

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:40 p.m. on March 5, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research  
Kathie Sparks, Legislative Research  
Theresa Kiernan, Revisor of Statutes  
Judy Steinlicht, Secretary

Conferees appearing before the committee: Theresa Kiernan, Revisor of Statutes  
Dr. Amanda Golbeck, Vice President Academic Affairs,  
Board of Regents

Others attending: See attached list

**HB 2004—Schools; reconciling amendments to statutes that have been amended more than once**

Theresa Kiernan explained that **HB2004** was introduced by LEPC and involves three bills that were passed last year, **SB551**, **HB2094** and **SB531**. On page two, some unnecessary language was deleted concerning pupils-at-risk for school year 2001-02, and page four clarifies the definition of juvenile detention facilities. The Committee discussed the meaning of “at-risk”

**HB 2008—Proprietary schools; certification and registration fees**  
**HB 2009—GED credentials; fees**

Theresa Kiernan explained two bills, **HB2008** & **HB2009**, that were introduced by LEPC at the request of the Board of Regents. **HB2008** concerns fees charged by proprietary schools and certain fees charged by the state board. **HB2009** would increase the maximum amount of the fee from \$10 to \$15 for the issuance or duplication of the GED credentials and would authorize the board to charge for verifying GED credentials. The board must set the fee by June 1<sup>st</sup> for the fiscal year that begins July 1<sup>st</sup> and it would be effective upon publication of the Kansas Register.

Dr. Amanda Golbeck, Vice President Academic Affairs, Board of Regents testified in favor of **HB2008**. Dr. Golbeck testified that there is a need for fees to be set at a level that will provide for a full-time professional position, cover more of the required oversight tasks and a need for the Board of Regents to be able to respond on an annual basis to changes in actual cost of providing oversight. (Attachment 1)

Dr. Amanda Golbeck, Vice President Academic Affairs, Board of Regents also testified in favor of **HB2009**. Dr. Golbeck testified that the current fee of \$7.00 for administering GED credentials does not cover the costs. **HB2009** will allow the board for the first time to charge for the time that staff members spend to verify that someone has passed the GED. It will allow increasing the maximum fee for issuing, duplicating or verifying GED credentials to \$15.00 and it will allow a change in fees to be made in June of each year to become effective July 1st of that year in coordination with fiscal year planning. (Attachment 2)

In discussion, it was brought to the attention of the Committee that both, **HB2008** and **HB2009** were pre-filed and reviewed by LEPC before being introduced.

Chairman Umbarger stated action would be taken on these bills at a later date.

Senator Vratil made a motion to accept the minutes of February 24<sup>th</sup> & 25<sup>th</sup>. Seconded by Senator Teichman. Motion carried.

Meeting adjourned at 2:10 p.m. The next meeting is scheduled for March 6, 2003 at 1:30 p.m. in Room 123-S.





# KANSAS BOARD OF REGENTS

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## Testimony in Support of HB 2008 Senate Education Committee

March 5, 2003

**Dr. Amanda Golbeck**  
Vice President for Academic Affairs

Good afternoon Chairman Umbarger and members of the committee. My name is Amanda Golbeck and I am the Vice President for Academic Affairs for the Kansas Board of Regents. I am here on behalf of the Kansas Board of Regents in support of HB 2008.

K.S.A. 72-4916 *et seq* grants the Board oversight of proprietary schools in Kansas. K.S.A. 72-4919 defines proprietary schools as “any business enterprise whether operated on a profit or not-for-profit basis, which:

- (1) Maintains a place of business within the state of Kansas, or solicits business within the state of Kansas;
- (2) is not specifically exempted by the provisions of this act; and
- (3) offers a course or courses of instruction or study through classroom contact or by correspondence, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical, or industrial occupation, except as hereinafter excluded.”

A proprietary school that wishes to operate in Kansas is required to submit to the Board of Regents a written application, a bond for the purpose of obtaining and maintaining records should the school close, and supporting documents to show that Kansas standards have been met. The standards of the proprietary school law encompass curriculum, qualifications of administration and teaching staff, record keeping for administration and teaching, and the financial well being of the institution. Board staff members conduct a review of the written application, bond, and supporting documents. A certificate of approval is issued only if the school meets Kansas standards.

A person who wishes to recruit students for proprietary schools operating in Kansas must be registered with the Board of Regents as a representative of the institution. Board staff members administer this registration system, which results in issuance of certificates of registration to such representatives.

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Proprietary school fees are set in statute. The statute directs that these fees should have limited purposes, which include the initiation and renewal of certificates of approval for proprietary schools, and the initiation and renewal of registration for representatives of proprietary schools. Currently, there is no authority to use any funding other than the revenue from fees to support the proprietary school oversight.

HB 2008 addresses three needs with respect to proprietary school fees.

First, there is a need for fees to be set at a level that will provide for a full-time professional position. Proprietary school fees set at the current level are sufficient only to support a half-time professional position. A full-time professional position is needed in order to provide thorough oversight of proprietary schools. A recent legislative post audit of proprietary schools also indicated the need to strengthen the Board's oversight of proprietary schools "...to provide better assurance that schools can meet their obligations to their students."

Second, there is a need for fees to cover more of the required oversight tasks. A task that staff must perform as they administer the Proprietary School Act is supplying copies of transcripts for students who attended a school that has closed. Currently this task does not have any fee set in statute. Fees need to be specifically set for the most time-consuming tasks.

Third, there is a need for the Board of Regents to be able to respond on an annual basis to changes in actual costs of providing oversight. Currently, any change in proprietary school fees would require that the statute be changed. Allowing the Board to set proprietary school fees over the coming years will allow the Board to be fiscally responsible by setting fees at a level necessary to cover actual costs. Further, the actions of the Board would be made with the advice and oversight of the Proprietary School Advisory Commission.

Thank you for the opportunity to comment. With me today is Dr. Patricia Anderson, Director of Proprietary Schools for the Kansas Board of Regents. Dr. Anderson and I will be happy to answer any questions you may have.



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## Testimony in Support of HB 2009 Senate Education Committee

March 5, 2003

### Dr. Amanda Golbeck Vice President for Academic Affairs

Good afternoon Mister Chairman and members of the committee. My name is Amanda Golbeck and I am the Vice President for Academic Affairs for the Kansas Board of Regents. I am here on behalf of the Kansas Board of Regents in support of HB 2009.

Under K.S.A. 72-4530, the Board of Regents is authorized to charge a fee for the issuance of GED credentials and for the duplication of GED credentials. The Board may charge at most \$10.00 for each of these services. Any fee change in a given year for these services must be authorized by the Board by July 1 of that year and will become effective on January 1 of the succeeding year. The statute reads, in part, as follows:

*Each application. . . for issuance or duplication of general educational development credentials shall be accompanied by a fee which shall be established by the state board of regents and shall be in an amount of not more than \$10. On . . . or before July 1 of each year . . . , the state board of regents shall determine the amount of revenue which will be required to properly administer the provisions of this section during the next ensuing fiscal year. . . Such fee shall become effective on the succeeding January 1 of each year . . .*

A significant amount of staff time is spent issuing and duplicating GED credentials. In addition, staff also verify to employers, postsecondary schools and other parties whether or not a person has earned the GED credential. Note that the statute just presented does not authorize the Board to charge a fee for the verification of GED credentials. In essence, this service is subsidized by GED recipients whether or not they use the service.

The Board currently charges \$7.00 for the services of issuing or duplicating a GED credential. This fee was set on July 1, 2002 and became effective January 1, 2003. We might note that GED revenue dropped significantly and unexpectedly in 2002. The magnitude of the loss was not apparent until after the July 1 deadline for establishing fees. As of now, \$7.00 does not cover the costs of properly administering the Kansas GED program (including issuance, duplication, and verification of GED credentials).

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Although the Board could increase the fee to \$10.00, according to statute, the increased fee could not be collected until January 1, 2004, at the earliest. Thus we are facing operating in a deficit mode during the 2003 calendar year.

HB 2009 makes three changes. It will allow the Board of Regents for the first time to charge for the time that staff members spend to verify that someone has passed the GED. Second, it will increase the maximum fee for issuing, duplicating or verifying GED credentials to \$15.00, thereby ensuring that the Board has the ability in future years to increase fees on an annual basis to cover actual costs.

The third change was introduced by the House Higher Education Committee. In their wisdom, the House Committee amended the Bill to be consistent with the rest of the budget development in our office. As amended, the Bill allows a change in fees to be made in June of each year and to become effective July 1 of that year in coordination with fiscal year planning.

Thank you for the opportunity to comment. With me today is Dr. Patricia Anderson, State Administrator of Kansas GED Testing. Dr. Anderson and I will be happy to answer any questions you may have.