

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 p.m. on January 14, 2004 in Room 231-N of the Capitol.

All members were present except: Representative Carl Krehbiel - excused
Representative Lee Tafanelli - excused

Committee staff present: Mary Galligan, Legislative Research
Debra Hollon, Legislative Research
Art Griggs, Revisor of Statutes
Susan Allen, Committee Secretary

Conferees appearing before the committee: Janice DeBauge, Chairperson, Kansas Board of Regents
Dr. Reginald L. Robinson, President & CEO,
Kansas Board of Regents
Dr. Ed. Berger, President,
Hutchinson County Community College
Dr. Camille Kluge,
President, Wichita Area Technical College
Dr. Robert Hemenway, Chancellor, University of Kansas

Others attending: See attached list.

The meeting was called to order by Representative Pottorff. No new bills were presented and Representative Pottorff called Janice DeBauge, the Chairperson of the Kansas Board of Regents, to speak.

Ms. DeBauge gave testimony on the progress toward seamlessness that has been achieved between Community Colleges and Universities in Kansas. Ms. DeBauge credited much of this progress to the establishment of "core competencies" that have been identified and upon which transferability of course work from one institution to another has been facilitated. Ms. DeBauge also acknowledged the addition of Technical Colleges into the post-secondary system through SB 7. Technical Colleges are now participants in the seamlessness system of transferability.

Ms. DeBauge acknowledged an increased coordination among the thirty six (36) Regents' institutions with the identification of specific institutional goals. Institutional funding will be tied to progress toward achieving these goals. Increasing fiscal accountability of all sectors will be studied by the Board this year.

Ms. DeBauge acknowledged that the Legislature previously granted increased administrative flexibility to the six Board of Regents Universities and improvements were achieved through the financing of the Crumbling Classroom Initiative. She suggested that the time is appropriate for a new initiative to address the deferred and future needs of the universities.

Lastly, Ms. DeBauge expressed the intention of the Board of Regents to fund the second part of the NORED study (Attachment 1).

Dr. Reginald Robinson, President and CEO of the Kansas Board of Regents spoke about funding for Adult Basic Education (ABE). Currently, the funding is received by local school districts and passed to the Technical College that administers the program. As SB 7, when fully implemented, provides for Technical Colleges to be independently governed, Mr. Robinson recommended legislation that would allow for the funding for ABE programs to go directly to the Technical College. In addition, Mr. Robinson pointed out that Technical Colleges do not have taxing authority in their areas of jurisdiction, as do Community Colleges.

CONTINUATION

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE at 3:30 p.m. on January 14, 2004 in Room 231-N of the Capitol.

Dr. Robinson recommended the Legislature grant the institutions full tuition ownership; this would require that the proviso in the appropriations bill that prohibits expenditures for capital improvements from General Fund fees be removed; and a bill be considered that would allow the interest earnings on tuition and fees accrue to the fund that generated the earnings.

Dr. Robinson suggested that appropriate fees be charged to private or foreign degree granting institutions for the administrative services provided by the Board of Regents.

He also stated the request authorization for Kansas State University to sell property to the KSU Foundation.

Finally, Dr. Robinson said that the Board of Regents embraces the aims of **HB 2145**, which passed the House but is presently pending in the Senate. This legislation regards the designation of students for in-state tuition at Kansas state universities (Attachment 2).

Dr. Ed Berger, Hutchinson County Community College, presented testimony concerning Community Colleges in the state. Dr. Berger stated that the enrollment at the nineteen (19) community colleges in Kansas has increased dramatically over the past four years, but that the goals of **SB 345** for funding had not been achieved. Dr. Berger also noted that compared with surrounding states, Kansas is second to last in its funding of Community Colleges (Attachment 3).

Dr. Camille Kluge, President of the Wichita Area Technical College, gave testimony concerning the funding of Technical Colleges in Kansas. She noted that the state post secondary funding formula is problematic for Technical Colleges in the state, and that tuition increases prohibit some students from attending school. She requested that post secondary technical education be included in the Board of Regents funding study. She also recommended changes to Kansas statutes regarding compulsory age of attendance in high schools, as the federal government is questioning the use of some Technical Schools' expenditures to train high school students.. Dr. Kluge listed the following areas of concern for Technical Colleges - human resource, legal issues, funding, facilities and accreditation - that would require statutory changes (Attachment 4).

The final conferee was Dr. Robert Hemenway, Chancellor of the University of Kansas. Dr. Hemenway addressed the issues specific to the University. He acknowledged the Governor's budget proposals for additional funding and the connection between higher education and economic development in the State. Dr. Hemenway pointed to certain management flexibility issues as significant problems for the university. He further cited certain statutory requirements, restricting provisos, lack of interest collected on tuition funds, and purchasing and printing restrictions, as problems for universities.

Dr. Hemenway cited the success of the Hospital Authority and suggested that legislators think about this model in relation to the university and the discipline of the free market. He mentioned the growing significance of the needs of facilities and maintenance and the need to protect the building assets. Dr. Hemenway urged the Legislature to continue to support research conducted at the University.

Representative Reitz acknowledged the work of the conferees and the responsibility of the elected officials to respond to the needs of education.

Representative Everett Johnson asked Dr. Berger about Course Equivalencies.

Representative Horst asked Dr. Kluge to comment on the flow of funding for Adult Basic Education.

The next meeting is scheduled for Wednesday, January 21, 2004 at 3:30 p.m. in Room 231-N.

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE 1/14

NAME	REPRESENTING
Jenni Roon	KACCT
Ted Kaltheft	Cloud County Comm Coll
Ed Berger	Hatchins - Com College / AVS
Ted White	Johnson County Comm/College/HOS
Kaye Wultz	Kansas City Kansas Community College
Sheila Fisher	KACCT
Jan Johnson	
Vivian L. Law	Dawson County Com College
Spencer Kinser	KACCT Cloud College
Camille Kluge	Wichita Area Tech College / Tech Schools
Doug Penner	KS Indep College Assoc.
Judy Shaw	KATSC
Richard Hoffman	Kaw Area Technical School
Marilyn Whit	KATSC
Uzzy Keffe	Hein Law Firm.
Bob Kelly	KICA
John Pinegar	Washburn university

KS Area
Colleges



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Remarks to House Higher Education Committee
January 14, 2004

Janice DeBauge, Chairman
Kansas Board of Regents

Good afternoon. We always look forward to meeting with the Higher Education Committee as we work together in the best interests of the 36 institutions of higher education. There are many items of progress that will be addressed today, as well as some challenges and opportunities ahead. President Robinson will discuss the implementation of SB345 and SB647 in more detail, but I would like to discuss the state of higher ed from the perspective of the board.

Seamlessness:

In 1999 you asked the Board of Regents to work on seamlessness. Today, that is virtually accomplished between the community colleges and the universities with numerous initiatives under this umbrella. A notable effort is a project titled "Core Competencies" which was undertaken by the academic officers in 1999. Literally hundreds of faculty members in every discipline have worked together to create core competency requirements so that transferability is much more predictable and quality is ensured. A faculty member at a university can rely on a transfer student having been taught specific prerequisite knowledge in lower division courses at a community college. The hours of collaboration that were necessary to reach these agreed upon core requirements is truly impressive. This project is virtually completed—and along with the numerous articulation agreements in place, we believe we have a very high level of transferability between the community colleges and the universities.

Last year you enacted SB7, another vital piece in the seamless system. This transition of technical colleges into a true postsecondary environment will enable increasing transferability and assist the technical colleges in meeting the challenges of providing an educated workforce in the 21st century. While this transition is not without problems, it is essential that these institutions be given the flexibility and funding to meet an ever-increasing need. Kansas is the last state in the union to make this transition, and one can logically infer that this lag has had a detrimental impact on the preparation of the Kansas workforce. We must stay the course to ensure a better coordinated technical education delivery. Two of the legislative initiatives that will be presented today relate to this change of status of the technical colleges.

House Higher Education Committee

Meeting Date: 1-14-04

Attachment No. 1

Coordination:

The past four years have been very productive in improving and increasing coordination. We now have formal entities with representatives of the four sectors that meet frequently to assist the board in creation of policy for all 36 institutions. Mission differentiation was addressed in the degree-granting definition policy. Program coordination is addressed in a new "program alert" system that has been implemented this year. ACCESS US, a system for delivery of upper division to place-bound students in western Kansas, was possible because of the coordination authority provided by SB345. These are only a few examples of the efforts undertaken to create a more coordinated system. We are fortunate to have strong commitment from institutional leadership to this fundamental principle and even though Kansas is a national leader and model in collaboration, we believe there are many opportunities for continued growth in this area.

Accountability:

The performance agreements have been described by some institutional representatives who are familiar with national performance measures as having the potential to be a national model. And they are another example of system collaboration. Representatives of all sectors and the board have been working for a year to create specific implementation of this performance funding initiative. Statewide goals were carefully identified based upon the State Comprehensive Plan, Measuring Up, the NORED report, Kansas Inc. Strategic Plan and other state assessment tools. Each institution will offer initiatives that align it with these statewide goals. The priority goal for the first year is increased collaboration and efficiency. Institutions will also offer initiatives that are more specific to individual mission, but those cannot conflict with the broader statewide goals. Increases in individual institution funding will be tied to progress toward these goals beginning in fiscal year '06.

In addition, the board is pursuing fiscal accountability related to the increased scrutiny of public entities that was initiated by the Sarbanes-Oxley legislation. The Fiscal Affairs committee is studying present practices in all sectors and will be making recommendations later in this fiscal year if it determines that changes are appropriate. While the federal legislation does not apply to non-profits, the board chose to be proactive on this issue.

Governed Institutions--Tuition Ownership/Efficiencies/Research:

The decision by the budget director and legislature to allow increased flexibility for the six universities has certainly been a timely decision in light of the economic downturn. The universities have actively pursued administrative relief in several areas and have had some success. One of the legislative items on the agenda today relates to this administrative relief. Health insurance continues to be a challenge that overwhelms the savings identified in other areas. We are committed to finding additional efficiencies and creatively looking at the way we do business, but it is important to note that the universities have operated for many years with lower administrative costs and lower total funding than their peers. Also, faculty morale is threatened when an environment provides increases which are much lower than cost-of-living while at the same time offering up attacks on academic freedom.

The increase of external funding related to research is also very impressive. The investment in the research bonds has great potential for additional increase. However, Kansas is playing catch-up in this area and we need to be vigilant in pursuing other opportunities. Again, Kansas

leads in collaboration—faculty and administration are creating a new initiative that will enable better coordination of research efforts and grant writing between all six institutions and we look forward to the implementation of this project.

The Crumbling Classroom Bonds made a huge difference on the campuses of the six universities. Those funds are now depleted and what was a \$300m deficit in deferred maintenance in 1999 now approaches \$700m. We must be creative in a new initiative in order to maintain the great state assets of our fine campuses.

Advocacy

The Board continues to seek communication of objective data and a grass-roots effort for support for higher ed. The Citizens for Higher Education employed two independent groups to provide information for policy-making and advocacy. The MGT organization (Austin, TX) has presented an updated version of the comparative funding levels of higher ed, and the Northstar group is finishing a study of the economic impact of higher ed on the state. The Board is appreciative of the efforts of the Citizens for Higher Education and looks forward to the increasing potential from this group. Also, the Academic Affairs committee is working with a consultant group to create a document entitled a "System Report" which will compile the results of the performance agreements. We believe this report will be helpful in reaching a wide audience.

Funding Study

Last, but certainly not least, is one of the highest priorities for the board this year—the completion of the second part of the NORED study. SB345 required the board to create a comprehensive plan for higher education. That plan called for two priority studies; mission and governance which resulted in the first NORED report, and a comprehensive study of funding including financial aid. The Kansas Health Foundation provided most of the funding for the first study. As another example of the commitment the 36 institutions have to this system, they have agreed to fund ½ of this second project. We hope to complete this extremely important piece before the '05 session. This system is challenged by the disparities in the historical funding models that vary from sector to sector and create quite different incentives for each sector. The placing of the four sectors under the umbrella of the Board of Regents has made these disparities even more glaring-- highlighting the need for rationalization of these models. Also, the state faces the increasing challenge of providing financial aid to an ever-growing group of individuals who are first generation attendees of higher education. All statistics point to the necessity of an educated workforce in the 21st century knowledge economy and Kansas ranks very low in providing aid to those who are most needy.

We have much work to do—much more to be proud of. The Board is energized for the coming session and looks forward to working with each of you.



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*House Higher Education Committee
January 14, 2004*

*Presentation of Legislative Initiatives and a Report on
the Higher Education Coordination Act (SB 345)*

*Testimony from
Reginald L. Robinson, President & CEO, Kansas Board of Regents*

KBOR LEGISLATIVE INITIATIVES – 2004 LEGISLATIVE SESSION

The following proposals are submitted as the Kansas Board of Regents legislative initiative package:

I. Senate Bill 7 (Technical College Governance) Follow-up

Funding for Adult Basic Education Programs

Currently, pursuant to KSA 72-4523, local school districts have the authority to receive this funding, which is then passed along to the technical colleges that administer ABE programs. That approach makes sense in an environment in which the local school boards govern the technical colleges. However, once Senate Bill 7 is fully implemented and the technical colleges are independently governed, the logic of passing this funding through the local school district governing boards loses its force. This legislative proposal would permit those technical colleges who administer such programs to receive the ABE funding directly, rather than through school district boards.

Taxing Authority for Technical Colleges

Once Senate Bill 7 is fully implemented and the six Technical Colleges are autonomous entities, funding sources are restricted to student tuition, Postsecondary aid, and Capital outlay aid. All other sectors of education (PK-12 and postsecondary/higher education) have access to mill levy either through school districts, taxing authority in their area of jurisdiction, or state level taxing authority through their governing body. During its consideration of Senate Bill 7 last session, the Senate Education Committee considered legislative language that would have provided this authority.

House Higher Education Committee

Meeting Date: 1/14/04

Attachment No.: 2

II. Full Tuition Ownership

Removal of Restrictive Appropriations Proviso on General Fees Fund

The appropriations bill for each University contains the following restrictive proviso on the General Fees fund: *That expenditures from the general fees fund may be made only for salaries and wages and for other operating expenditures, but shall not be made for capital improvements.*

With the Board of Regents now operating under a tuition ownership model, the proviso should be removed to give the campuses more flexibility in spending the tuition revenues.

Credit Interest Earnings to the Fund that Generated the Earnings (All Funds Except State General Funds)

The Universities governed by the Board of Regents have operated under a new budget model for two years. That model provides a State General Fund operating grant to each university, along with tuition ownership. Over the last two fiscal years, the Regents Universities have absorbed \$45 million in budget reductions and increased costs. The Universities have had to look to the students to pay a greater cost of their education in the form of increased tuition and other fees in order to meet the continued demand for a quality education in Kansas.

The Regents propose that the tuition ownership budget model be further expanded such that the interest earnings on the tuition and fees accrue to the fund that generated the earnings.

Given the increases the Universities are required to ask students and their families to absorb, it is only fair that the interest earned on those monies be credited back to the General Fees fund. All of the Higher Education institutions in the State earn interest on their tuition dollars except the six universities governed by the Regents. By crediting the interest on the General Fees fund back to the Universities, the Universities may be able to mitigate future tuition increases.

Several other funds should also accrue interest earnings as student fees and research dollars are deposited in these funds: Restricted Fees Funds (including student fee accounts), Research Overhead funds, Direct Medical Education funds, and many others.

This proposal will require specific statutory authority similar to the authority granted for the Student Housing funds at the University campuses.

Proposed bill language:

On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the funds listed below interest earnings based on:

- (1) the average daily balance of moneys in each fund for the preceding month; and*
- (2) the net earnings rate for the pooled money investment portfolio for the preceding month.*

For each state educational institution: all funds except State General Fund, Faculty of Distinction Fund, Loan Funds and Federal Grant Funds.

For all six state Universities, these funds would have earned \$2.7 million in FY 2003, with a corresponding reduction in revenue to the state's General Fund.

III. Fees for Private/Foreign Degree Granting Institutions

Many states are totally fee funded for administration of private and foreign degree granting authority, with fees ranging from \$1000 to \$5100. For many years the Kansas Board of Regents has provided administrative services to private degree granting institutions through its state funded budget. As the Board examines each possible way to use dollars more effectively, it seems appropriate that Kansas join many other states in the country where fees are charged to private and foreign institutions applying for degree granting authority.

At the same time, staff currently spends a great deal of time registering courses for schools offering less than 30 hours toward a degree in our state. The Board does not register courses for any public degree granting schools and other states do not register out-of-state courses. There does not seem to be any real purpose for keeping these courses listed in a database, or for expending the staff time to maintain it.

Revenue generated would support staff time in performing tasks related to awarding degree-granting authority.

IV. Authority to Sell Property to KSU Foundation

Kansas State University is seeking the authority to sell land that is approximately the southern half of the K-State Student Union parking lot. The current plan calls for the K-State Foundation to purchase the property at the appraised value and then construct a hotel to serve as an on-campus laboratory for students enrolled in programs such as hotel and restaurant management.

V. Undocumented Immigrants/In-State Tuition at State Universities

In April 2003, the Board unanimously endorsed the aims of House Bill 2145, which would, under conditions related to attendance of a Kansas high school and the receipt of either a Kansas issued high school diploma or Kansas issued GED, permit certain students to attend Kansas state Universities at an in-state tuition rate. This legislation passed the House in the 2003 Session, and is presently pending in the Senate. This item does not constitute a KBOR "legislative initiative" *per se*, but is included in light of the support the Board expressed for its aims in April.

HIGHER EDUCATION COORDINATING ACT (SB 345) IMPLEMENTATION

Building a Seamless System of Postsecondary Education

- Enactment of Senate Bill 7 – Integrating technical colleges more fully into the postsecondary family.

- Facilitating Transfer and Articulation – Moving away from a series of agreements to a comprehensive transfer and articulation policy.
- Western Kansas Access US Initiative – Delivering baccalaureate degree completion programs to place-bound students in the western part of our state.

Coordinating the Delivery of Postsecondary Education

- Making Sense of Higher Education Funding in Kansas – pursuing support to complete the higher education financing piece of the Northwest Research Education Center (NORED) study. The state’s 36 postsecondary institutions have committed to fund half of what is required to fund this study. We expect to acquire private/foundation support to support the other half.
- Review of service area policies is currently underway. In light of its post Higher Education Coordinating Act responsibilities, the Board determined that an examination of these policies, which have been in place many years and may continue to be justified, was in order.
- The Board has broadened its advisory council structure to ensure that representatives from all sectors have on-going and regularized opportunities to provide advice and input as the Board develops policy for the state’s postsecondary education system.
- Adopted New Program Alert System – Keeping us all on the same page as institutions advance proposals for new programs to respond to shifting demands. This alert system fosters system-wide collaboration, information sharing, and cross-sector communications.

Embracing the Challenge of Accountability

- Moving to implement Senate Bill 647 – Bringing “performance-based funding” to higher education in Kansas in the form of Performance Agreements.
 - Beginning FY 2005, each institution will negotiate a performance agreement with the Board. The degree of compliance with this agreement will determine the proportion of new funding available to the institution (beginning FY 2006).
 - Six statewide goals
 - A. Increase System Efficiency/Effectiveness/Seamlessness/Collaboration
 - B. Improve Learner Outcomes
 - C. Improve Workforce Development
 - D. Increase Targeted Participation/Access
 - E. Increase External Resources
 - F. Improve Community/Civic Engagement

- Each performance agreement will contain from three to six institutional goals – which must work to support at least three system goals. At least one institutional goal must support system goal A (system efficiency/effectiveness/seamlessness/collaboration).
- Institutional goals should be “stretch goals” that are consistent with the institution’s mission.
- Financial Accountability – The Board’s Fiscal Affairs and Audit Committee is leading the effort to explore current fiscal accountability practices across all sectors with an eye toward whether the federal Sarbanes/Oxley law outlines some “best practices” that should be adopted.
- Administrative Relief and Management Flexibility for the State Universities
 - Tuition Ownership/Financial Management
 - Working with the Department of Administration to achieve relief in the areas of printing, purchasing, and other administrative areas.



MEMO

**TO: Representative Tom Sloan, Chairman
House Higher Education Committee**
From: Sheila Frahm, Executive Director *Sheila Frahm*
Date: January 14, 2004
RE: Legislative Briefing – Kansas Community Colleges

Chairman Sloan and members of the House Higher Education Committee:

Thank you for the opportunity to participate, along with our colleagues, in a Higher Education briefing for your committee today.

Presenting on behalf of the 19 Kansas Community Colleges will be President Ed Berger, Hutchinson Community College. Dr. Berger is also Chairman of our Council of Presidents.

In addition to Association Staff, also in attendance will be Sandi Kinser, Trustee and Board Chairman at Cloud County Community College. Sandi also serves as Chairman of the KACCT Board.

Attached:

1. KACCT Brochure
2. PowerPoint: Kansas Community Colleges

Ed Berger

House Higher Education Committee

Meeting Date: 1/14/04

Attachment No.:

3



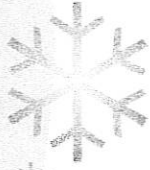
Kansas Community Colleges

Serving Nearly 200,000 Kansans with
Educational Excellence



KACCT VISION

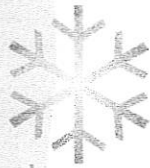
- Responsive, Affordable, Accessible and Quality Learning Opportunities.



Critical Components



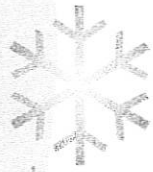
- Operate under the authority of locally elected boards of trustees and coordinated by Kansas Board of Regents
- Select, retain, compensate, or dismiss chief executive officer
- Set institutional budgets in response to the learning needs of the citizens being served



Critical Components



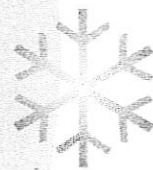
- Determine and approve institutional missions with emphasis on meeting community, area and regional needs to benefit entire state
- Maintain existing service areas which form a statewide network for citizen and student access
- Respond quickly and effectively to the training needs of area business and industry



Critical Components



- Provide education that is accessible to all Kansans at a cost that all citizens can afford
- Own and administer campus property



Senate Bill 345



- Community College coordination moved from State Board of Education to reconstituted Board of Regents
- County Out District Tuition phased out
- Funding to Community Colleges increased to 65 per cent of state support for the lower division enrollments
- Local tax relief a focus of increased state funding (eighty per cent of new money designated for tax relief)



State Funding

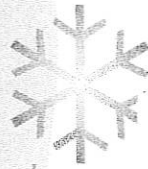
- Goal was 65 per cent of state contribution to lower division funding at regional universities
- Peaked at 55 per cent in the second year of a four year plan (\$85,174, 486)
- Currently at the same level as a reduced year three (\$80,960,018)
- To reach 65 per cent with current enrollment would be \$106,694,390
- 4.2 million dollars in Local Ad Valorem Tax Reduction State Revenue Lost

Institution	LAVTR Certified	LAVTR Received	% LAVTR Received	LAVTR LOSS
Allen County Community College	55,475	33,193	60%	22,282
Barton County Community College	192,873	80,672	42%	112,201
Butler County Community College	187,006	109,712	59%	77,294
Cloud County Community College	53,074	25,123	47%	27,951
Coffeyville Community College	133,020	69,282	52%	63,738
Colby Community College	52,169	25,728	49%	26,441
Cowley County Community College	121,428	70,720	58%	50,708
Dodge City Community College	156,156	72,866	47%	83,290
Fort Scott Community College	57,094	27,955	49%	29,139
Garden City Community College	242,022	91,460	38%	150,562
Highland Community College	39,049	19,619	50%	19,430
Hutchinson Community College	319,368	176,240	55%	143,128
Independence Community College	110,512	55,256	50%	55,256
Johnson County Community College	1,631,523	821,786	50%	809,737
KCK Community College	490,164	263,925	54%	226,239
Labette Community College	108,193	56,665	52%	51,528
Neosho County Community College	88,746	44,109	50%	44,637
Pratt Community College	70,326	36,570	52%	33,756
Seward County Community College	186,000	60,000	32%	126,000
Total	4,294,198	2,140,880	50%	2,153,318

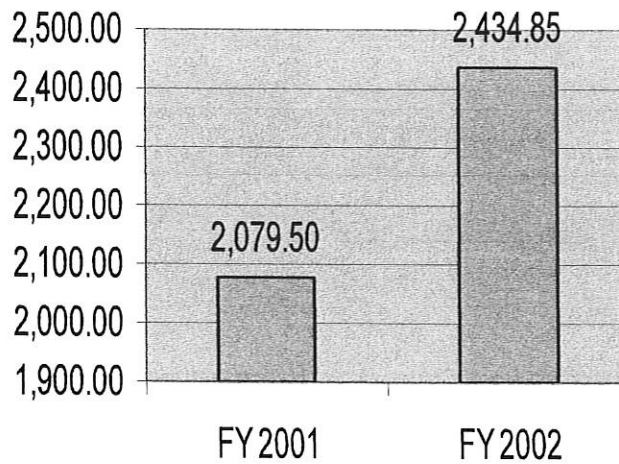


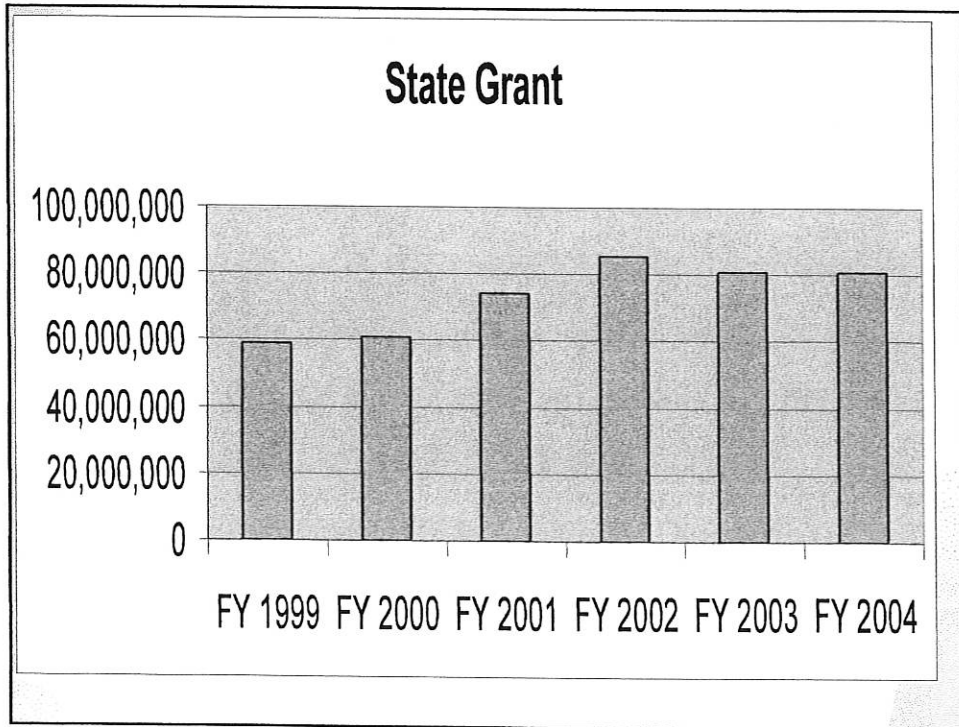
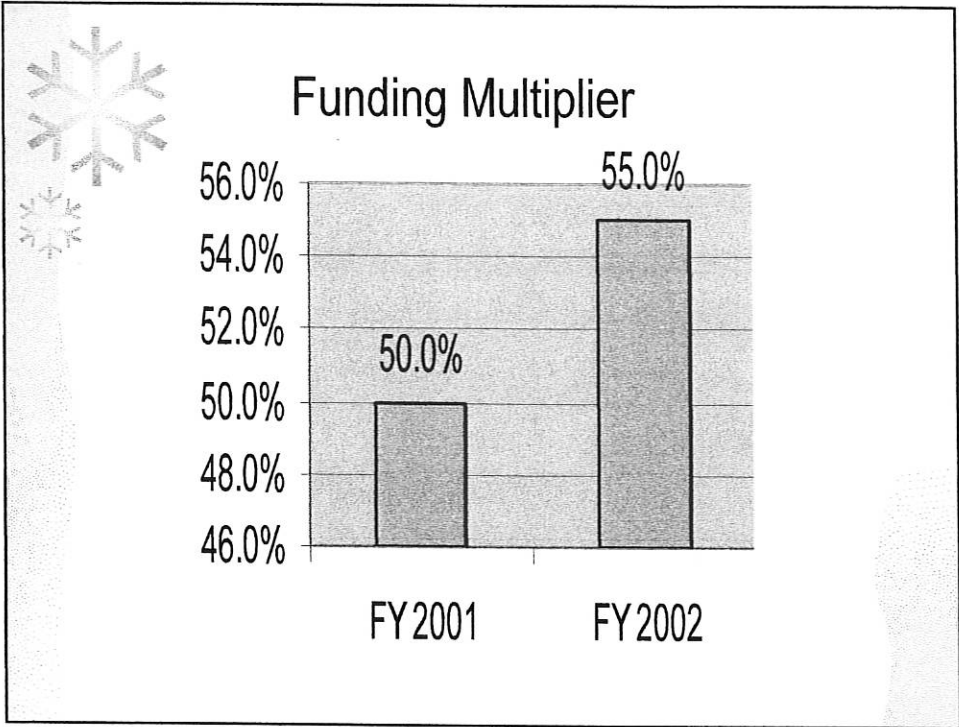
State Grant

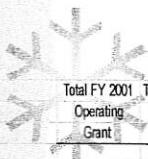
- \$60,935,280 fy2000
- \$73,673,854 fy2001 First Year of SB345
- \$85,174,486 fy2002 Second Year
- \$80,960,018 fy2003 Third Year
- \$80,960,018 fy2004 Fourth Year
- (FY 2001 and 2002 include 25 per cent buy down of county out district for each year)



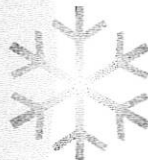
Regents Multiplier





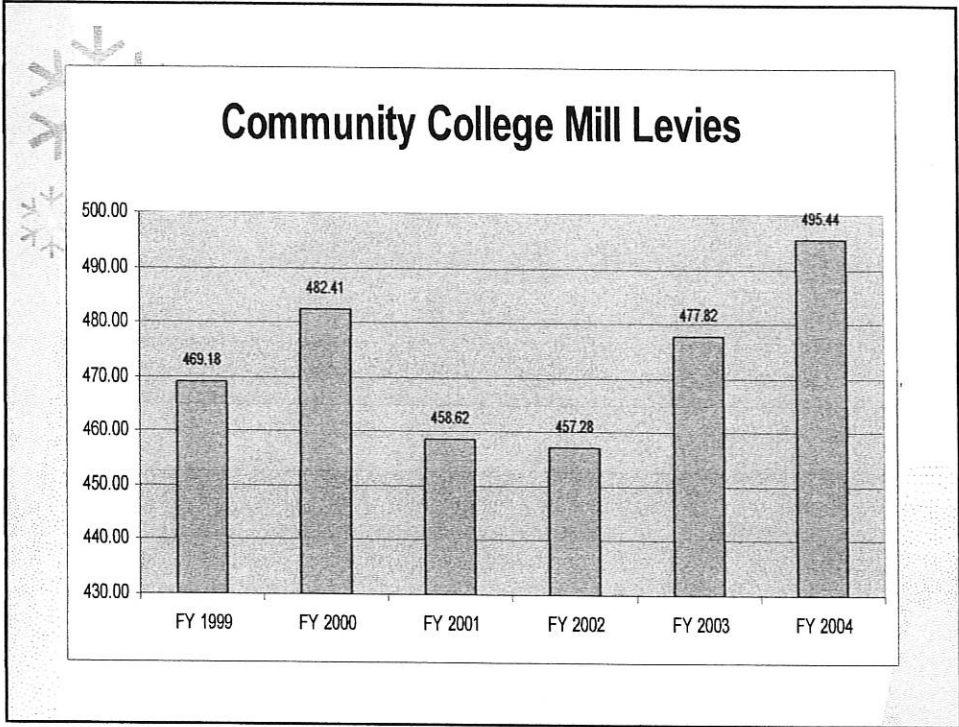


	Total FY 2001	Total FY 2002	01 - '02	01 - '02	Total FY 2003	02 - '03	02 - '03	Total FY 2004	03 - '04	03 - '04	01 - '04	01 - '04
	Operating Grant	Operating Grant	Dollar Change	Per cent Change	Operating Grant	Dollar Change	Per cent Change	Operating Grant	Dollar Change	Per cent Change	Dollar Change	Per cent Change
Allen Co.	2,640,072	3,056,515	416,443	15.77%	2,943,674	-112,841	-3.69%	3,242,006	298,332	10.13%	601,934	22.80%
Barton Co.	5,278,787	6,521,410	1,242,623	23.54%	5,972,544	-548,866	-8.42%	6,212,991	240,447	4.03%	934,204	17.70%
Butler Co.	9,208,823	10,696,173	1,487,350	16.15%	10,446,084	-250,090	-2.34%	11,843,409	1,397,326	13.38%	2,634,586	28.61%
Cloud Co.	3,626,677	3,955,183	328,506	9.06%	4,054,958	109,775	2.78%	3,835,416	-229,542	-5.65%	208,739	5.76%
Coffeyville	1,394,335	1,673,747	279,412	20.04%	1,453,536	-220,211	-13.16%	1,449,791	-3,745	-0.26%	55,456	3.98%
Colby	2,542,667	2,780,929	238,262	9.37%	2,744,607	-36,322	-1.31%	2,368,756	-375,851	-13.69%	-173,911	-6.84%
Cowley Co.	5,057,962	6,669,367	1,611,405	31.86%	6,574,286	-85,081	-1.43%	7,237,908	663,622	10.09%	2,179,946	43.10%
Dodge City	2,374,884	2,573,024	198,140	8.34%	2,200,395	-372,629	-14.46%	2,229,100	28,705	1.30%	-145,784	-6.14%
Fort Scott	2,485,921	2,720,546	234,625	9.44%	2,540,776	-179,770	-6.61%	2,882,486	341,710	13.45%	396,565	15.95%
Garden City	2,317,400	2,558,459	241,059	10.40%	2,615,747	57,288	2.24%	2,443,941	-171,806	-6.57%	126,541	5.46%
Highland	3,397,683	3,692,407	294,724	8.67%	3,168,969	-523,438	-14.18%	3,555,405	386,436	12.19%	157,722	4.64%
Hutchinson	4,863,395	5,564,959	701,564	14.43%	5,430,077	-134,881	-2.42%	4,789,548	-640,529	-11.80%	-73,847	-1.52%
Independence	1,352,570	1,475,403	122,833	9.08%	1,291,198	-184,206	-12.49%	1,343,526	52,328	4.05%	-9,044	-0.67%
Johnson Co.	15,291,344	17,456,183	2,164,839	14.16%	16,288,562	-1,167,621	-6.69%	15,242,664	-1,045,898	-6.42%	-48,680	-0.32%
Kansas City	5,239,982	5,782,513	542,531	10.35%	5,061,207	-721,307	-12.47%	5,019,268	-41,938	-0.83%	-220,714	-4.21%
Labette	2,134,007	2,593,406	459,399	21.53%	2,552,989	-40,417	-1.56%	2,159,327	-393,662	-15.42%	25,320	1.19%
Neosho Co.	1,673,634	1,829,049	155,415	9.29%	1,580,019	-249,030	-13.62%	1,653,416	73,397	4.65%	-20,218	-1.21%
Pratt	1,823,441	1,975,574	152,133	8.34%	2,212,194	236,621	11.98%	1,990,959	-221,235	-10.00%	167,518	9.19%
Seward Co.	1,383,334	1,599,638	216,304	15.64%	1,818,195	218,557	13.66%	1,458,251	-359,944	-19.80%	74,917	5.42%
Totals	74,086,918	85,174,486			80,960,018			80,958,169			6,871,251	9.27%
	74,086,918	85,174,486	11,087,568	14.97%	80,960,018	-4,214,468	-4.95%	80,958,169	-1,849	0.00%		



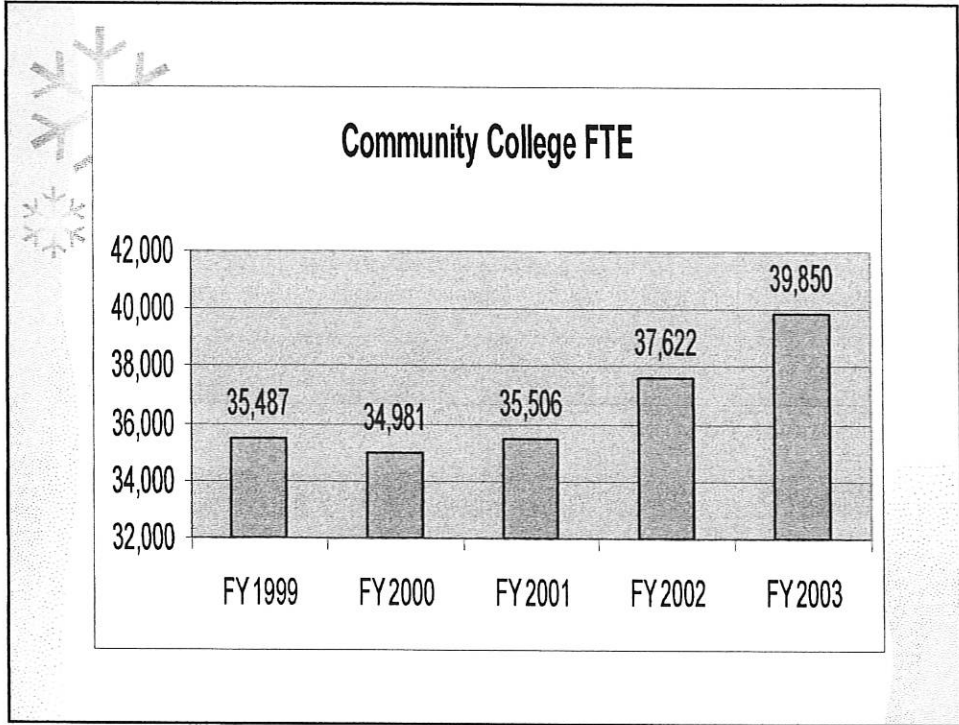
Mill Levy

- SB 345 originally designed to reduce local mill levies
- Mill levy was reduced in years one and two but increased dramatically in years three and four with frozen funding
- Local tax payers are now paying more to support colleges than before implementation of SB 345

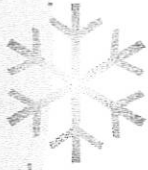


Enrollment

- Enrollment has increased dramatically over the past four years



	FY 2000 FTE	FY 2001 FTE	00-'01 Change in FTE	00-'01 % Change in FTE	FY 2002 FTE	01-'02 Change in FTE	01-'02 % Change in FTE	FY 2003 FTE	02-'03 Change in FTE	02-'03 % Change in FTE	00-'03 Change in FTE	00-'03 % Change in FTE
Allen Co.	1,172.70	1,211.77	39.07	3.33%	1,296.93	85.16	7.03%	1,472.03	175.10	13.50%	299.33	25.52%
Barton Co.	2,251.40	2,405.28	153.88	6.83%	2,539.73	134.45	5.59%	2,771.52	231.79	9.13%	520.12	23.10%
Butler Co.	3,993.88	4,129.20	135.32	3.39%	4,446.15	316.95	7.68%	5,137.28	691.13	15.54%	1,143.40	28.63%
Cloud Co.	1,480.57	1,275.15	-205.42	-13.87%	1,388.38	113.23	8.88%	1,467.37	78.99	5.69%	-13.20	-0.89%
Coffeyville	748.90	786.72	37.82	5.05%	803.43	16.71	2.12%	841.80	38.37	4.78%	92.90	12.40%
Colby	1,079.30	1,042.38	-36.92	-3.42%	1,110.78	68.40	6.56%	1,048.30	-62.48	-5.62%	-31.00	-2.87%
Cowley Co.	2,131.13	2,371.67	240.54	11.29%	2,652.60	280.93	11.85%	3,086.98	434.38	16.38%	955.85	44.85%
Dodge City	1,072.95	1,070.63	-2.32	-0.22%	1,062.73	-7.90	-0.74%	1,114.80	52.07	4.90%	41.85	3.90%
Fort Scott	1,092.00	1,090.30	-1.70	-0.16%	1,130.50	40.20	3.69%	1,277.57	147.07	13.01%	185.57	16.99%
Garden City	1,247.15	1,225.47	-21.68	-1.74%	1,323.97	98.50	8.04%	1,378.27	54.30	4.10%	131.12	10.51%
Highland	1,416.97	1,386.62	-30.35	-2.14%	1,385.13	-1.49	-0.11%	1,527.10	141.97	10.25%	110.13	7.77%
Hutchinson	2,148.77	2,211.50	62.73	2.92%	2,383.28	171.78	7.77%	2,434.35	51.07	2.14%	285.58	13.29%
Independence	732.13	624.35	-107.78	-14.72%	628.75	4.40	0.70%	668.92	40.17	6.39%	-63.21	-8.63%
Johnson Co.	8,157.23	8,384.87	227.64	2.79%	8,836.43	451.56	5.39%	9,180.90	344.47	3.90%	1,023.67	12.55%
Kansas City	2,820.27	2,832.40	12.13	0.43%	2,852.47	20.07	0.71%	2,958.33	105.86	3.71%	138.06	4.90%
Labette	1,119.98	1,184.65	64.67	5.77%	1,290.60	105.95	8.94%	1,176.95	-113.65	-8.81%	56.97	5.09%
Neosho Co.	817.73	795.30	-22.43	-2.74%	791.38	-3.92	-0.49%	840.12	48.74	6.16%	22.39	2.74%
Pratt	741.68	700.20	-41.48	-5.59%	798.68	98.48	14.06%	845.90	47.22	5.91%	104.22	14.05%
Seward Co.	756.67	777.40	20.73	2.74%	900.53	123.13	15.84%	876.40	-24.13	-2.68%	119.73	15.82%
Totals	34,981.41	35,505.86			37,622.45			40,104.89			5,123.48	14.65%
	34,981.41	35,505.86	524.45	1.50%	37,622.45	2,116.59	5.96%	40,104.89	2,482.44	6.60%	5,123.48	14.65%



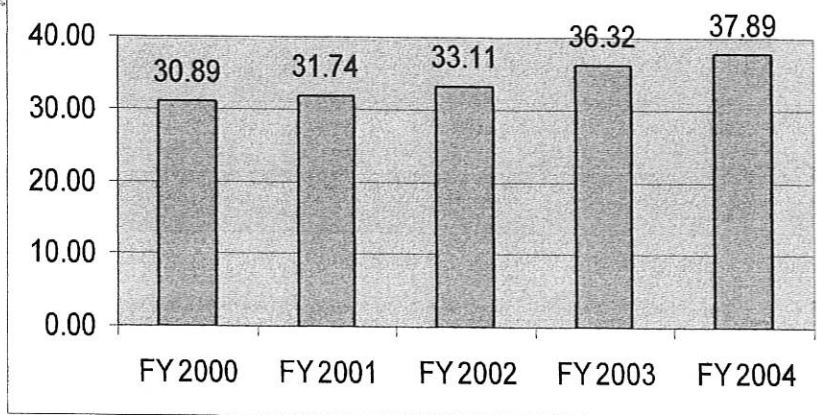
Tuition Increases



- Tuition alone has increased nearly 20 per cent since the inception of Senate Bill 345 (references only in district with some colleges charging a higher rate for out district)
- Fees have had a similar increase (the range and variety of fees make it difficult to include fees)



**Community College Average Tuition
In-State, In-District**

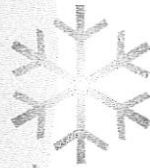




Funding Formula



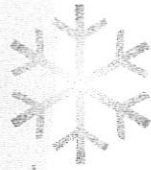
- Local Control
- Uniqueness of Each College
- Equity
- Extend Transition to 65 per cent funding
- Recognize Student Mix (in district and out district)
- Acknowledge and Encourage Enrollment Growth



Funding Formula



- Implement Quality Programming Through Performance Grants
- Separate Funding for Business/Industry Training
- Recognize High Cost Programs That Have Quality of Life Issues (Nursing and Fine Arts)
- Identify Community College Role in Economic Development



Funding Formula

- Establish Differential Funding for Developmental Programs
- Establish a Funding Stream for Crumbling Campuses

**KANSAS BOARD OF REGENTS
COMMUNITY COLLEGE OPERATING GRANT
STATEMENT OF BUDGETED OPERATING GRANT PAYMENTS FOR AUGUST 1 AND JANUARY 1
FY 2004**

	55% of Cost - First & Second Allocation					2434.85 80,958,169 80,958,169									
	1	2	3	4	5	6	7	8	9	10	11	12	13		
	FY 2003 Adjusted Op. Grant	FY 2003 FTE	FY 2004 Voc Adj. Phase In	FY 2004 Op. Grant Prorated	FY 2003 Prior Year Adjustment	Total FY 2004 Operating Grant	Op. Grant Difference (see note)	Less FY 2004 COT Phase-Dn 25%	Net Increase (Col 7-8)	Property Tax Relief (80%*Col 9-3) Net of Adj.	Amnt. For Add. Enhanc (20%*Col 9-3) Plus Adj.	FY 2004 Payments August 1 (60% of Col 3+ 4) + Col 5		January 1 60% of Col 6	
Allen Co.	3,081,281	1,472.03	13,039	3,065,490	163,477	3,242,006	298,332		298,332	228,235	70,098	1,702,742	1,539,264		
Barton Co.	6,096,617	2,771.52	55,006	6,065,372	92,613	6,212,991	240,447		240,447	148,353	92,094	3,152,802	3,060,189		
Butler Co.	11,060,788	5,137.28	69,681	11,004,103	769,625	11,843,409	1,397,326		1,397,326	1,062,116	335,210	6,306,517	5,536,892		
Cloud Co.	3,895,560	1,467.37	24,444	3,875,596	(64,624)	3,835,416	(229,542)		(229,542)	(203,189)	(26,353)	1,855,396	1,950,020		
Colleyville	1,477,549	841.80	17,141	1,469,977	(37,327)	1,448,791	(3,745)		(3,745)	(16,709)	12,964	706,232	743,559		
Colby	2,545,035	1,048.30	24,629	2,531,991	(187,864)	2,368,756	(375,851)		(375,851)	(320,384)	(55,467)	1,090,446	1,278,310		
Cowley Co.	6,754,680	3,066.98	0	6,720,063	517,845	7,237,908	663,622		663,622	530,897	132,724	3,877,877	3,360,031		
Dodge City	2,296,793	1,114.80	0	2,285,022	(55,922)	2,228,100	28,705		28,705	22,964	5,741	1,086,589	1,142,511		
Fort Scott	2,737,535	1,277.57	25,664	2,723,506	133,316	2,882,486	341,710		341,710	252,837	88,873	1,507,901	1,374,585		
Garden City	2,490,472	1,378.27	44,986	2,477,708	(78,753)	2,443,941	(171,806)		(171,806)	(173,434)	1,628	1,182,904	1,261,347		
Highland	3,474,758	1,527.10	10,607	3,456,950	87,848	3,555,405	386,436		386,436	300,663	85,773	1,821,627	1,733,778		
Hutchinson	5,079,699	2,434.35	0	5,053,666	(264,118)	4,789,548	(640,529)		(640,529)	(512,423)	(128,106)	2,262,715	2,528,833		
Independence	1,354,516	668.92	9,415	1,347,574	(13,463)	1,343,526	52,328		52,328	34,330	17,998	665,032	678,494		
Johnson Co.	15,866,955	9,180.90	0	15,785,639	(542,975)	15,242,664	(1,045,868)		(1,045,868)	(836,718)	(209,180)	7,349,845	7,892,819		
Kansas City	5,175,653	2,958.33	55,528	5,148,484	(184,744)	5,019,268	(41,938)		(41,938)	(77,973)	36,035	2,417,262	2,602,006		
Labette	2,315,653	1,176.95	26,192	2,303,785	(170,650)	2,159,327	(363,662)		(363,662)	(335,884)	(57,779)	994,339	1,164,988		
Neosho Co.	1,667,236	840.12	14,879	1,658,691	(20,154)	1,653,416	73,397		73,397	46,814	26,583	816,631	836,785		
Pratt	2,030,926	845.90	0	2,020,518	(29,559)	1,990,959	(221,235)		(221,235)	(176,988)	(44,247)	980,700	1,010,259		
Seward Co.	1,558,959	876.40	21,853	1,550,970	(114,572)	1,458,251	(359,944)		(359,944)	(305,438)	(54,506)	671,840	786,411		
Totals	80,960,018	40,104.89	413,064	80,545,105	0	80,958,169	(1,849)	0	-1,849	-331,930	330,081	40,479,088	40,478,081		

Note:
Column 7, Op. Grant Difference, is the difference between Column 6, Total FY 2004 Operating Grant, and Column 8 from the "3rd year payout" worksheet which is what was actually received in 2003.
Column 1 is operating grant as adjusted for actual FY 2003 changes in FTE and is used for prorating the FY 2004 Operating Grant.

**KANSAS BOARD OF REGENTS
COMMUNITY COLLEGE OPERATING GRANT
FISCAL YEAR-END ADJUSTMENT FOR CHANGE IN FTE FROM PRIOR FISCAL YEAR
FY 2003**

55% Funding
6/12/03

55% of Cost= 2434.85
Operating Grant @ FY 2000 FTE 80,960,018
First & Second Allocation 80,960,018
Operating Grant @ FY 2001 FTE 80,960,018
Appropriation 80,960,018

	1	2	3	4	5	6	7	8	9
	FY 2002 Total St. Aid	FY 2002 FTE	FY 2003 FTE	FY 2003 Voc Adj. Phase In	FY 2003 Op. Grant Allocation	FY 2003 FTE Increase	Adjust to Proposed Op. Grant	Total Adjustment Col 6+7 (Note)	FY 2003 Adjusted Op. Grant Col 4+5+8
Allen Co.	3,071,648	1,296.93	1,472.03	13,039	2,904,765	392,176	(228,699)	163,477	3,081,281
Barfon Co.	6,290,776	2,539.73	2,771.52	55,006	5,948,998	542,839	(450,326)	92,613	6,096,617
Butler Co.	10,808,720	4,446.15	5,137.28	69,681	10,221,482	1,588,874	(819,249)	769,625	11,060,786
Cloud Co.	4,161,853	1,388.38	1,467.37	24,444	3,935,740	223,919	(288,543)	(64,624)	3,895,560
Coffeyville	1,583,782	803.43	841.80	17,141	1,497,735	71,528	(108,855)	(37,327)	1,477,549
Colby	2,863,864	1,110.78	1,048.30	24,629	2,708,270	0	(187,864)	(187,864)	2,545,035
Cowley Co.	6,595,150	2,652.60	3,086.98	0	6,236,835	1,021,321	(503,476)	517,845	6,754,680
Dodge City	2,487,882	1,062.73	1,114.80	0	2,352,715	115,275	(171,197)	(55,922)	2,296,793
Fort Scott	2,726,696	1,130.50	1,277.57	25,664	2,578,555	335,452	(202,136)	133,316	2,737,535
Garden City	2,669,260	1,323.97	1,378.27	44,986	2,524,239	103,527	(182,280)	(78,753)	2,490,472
Highland	3,570,276	1,385.13	1,527.10	10,607	3,376,303	346,057	(258,209)	87,848	3,474,758
Hutchinson	5,650,826	2,383.28	2,434.35	0	5,343,817	114,510	(378,628)	(264,118)	5,079,699
Independence	1,436,616	628.75	668.92	9,415	1,358,564	86,797	(100,260)	(13,463)	1,354,516
Johnson Co.	17,352,702	8,836.43	9,180.90	0	16,409,830	639,707	(1,182,602)	(542,975)	15,866,955
Kansas City	5,608,956	2,852.47	2,958.33	55,528	5,304,221	196,849	(381,593)	(184,744)	5,175,005
Labette	2,601,448	1,290.60	1,176.95	26,192	2,460,111	0	(170,650)	(170,650)	2,315,653
Neosho Co.	1,768,599	791.38	840.12	14,879	1,672,511	103,008	(123,162)	(20,154)	1,667,236
Pratt	2,178,862	798.68	845.90	0	2,060,485	121,821	(151,380)	(29,559)	2,030,926
Seward Co.	1,746,569	900.53	876.40	21,853	1,651,678	0	(114,572)	(114,572)	1,558,959
Totals	85,174,486	37,622.45	40,104.89	413,064	80,546,954	6,003,760	(6,003,760)	0	80,960,018

Note: Adjustment amount will be added to or deducted from next August 1 Operating Grant payment.

Comparables

- Missouri- \$123,125,000
- Oklahoma- \$107,490,000
- Colorado- \$117,317,000
- Nebraska- \$62,377,000
- Iowa \$139,261,000
- Kansas \$80,958,000
- Chronicle of Higher Education/January 16, 2004

**TESTIMONY PRESENTED TO
THE HOUSE HIGHER EDUCATION COMMITTEE**

January 14, 2004

Chairman Sloan and members of the House Higher Education Committee:

Good afternoon. I am Camille Kluge, President of the Wichita Area Technical College. This year I am serving as the President of the Kansas Association of Technical Schools and Colleges and am appearing in that capacity today. The association has 16 member technical schools and colleges. Six colleges are moving toward independent governance as provided by SB 7 passed by the legislature last year. Four schools plan to stay affiliated with their local school districts, providing both secondary and post secondary course offerings and another six members are community colleges that offer additional technical courses.

Today, I would like to discuss three general areas of concern with you:

FUNDING: Our primary sources of funding, Post Secondary Aid and Capital Outlay, fail to keep pace with either inflation or the increase in demand for relevant technical training.

- The post secondary aid formula, our major source of state funding, is unresponsive to growth or demand. Over the past several years, the schools' operating budgets have been adjusted downward by Regents action before the 85% formula goal is applied. Then, as with many other state budgets, across the board reductions have been implemented. The result for the Wichita Area Technical College is postsecondary aid at 47% of our operating budget, a far cry from the 85% statutory goal.
- Legislation passed in recent years that allowed technical schools and colleges to increase tuition has been the major source of increased revenue for our institutions. While this was a welcome tool for all of us, higher tuition has limited the opportunity for some students to move forward with their educational plans.
- The Kansas Board of Regents budget includes a \$5.5M increase for the post secondary aid formula and the Governor included an additional \$1.0 M for technical education. While we asked the Board of Regents for \$11M to address both staff reductions in submitted operating budgets and across the board reductions over the past two to three years, the \$6.5M is a welcome response to our budgetary challenges. We ask for your support of this proposed funding.

Kluge
House Higher Education Committee

Meeting Date: 1/14/04

Attachment No.: 4

FEDERAL AUDIT CHALLENGE: A recent audit of one of our members, Kaw Area Technical School here in Topeka, has uncovered an unintended consequence of the Kansas statutory change in the compulsory education age from 16 to 18. Unknown at that time was a federal regulation, still in force today, that contains a definition of a “Post Secondary Institution” for federal student loan purposes. Kansas’ institutions are now considered “out of compliance” due to the fact that students of compulsory age for K-12 education are attending classes with post secondary students. Our member schools have granted student loans to post secondary students, even though they were not meeting this limiting component of the federal definition of a post secondary institution. A situation has been created that may require reimbursement of those student loan dollars granted during the period that we have been out of compliance. For Kaw Area Technical School, that amounts to three million dollars.

There are a few exceptions in Kansas’ law to the compulsory age requirement. Our suggestion would be to add appropriate language to this statute to bring us into compliance by removing the compulsory attendance law of those students below the age of 18 attending our institutions. We are currently attempting to secure language satisfactory to the U.S. Department of Education that could be added to the Kansas statute to bring us into compliance. Once received, we will bring that language to this committee for introduction and consideration.

SB7 CONCERNS: Our six technical college members are progressing toward independent governance, NCA accreditation and Board of Regents oversight at different paces. At this point, we have uncovered few issues that need statutory changes, but as the lawyers help us build transition plans, we may uncover specific issues that would need to be addressed. The transition plans need to address the following issues:

- Employee issues, including benefits and continuity of contracts
- Legal issues, including territories served, boards appointed or elected, powers of the board
- Funding, including possible property tax authority for operations or specific purposes such as ABE and capital outlay
- Facilities and asset transfer issues
- Cost of Transfer and Accreditation, both short-term (one-time) and ongoing

The Board of Regents is including as part of its legislative package the authority for Technical Colleges to impose a property tax to help solve funding issues. While we recognize that enabling legislation for general taxing authority may be unlikely at this time, we believe that an equitable funding package for the state’s technical colleges must be established. It should be noted that Community Colleges have both property tax authority and the ability to access funding through the credit hour funding mechanism.

As a first step, please consider passing the Adult Basic Education (ABE) taxing authority from school districts to the newly established technical colleges. Without a statutory change, the ABE dollars that are currently raised by this added taxing authority may not flow to the entity actually providing the course work. The Board of Regents has endorsed the necessary statutory changes to accomplish this end as part of its 2004 legislative package. I would encourage your support on behalf of our members.

In order to meet the challenges of SB7 we have encouraged the Kansas Board of Regents to include post secondary technical education in a proposed study of higher education funding and have asked, in addition, that a new funding formula, responsive to the technical education needs of our communities be prepared for your consideration during the 2005 legislative session. It is generally accepted that the workforce of tomorrow will require more employees with specific technical skills. Your Kansas technical schools and colleges want to be partners with the businesses in their communities by providing affordable technical education to meet those challenges. Therefore, we ask for your support as we move through these uncharted waters.

I would be happy to answer any questions you might have.

Office of Inspector General
U.S. Department of Education
Audit of Kaw Area Technical School – Topeka, Kansas
Audit Control Number: A07-D0026

PRELIMINARY FINDING POINT SHEET

FINDING:

Kaw Area Technical School (KATS) is not in compliance with the requirement that postsecondary vocational institutions participating in the Title IV Federal Student Aid programs must admit as regular students only individuals who have a high school certificate or its equivalent or are beyond the age of compulsory school attendance.

Condition:

Based on discussions with KATS officials and a review of hard-copy student files, we found that during our audit period, AY 2002-03, KATS enrolled high school students who were not above 18 years-of-age, which is the age of compulsory school attendance in Kansas. For our review of student files, we randomly selected 52 files from 3 programs, which, we had been informed, were popular, or fully enrolled (Auto Technology, Collision Repair, and Electricity, Heating, and Air Conditioning). We determined from our interviews and reviews that there were high school students under the age of compulsory school attendance enrolled in the same programs with the same instructors as were postsecondary students. We found from a review of data provided to us and from discussions with KATS officials that, during AY 2002-03, 46 percent of the students enrolled in KATS programs were high school students.

Criteria:

Part 600—Institutional Eligibility Under The Higher Education Act of 1965, As Amended

Subpart A, Section 600.6 Postsecondary vocational institution states, "(a) A postsecondary vocational institution is a public or private nonprofit educational institution that—(1) Is in a State; (2) Admits as regular students only persons who—(i) Have a high school diploma; (ii) Have the recognized equivalent of a high school diploma; or (iii) Are beyond the age of compulsory school attendance in the State in which the institution is physically located...."

Section 600.2 Definitions states, "Regular student: a person who is enrolled or accepted for enrollment at an institution for the purpose of obtaining a degree, certificate, or other recognized educational credential offered by that institution."

Office of Inspector General
U.S. Department of Education
Audit of Kaw Area Technical School – Topeka, Kansas
Audit Control Number: A07-D0026

Cause:

KATS officials informed us that they did not know that their enrollment of high school students was a violation of Title IV institutional eligibility requirements. They said that they did not understand why this had not been raised as an issue in the past.

Effect:

KATS has not been eligible to participate in the Title IV student aid programs during the periods in which it has been out of compliance with the provisions of 34 C.F.R. § 600.6 (a)(2). Its students were not eligible for Title IV aid during those periods and are currently not eligible for this aid.

Kansas Session Law No. 229
Chapter 229

HOUSE BILL No. 2900
(Amended by Chapter 242)

An Act concerning juveniles; amending K.S.A. 10-1208, 16-204, 20-302b, 20-1204a, 20-1204a, as amended by section 17 of this bill, 21-2511, 21-3413, 21-3611, 21-3612, 21-3826, 22-4701, 28-170, 28-170a, 28-172b, 38-1506, 38-1507, 38-1507b, 38-1508, 38-1522, 38-1562, 38-1569, 38-1601, 38-1604, 38-1605, 38-1609, 38-1610, 38-1613, 38-1614, 38-1617, 38-1617, as amended by section 56 of this bill, 38-1618, 38-1618, as amended by section 58 of this bill, 38-1622, 38-1624, 38-1624, as amended by section 61 of this bill, 38-1626, 38-1632, 38-1633, 38-1636, 38-1637, 38-1638, 38-1639, 38-1640, 38-1653, 38-1656, 38-1657, 38-1658, 38-1661, 38-1662, 38-1665, 38-1666, 38-1672, 38-1674, 38-1681, 38-1682, 38-1691, 38-16,111, 38-16,116, 38-16,117, 38-16,118, 38-16,119, 38-16,120, 39-713c, 39-1301, 39-1302, 39-1303, 39-1307, 40-1909, 60-460, 65-525, 65-1626, 72-978, 72-1111, 74-5344, 74-5363, 76-2101, 76-2101a, 76-2101b, 76-2111, 76-2112, 76-2125, 76-2128, 76-2201, 76-2201a, 76-2219 and 76-2220 and K.S.A. 1995 Supp. 8-237, 38-1502, 38-1528, 38-1602, 38-1602, as amended by section 40 of this bill, 38-1606a, 38-1607, 38-1607, as amended by section 45 of this bill, 38-1608, 38-1608, as amended by section 47 of this bill, 38-1611, 38-1616, 38-1616, as amended by section 54 of this bill, 38-1635, 38-1641, 38-1652, 38-1655, 38-1663, 38-1664, 38-1668, 38-1671, 38-1673, 38-1675, 38-1676, 38-1677, 38-1692, 38-1813, 39-708c, 40-19a10, 40-19b10, 40-19c09, 40-19d10, 41-727, 65-516, 72-962, 72-1113, 74-7335, 74-8810, 74-9501, 75-3765, 75-5206, 75-5220, 75-5229, 75-7001, 75-7002, 75-7008, 75-7009, 76-375, 76-381, 76-12a21 and 76-12a25 and repealing the existing sections; also repealing K.S.A. 38-1507a, 38-16,112, 75-3335, 75-3335a, 75-3336, 75-3336a, 76-12a18, 76-12a19, 76-25,1,8,9]2210 and 76-2211 and K.S.A. 1995 Supp. 76-12a20 and 76-12a21, as amended by section 138 of this bill.

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

Sec. 121. On and after July 1, 1997, K.S.A. 72-1111 is hereby amended to read as follows: 72-1111. (a) Subject to the other provisions of this section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of seven years and is under the age of 16-18 years and has not attained a high school diploma, shall require such child to attend continuously each school year (1) a public school for the duration of the school term provided for in K.S.A. 72-1106, and amendments thereto, or (2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located. *If the child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section. If the child is 16 or 17 years of age and is regularly enrolled in a program recognized by the local board of education as an approved alternative educational program, the child shall be exempt from the compulsory attendance requirements of this section.*

Education Statutes

Statute # 72-1111

Chapter 72:

SCHOOLS

Article 11:

SCHOOL ATTENDANCE, CURRICULUM AND ACCREDITATION

Title:

Compulsory school attendance; exemptions.

Text:

(a) Subject to the other provisions of this section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of seven years and is under the age of 18 years and has not attained a high school diploma or a general educational development (GED) credential, shall require such child to attend continuously each school year (1) a public school for the duration of the school term provided for in K.S.A. 72-1106, and amendments thereto, or (2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located. child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section.

(b) If the child is 16 or 17 years of age, the child shall be exempt from the compulsory attendance requirements of this section if (1) the child is regularly enrolled in a program recognized by the local board of education as an approved alternative educational program, or (2) the child and the parent or person acting as parent attend a final counseling session conducted by the school during which a disclaimer to encourage the child to remain in school or to pursue educational alternatives is presented to and signed by the child and the parent or person acting as parent. The disclaimer shall include information regarding the academic skills that the child has not yet achieved, the difference in future earning power between a high school graduate and a high school drop out, and a listing of educational alternatives that are available for the child.

(c) Any child who is under the age of seven years, but who is enrolled in school, is subject to the compulsory attendance requirements of this section. Any such child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall be exempt from the compulsory attendance requirements of this section until the child reaches the age of seven years or is re-enrolled in school.



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Cooperating Districts

USD 321	Kaw Valley
USD 335	North Jackson
USD 336	Holton
USD 337	Royal Valley
USD 338	Valley Falls
USD 339	Jefferson County North
USD 340	Jeff West
USD 341	Oskaloosa
USD 342	McLouth
USD 343	Perry
USD 345	Seaman
USD 372	Silver Lake
USD 434	Santa Fe Trail
USD 437	Auburn Washburn
USD 450	Shawnee Heights
USD 454	Burlingame
USD 501	Topeka