3301 W. 18th
620-341-2300

Head Start Center
1211 Stanton
620-341-2260

Logan Avenue Elementary
521 S. East
620-341-2264

Lowther North
Intermediate School
216 W. 6th
620-341-2350

Lowther South
Intermediate School
215 W. 6th
620-341-2400

Mary Herbert Elementary
1700 W. 7th
620-341-2270

Maynard Elementary
19 Constitution
620-341-2276

Village Elementary
2302 W. 15th
620-341-2282

Walnut Elementary
801 Grove
620-341-2288

William Allen
White Elementary
902 Exchange
620-341-2294

Monica Hashmi
Migrant Community Resource Coordinator
501 Merchant St.
Emporia, KS 66801

RE: HB2145

September 11 has changed our lives. Needless to say that we all feel insecure of what the future may bring. Some people now days wonder if undocumented people should even be in the state or if schools in Kansas should educate undocumented students.

Today I am testifying for those undocumented students who have come to the State of Kansas to be with their working father or mother.

A father or mother needs work in the United States; he or she comes to the boarder after listening to radio stations advertising from companies who are recruiting. Once he or she is recruited to work for the company in the U.S., INS issues him or her an Employment Authorization Card.

Employees who have an Employment Authorization Card can not freely leave the United States. To do so they have to apply for a reentry permit, Advance Parole.

Many workers do not apply for Advance Parole because leaving breaks their stay in the United States. A worker with Employment Authorization can, after 10 or so years apply for legal residence, but he or she has to proof that he or she has constantly lived in the United States.

An employee with an Employment Authorization Card will instead bring his family to be with him or her.

Many children of legally working parents who have come to the State of Kansas at a young age and have been educated in our schools feel as if they were legal citizens of this country, but they are not. Reality comes as these students approach high school graduation and they find out that they will not be accepted to our Technical Colleges, Community Colleges and State Universities.

The mission of all schools in Kansas is to prepare students so they can achieve their goals, and to be well prepared citizens in our communities. Graduation comes and many of our educators' are frustrated with the fact that these students are so prepared to continue their education and can not because of their status.

It hurts me personally to hear the pleas and see the tears on the faces of some of these students. A student came to my office once and told me of how mad he was because he could not to College. He had lived in Kansas since he was three years old and his goal and the goal of his parents was for him to get an education. Another student told me that when she graduated from Emporia High School she received a scholarships from Kansas State University and Sterling College and she was not able not take advantage of either one of them because of her status. These students are bright young men and young women and deserve a chance to continue their education.

In the name of these students I am pleading for passage of HB2145

Lucila M. Eciza
Emporia State University
Argentina
HB2145

I come from Argentina to the United States when my mother decided to get her master's degree at Emporia State University. All my family come with her. My father, my brother and my little sister. I'm the oldest in the family. We come in the year 2000, when I was a sophomore in High School. I graduate from Emporia State University in the 20 top seniors in a 400 students class.

My only option to continue my education was to attend Emporia State University. To do that, I had to go back to my country to obtain an International Student Visa. It was an expensive expense I could not avoid if I wanted to continue my education.

I was lucky that my parents could afford all those expenses, on top of the international fees. But it's sad to see how other very bright students get their dreams taken away from them¹²⁻⁷

Judiciary Committee on Higher Education
House Bill # 2145
Hearing February 12, 2003

Good afternoon, my name is Delia Garcia. I am a member of the Sunflower Community Action's Hispanos Unidos Chapter, the Alumni/ Community Advisor for Wichita State University's Hispanic American Leadership Organization (HALO), and Graduate Advisor for Wichita State University's Kappa Delta Chi Latina Service Sorority Incorporated.

I want to thank _____ all of you members of this committee for giving me the opportunity to be heard today.

I know that under the current atmosphere and the threat of war, you must make very tough decisions. I respect those decisions, trusting they will make our country safer because this is home for all of us. However, I trust you will not make those decisions based on unfounded fear and ignorance. We are living in an exciting time where the face of the U.S. is ever changing. According to the most recent U.S. Census report, Latinos dominate in four major areas: Population, Voting Power, Purchasing Power, and Small Business Ownership. Latinos are the Majority Minority in regards to population, making up about 40 million persons in the U.S. Latinos are the fastest growing voting block in our nation, which equals increasing political clout as we continue our efforts in doubling our previous national voter registration and education projects across our nation. Latinos' have the purchasing power of making and spending about \$580 billion. Last, but not least, Latina women are the fastest growing segment of small business entrepreneurship and ownership. In deed, we must take these facts into consideration when deciding legislation in regards to Latinos in our beautiful state of Kansas, and our nation.

We currently have members who are attending Wichita State University in hopes that something will change by the time they graduate. If there is no legislation that will allow that, these members are willing to still take the risk and realize that they will still be gaining knowledge if anything. This not only shows me, and you too, their willingness to learn and take risks, but their determination and hunger to succeed and achieve that American Dream. It is upsetting for me to see this because not only are they coming to me with these type of concerns, but are so humble of the fact that they have to pay the out of state tuition and not even have the eligibility to apply for most scholarships and/or financial aid. I applaud them for this, which is why I will do whatever it takes in my power to help them out. They are not only important now, but will be even more so in about four years when they graduate!

I believe that Representative Sue Storm's Bill 2145 offers a solution that assures we can continue believing in our dreams to go to postsecondary school in order to be outstanding students and professionals and make our parents, teachers, and this country proud of us. It will definitely pay off in the end to have members in our community giving back to us what they received from us before, the support.

Sincerely,
Delia Garcia
WSU HALO/ KDX Advisor
2227 N Broadway
Wichita, Kansas 67219
(316) 371-2242
deliagarcia513@hotmail.com

12-8⁹

My name is Daniel Sanchez Torres. I am 23 years old. I am a senior in Secondary Education in the teaching fields of History and Spanish, and I am also working on an English as a Second Language endorsement at Kansas State University.

But getting to where I am now was not that easy. I came to this country illegally at the age of 15 in 1994. My English language skills were very limited when I started attending ninth grade at Garden City High School. However, I always made the effort to learn English as quickly as possible and to get good grades in all my class because I planned on going to college after high school graduation. When I learned that I had to have a green card I became really discouraged. There was no reason for me to be in school any more because I was not going to make it to college. Fortunately, my father was a legal resident and he applied for me and the rest of my siblings to get a legal status in the country. I received the green card one year before high school graduation.

Unfortunately, this is not the story of many of the undocumented immigrant students in the high schools of Kansas. Many of them know that they will not be able to go to college because they do not have a green card, and do not work up to their highest potential; ending up with bad grades and eventually quitting school. Many teachers do not set high standards for students who they know will not attend college because of legal resident status, thus setting them up for failure.

Had my father not been eligible to apply for my legal residence my story would have been different

In making this decision, please think about the benefits that a well prepared member of society would provide for our state.

Thank you,

HB 2145

Febrero. 12. 2003
Karina Celaya.
705 Sylvan St.
Emporia, Ks. 66801.

A quien Corresponda:

Con ésta carta quiero expresar ante ustedes el interes que tengo en poder asistir a la Universidad.

Soy madre joven, y en lo personal por motivos económicos, legales y de idioma, he tenido algunas dificultades para seguir adelante en mis metas de superación.

Pero esto no me detiene, ya que tengo el deseo y sigo aprendiendo mejor el idioma y asistiendo a la escuela para conseguir mi certificado de preparatoria (GED) y así lograr una de mis metas.

Pero para lograr mis metas y la de muchas personas en situación similar, deberíamos tener apoyo de ustedes, las autoridades respectivas, para que se nos diera la oportunidad de poder realizar estudios Universitarios, y así llegar a formar parte de una sociedad mejor.

Ya que hay gente, que necesitamos una oportunidad para estudiar y prepararnos profesionalmente y así ofrecer a la sociedad mejores personas.

Sin más por el momento, y esperando
Se nos brinde la oportunidad de poder realizar
estudios Universitarios.

Gracias.
Karina Celaya.

11
12-~~10~~

TESTIMONY
Submitted on behalf of
Mr. Leo Prieto
United States Hispanic Leadership Institute
Topeka, KS February 12, 2003

MEMBERS OF THE COMMITTEE, LADIES AND GENTLEMEN, MY NAME IS LEO PRIETO. I AM THE CENTRAL STATES COORDINATOR FOR THE UNITED STATES HISPANIC LEADERSHIP INSTITUTE, A NONPARTISAN, NONPROFIT CHICAGO-BASED NATIONAL ORGANIZATION.

OUR INSTITUTE, CHARTERED IN THE STATE OF ILLINOIS, WAS FOUNDED IN 1982 TO PROMOTE GREATER PARTICIPATION IN THE ELECTORAL PROCESS AMONG HISPANICS AND OTHER SIMILARLY DISENFRANCHISED GROUPS. WE ASSIST LOCAL LEADERS AND COMMUNITY-BASED ORGANIZATIONS IN ORGANIZING AND CONDUCTING NONPARTISAN VOTER REGISTRATION EDUCATION AND GET-OUT-THE-VOTE CAMPAIGNS. WE ALSO CONDUCT RESEARCH AND PUBLISH STUDIES ON HISPANIC DEMOGRAPHICS. WE ORGANIZE AND SPONSOR LEADERSHIP DEVELOPMENT PROGRAMS FOR HIGH SCHOOL STUDENTS, COLLEGE STUDENTS AND ADMINISTRATORS, GRASSROOTS COMMUNITY LEADERS AND LOCAL PUBLIC OFFICIALS, AND TRAIN CANDIDATES FOR PUBLIC OFFICE.

WE ALSO SPONSOR THE UNITED STATES HISPANIC LEADERSHIP CONFERENCE, WHICH IS HELD ANNUALLY IN CHICAGO. NOW IN ITS 21st YEAR, THE CONFERENCE IS ATTENDED BY OVER 8,000 PRESENT AND FUTURE LEADERS REPRESENTING HUNDREDS OF CITIES IN 40 STATES, AND IS THE LARGEST ANNUAL GATHERING OF HISPANIC LEADERS IN THE NATION. THIS IS FOLLOWED UP BY A REGIONAL CONFERENCE THAT I ORGANIZE IN THE SPRING FOR HISPANIC STUDENT LEADERS FROM AROUND THE CENTRAL STATES.

THANK YOU FOR THIS OPPORTUNITY TO APPEAR BEFORE YOU THIS AFTERNOON. AS AN IMMIGRANT STUDENT THAT HAS GONE THROUGH THE STATE OF KANSAS PUBLIC EDUCATION SYSTEM, A GRADUATE OF AN ACCREDITED KANSAS UNIVERSITY, ONE WHO HAS WORKED AS A CONGRESSIONAL HISPANIC CAUCUS INSTITUTE FELLOW IN

WASHINGTON, DC HELPING SHAPE EDUCATION AND IMMIGRATION POLICY AT THE NATIONAL LEVEL ON CAPITOL HILL, AND NOW SERVING AS THE CENTRAL STATES REGIONAL DIRECTOR FOR THE UNITED STATES HISPANIC LEADERSHIP INSTITUTE I FEEL IT IS MY DUTY AND OBLIGATION TO BE WITH YOU THIS DAY IN SUPPORT OF H.B. 2145 REGARDING IN-STATE TUITION FOR IMMIGRANT STUDENTS.

EDUCATION IS THE KEY FOR OUR COMMUNITY. NOW I CAN GO ON ABOUT STATISTICS REGARDING HISPANICS IN EDUCATION, HISPANICS IN AMERICA, BUT I WANT TO SEND YOU A MORE POWERFUL MESSAGE; A REALITY CHECK. I WANT TO TELL YOU MY STORY. I WAS BORN IN CHIHUAHUA, MEXICO AND IMMIGRATED WITH MY PARENTS TO THIS NATION WHEN I WAS 3 YEARS OLD. I AM THE OLDEST OF FOUR. MY HARDWORKING, SELFLESS PARENTS BROUGHT ME HERE AND KEPT OUR FAMILY HERE FOR THE EDUCATIONAL OPPORTUNIES FOR US. I GREW UP IN GARDEN CITY, KANSAS, ONE OF THE MOST MULTICULTURALLY DIVERSE CITIES IN THE NATION, WITH MINORITY STUDENTS NOW THE MAJORITY, AND HAVING BEEN FOR QUITE SOME TIME NOW, IT SHOULD BE NO SURPRISE WHY I AM STANDING BEFORE YOU THIS AFTERNOON. I WAS ONE OF "THOSE" STUDENTS; ONE OF THE MANY BRIGHT, TALENTED, MEXICAN IMMIGRANTS LIVING IN KANSAS. I WAS LUCKY ENOUGH TO EARN SEVERAL SCHOLARSHIPS TO ATTEND COLLEGES AND UNIVERSITIES THROUGHOUT THE NATION. I CHOSE TO GO TO KANSAS STATE UNIVERSITY, I BECAME A U.S. CITIZEN WHILE A FRESHMAN AT K-STATE.

BUT IT WASN'T ALWAYS THAT SIMPLE, AS A KID I HAD A DREAM OF BECOMING THE FIRST MEXICAN-AMERICAN NBA BASKETBALL SUPERSTAR. BUT AS A FRESHMAN AT GARDEN CITY HIGH SCHOOL I WAS TOLD BY A JUNIOR VARSITY BASKETBALL COACH (AND I QUOTE), "IF YOU PLAN ON PLAYING VARSITY BASKETBALL, IT WOULD BE BEST IF YOU DIDN'T WEAR THAT." "THAT" WAS A MEXICAN MADALLION THAT I WORE EVERYDAY AND HAD JUST EXPLAINED IT WAS A SYMBOL OF MY PRIDE AND HERITAGE; MY CULTURE, WHICH HAD MOTIVATED ME TO SUCCEED IN EVERY ASPECT, AND CONTINUES TO. I NEVER QUITE BECAME THAT NBA SUPERSTAR, BUT I DID PURSUE MY EDUCATION AND MANY OTHER OPPORTUNIES THAT CAME MY WAY DUE TO MY EDUCATION, AND I THINK I'VE DONE ALRIGHT FOR MYSELF THESE PAST 26 YEARS, BUT THIS IS ONLY THE BEGINNING. NOT BAD FOR AN IMMIGRANT KID FROM CHIHUAHUA, MEXICO.

THAT WILL AND DETERMINATION I FACED AT A YOUNG AGE IS NOTHING NEW TO MANY OF OUR BEST AND BRIGHTEST STUDENTS THAT "RESIDE" IN OUR STATE AND HAVE BEEN "RESIDING" IN OUR STATE FOR SEVERAL YEARS; WHEN THEY ARE TOLD "THAT THEY CAN'T DO THIS" OR "CAN'T DO THAT." THAT TYPE OF NEGATIVITY LOWERS SELF-ESTEEM USUALLY, HOWEVER, I OVERCAME THOSE OBSTACLES AND USED THEM TO MY ADVANTAGE TO ACCOMPLISHED THINGS THAT HAD NEVER BEEN DONE BEFORE BY AN IMMIGRANT, AS A HISPANIC LEADER. IT WASN'T UNTIL MY SENIOR YEAR AS STUDENT BODY PRESIDENT WHILE I FILLED OUT EVERY SCHOLARSHIP I COULD GET MY HANDS ON, THAT A COUPLE OF MY TEACHERS DISCOVERED THAT I, THIS "ALL-AMERICAN BOY" WAS NOT EVEN A U.S. CITIZEN.

BEFORE THE FEDERAL 'DREAM ACT" OR "STUDENT ADJUSTMENT ACT" WERE CREATED AND WHILE WORKING IN CONGRESSMAN GUITERREZ' OFFICE IN DC I WAS ABLE TO WORK ON THE IMMIGRANT CHILDREN'S EDUCATIONAL ADVANCEMENT AND DROPOUT PREVENTION ACT OF 2001 TO AMEND THE IMMIGRATION AND NATIONALITY ACT TO ADJUST THE STATUS OF CERTAIN LONG-STAYING ALIEN CHILDREN, TO LOWER HIGH SCHOOL DROP OUT RATES FOR CERTAIN IMMIGRANT CHILDREN, AND TO RESTORE THE RIGHT OF STATE AND LOCAL GOVERNMENTS TO DECIDE WHOM THEY WILL ADMIT TO THEIR STATE AND LOCAL COLLEGES AND UNIVERSITIES. THAT IS WHY WE ARE HERE TODAY! THE TIME IS NOW TO TAKE SUCH AN ACTION AND PRACTICE WHAT WE PREACH.

THIS PRO-EDUCATION, PRO-IMMIGRATION BILL WOULD IMPROVE EDUCATIONAL OPPORTUNITIES FOR OUR IMMIGRANT STUDENTS TO CONTINUE THEIR EDUCATION, IT WOULD LOWER THE DROP OUT RATES, EXTEND PRIDE AND JUSTICE TO CHILDREN WHO ARE COMMITTED TO MAKING A DIFFERENCE IN THEIR LIVES, THEIR FAMILIES AND THEIR COMMUNITIES. WITH HISPANICS HAVING OVER \$500 BILLION IN PURCHASING POWER, EDUCATIONAL ACHIEVEMENT EQUALS A GOOD U.S. ECONOMY. THIS BILL, HB2145 IS INDEED CRITICAL TO THE HISPANIC COMMUNITY, YOUR BACKYARD, YOUR HUMBLE CONSTIUENTS. THOSE SAME CONSTITUENTS THAT ARE RESPONSIBLE FOR THE STATE'S GROWTH AND WORKFORCE. EVERY YEAR, HIGH SCHOOLS ACROSS THE STATE FROM GARDEN CITY TO KANSAS CITY GRADUATE MANY, MANY TALENTED IMMIGRANT STUDENTS WHO HAVE GROWN UP IN THIS VERY NATION, AND HAVE MET AND

14
12-18

EXCELLED AT THE ACADEMIC REQUIREMENTS AND EXTRA- CURRICULAR ACTIVITIES AS THEIR U.S.-BORN CLASSMATES. THEY DREAM OF PERSUING HIGHER EDUCATION AND BECOMING EDUCATORS, DOCTORS AND LAWYERS, BUT NOT HAVING ACCESS TO STATE AND FEDERAL FINACIAL AID AND LOWER IN-STATE TUITION RATES MAKES IT NEARLY IMPOSSIBLE TO CONTINUE THEIR EDUCATION AFTER HIGH SCHOOL. AS A RESULT, THEY ARE DENIED WHAT THEY DESERVE, AN OPPORTUNITY, AN OPPORTUNITY TO REACH THE AMERICAN DREAM, AND TO GIVE BACK. THIS IS A NO-WIN SITUATION FOR EVERYONE; THE STUDENT LOSES OF COURSE, THE "COULD HAVE BEEN" UNIVERSITY LOSES, THE STATE OF KANSAS LOSES, AND OUR HISPANIC COMMUNITY AND SOCIETY AS A WHOLE LOSES BIG... AS THEY ARE DENIED THAT OPPORTUNITY TO CONTRIBUTE!

IN CLOSING, WE NEED OUR GOVERNMENT AND EDUCATIONAL SYSTEM TO IMPOWER OUR HISPANIC YOUTH TO CONTINUE HIGHER EDUCATION; HB2145 DOES JUST THAT. ALL THE PRINCIPLES THAT WE AT THE UNITED STATES HISPANIC INSTITUTE PRACTICE ABIDE BY SINCE OUR FOUNDATION IN 1982; COMMUNITY, EMPOWERMENT, UNITY, AND LEADERSHIP NEED TO BE PUT INTO PLAY, AND YOU HAVE THE POWER TO HELP AND MAKE THE MANY DREAMS OF MANY TALENTED IMMIGRANT STUDENTS COME TRUE. DREAMS THAT MY CONSIST OF THEM BECOMING THE NEXT STATE LEGISLATOR, MEMBER OF CONGRESS, OR U.S. SENATOR. WHAT A SHAME THAT WOULD BE IF THEY CONTINUE TO BE DENIED THAT OPPORTUNITY THAT THEY SO DESERVE!

AGAIN, THANK YOU VERY MUCH FOR THE OPPORTUNITY TO APPEAR BEFORE YOU THIS AFTERNOON.

15
12-~~14~~

Personal Testimony of Thea L. Britton re: HR2145
February 12, 2003

My name is Thea Britton and I teach English Language Learners at Oregon Trail Junior High School in Olathe, Kansas. I serve students in 7th, 8th and 9th grades and I presently have 49 students whose first language is something other than English.

My three sons were born and raised in Kansas and my eldest sons are currently attending the University of Kansas. I also attend KU and am working on my Masters degree in Curriculum and Instruction. I tell you this because my opinion that the pursuit of higher education is a worthy endeavor is not new to me or my family. Post secondary institutions in the state of Kansas offer quality educational opportunities to most students who qualify and seek to attend.

I say "most" students because it accurately reflects the fact that not all students who graduate from a Kansas high school can seek post secondary learning opportunities. I know that you are already aware of this situation because you are here. Many of you are also familiar with the "No Child Left Behind" legislation that is causing a stir among educators, students, and families around the country. While the logistics of accomplishing the intent of this legislation remain a daunting challenge, the intent of this legislation is noble and worthwhile. I ask you to personally consider a change in wording of this idea to "No Student Left Behind" to encompass any student who has the desire to better him or herself and ultimately the community in which the student will live and work. In Kansas today, students are being left behind and I teach many of these students each day.

All of my students are lively, intelligent, engaging and the very reason I love to guide them in learning every day. However, truth be told, not every single one of my students was given the choice about moving to the United States. Some were reticent to leave their friends and families to face the challenges of being successful in a new country, learning a new language, and attending vastly different kinds of schools. For whatever reason, their families have brought them here, to our Kansas communities and most are here to stay. I want them to have the very same educational opportunities as my own sons.

Distressing to me are comments made that reflect a broken spirit among some of my students. Many times I have heard frustrated voices saying, "Why should I work so hard now? I can't go to college anyway." I have students who would like to be doctors, lawyers, and teachers. I probably have students who would like to be in a variety of professions, but they don't dare to dream. They know the chances of their dreams becoming a reality are slim.

In my very short tenure as an English teacher, I have had three students quit school when they reached the age of sixteen and I have two more who claim they will quit as soon as they are able. I can't say for sure that having opportunities to further their education would have changed their decisions, but I can say that each student was intelligent and capable of much more. Perhaps had they been able to believe that the dream of a post secondary education was attainable, their choices would have been different. Regardless, these "would be high school graduates" have been left behind. I ask you, our chosen representatives, to pass HR2145 and insure that no more students will be left behind.

Good afternoon my name is Nerlyn Ramirez, Nelly for short. I'm a member of Sunflower Community Action's Hispanos Unidos Chapter. I'm from Newton and I go to Newton High School.

On the part of immigrants and immigrant students, we feel very fortunate to live in a country with so many opportunities where the possibility exists to reach our dreams for the future. Since one of our desires is to have a better future.

The first step to our future is higher education. But unfortunately we see our selves frustrated after we graduate from school. We come to the sad reality that we cannot continue our education because of our status in this country.

The majority of Hispanic young people become involved in drugs and alcohol because they do not see any way to reach their dreams of college education. For that reason we ask for your support of this legislation.

It is my desire to not feel humiliated or rejected in a society where education is the only way to get a better job. Another one of our priorities is to be able to get to our schools and jobs. Many of us have passed the "Drivers Education classes" at our high schools. But because of our legal status we must have someone else always take us to our school and jobs.

At times when no one is available we walk to school in bad weather. It is humiliating to be the only ones who can't drive. This also limits our possibilities of participating in school sports and activities. "Every body should be treated the same"

I currently call Newton home, and I respect decisions that will keep this nation safe. But I ask you not to make decisions that will prevent quality young people from continuing their education.

I don't want to hide my identity or present false information in order to reach my dreams. I believe that this bill being presented today offers a good solution for other students that feel the same way that I do. I have a dream to become a teacher one day and make a difference in my community and in this country. I'm not alone in this dream but you as representatives have the opportunity in your hands to allow me to realize my dream.

Please support Representative Sue Storm's bill 2145. I appreciate the time you have taken to listen.

**Thank you
Nerlyn Ramirez**

12-18¹⁹

Thursday, January 30, 2003

THE HUTCHINSON NEWS

online edition

Lottery Numbers Newspaper in Education Community Page Subscribe Search

FRONT PAGE

LOCAL

REGIONAL

OPINION

Western Front

OBITUARIES

SPORTS

CLASSIFIED

PAST ISSUES

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A sound investment

Kansas grads should receive in-state tuition

A family decides to seek a better life in the United States. They bring their children to Kansas.

Although the parents never become legal citizens, they pay state and federal taxes on their incomes and state and local sales taxes on their purchases; they pay taxes to support Social Security and Medicare, programs they might never tap; and their children learn English and graduate from high school.

The future looks bright, except for one thing - the law says that children of undocumented aliens must pay nonresident tuition rates at Kansas universities.

Students can't afford college, so they drop out. And with that, far too many American dreams come to an end.

Rep. Sue Storm, an Overland Park Democrat, sees that as a waste of potential.

Storm has sponsored a bill that would allow children of undocumented immigrants to pay resident rates at Kansas postsecondary schools. The House Higher Education Committee takes up the bill next month.

By making college more expensive for talented young Hispanics and Asians, Kansas might waste brainpower that could help retool the state's economy for the 21st century. That's bad for business.

At the University of Kansas, a state resident typically pays about \$1,741 a semester to take 15 hours of undergraduate courses. A nonresident pays more than triple that - \$5,343 - for taking the same schedule.

Some students know they can't afford the out-of-state tuition so they don't wait - they drop out of high school, said Melinda Lewis, a special projects director for El Centro, a community development organization in Kansas City, Kan.

Lewis said that based on U.S. Census figures, Storm's bill could help about 1,200 students a year attend college. That could add another 1,200 college graduates returning to their communities every year as entrepreneurs, teachers and professionals. Within a decade, they could change the face of Kansas.

That's an investment worth making.

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20
12-19

Testimony

Higher Education Committee

February 12, 2003

Elias L. Garcia, Chr. Kansas Democratic Hispanic Caucus

My name is Elias L. Garcia, I am Chairman of the Kansas Democratic Hispanic Caucus. On behalf of our organization I Thank You for the opportunity to provide testimony in support of HB 2145, a bill that would allow the students in undocumented households who graduate from a Kansas high school, the opportunity to pay resident rates at Kansas post secondary institutions.

Ladies and Gentlemen, I would like to add our voice to the many in Kansas, not just Hispanics, who know that the intent of HB 2145 is not only reasonable, but also the right thing to do.

In an era where our President's bilingual credo is that NO CHILD SHALL BE LEFT BEHIND, and our Governor who has made Education the number one priority of her administration, it only stands to reason that this body, this legislature would also support the fundamental principle that the future belongs to our youth and act accordingly to facilitate and support the educational endeavors of our leaders of the 21st century, including Hispanics.

Since 1960's, Hispanics have been the youngest and fastest growing population in the United states and on January 22, 2003, the US Census officially declared that Hispanics are the largest minority in the United States and comprise 13 percent of the population. Population growth is but one dynamic that has been used to provide some insight into the future. Ladies and Gentlemen, given the Hispanic past, present numbers and our future growth projections, it is undeniable that the Hispanics are positioned to significantly influence the American society.

Education is the key and the bridge that connects all people and all communities. It is incumbent on members of our society and indeed this body to endeavor to eliminate all barriers toward securing a post-secondary education on behalf of those students who have earned the right to succeed! As a baby-boomer addressing my fellow baby-boomers on this respective committee, I ask you to reflect on our past and appreciate the actions of past political leaders as they enacted laws to level the playing field. Specifically, Affirmative action initiatives that not only helped me but thousands of others who, but for these initiatives, would not have had the opportunity to

ATTACHMENT NO. _____

House Higher Education Committee

Meeting Date: 2/12/03

Elias L. Garcia, Chr.
Hispanic Caucus -- 2/12/03
Higher Ed. Committee
Page Two

succeed. Also, at that time, all Kansas kids who earned a High School diploma from a Kansas high school were eligible to attend a Kansas postsecondary education.

Again, this was an opportunity afforded me and many others and we made the most of this opportunity. That's what HB 2145 is all about, giving our youth the opportunity to succeed. Not giving them a hand-out or special treatment, all we are talking about is giving future generations of our brightest kids the chance to succeed by eliminating artificial barriers that are very unreasonable and that will have a dramatic negative effect on the future of our Hispanic children.

Honorable members of the committee, Hispanics are the El Nino of our society. Everyone knows we are out there and everyone knows of the raw power and potential that is El Nino. However, the Hispanic destiny is to positively impact the American future, not negatively impact it and as a matter of fact we already are. Presently, One out of every 8 people in America is Hispanic, in the next generation it will be one out 4. The Hispanic economic base is 500 billion dollars a year and within the next decade it will reach 1 Trillion dollars. Hispanics have received the medal of Honor more times than any other ethnic group. Hispanics /Immigrants represent 34% of all domestic workers, 23% of all farmers and fisherman, 21% of assembly line workers, 18% of the service industry.

America is all about capital and so is the Hispanic/immigrant community. Through generations of expenditure of our human capitol and sweat equity, our community is vested in yours. We are one and the same and it is incumbent on all us to bring our communities closer together, and passage of HB 2145 is one small step forward, a giant leap for Kansas mankind. I urge to support 2145 and thank you for the opportunity to speak before you today. Respectfully.....

February 3, 2003

To: House Committee on Higher Education

From: Subcommittee on Education and Workforce Training:

Representative Lee Tafanelli, Chair
Representative Annie Kuether
Representative Cindy Neighbor
Representative Roger Reitz
Representative Valdenia Winn

Re: Final Report

The House Higher Education Subcommittee on Workforce Training held five meetings. The material that follows summarizes the Subcommittee's activities and observations.

BACKGROUND

The work of the Subcommittee centered around determining what mechanisms are in place to deliver job training to employers and workers and whether changes or improvements need to be made. Activities included gaining an understanding of job training activities underway in the state and identifying issues that need further attention. The information below identifies conferees who appeared before the Subcommittee and summarizes the information they presented.

Barb Reavis. Barb Reavis is the Workforce Policy Liaison for the Workforce Network of Kansas Board. The purpose of the Board is to promote economic development in Kansas by helping to produce lifelong learners, a highly skilled and productive workforce, and highly skilled and high wage jobs. Under the Board, there are five local governing boards that oversee services funded through a number of federally-funded programs. These boards serve about 25 communities in the state. In other communities, job services are funded through state agencies with state and federal funds.

Ms. Reavis explained to the Subcommittee that job seekers have a variety of tools at hand across the state to assist them in finding a job, such as multi-service sites, one-stop centers, and the Internet. She estimated that \$125.0 million a year is spent in Kansas on workforce development. State funding is provided by the Kansas Department of Human Resources, the Department of Corrections, the Department of Social and Rehabilitation Services, the State Department of Education, the State Board of Regents, and the

Department of Commerce and Housing. Ms. Reavis told the Subcommittee that money from the State General Fund for workforce training primarily is used to match and leverage federal funds.

Jack Wempe. Jack Wempe is the Chair of the State Board of Regents. He observed that most of the state's technical training is provided by institutions under the jurisdiction of the Board and emphasized in particular the role of the area vocational schools and technical colleges. He said the Board is interested in making the technical colleges, which are authorized to grant two-year degrees, independent of elementary-secondary education. In addition, the Board wants the institutions to obtain accreditation from the North Central Association so that all collegiate institutions in the state will have North Central accreditation. Toward that end, the Board has requested the introduction of legislation that requires technical colleges to have an independent board of control and not be governed by local school district boards (SB 7).

Mr. Wempe identified the following concerns about the present delivery and funding of technical programs, primarily at the area vocational school and technical college level:

- The present funding formula generally is on a per-hour basis that does not differentiate between high cost programs and programs that are less expensive to offer. Mr. Wempe suggested that funding be on a program basis so that adequate funding is provided for programs that are expensive to offer.
- There is no real incentive to drop unproductive courses because cost-per-hour is based in part on the number of students enrolled. If many students enroll, the cost-per-hour is relatively low. If few students enroll, the cost-per-hour is high. The present state aid formula is not sensitive to high costs per hour that are the result of few students interested in taking the course.
- State aid to area vocational schools and technical colleges is based on "seat time" and there is no incentive to graduate students early who have mastered the program. Mr. Wempe advocated a funding formula that allows for early-exit of competent students without penalizing the institution.

Dr. Tom Burke. Dr. Burke is President of the Kansas City Kansas Community College and Chair of the Committee on Education and Workforce Development of the Kansas Chamber of Commerce and Industry. Dr. Burke reviewed the role played by community colleges in workforce training, which includes offering regular degree programs in technical areas; providing customized industrial training; offering special training courses and programs for employers, such as training in supervising Spanish-speaking employees; offering courses and programs in adult literacy and English as a second language; and providing career counseling and placement.

Dr. Burke told the Subcommittee that providing workforce training and development is the top priority of the Kansas Chamber of Commerce and Industry. He said the Chamber considers workforce training the more important tool to attract and maintain a quality workforce.

Dr. Duane Dunn. Dr. Dunn is President of the Manhattan Area Technical College and President of the Kansas Association of Technical Schools and Colleges. Dr. Dunn told the Subcommittee that area vocational schools and technical colleges have as their central mission to provide workforce development and career education for the purpose of advancing economic development in Kansas. He said the institutions provide training that ranges from basic skills such as welding, business and computer technology, and carpentry to specialized programs such as nursing, communication technology, and industrial power plant maintenance. He said institutions constantly measure their effectiveness by conducting follow-ups of graduates and program completers and that programs must demonstrate that at least 75 percent of their graduates are successfully placed (defined in terms of job placement, ongoing education, or military service). The Board of Regents reviews programs that fail to meet the placement requirement and has the authority to terminate the program's state aid. According to Dr. Dunn, institutions historically have had placement rates in excess of 85 percent in most programs. Dr. Dunn also spoke in support of SB 7, which would require technical colleges to have a governing board that is independent of a local school district board.

Dr. Dunn pointed out to the Subcommittee that, for a minimal investment in technical training, the state realizes substantial benefits from a better-trained workforce and residents with increased earning potential who generate additional tax revenue. However, the institutions are suffering from diminished revenues because of the state's failure to pay its share of the postsecondary education aid formula. He noted that the institutions have no direct source of local property tax support.

Kent Heermann. Kent Heermann is the President of the Regional Development Association of East Central Kansas, a collaborative effort among the City of Emporia, Lyon County, and the Emporia Area Chamber of Commerce. The Regional Development Association plays a major role in recruiting new industrial businesses to the area and works to retain and expand existing businesses. Mr. Heermann told the Subcommittee that reimbursable workforce training grants provided by the state play an important part in the Association's effort.

Mr. Heermann cited the following workforce training programs administered by the Kansas Department of Commerce and Housing as being particularly effective:

- Kansas Industrial Training (KIT), which provides customized training for new and expanding businesses. Program participants typically receive pre-employment training to gain knowledge of specific skills necessary for job entry.
- Kansas Industrial Retraining (KIR), which helps restructuring companies train employees who are likely to be displaced due to obsolete or

inadequate job skills. The program can be customized to fit the company's needs.

- Investments in Projects and Comprehensive Training (IMPACT), which provides customized training for new and expanding businesses or consortiums of businesses that are creating at least 100 new jobs at a higher-than-average wage.

Mr. Heermann told the Subcommittee that postsecondary institutions are a vital part of workforce training in the state and that part of his job involves putting businesses in his area in touch with educational institutions that can provide the training their workers need. Mr. Heermann gave examples of successful training collaborations involving area industries and the Flint Hills Technical College and Emporia State University. He also presented information from employers, who gave high ratings to the state grants programs and the training their employees had received.

John Moore. John Moore is the Lieutenant Governor of Kansas and Secretary of the Department of Commerce and Housing. Governor Moore told the Subcommittee that the challenge for the state is to keep pace with technological changes. He said it is imperative that workers keep current in their professions and learn new skills throughout their lifetimes. He cited the fact that the United States spends more per capita on elementary-secondary education than any other nation in the world, but, among the industrialized nations, spends less per capita on education for adults over 21. This statistic bodes ill for sustaining the highly-trained workforce that will enable the state to attract new businesses and nurture the overall economic development of the state.

Governor Moore identified the following principles that should guide policymakers as they consider preparing Kansans for current and future workforce needs:

- Be market driven;
- Support and promote lifelong learning;
- Incorporate new ways of learning, including new technologies;
- Provide flexibility and responsiveness for workforce organizations and educational institutions, so that they can help individuals, employers, and government adapt successfully to economic change; and
- Develop and use new performance measurement and accountability tools for individuals, institutions, and companies.

Governor Moore expressed criticism of the current system in Kansas, noting that 32 job training programs, with multiple sources of funding, are fragmented among six state agencies. He said there is little interaction between the Department of Commerce and Housing—one of the state's central points for economic development—and education. As

a result, the entire system of economic development and job training is hard to access and confusing for employers and others who need to know about services and programs that promote a better-trained workforce. Governor Moore contrasted the situation in Kansas with other states, such as Michigan and Georgia, where technical training is located in one agency. Furthermore, Georgia has an aggressive response to initiatives to locate new businesses in that state, resulting in a fertile environment for economic expansion.

Governor Moore said that Kansas needs to coordinate its job training programs and services—not necessarily add more funding—and to make those responsible for job training more accountable for results. He said the effort must be characterized by sophisticated market analysis, strong administration, and a good delivery system. When asked why the time now is ripe for a strong initiative when so many similar proposals have failed in the past, Governor Moore responded that the attitude is different today. He said the state's leadership is united in its commitment to make the state a leader in attracting and retaining businesses, which will contribute to the success of the effort. Toward that end, he said that by the end of the 2003 Session, a task force he has formed will have identified a "platform," or a series of steps the state must take to integrate its economic development and job training efforts.

OBSERVATIONS AND RECOMMENDATIONS

The Subcommittee takes pride in the number of fine educational institutions in Kansas that prepare workers for the workforce. It also commends the state agencies and organizations that are part of the state's economic development effort. Nevertheless, improvement can be made. In testimony before the Subcommittee, several themes emerged. They related in general to how workforce training in the state is organized, the flexibility and responsiveness of the programs themselves, and how the programs are funded. The Subcommittee's observations and recommendations that follow are grouped around these themes.

Organization of Workforce Training

- Currently, six state agencies administer more than 30 workforce development programs. While individual programs may be well-administered, testimony before the Subcommittee, in particular from the Secretary of the Department of Commerce and Housing, leads the Subcommittee to believe that greater efficiencies could be achieved if workforce training in the state were more streamlined and less fragmented. Consolidation of programs also would make it easier for employers to know who to contact and who to work with about their training needs. It also would sharply focus the state's efforts to recruit new businesses to the state.

Flexibility and Responsiveness of the System

- Workforce training should be based on the requirements of employers and their needs. A requirements-based system should ensure that the state is meeting workforce demands both in terms of immediate needs and mid- and long-range needs. This requires not just immediate response to business demands, but a long-range planning effort to anticipate needs in the future. The Subcommittee's conclusion that job-training programs should be consolidated envisions a planning component as well, which will provide direction to program administrators.
- The state's workforce training system should allow for ample opportunity for input from employers in order to ensure that the system is responsive to their needs.
- The curriculum of job training institutions should be competency based so that students who have mastered the curriculum can exit early. In other words, training should not be based on "seat time." Further, a standard core of competencies should be developed for each training program so that employers will be able to hire workers with a certain set of skills, regardless of the type of institution from which they received their training.
- Institutions should develop performance measures to ensure that programs are meeting the needs of employers, based on objective placement data.

Funding

- Funding should be provided based on a system that rewards educational institutions that respond to industry demands by developing and implementing new training programs. Funding also should address the issue of competency-based education so that institutions that permit early exit of students as soon as they have mastered the curriculum will not be penalized.
- A resolution should be considered to urge Congress to provide states greater funding flexibility to allocate workforce development funds in a manner that conforms to plans and strategies established by the state.

SENATE BILL No. 65

By Committee on Public Health and Welfare

1-18

AN ACT establishing the dental service loan program; authorizing loans for certain undergraduate students enrolled in or admitted to accredited schools of dentistry in a course of instruction leading to the degree of doctor of dental surgery or doctor of dental medicine; providing for loan repayment and forgiveness; providing for administration of the program.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Within the limits of appropriations for dental service loans, and in accordance with the provisions of this section, the state board of regents may award such loans to Kansas residents who are undergraduate students enrolled in or admitted to accredited schools of dentistry in a course of instruction leading to the degree of doctor of dental surgery or doctor of dental medicine and who enter into a written agreement with the state board of regents as provided in section 2 and amendments thereto.

(b) Dental service loans shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the loan the payment of an amount not to exceed 70% of the cost of attendance for one academic year at the school of dentistry in which the person is enrolled.

(c) Dental service loans shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited school of dentistry in a course of instruction leading to the degree of doctor of dental surgery or doctor of dental medicine may be awarded a loan for each year the student enters into a written agreement with the state board of regents as provided in section 2 and amendments thereto up to a maximum of four years. For each year a student is awarded a loan, the student shall engage in the practice of dentistry in Kansas for the period of time specified in subsection (a)(3) of section 2, and amendments thereto, unless such obligation is otherwise satisfied as provided in section 5 and amendments thereto.

(d) The state board of regents shall not award more than 15 dental service loans in any year to persons who have not previously been awarded

such a loan and, in any case, the state board shall not award more than 60 such loans in any year. In selecting Kansas residents to be awarded dental service loans, the state board shall give primary consideration to students commencing their first year of instruction at accredited schools of dentistry and thereafter shall consider students in later years of instruction.

Sec. 2. (a) An agreement entered into by the state board of regents and a Kansas resident who is an undergraduate student enrolled in or admitted to an accredited school of dentistry in a course of instruction leading to the degree of doctor of dental surgery or doctor of dental medicine for the awarding of a dental service loan shall require that the person receiving the loan:

(1) Complete the required course of instruction and receive the degree of doctor of dental surgery or doctor of dental medicine;

(2) apply for and obtain a license to practice dentistry in Kansas;

(3) except as otherwise provided in subsection (c), engage in the practice of dentistry in Kansas on a full-time basis for a period of 12 months for each year a loan was received or on a part-time basis for a period equivalent to 12 months, as determined by the state board of regents, for each year a loan was received;

(4) commence such full-time or part-time practice of dentistry within six months after licensure and continue such practice in Kansas for a consecutive period of months equal to the total number of months required under the agreement;

(5) agree that the service commitment for each agreement entered into under this section is in addition to the service commitment contained in any other agreement which has been or may be entered into under this section for the purpose of obtaining a loan;

(6) maintain records and make reports to the state board of regents to document satisfaction of the obligation under such agreement to engage in the full-time or part-time practice of dentistry in Kansas and to continue such practice for a consecutive period of months equal to the total number of months required under the agreement; and

(7) repay amounts to the state board of regents as provided in section 3 and amendments thereto upon failure to engage in full-time or part-time practice of dentistry in Kansas for the required period of time under any agreement entered into as provided in this section.

(b) Except as otherwise provided in subsection (c), each Kansas student who enters into an agreement as provided in this section shall serve the practice obligations incurred by such student under the agreement in a dentally underserved area.

(c) (1) A person awarded a dental service loan may satisfy the obligation to engage in the practice of dentistry under an agreement entered

House Higher Educ. 2/12/03 Attach #15

Meeting Date: 2/12/03 House Higher Education Committee

as provided in this section, even though such person is engaged in practice in an area not designated a dentally underserved area, through employment on a part-time basis by a community health center or employment on a part-time basis by the state of Kansas, which employment has been approved by the state board of regents, for the practice of dentistry at any state medical care facility or institution.

(2) For the purposes of this subsection, providing dental services to dentally indigent persons in an amount equivalent to at least 30% of the total number of clients served by the person awarded a dental service loan shall satisfy the obligation to engage in the full-time practice of dentistry in Kansas for a period of 12 months for each year a loan was received as provided in an agreement entered into under this section.

(3) For the purposes of this subsection, service or employment at a not-for-profit corporation having the status of an organization under 26 United States Code Annotated 501(c)(3) which is also a facility qualified under subsection (b) of K.S.A. 65-431 and amendments thereto to select and employ professional personnel, an indigent health care clinic as defined by the rules and regulations of the secretary of health and environment, a federally qualified health center, a national health service corps site or a local health department on an employment basis of at least the equivalent of 1/2 time shall satisfy the obligation to engage in the full-time practice of dentistry in Kansas for a period of 12 months for each year a loan was received as provided in an agreement entered into under this section.

(d) For the purposes of the dental service loan program (1) "state medical care facility or institution" has the meaning ascribed thereto in subsection (k) of K.S.A. 76-375, and amendments thereto; (2) "dentally underserved area" means a practice location designated dentally underserved by the secretary of health and environment or a federally designated dentally underserved area; and (3) "dentally indigent persons" shall have the meaning ascribed to such term under subsection (b) of K.S.A. 65-1459 and amendments thereto.

Sec. 3. (a)(1) Except as otherwise provided in section 5 and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time or part-time practice of dentistry within the state of Kansas for the required period of time under an agreement entered into as provided in section 2 and amendments thereto, such person shall repay to the state board of regents an amount equal to the total of (1) the amount of money received by such person pursuant to such agreement plus (2) accrued interest from the date such money was received at a rate which is equivalent to the interest rate applicable to loans made under federal PLUS program at the time such person first entered into an agreement plus five percentage points.

(b) Each person required to repay any amount under this section shall repay an amount totaling the entire amount to be repaid under all such agreements for which obligations are not satisfied, including all amounts of interest at the rate prescribed. Except as otherwise provided in this section, such repayment shall be in installment payments and each such installment shall be not less than an amount equal to 1/5 of the total amount which would be required to be paid if repaid in five equal annual installments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the state board of regents based upon the circumstances of each individual case. If an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into as provided in section 2 and amendments thereto, may be satisfied at any time prior to graduation from the accredited school of dentistry by making a single lump-sum payment equal to the total of (1) the entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas, plus (2) all amounts of interest accrued thereon at the rate prescribed under this section.

(e) The state board of regents is authorized to turn any repayment account arising under the dental service loan program over to a designated loan servicer or collection agency, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this section.

Sec. 4. There is hereby created in the state treasury the dental service loan repayment fund. The state board of regents shall remit all moneys received under section 3 and amendments thereto to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the dental service loan repayment fund. All expenditures from the dental service loan repayment fund shall be for dental service loans and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer of the state board of regents or a person designated by the executive officer.

Sec. 5. (a) An obligation to engage in the practice of dentistry in accordance with an agreement under section 2 and amendments thereto, shall be postponed: (1) During any required period of active military service; (2) during any period of service as a part of volunteers in service

1 America (VISTA); (3) during any period of service in the peace corps;
 2 (4) during any period of service commitment to the United States public
 3 health service; (5) during any period of religious missionary work con-
 4 ducted by an organization exempt from tax under section 501(c)(3) of the
 5 federal internal revenue code as in effect on December 31, 1999;
 6 (6) during any period of time the person obligated is engaged solely in
 7 the teaching of dental surgery or dental medicine; (7) during any period
 8 of time the person obligated is engaged solely in dental research;
 9 (8) during any period of time the person obligated is unable because of
 10 temporary medical disability to practice dentistry; (9) during any period
 11 of time the person obligated is on job-protected leave under the federal
 12 family and medical leave act of 1993; or (10) during any period of time
 13 the state board of regents determines that the person obligated is unable
 14 because of special circumstances to practice dentistry. Except for clauses
 15 (8), (9) and (10), an obligation to engage in the practice of dentistry in
 16 accordance with an agreement under section 2 and amendments thereto
 17 shall not be postponed more than five years from the time the practice
 18 of dentistry was to have been commenced under any such agreement. An
 19 obligation to engage in the practice of dentistry in accordance with an
 20 agreement under section 2 and amendments thereto shall be postponed
 21 under clause (8) during the period of time the medical disability exists.
 22 An obligation to engage in the practice of dentistry in accordance with
 23 an agreement under section 2 and amendments thereto shall be post-
 24 poned under clause (9) during the period of time the person obligated
 25 remains on family and medical leave act leave. An obligation to engage
 26 in the practice of dentistry in accordance with an agreement under section
 27 2 and amendments thereto shall be postponed under clause (10) during
 28 the period of time the state board of regents determines that the special
 29 circumstances exist. The state board of regents shall adopt rules and reg-
 30 ulations prescribing criteria or guidelines for determination of the exis-
 31 tence of special circumstances causing an inability to practice dentistry,
 32 and shall determine the documentation required to prove the existence
 33 of such circumstances.

34 (b) An obligation to engage in the practice of dentistry in accordance
 35 with an agreement under section 2 and amendments thereto shall be
 36 satisfied: (1) If the obligation to engage in the practice of dentistry has
 37 been completed in accordance with the agreement; (2) if the person ob-
 38 ligated dies; and (3) if, because of permanent physical disability, the per-
 39 son obligated is unable to practice dentistry.

40 Sec. 6. If a person fails to satisfy an obligation to engage in the prac-
 41 tice of dentistry in Kansas for the required period of time under an agree-
 42 ment entered into as provided in section 2 and amendments thereto be-
 43 cause such person is engaged in the practice of dentistry in a state other

1 than Kansas, and if such person is subject to or currently making repay-
 2 ments under such agreement, and if such person subsequently com-
 3 mences the practice of dentistry in this state in compliance with the agree-
 4 ment, the balance of the repayment amount, including interest thereon,
 5 from the time of commencement of the practice of dentistry in this state
 6 until the obligation of such person is satisfied, or until the time such
 7 person again becomes subject to repayments, shall be waived. All repay-
 8 ment amounts due prior to commencement of practice in this state, in-
 9 cluding interest thereon, shall continue to be payable as provided in the
 10 agreement. If subsequent to commencement of practice in this state, the
 11 person fails to satisfy the obligation to practice for the period of time
 12 specified in the agreement, the person again shall be subject to repay-
 13 ments, including interest thereon, as provided in the agreement.

14 Sec. 7. This act shall take effect and be in force from and after its
 15 publication in the statute book.
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January 26, 2001

The Honorable Stephen Morris, Chairperson

Senate Committee on Ways and Means

Statehouse, Room 120-S

Topeka, Kansas 66612

Dear Senator Morris:

SUBJECT: Fiscal Note for SB 65 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 65 is respectfully submitted to your committee.

SB 65 would establish the Dental Service Loan Program to be administered by the Kansas Board of Regents. This program would give loans to undergraduate students enrolled in or admitted to accredited schools of dentistry in a course of instruction leading to a doctor of dental surgery or medicine degree. The bill specifies that a maximum of 15 new loans could be given in any one year, with a maximum of 60 loans in a year. Also, no loan could exceed 70.0 percent of the total cost of the dentistry program. The Board, within the limits of appropriations, would make the loans. The bill includes provisions for repayment terms of the loans.

Estimated State Fiscal Effect				
	FY 2001	FY 2001	FY 2002	FY 2002
	SGF	All Funds	SGF	All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$2,000	\$2,000
FTE Pos.	--	--	--	--

Although the bill specifies that the loan program would be administered by the Board of Regents subject to appropriations for the loans, the Board does not state how much funding the loans would require. For the

administration of the loans, the Board indicates it could administer the program with existing staff. However, it would require an additional appropriation of \$2,000 for communication, supplies, and maintenance of loan servicing software costs. Any fiscal effect resulting from enactment of this bill is not included in *The FY 2002 Governor's Budget Report*.

Sincerely,

Duane A. Goossen

Director of the Budget

cc: Jerri Freed, Dental Board

Marvin Burris, Regents

3
4 **SENATE BILL No. 333**

5
6 By Committee on Ways and Means

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8 2-19
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10 AN ACT concerning the state board of regents; related to Kansas resi-
11 dents designated for admission to certain accredited schools of den-
12 tistry; requiring agreements for service commitments and repayment
13 of certain amounts.
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. For the purposes of designating persons for guaranteed
17 admission to and continued enrollment at accredited schools or colleges
18 of dentistry in a course of instruction leading to a doctor of dental surgery
19 degree in accordance with a contract under K.S.A. 76-721a and amend-
20 ments thereto, the state board of regents shall designate persons who are
21 Kansas residents and who enter into a written agreement with the state
22 board of regents in accordance with section 2, and amendments thereto.

23 Sec. 2. An agreement entered into by the state board of regents and
24 a Kansas resident who is an undergraduate student enrolled in or admit-
25 ted to an accredited school or college of dentistry pursuant to a contract
26 which provides for guaranteed admission and continued enrollment of
27 such person therein and which was entered into for such purpose under
28 K.S.A. 76-721a, and amendments thereto, shall require that the person:

29 (a) Complete the required course of instruction in dentistry and re-
30 ceive the degree therefor;

31 (b) apply for and obtain a license to practice dentistry in Kansas;

32 (c) engage in the full-time practice of dentistry for a period of 12
33 months in Kansas for each year in which such person is so enrolled pur-
34 suant to a contract under K.S.A. 76-721a, and amendments thereto;

35 (d) commence such full-time practice of dentistry within nine months
36 after licensure and continue such full-time practice in Kansas for a con-
37 secutive period of months equal to the total number of months required
38 under the agreement;

39 (e) maintain records and make reports to the state board of regents
40 to document the satisfaction of the obligation under such agreement to
41 engage in the full-time practice of dentistry in Kansas and to continue
42 such full-time practice for a consecutive period of months equal to the
43 total number of months required under the agreement; and

1 (f) upon failure to satisfy an agreement to engage in the full-time
2 practice of dentistry in Kansas for the required period of time under such
3 agreement, repay amounts to the state board of regents as provided in
4 section 3, and amendments thereto.

5 Sec. 3. (a) Except as otherwise provided in section 4, and amend-
6 ments thereto, and subsection (e), upon the failure of any person to satisfy
7 the obligation to engage in the full-time practice of dentistry within the
8 state of Kansas for the required period of time under an agreement en-
9 tered into pursuant to section 2, and amendments thereto, such person
10 shall repay to the state board of regents an amount equal to the total of
11 (1) the difference between the cost of tuition and fees at the accredited
12 school of dentistry attended by such person and the average cost of tuition
13 and fees for in-state tuition at a state board of regents institution as fixed
14 by the state board of regents for guaranteed admission and continued
15 enrollment of such person in an accredited school or college of dentistry
16 pursuant to a contract entered into therefor under K.S.A. 76-721a, and
17 amendments thereto, plus (2) annual interest at a rate of 15% from the
18 date such money was paid pursuant to such contract.

19 (b) Each person required to repay any amount under this section shall
20 repay an amount totaling the entire amount to be repaid under such
21 agreement for which such obligation is not satisfied, including all interest
22 at the rate prescribed. Except as otherwise provided in this section, such
23 repayment shall be in installment payments and each such installment
24 shall be not less than the amount equal to $\frac{1}{5}$ of the total amount which
25 would be required to be paid if repaid in five equal annual installments.

26 (c) All installment payments under this section shall commence six
27 months after the date of the action or circumstance that causes the failure
28 of the person to satisfy the obligations of such agreement, as determined
29 by the state board of regents based upon the circumstances of each in-
30 dividual case. If an installment payment becomes 91 days overdue, the
31 entire amount outstanding shall become immediately due and payable,
32 including all interest at the rate prescribed.

33 (d) The total repayment obligation imposed under the agreement en-
34 tered into under section 2, and amendments thereto, may be satisfied at
35 any time prior to graduation from the accredited school or college of
36 dentistry by making a single lump-sum payment equal to the total of (1)
37 the entire amount to be repaid under such agreement upon failure to
38 satisfy the obligation under such agreement to practice in Kansas, plus
39 (2) all interest thereon at the rate prescribed to the date of payment.

40 (e) If a person fails to satisfy an obligation to engage in the full-time
41 practice of dentistry in Kansas for the required period of time under an
42 agreement entered into pursuant to section 2, and amendments thereto,
43 because such person is engaged in the practice of dentistry in a state

1 other than Kansas, and if such person is subject to or currently making
2 repayments under this section and if such person subsequently com-
3 mences the practice of dentistry in this state which complies with the
4 agreements entered into under such statute, the balance of the repayment
5 amount, including interest thereon, from the time of such commence-
6 ment of practice until the obligation of such person is satisfied, or until
7 the time such person again becomes subject to repayments, shall be
8 waived. All repayment amounts due prior to such commencement of
9 practice in this state, including interest thereon, shall continue to be pay-
10 able as provided in this section. If subsequent to such commencement of
11 practice, the person fails to satisfy such obligation, the person again shall
12 be subject to repayments, including interest thereon, as otherwise pro-
13 vided in this section.

14 Sec. 4. (a) An obligation to engage in the practice of dentistry in
15 accordance with an agreement under section 2, and amendments thereto,
16 shall be postponed: (1) During any required period of active military
17 service; (2) during any period of service as a part of volunteers in service
18 to America (VISTA); (3) during any period of service in the peace corps;
19 (4) during any period of service commitment to the United States public
20 health service; (5) during any period of religious missionary work con-
21 ducted by an organization exempt from tax under subsection (c) of section
22 501 of the federal internal revenue code of 1954, as amended; (6) during
23 the period of time the person obligated is engaged solely in the teaching
24 of dentistry; (7) during the period of time the person obligated is engaged
25 solely in dental research; ~~or~~ (8) during any period of temporary medical
26 disability during which the person obligated is unable because of such
27 medical disability to practice dentistry; **or (9) during the period of time**
28 **the person obligated is enrolled in an accredited school of dentistry**
29 **receiving instruction in a recognized dental specialty or postgrad-**
30 **uate dental program.** Except for clause (8) of this subsection (a), an
31 obligation to engage in the practice of dentistry in accordance with an
32 agreement under section 2, and amendments thereto, shall not be post-
33 poned more than five years from the time the practice of dentistry was
34 to have been commenced under any such agreement. An obligation to
35 engage in the practice of dentistry in accordance with an agreement under
36 section 2, and amendments thereto, shall be postponed under clause (8)
37 of this subsection (a) during the period of time the medical disability
38 exists.

39 (b) An obligation to engage in the practice of dentistry in accordance
40 with an agreement under section 1, and amendments thereto, shall be
41 satisfied: (1) If the obligation to engage in the practice of dentistry in
42 accordance with an agreement under section 2, and amendments thereto,
43 has been completed; (2) if the person obligated dies; (3) if, because of

1 permanent physical disability, the person obligated is unable to practice
 2 dentistry; **or** (4) if the person obligated fails to satisfy the requirements
 3 for a degree from an accredited school or college of dentistry after such
 4 person has made their best efforts to obtain such degree; ~~or (5) if the~~
 5 ~~person obligated fails to satisfy all requirements for a permanent license~~
 6 ~~to practice dentistry in Kansas or any other jurisdiction or has been denied~~
 7 ~~a license after such person has applied for a license and has made their~~
 8 ~~best efforts to obtain a license.~~

9 **Sec. 5.** *The provisions of this act shall apply to students enter-*
 10 *ing their first year of an accredited school of dentistry commencing*
 11 *with the 2002-03 school year.*

12 ~~Sec. 5.~~ **6.** This act shall take effect and be in force from and after its
 13 publication in the statute book.

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