

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 p.m. on January 26, 2004 in Room 231-N of the Capitol.

All members were present.

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:

Mary D. Prewitt, General Counsel, Kansas Board of Regents
Dr. Robert Masters, Interim Vice President of Academic Affairs, Kansas Board of Regents

Others attending:

See Attached List.

The Chairman asked for the introduction of bills. There were none.

HB 2507 - Health care coverage for certain college faculty.

The Chairman opened the hearings on **HB 2507.**

Mary D. Prewitt, General Counsel, Kansas Board of Regents, gave testimony on the issues the Board found with providing health insurance coverage to "adjunct" employees. Ms. Prewitt pointed out that there is no definition of the "adjunct" in the bill and that the term varies from institution to institution. Ms. Prewitt discussed various administrative issues regarding the choice of health care plans available to the individual employees and the need to coordinate the many health care plans currently offered at the Regent's institutions. Ms. Prewitt pointed out that there will be fiscal costs associated with the implementation of the proposal (Attachment 1).

Questions were asked by Representatives Storm, Reitz, Horst and Neighbor concerning the determination of eligible employees and the added costs to the Regents' institutions for providing them health care benefits.

With no further questions, Chairman Sloan closed the hearing on **HB 2507.**

HB 2508: Concerning remedial coursework for high school graduates.

Chairman Sloan opened the hearing on **HB 2508.**

Dr. Robert Masters presented testimony outlining the educational function of Community Colleges. He noted that it is often necessary for Community Colleges to provide instruction in basic and remedial skills. Dr. Masters concluded that **HB 2508** provided for a much needed reimbursement plan to cover the excess costs of developmental education courses at Community Colleges (Attachment 2).

Representative Neighbor suggested that the word "developmental" replace "remedial" in the bill. She also commented that while the purpose was a good one, she was concerned that the necessary funding might not be available. Chairman Sloan asked about the success rate for students who enrolled in remedial course work. Dr. Masters felt that it was rather high, and that the students were placed in remedial courses based on the score they received on a pre-test. Dr. Masters noted that **HB 2508** would require a standardized testing at all Community Colleges prior to enrollment.

Representatives Storm, Horst and Huntington asked questions about the number and type of students enrolling in remedial courses. Representative Krehbiel asked Dr. Masters for a further explanation of the

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MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE at 3:30 p.m. on January 26, 2004 in Room 231-N of the Capitol.

higher costs of remedial courses in relation to regular courses. Mr. Dale Dennis, Kansas Board of Education, responded that after tuition, there is roughly a \$100 higher cost per credit hour for a developmental course. Representative Storm asked if the placement tests were specific for the intended course of study, and Dr. Masters replied that the placement tests were used to determine if a student is ready to take the basic required courses. Representative Hill asked Dr. Masters to provide (1) a compilation of the number of credit hours offered at each of the Community Colleges (2) a comparison between Kansas High School graduates versus Out-of-State students taking remedial courses, and (3) an accurate determination of the total costs of remedial courses.

There were no further questions and Chairman Sloan adjourned the meeting at 4:45 p.m. The next meeting is scheduled for Wednesday, January 28, 2004 at 3:30 p.m. in RM 231-N.



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. 2507
House Higher Education Committee

January 26, 2004

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 House Bill 2507 which proposes to provide health insurance coverage to certain adjunct faculty at “regents supervised institutions.” The Regents’ institutions have identified a number of issues with the bill which I will outline for you.

There is no definition of “adjunct” in the bill, therefore, determining to whom its benefits apply is difficult. In practice, the use of the term varies from institution to institution. For instance, at the University of Kansas, Lawrence campus, the “adjunct” title is given only to unpaid faculty members. At the KU Medical Center, however, the title is used both for unpaid faculty members and part time employees who are eligible for and receive health benefits. At some institutions, the title is used for employees who do not teach at all but provide other administrative service to the university. Various titles, including lecturer, instructor and, in some cases, Graduate Teaching Assistant, may apply to instructors who teach less than full academic loads and who may also teach at more than one institution.

Using the number of credit hours taught at multiple institutions to identify the eligible individuals, regardless of their title, is not possible under current personnel systems. Paid faculty members are generally not appointed on the basis of credit hours, rather they are appointed on a percentage of full time equivalent basis. The institutions covered by the bill do not have integrated databases of employees. Consequently, the only way to identify the individuals to whom this bill would apply would be by self-reporting. Verifying the number of credit hours taught by each individual would require a case-by-case inquiry at the departmental level of multiple institutions.

The definition of the institutions covered also leaves unclear whether the bill is intended to apply to Washburn. If it does not, there is no apparent reason for omitting that institution. Referencing the definitions in the Higher Education Coordination Act instead would provide consistency and clarity.

The bill would also require the coordination of potentially 30 different health insurance plans with different eligibility provisions. State employees who are appointed to a half time or greater permanent position are eligible for the state benefits package. The technic

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community colleges each arrange for their own benefits packages. Under the bill, the eligible individual is allowed to elect which health plan he or she wishes to enroll in. Since the individual may or may not be on the payroll of the institution whose health plan is chosen, a complicated administrative structure to process the payments associated with the plan would have to be created. In some cases, state institutions would be required to transfer funds to local governing bodies of the technical institutions and community colleges, if not directly to private contractors. In other cases, the reverse would be required. Assuming that eligible individuals would pick the best plan available to them, it is quite conceivable that they would be employed by and eligible for health benefits at one institution but chose to enroll in a more attractive and more expensive plan at another institution where they actually teach fewer hours and are not paid at all.

Challenges are also presented by the temporary nature of many adjunct faculty. Since they teach on a temporary, as needed, basis, they are frequently appointed for only a semester at a time. Under the state plan, for example, a sixty-day waiting period is required of new employees before they are health benefits eligible. This presents the possibility of the employee only being eligible for coverage sporadically and for only a few months at a time.

The bill also presents fiscal challenges. Based on preliminary review by the six state universities, it appears that in some cases, the proposal would generate additional unfunded expenditures for the state institutions to cover the costs of health insurance while, in other cases, it is possible that the legislation as written could actually result in the discontinuance of benefits to some part-time faculty who teach less than 7 credit hours. There are also currently unpredictable interactions with negotiated contracts at institutions with union represented faculty units. As the fiscal note to the bill indicates, the proposal would likely result in increased costs of benefits to the institutions covered. An additional, currently incalculable, cost would result from the administrative time necessary to carry out the proposal.

In summary, while the intent of the legislation may be laudable, the definitions of eligible individuals and covered institutions leave many unanswered questions. In addition, the administrative structure that would be needed to administer the bill does not currently exist and would necessarily be complicated and time-consuming at least to create. Finally, the costs associated with the proposal, although currently unclear, appear to be significant.

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



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

Testimony on HB 2508 House Higher Education Committee

January 26, 2004

Dr. Robert Masters Interim Vice President of Academic Affairs

Good afternoon Mister Chairman and members of the committee. My name is Robert Masters and I am the Interim Vice President of Academic Affairs for the Kansas Board of Regents. I am here on behalf of the Kansas Board of Regents on HB 2508.

General Overview

It is the mission of community colleges in Kansas to provide open and equal access to quality education programs and services at low cost to those who may benefit from services of the institutions. The specific educational function of the community college system is to provide access to:

- Courses and associate degree programs to prepare students to earn baccalaureate degrees at four-year colleges and universities.
- Courses, associate degree programs, certificates, and other technical education to prepare students for jobs.
- Courses, associate degree programs, certificates, and other technical training to prepare students to update their job skills, to advance in their jobs, or to retrain in new job fields.
- Courses, associate degree programs, and other instruction for the personal development and enrichment of students, including academic, cultural, civic, practical skills, and recreational programs.
- Instruction in basic and remedial skills to prepare students for the college's academic and technical programs, and to become productive citizens.

The above is just a sample of the specific educational functions of community colleges. However, it must be emphasized that the first four bullets cannot always be accomplished without success in bullet five. Virtually all Kansas community colleges are involved with some degree of developmental/remedial education. According to the Kansas Board of Regents Policy and Procedures Manual, "Developmental education includes courses in all fields of study that are designed to increase the likelihood of student success at the entry level of a certificate or degree

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program. Developmental Education programs include activities that address subject matter remediation, development of competencies, and change of attitudes toward learning.”

Developmental education significantly differs from traditional classroom education in the following ways:

- Classes are smaller (class size is 10 to 12 students)
- There is more one-on-one, face-to-face instruction
- There is a trend toward individualized student learning plans
- Developmental education is very intrusive in order to improve student retention
- Developmental education is very time consuming
- Frequently, there is required foundation building
- Developmental education involves strategies for college success and work ethic training
- Developmental education is costly to the institution

Though developmental (remedial) education is a specific educational function of a community college with oversight from the local board, it is frequently perceived as high cost and an inconvenience to the main thrust of the college (academic and technical education).

HB 2508 provides a vehicle for both promoting the initiatives of the No Child Left Behind program and the educational purposes of developmental education. HB 2508 provides a much needed reimbursement plan to cover the excess costs of developmental education at community colleges. In order for the community college to be eligible for reimbursement, students taking a developmental class must pass a KSDE/KBOR jointly designated competency examination applicable to the developmental class taken. The time frames and deadlines outlined in HB 2508 are very reasonable and achievable.

In summary, the current shortcomings associated with offering developmental (remedial) education in the community colleges could be mitigated with passage of HB 2508. However, sensitivity to the costs of administering HB 2508 must also be recognized.

Thank you for the opportunity to comment. I will be happy to answer any questions.