

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 p.m. on January 28, 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:

Robert Masters, Interim Vice President for Academic Affairs, Kansas Board of Regents
Sheila Frahm, Executive Director, Kansas Association of Community College Trustees
Steven Kearney, Kansas Association of Technical Schools and Colleges
Kenneth Clouse, Northwest Kansas Technical College
Reginald Robinson, President & CEO, Kansas Board of Regents
Mark Desetti, Kansas NEA

Others attending:

See Attached List.

The Chairman directed the Committee's attention to the minutes of January 12, January 14, and January 21 meetings.

Representative Neighbor made a motion to approve the minutes as written, seconded by Representative Storm. The motion carried.

Chairman Sloan directed the Committee's attention to a map, provided by Mary Galligan of Legislative Research, on which all of the public and private post-secondary institutions in Kansas were indicated. (Attachment 1).

HB 2509: Providing for focus on excellence centers.

Chairman Sloan opened the hearings on **HB 2509**.

Dr. Robert Masters, Kansas Board of Regents, presented testimony delineating the history of the review and consolidation of academic programs offered by State universities, noting that SB 345 includes the Community Colleges in an annual review of academic programs. Dr. Masters pointed out that **HB 2509** would identify and reward the exemplary programs at the Community Colleges and Technical Schools, and he expressed his concern about how this narrow focus would affect the ongoing quality improvement efforts. Dr. Masters also pointed to SB 647, which became law in 2002, which included a provision that would reward exceptional program performance (Attachment 2).

The second conferee, representing the Community Colleges, was Sheila Frahm, Kansas Association of Community Colleges. Ms. Frahm presented testimony demonstrating a number of "unique and exemplary programs" that are currently offered at Community Colleges in Kansas (Attachment 3).

Chairman Sloan commended the Community Colleges for their programs and asked if strides were being made to offer some of these programs statewide. Ms. Frahm responded that the funding was not available to provide the courses throughout the state, particularly for the higher cost programs such as the nursing programs. Chairman Sloan asked Dr. Masters what requirements existed for a program to be designated as a "Center for Excellence" at the six Regents' institutions. Dr. Masters responded that while specific criteria existed in the policy handbook at the Regents' universities, he was not aware of any such requirements at the Community Colleges.

CONTINUATION SHEET

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE at 3:30 p.m. on January 28, 2004 in Room 231-N of the Capitol.

Representative Huntington asked Dr. Masters if designating a program at a Community College as a "Center for Excellence" would be counter to the mission of a Community College. Dr. Masters responded that certain programs offered at a Community College, for example, the Railroad Engineering program at Johnson County Community College, would qualify as a "Center for Excellence" due to the uniqueness of their content, and the quality of their program. Representative Horst asked if a Community College program, having been designated as distinctive and exemplary, would compete with any programs offered at the university. Dr. Masters replied that he did not feel that it would. Ms. Frahm commented that she felt it would be part of the flow from the Community College to the University. Dr. Robinson responded that he felt it would be useful to pin down the definition of what a "Center for Excellence" should accomplish before expanding the designation to the Community College level.

There being no further questions, Chairman Sloan closed the hearings on **HB 2509** and asked for the introduction of bills.

Mr. Steven Kearney, Kansas Association of Technical Schools, requested the introduction of a bill to add language to the Kansas statute defining the compulsory education age; this would allow an exception for students, below the age of eighteen (18) years, who are attending a Technical School; thereby enabling Technical Schools to comply with Federal standards to receive Federal financial aid. This measure would bring the Technical School programs into compliance with the US Department of Education requirements (Attachment 4).

Representative Storm moved to introduce this bill, the motion was seconded by Representative Phelps. The motion carried.

HB 2510: Merger of community colleges and technical colleges.

Chairman Sloan opened the hearings on **HB 2510**.

Mr. Steven Kearney offered testimony on behalf of the members of the Kansas Association of Technical Schools and Colleges. Mr. Kearney discussed the types of institutions and the types of governance among those institutions. He indicated that two Senate Bills, **SB 7** and **SB 314**, establish the independence of the Technical Schools and provide for their corporate development. He expressed concern that because these are recent pieces of legislation, it may be premature to add another level of statutory change such as the ones proposed in **HB 2510** (Attachment 5).

Offering testimony as an opponent to **HB 2510** was Kenneth Clouse, President of the Northwest Kansas Technical College. Mr. Clouse testified that he felt the autonomy of the Technical Colleges was jeopardized by this bill. He pointed out that the missions of the Community Colleges were more comprehensive than the specific missions of the various Technical Colleges. Further he stated, that the mergers prescribed by the bill would not offer any savings or improved quality to the Technical Schools, but could result in the loss of the school's unique identity (Attachment 6).

Dr. Reginald Robinson, Kansas Board of Regents, offered testimony as an opponent of **HB 2510**. Dr. Robinson pointed out that current law already allows for the voluntary merger of Technical Schools' programs with Community Colleges subject to the approval of the Kansas Board of Regents; and that given the recent passage of **SB 7** and the lack of a comprehensive study of service areas, Dr. Robinson respectfully suggested that it is premature to add new initiatives at this time (Attachment 7).

Ms. Sheila Frahm presented testimony explaining the funding and taxing authority for Kansas Community Colleges (Attachment 8).

Mr. Mark Desetti, Kansas National Education Association, presented testimony in opposition to **HB 2510**. Mr. Desetti pointed to the recent and ongoing implementation of **SB 7** and asked that no further legislation be considered until **SB 7** is fully implemented (Attachment 9).

CONTINUATION SHEET

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE at 3:30 p.m. on January 28, 2004 in Room 231-N of the Capitol.

Chairman Sloan opened the floor to questions. Representative Huntington asked Ms. Frahm about payments from one county to another. Ms. Frahm clarified that the payments were going from the student's county to the Community College at which the first county's resident is enrolled.

Chairman Sloan appointed a Sub-Committee to study the Technical College Funding Policy and the Powers and Duties of Administrators and Trustees. He appointed Representative Reitz as the Sub-Committee chairperson, and Representative Pottorff and Representative Reardon as members.

There being no further questions, Chairman Sloan closed the hearing on **HB 2510**.

Chairman Sloan called for the Sub-Committee Report from Chairperson Huntington.

Representative Huntington moved to consider the replacement of **HB 2493** with **Substitute HB 2493** (Attachment 10). The motion was seconded by Representative Storm. The motion carried.

Representative Huntington presented the bill to the Committee. The bill consolidates existing provisions governing proprietary schools and private post secondary institutions and extends those provisions to certain private and foreign institutions. The Kansas Board of Regents would be responsible for administering institutional registration and certification requirements and will be allowed to charge a fee for those services. Representative Horst asked if the bill would address an out-of-state entity coming into the State and offering courses that had the potential of being transferred to a State degree-granting institution; and if the bill will require that the Regents to be aware of such entities regardless of the number of hours the entity offers. Ms. Pat Anderson, Kansas Board of Regents, answered that the bill would require that information be given to the Board regardless of the number of hours the out-of-state entity offered.

Representative Huntington moved that the Committee accept **Sub HB 2493**, the motion was seconded by Representative Neighbor. The motion carried.

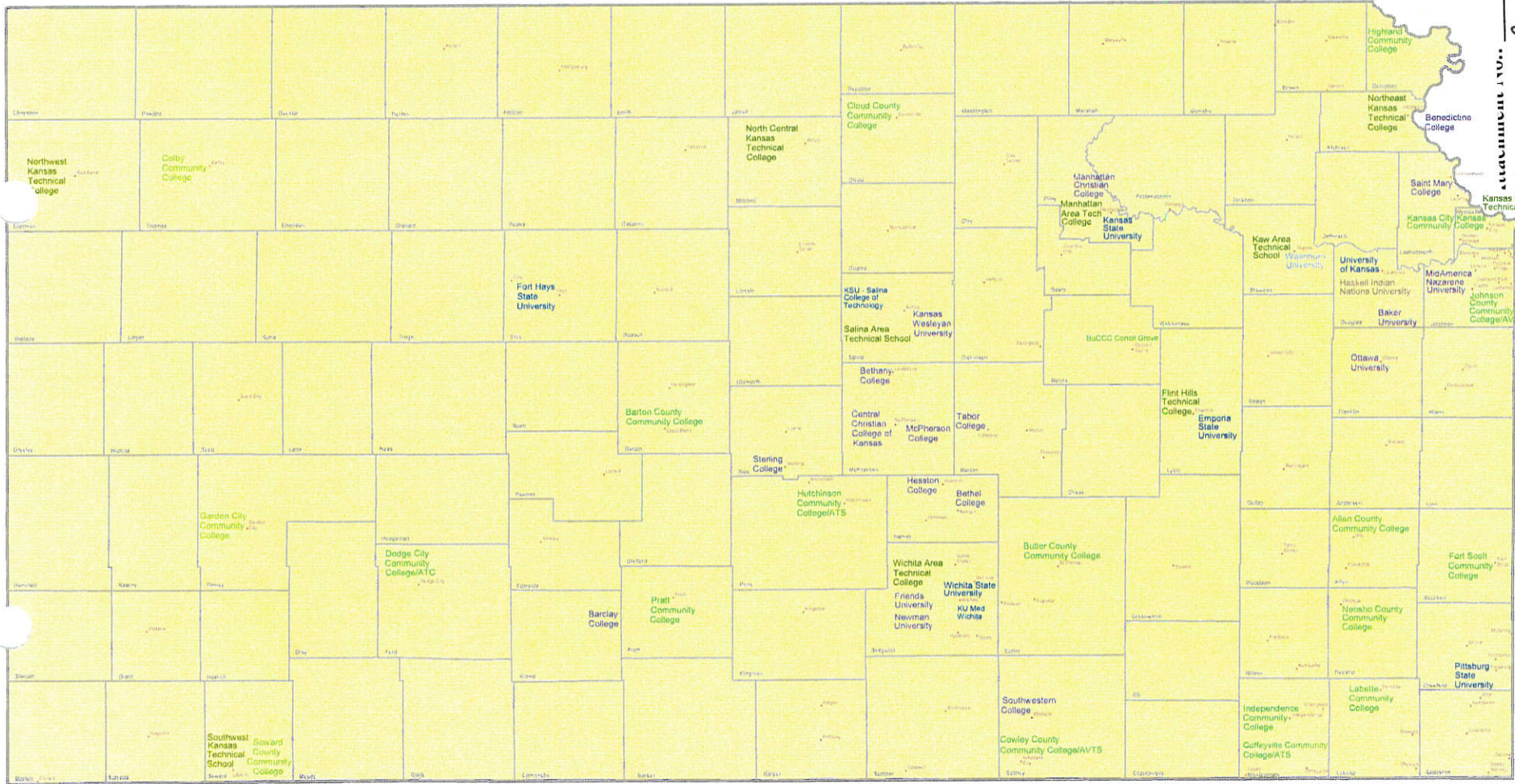
The meeting was adjourned by Chairperson Sloan at 5:40 p.m. The next meeting is scheduled for Monday, February 2, 2004 at 3:30 p.m. in RM 231-N.

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE JAN 28, 2004

NAME	REPRESENTING
Sheila Fisher	KA CT
Bill Ammon	Man. City Comm. College + Ks. Comm. College Wichita State Univ.
MARK DESOTTE	KNEYA
Ted White	Johnson County CC / KATSC
Juni Roe	KACCT
Charlotte Ith	Hein Law firm
K. H. (unclear)	NWKTC
Bob Martin	KBOR
Ron Wassel	legislative Intern
DAVID KATZ	DEPT. OF COMMERCE
Lindsay Campbell	Intern
Kevin Belt	KNEA
Mary Ellen Coles	Coles Consulting (WATC)
ERIC Sexton	WSU
Doug Penner	KICA
Duane Dunn	Manhattan Area Technical College
Doug Smith	Pinegar, Smith + Associates

Public and Private Postsecondary Education Institutions In Kansas*



Institutions of Higher Education

County	American Indian Univ.
15 Community College**	Municipal University
1 Private College	4 Regents University
10 Technical Col. and AVTS	9
9	15

Kansas Legislative Research Department, 1/22/2004



Attachment No. 1
 Legislative Research
 House Higher Education Committee
 Meeting Date: 1/28/04
 Attachment No.: 1



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Testimony on HB 2509 House Higher Education Committee

January 28, 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 currently serving as the Interim Vice President of Academic Affairs for the Kansas Board of Regents. I am here on behalf of the Kansas Board of Regents to comment on HB 2509.

General Overview

Between 1982 and 1992, the Kansas Board of Regents and state universities conducted two major reviews of every academic degree program offered by state universities. These reviews resulted in the modification, merger, or discontinuance of over 300 programs with documented savings or reinvestment of nearly \$20 million up through FY 1998. In 1997, the Kansas Board of Regents initiated a new system of program review to ensure that all state university degree programs be evaluated at least once every eight years. There are approximately 750 university degree programs. The purpose of Program Review is to improve quality and reduce costs.

Since the passage of SB 345, the Higher Education Coordination Act, all coordinated institutions have prepared and submitted an annual Institutional Performance report to the Kansas Board of Regents. This process has prompted, among other initiatives, the community colleges to develop institutional effectiveness plans, which include review of academic programs. In addition, all community colleges conduct program reviews as a requirement of the Higher Learning Commission of North Central Association (HLC/NCA) accreditation. There are approximately 500 community college degree programs. The community college academic program reviews are reported to their individual Board of Trustees.

December 2002, the Kansas Board of Regents adopted policy requiring all public degree-granting institutions to be accredited by the HLC/NCA. The Higher Learning Commission requires universal standard of academic quality for postsecondary institutions. HLC/NCA is yet another “focus on quality” effort.

Obviously, the overriding goal is to bring all Kansas postsecondary academic programs to a standard of quality that meet or exceed the expectations of the citizens. Quality, however, can be an elusive term because of the difficulty in arriving at agreed upon measures. Ideally, the desire

House Higher Education Committee

Meeting Date: 1-28-04

Attachment No.: 2

is to have all Kansas educational programs **above average**, similar to Garrison Keillor's fictional children of Lake Wobegon, MN. Statistically, that is impossible.

HB 2509 offers a mechanism to identify and reward exemplary educational programs within the community and technical colleges. It directs the Kansas Board of Regents to periodically assess educational programs based upon:

- Programs that are unique to the state or region and serve a specific need
- Programs that serve a particular need in a geographic area within the state in an exemplary manner
- Programs that address an emerging or developing technical or occupational area
- Programs that in a unique or exemplary manner address a demand for a trained workforce in a specific vocation or occupation with statewide impact
- Programs that reach beyond the host institution to other institutions or parts of the state

HB 2509 is designed to focus on educational programs that provide Kansas students unique or exemplary educational program opportunities. This is an admirable goal. However, "total quality" literature discourages expending scarce resources on the top and/or bottom ten percent of programs. Scarce resources should be fully focused upon continuous quality improvement of the middle eighty percent. Yes, identify and understand what makes the top ten percent outstanding or the bottom ten percent a failure, but use this information and resources to improve the quality of the middle majority. Overall, the total system improves in quality and excellence.

Frequently, identifying and rewarding only the top ten percent becomes a lottery. With time and patience, a favorite program will eventually rise to the top. In addition, "total quality" literature indicates a program could not statistically qualify for excellence until it has achieved and maintained the criteria for excellence for at least seven continuous cycles.

Therefore, the Kansas Board of Regents has concern with the impact HB 2509 may have on the continuous quality improvement efforts of the system while narrowly focusing upon a select few programs.

HB 2509 does identify programs that address emerging or developing technical or occupational areas, and programs that address a demand for a trained workforce in a specific vocation or occupation with statewide impact. Truly, there is a need to fund innovation and creativity in these areas of workforce training and development. Funding to support emerging and developing technical programs is critical to economic development and workforce training in Kansas. Technical and community college programs play an important role in these areas.

In summary, while HB 2509's intentions are positive, initiatives are already underway to meet these goals. The Kansas Board of Regents has already undertaken steps to review academic programs and identify those that need continuous improvement. Also, due to SB 647, which was signed into law in 2002, the Kansas Board of Regents adopted policy provisions that reward exceptional program performance.

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



KANSAS ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

700 SW Jackson, Suite 401 • Topeka, KS 66603-3757 • 785-357-5156 • FAX 785-357-5157
Sheila Frahm, Executive Director • E-mail: frahmkacct@cjnetworks.com

MEMO

TO: Rep. Tom Sloan

From: Sheila Frahm, Executive Director

Date: January 28, 2004

RE: HB 2509

Mr. Chairman and Members of the House Higher Education Committee:

FYI, Higher Education excerpts from White House Press release following President's *State of the Union* Address:

... "According to the Bureau of Labor Statistics 80% of the fastest-growing jobs in the United States require some sort of higher education after high school, & many of these jobs require a strong foundation in math & science. Because they are so adaptable & accessible, community colleges are increasingly critical providers of job training ...

... A recent report by the National Center for Educational Statistics found that 42% of entering freshmen at public 2-year colleges and 20% of entering freshmen at 4-year public institutions enrolled in at least one remedial (developmental) course in 2000.

President wants to expand access to post secondary education for low-income students ... he wants to foster a new generation of job training partnerships between community colleges and the employers in industries with the most demand for skilled workers.

...the President proposes \$250 million in 2005 to strengthen the role of community colleges in workforce development."

For your review of "unique and exemplary programs", I have asked for input via the Chief Academic Officers of the Kansas Community Colleges (master listing attached). These are unique classes and programs – beyond general education offered at all colleges – that have been developed to meet the specific needs of area students, local business and industry or community demands. Many are available through on-line instruction. These have been identified & filed by college (and technical school/college) and will be available for review in the Chairman's office after today's hearing.

Additionally, Dr. Kaye Walter, VP for Academic Services KSKSCC, has provided a copy of the Kansas Core Outcomes Project for each member of the committee. While attending your recent committee hearing, she noted you discussed "core outcomes and competencies/transfer and articulation". This project was initiated by the KS Council of Instructional Administrators, a group comprised of the chief academic officers of the state's community colleges and vocational-technical schools/colleges. The ACCOMPLISHED goal of this project was to develop core outcomes and competencies for general education at the state's colleges and universities.

House Higher Education Committee

Meeting Date: 1-28-04

Attachment No.: 3

A SAMPLING

KANSAS COMMUNITY COLLEGE – “UNIQUE AND EXEMPLARY” PROGRAMS

ALLEN COUNTY CC

1. WILD – Weekend Intensive Learning Degree
2. Allied Health
3. Property and Casualty Insurance

BARTON COUNTY CC

1. KSU/Barton Co CC Partnership in Dietetics
2. Nat. Assoc. of Corrosion Engineers Annual Conference
3. CHN Global Partnership – CASE IH & New Holland training
4. Pension Management – Bus. Mgmt & Leadership Program
5. Building Academic Skills in Correctional Settings

BUTLER COUNTY CC

1. Massage Therapy
2. Leadership Training
3. Early Childhood Associate Apprenticeship

CLOUD COUNTY CC

1. Wind Energy Program
2. Administration of Justice

COFFEYVILLE CC

1. Emergency Medical Technology/Paramedic

COWLEY COUNTY CC

1. Aviation Tech Center – Non-destructive testing program

EDU KAN

1. Six colleges online

FORT SCOTT

1. Truck Driving School
2. Restorative Technology
3. Ag Technician
4. Environmental Technology (utilities management, non-point source pollution, rural/urban planning)

GARDEN CITY CC

1. John Deere Ag Tech
2. Industrial Ammonia Refrigeration Operator Training
3. Criminal Justice

HUTCHINSON CC

1. Fire Science – Wildland and Municipal
2. Agriculture Diesel Mechanic Technology
3. Farm and Ranch Management
4. Building Trades Technology
5. Manufacturing Engineering Technology
6. Allied Health
 - a. Health Information Technology
 - b. Radiological Technology Program
 - c. Surgical Technology

INDEPENDENCE CC

1. William Inge Center for the Arts-Professional Playwriting Certificate
2. “The Pirate Cove Academy” – Federal Congressional Grant for Day Care

JOHNSON COUNTY CC

1. Distance Learning Information/Opportunities
2. Early Childhood Education
3. Power Plant Technology
4. Railroad Operations
5. Biotechnology
6. "Keeping Options Open" High School Partnerships
7. "On Your Site" Credit Courses
8. League of Innovation Learning College Project

KANSAS CITY KS CC

1. Mortuary Science
2. Language and Culture Institute
3. K-12 Partnership
4. Online education
5. Audio Engineering
6. Fire Science
7. Respiratory Therapy

LABETTE CC

1. Commercial Music
 - a. Audio Degree
 - b. Performance Degree

PRATT CC

1. Electrical Power Technology (and online)
2. Agricultural Power Technology

SEWARD CC

1. Cosmetology/Nails Technologists
2. Medical Laboratory Technician

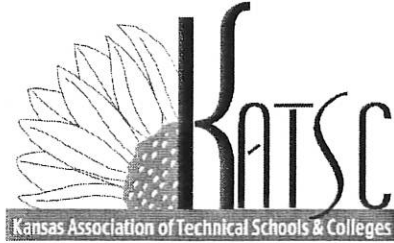
SOUTHWEST TECHNICAL SCHOOL

1. ITV classes
 - a. Auto mechanics
 - b. CAD drafting

WICHITA TECHNICAL COLLEGE

1. Commercial Driver Education
2. Geriatric Aide

Contact: Sheila Frahm, 785-357-5156
Kansas Community Association of Community College Trustees
February 28, 2004



Chairman Sloan and members of the House Higher Education Committee:

For the record my name is Steve Kearney and I am appearing here today on behalf of the members of the Kansas Association of Technical Schools and Colleges and requesting introduction of a bill.

We have previously brought to your attention that a recent audit of one of our members has uncovered an unintended consequence of Kansas' change in the compulsory education age from 16 to 18. Unknown at that time was a Federal Regulation still in force today that contains the definition of a Post Secondary Institution for federal student loan purposes. The change in Kansas' law put Kansas' institutions out of compliance, unbeknownst to anyone, due to the fact that students of compulsory age were attending classes with post secondary students. For our members and others, not meeting the Federal definition of a post secondary institution while granting student loans to our post secondary students, has created a situation that will require the reimbursement of those dollars granted during the period we have been and continue to be out of compliance to the US Dept of Ed. In just one institutions case, 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 law application to those students attending our institutions below the age of 18. We are currently attempting to secure language satisfactory to the US Dept of Education that could be added to the Kansas statute bringing us into compliance. We would request introduction of a measure that would create an exception for our programs that will bring us into compliance with the US Dept of Education.

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.

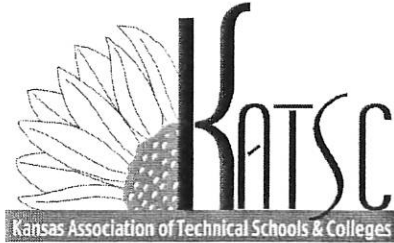
(c) Any child who is under the age of seven years, but who is enrolled in school, is subject to the compulsory attendance requirements of this section. Any such child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall 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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USD 336	Holton
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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



Chairman Sloan and members of the House Higher Education Committee:

For the record my name is Steve Kearney and I am appearing here today on behalf of the members of the Kansas Association of Technical Schools and Colleges regarding the provisions in House Bill 2510.

The Kansas Association is comprised of three types of institutions, 1) Technical Colleges, (2) Technical Schools and (3) Technical Schools merged with Community Colleges. Of these three types there are currently three forms of governance, 1) Type I – affiliated with and under the direction of a local school board, 2) Type II – governed by an independent board, and 3) under the direction of a community college in the case of the merged institutions. All of these institutions are subject to the coordination, not supervision or governance by the Kansas Board of Regents.

With that background the following are some thoughts of our members regarding HB 2510:

- The statutory authorization already exists for Technical Schools and Community Colleges to merge as evidenced by several of our members.
- The bill addresses only Technical Colleges – does it impact the current statutory scheme regarding mergers between Technical Schools and Community Colleges or impact Technical Schools in any other fashion?
- For our Technical College members already in pursuit of NCA accreditation pursuant to a Board of Regents policy – would this legislation delay that process?
- With service areas currently under discussion by the BOR is it premature to get legislatively involved in that discussion when solutions are being sought?

I would remind the Committee that our Technical Colleges, once their independence is established from their local school boards pursuant to last years Senate Bill 7, will be the only public providers of post secondary education with no access to taxing authority. Additionally, Senate bill 314 introduced this year in the Senate, contains several provisions that appear to aid our Technical College members in their corporate development. Should a measure regarding Technical Colleges get worked by this committee, I would respectfully request consideration of these topics for debate.

Thank you for your continued interest in our membership.

SENATE BILL No. 314

By Committee on Education

1-20

AN ACT concerning technical colleges; relating to the powers and duties of the governing bodies thereof; amending K.S.A. 2003 Supp. 72-4470a and repealing the existing section.

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

Section 1. K.S.A. 2003 Supp. 72-4470a is hereby amended to read as follows: 72-4470a. (a) On or before July 1, 2005, all technical college boards shall develop and present to the state board of regents a plan to replace the governing body described in K.S.A. 72-4470, and amendments thereto, with a new governing board, which shall be separate and independent of any board of education of any school district, to operate, control and manage the technical college. The plan shall include, but not be limited to, provisions relating to:

- (1) The composition of the independent governing board;
- (2) the territory of the technical college. If the territory of the technical college includes more than one county, the plan shall designate a home county;
- (3) the method of election or appointment and the terms of service of the members of the independent governing board;
- (4) the date upon which the independent governing board shall assume management and control of the technical college;
- (5) the manner, terms upon which and extent to which the facilities, will be transferred to the independent governing board and the division of other assets and indebtedness and other liabilities; and
- (6) the manner and terms upon which faculty, employees and students will be transferred to the independent governing board. Subject to the provisions of K.S.A. 2003 Supp. 72-4478, and amendments thereto, such provisions shall specify terms of employment and address other personnel matters.

(b) (1) Upon approval of the plan by the state board of regents and the governing body of the technical college which submitted the plan, and on the date determined in the approved plan, the independent governing board established under subsection (a) of this section shall operate subject to the rules, regulations and supervision of the state board of regents in the same manner as other technical colleges, technical schools

1 and area vocational technical schools.

2 (2) After June 30, 2007, if the governing body of the technical college
3 and the state board of regents have not approved a plan submitted pur-
4 suant to subsection (a), the state board of regents shall have the power
5 to approve the plan and upon such approval and on the date determined
6 in the approved plan, the independent governing board established pur-
7 suant to subsection (a) shall operate subject to the rules, regulations and
8 supervision of the state board of regents in the same manner as other
9 technical colleges, technical schools and area vocational technical schools.

10 (c) In addition to such other powers expressly granted by law and
11 subject to the provisions of subsection (b), the governing board shall have
12 the power to:

13 (1) Determine the vocational, technology and general education
14 courses of instruction that will comprise the associate of applied science
15 degree programs of the college;

16 (2) establish the requirements for satisfactory completion of the as-
17 sociate of applied science degree programs of the college;

18 (3) confer the associate of applied science degree upon students who
19 successfully complete an associate of applied science degree program of
20 the college and to award a certificate or diploma to students who suc-
21 cessfully complete a vocational education program of the college; ~~and~~

22 (4) appoint teaching staff and to fix and determine teacher qualifi-
23 cations, duties and compensation. No teacher appointed to teach courses
24 comprising the associate of applied science degree programs of the col-
25 lege shall be required to meet certification requirements greater than
26 those required in the state educational institutions;

27 (5) *have custody of, and be responsible for, the property of the college*
28 *and shall be responsible for the operation, management and control of the*
29 *college;*

30 (6) *select a chairperson and such other officers as it deems desirable,*
31 *from its membership;*

32 (7) *sue and be sued;*

33 (8) *appoint and fix the compensation and term of office of a president*
34 *or chief administrative officer of the college;*

35 (9) *fix and determine within state adopted standards for employee*
36 *qualifications, duties, compensation, terms of office and all other items*
37 *and conditions of employment;*

38 (10) *enter into contracts;*

39 (11) *accept grants or contributions of money or property which the*
40 *governing board may use for or in aid of any of its purposes;*

41 (12) *acquire by gift, purchase, lease-purchase or otherwise, and to*
42 *own, lease, use and operate property, whether real, personal, or mixed,*
43 *necessary or desirable for college purposes;*

1 (13) enter into lease agreements as lessor of any property, whether
2 real, personal or mixed, which is owned or controlled by the college. Any
3 such agreement may specify the purposes for which the property may be
4 used, require that the property be maintained and operated by the lessee,
5 and may contain such restrictions or limitations on the use of the property,
6 be entered into for such period of time and include such other terms and
7 conditions which the governing board determines to be necessary and
8 proper;

9 (14) determine whether any property owned by the college is no
10 longer necessary for college purposes and to dispose of the same in such
11 manner and upon such terms and conditions as determined by the gov-
12 erning board;

13 (15) adopt any rules and regulations, not inconsistent with the pro-
14 visions of law or with rules and regulations of the state board of regents,
15 that are necessary and proper for the administration and operation of a
16 college and for the conduct of business of the governing board;

17 (16) exercise all powers not inconsistent with the provisions of law or
18 with the rules and regulations of the state board of regents which may be
19 necessary or incidental to the establishment, maintenance and operation
20 of a college;

21 (17) contract with one or more agencies, either public or private,
22 whether located within or outside the territory of the college or whether
23 located within or outside the state of Kansas for the conduct by any such
24 agency of academic or vocational education for students of the college and
25 to provide for the payment to any such agency for the contracted edu-
26 cational services from any funds or moneys of the college, including funds
27 or moneys received from student tuition and fees;

28 (18) hold title to property and contract in the name of the governing
29 board of the college; and

30 (19) appoint as its resident agent for the purpose of service of process,
31 either the president of the technical college or the chairperson of the gov-
32 erning board, or both.

33 Sec. 2. K.S.A. 2003 Supp. 72-4470a is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its
35 publication in the statute book.

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Testimony for HB 2510
to
House Higher Education Committee
Room 231 N, January 28, 2004

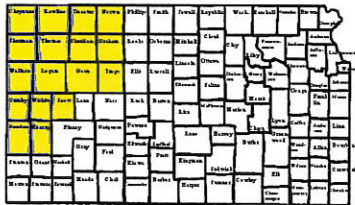
Presented by: Kenneth A. Clouse, President
Northwest Kansas Technical College - Goodland, KS

Chairman Sloan & Committee Members:

I appreciate the opportunity to discuss HB 2510 and associated issues as they influence NWKTC. My testimony is provided on behalf of the Area Board of Control at NWKTC.

This year our college is celebrating its 40th year of serving constituents from western Kansas and the adjoining region. We have one of the most developed technical colleges within the state and we are extremely proud of our college. I had the pleasure of touring you Mr. Chairman through our campus last July, and I think you can confirm the sophistication of NWKTC in Goodland.

NWKTC is one of two technical colleges in the state that has an independent governing board. Our board of control and advisory board are composed of representation from seventeen counties.



NWKTC has a fruitful history with over 6,000 graduates who fill many of the technical careers in our state.

The Area Board of Control at NWKTC has several concerns with HB 2510. The sole mission of technical colleges is to provide specific skill training to supply a technically skilled workforce. This mission, identity and autonomy of technical colleges are placed in jeopardy by this bill. NWKTC has a very focused and in-depth mission as compared to community colleges who have what many term as a comprehensive approach. A community college mission includes the humanities, athletics, music, the arts, and general transfer education, etc., while the mission at NWKTC is only technical education designed to prepare students to enter the workforce. NWKTC does offer the associate of applied science degree for upward mobility.

It is the belief of my Board and myself that maintaining the identity of NWKTC and independent governance we currently have is in the best interests of the citizens we serve. This model has served the state successfully for 40 years and will serve the state in this tradition for years to come or until a new model is invented.

Finance formulas for technical colleges and community colleges are extremely different. HB 2510 does not detail how this important factor will be overhauled and resolved. The community college system has tax authority and technical colleges do not. Community colleges

House Higher Education Committee

Meeting Date: 1-28-04

Attachment No.:

6

tax the home county and in many instances there are local concerns with community college taxation levy especially when the county valuation slips (as it does in rural communities) and mill levies have to increase to fulfill the previous budget levels.

Technical colleges are currently funded by post-secondary aid and student tuition. Local taxing authority has never been available to NWKTC. It would have been nice to have if it could have been implemented years ago when the economy was positive. In spite of limited funding through the previous years our college has developed nicely. Current economic conditions that are having a negative impact are causing us, and many others, to evaluate every priority very carefully. The Area Board of Control at NWKTC is not in favor of expanding tax authority across the territory of the technical college region as suggested by HB 2510. Now does not seem to be the appropriate timing for new taxes. With such a dismal economy in our region any tax increase will fall in disfavor.

Lastly, allow me to suggest to you as a committee that HB 2510 offers little if anything to improve conditions at NWKTC. We do not believe such mergers offer any savings or improved quality. Instead, such a merger as perceived will reduce the quality of technical education for citizens in northwest Kansas. NWKTC is not interested in loss of identity and mission by merging with a community college. Increased taxation needs considerable study and planning before we could lend our support. Allow us to retain and continue our 40 years of outstanding service and focused technical education by not moving this bill out of committee.

Thank you for the opportunity to testify.



KANSAS BOARD OF REGENTS

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Testimony on HB 2510 House Higher Education Committee

January 28, 2004

Reginald L. Robinson
President and CEO, Kansas Board of Regents

Good afternoon Mister Chairman and members of the committee. My name is Reggie Robinson and I am the President and CEO of the Kansas Board of Regents. I am pleased to be here on behalf of the Kansas Board of Regents to comment on HB 2510.

General Overview

HB 2510 provides that by July 1, 2006, each technical college supervised by the Kansas Board of Regents shall be merged into a community college designated by the Kansas Board of Regents. The Kansas Board of Regents will designate those technical colleges and community colleges to be merged on or before December 31, 2004.

HB 2510 provides that on or before December 31, 2004, the Kansas Board of Regents shall designate the home county and geographic territory of each merged community college and technical college and shall assign counties in which the main campus of a state educational institution is located to the territory of a community college for purposes of mill levy taxation for the support of the community college after July 1, 2006.

Current law already provides for voluntary consolidation or merger of Kansas colleges. In accordance with the provisions of K.S.A. 71-1301, two or more community college districts are authorized to enter into agreements to consolidate. K.S.A. 71-1701 authorizes the consolidation of any area vocational-technical school with any community college with approval of the Kansas Board of Regents. Historically, consolidations and mergers of educational institutions in Kansas have been voluntary.

Presently, there are six community college-area technical school consolidations. They are:

- Coffeyville Community College and Area Technical School
- Cowley County Community College and Area Technical School
- Dodge City Community College and Area Technical School
- Hutchinson Community College and Area Technical School
- Johnson County Community College and Area Technical School
- Pratt Community College and Area Technical School

House Higher Education Committee

Meeting Date:

1-28-04

Attachment No.:

7

Currently, six technical colleges are transitioning under SB 7 toward autonomous governance and seeking accreditation with the Higher Learning Commission of the North Central Association, in accordance with Board of Regents policy. They are:

- Flint Hills Technical College
- Manhattan Area Technical College
- North Central Kansas Technical College
- Northeast Kansas Technical College
- Northwest Kansas Technical College
- Wichita Area Technical College

In addition, four technical schools are stand alone with unified school district governance. They are:

- KAW Area Technical School
- Kansas City Kansas Area Technical School
- Salina Area Technical School
- Southwest Kansas Technical School

Recently, the Kansas Board of Regents mandated a comprehensive study of university and community college service areas. The results of the study indicate that the service areas assigned to the universities and community colleges are viable and result in system wide cooperation among the institutions. The issue of technical school and college territories was discussed. The decision was made to conduct additional investigation and review of the geographical territories of the technical institutions.

HB 2510 provides that the joint board or new governing board is authorized to levy a tax on the taxable tangible property of the home county and the geographic territory of the merged technical and community college.

In summary, HB 2510 proposes an extensive undertaking that will require in-depth analysis of academic, fiscal, and policy matters by both the institutions and the Kansas Board of Regents. This legislation proposes to merge six technical colleges that have already embarked upon a very recent legislative mandate (SB 7) to become autonomous technical institutions.

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



MEMO

TO: Rep. Tom Sloan

From: Sheila Frahm, Executive Director

Date: January 28, 2004

RE: HB 2510

A handwritten signature in cursive script, appearing to read 'Sheila Frahm', written over the typed name in the 'From' field.

Mr. Chairman and Members of the House Higher Education Committee:

As the committee considers the funding and taxing authority for Kansas Community Colleges, please find attached several documents to assist in your review.

1. **Critical Components** for Community College Services to the People of Kansas
2. Higher Public Education Map
3. Community College **Service Area Map**
4. Out-District Location Guide
5. Community Revenue by Sources -- percentages
6. Community College Revenue by Sources – dollars
7. Property Tax Generated – 2000-2002
8. 8 Year History of Total Mill Levies
9. Mill Levies 1982-2003
10. 1998-99 Mill Equivalency for Out-District Tuition
11. Community College Enrollment
12. Community College FY 2004 Tuition and Fees

CRITICAL COMPONENTS FOR COMMUNITY COLLEGE SERVICES TO THE PEOPLE OF KANSAS

Community colleges are an integral piece of the new higher education system in Kansas. They are uniquely structured and positioned to provide an accessible affordable option for individuals with varied educational and career goals. Among the community colleges' characteristics are flexibility, quick response time, close ties to business and industry and a nurturing learning environment.

The value that community colleges provide to individuals and families in Kansas is rooted in eight critical components that define these institutions of higher education and enable them to provide vital and effective services to the benefit of the citizens and businesses in our state. Beneficiaries include immigrants learning English and studying to become American citizens; adults attaining basic education and building literacy skills; seniors enriching life through learning; place-bound Kansans balancing education with multiple responsibilities in their home communities; and those who must keep pace with the changing demands of the workplace. Traditional students preparing for transfer to four-year institutions receive a solid foundation for continued success.

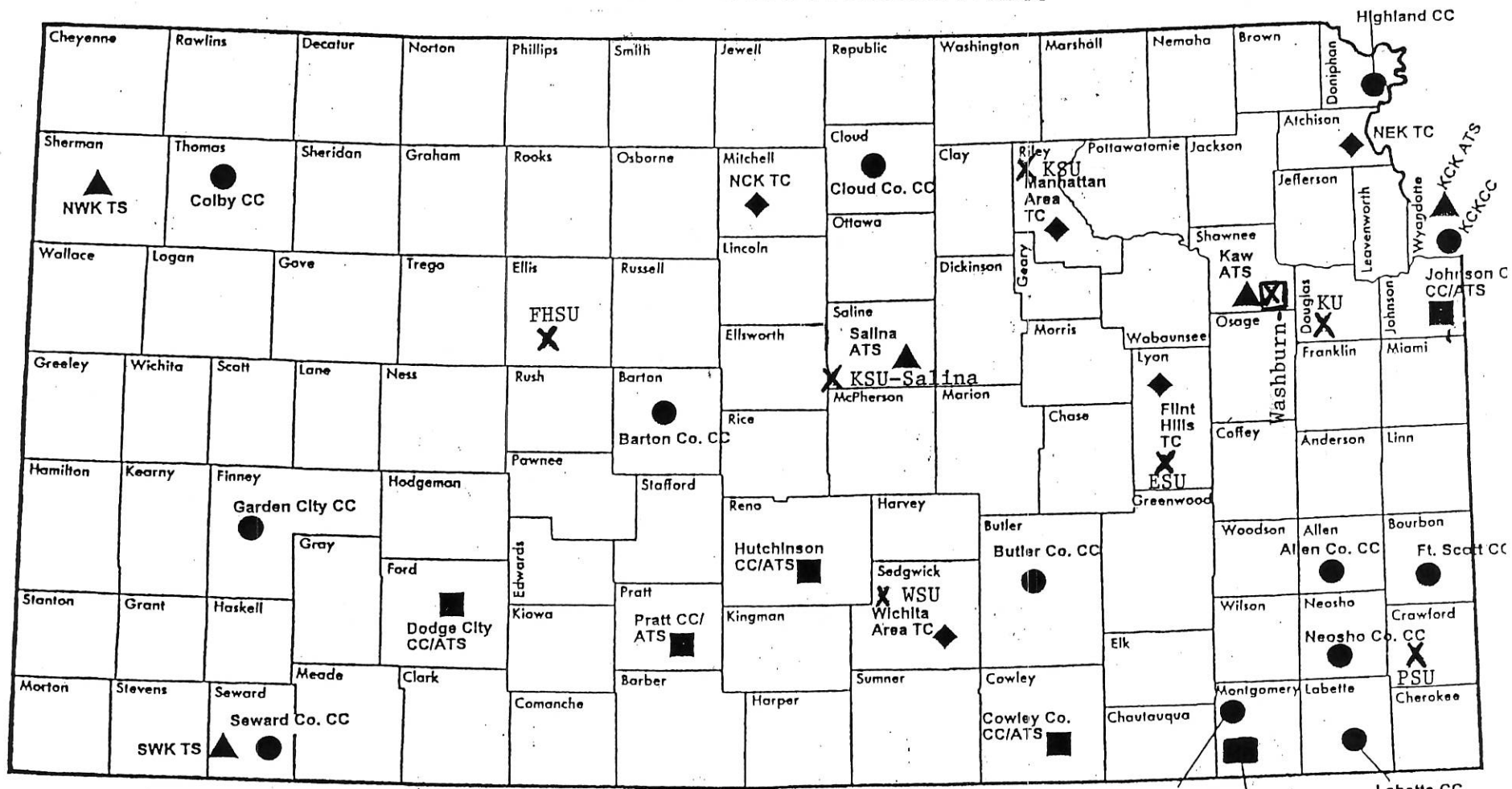
Eight Critical Components

As the new system is further defined and the Kansas community colleges are fully engaged in that definition, they value the support of the Kansas Board of Regents in preserving the following eight **Critical Components** that ensure continued success.

- Operating under the authority of locally elected boards of trustees and coordinated by Kansas Board of Regents as authorized by SB 345.
- Selecting, retaining, compensating or dismissing their chief executive officers;
- Setting their institutional budgets in response to the learning needs of the citizens being served;
- Determining and approving their own missions with emphasis on meeting community, area and regional needs to benefit the entire state;
- Maintaining existing service areas which form a statewide network for citizen and student access;
- Responding quickly and effectively to the training needs of area business and industry;
- Providing education that is accessible to all Kansans at a cost all citizens can afford; and
- Owning and administering campus property.

(Created 7/97, Rev. 09/02, Rev.11/02)

KANSAS HIGHER EDUCATION

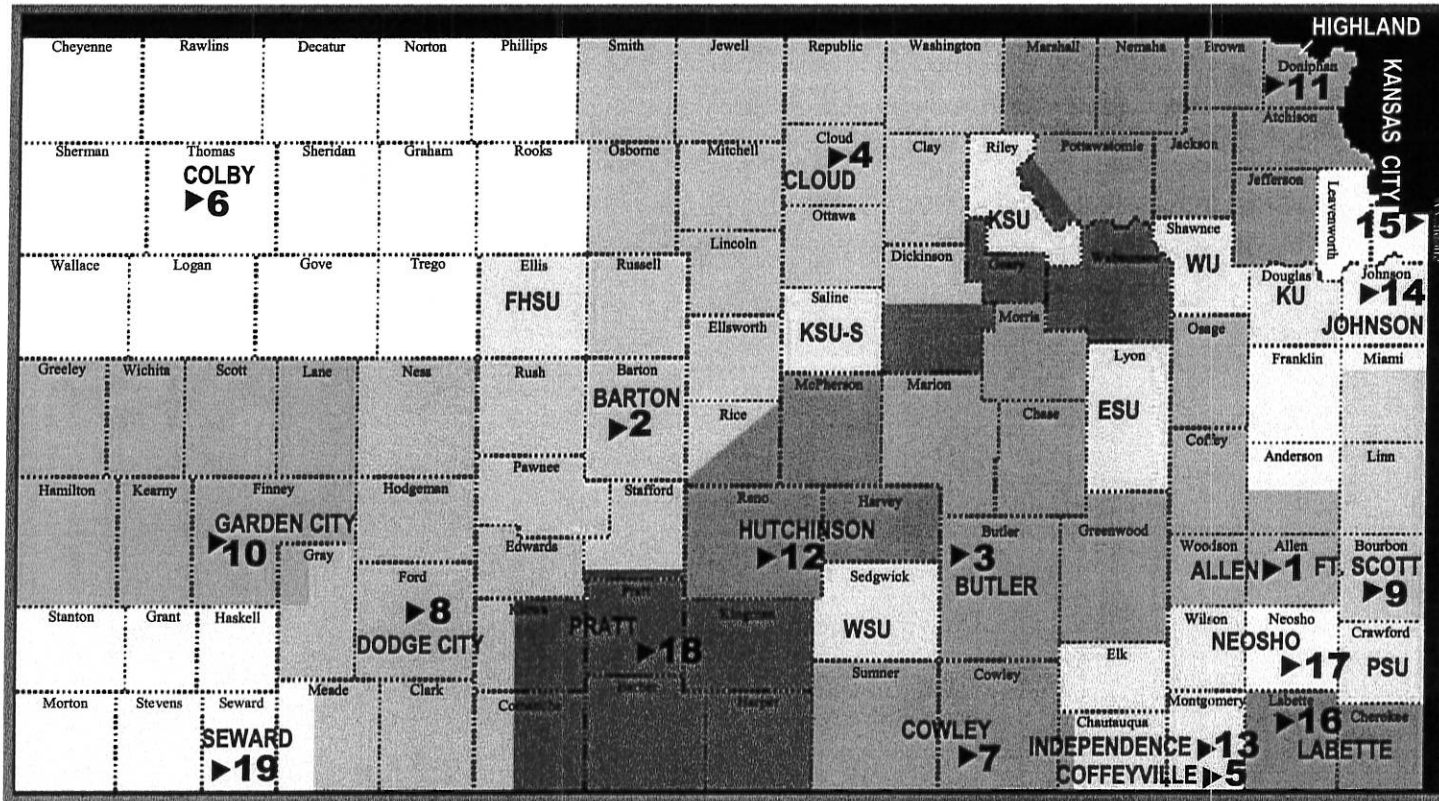


LEGEND

- Community College/Area Technical School (●)
- Technical College (◆)
- Community College (●)
- Area Technical School (▲)
- State University (X)
- Washburn (☒)

Independence CC
Coffeyville CC/ATS
Labette CC

Kansas Community Colleges and Service Areas for Kansas Community Colleges



- | | |
|---|---|
| <ul style="list-style-type: none"> ▷ 1. Allen County Community College, Iola ▷ 2. Barton County Community College, Great Bend ▷ 3. Butler County Community College, El Dorado ▷ 4. Cloud County Community College, Concordia ▷ 5. Coffeyville Community College, Coffeyville ▷ 6. Colby Community College, Colby ▷ 7. Cowley County Community College, Arkansas City ▷ 8. Dodge City Community College, Dodge City ▷ 9. Fort Scott Community College, Fort Scott ▷ 10. Garden City Community College, Garden City ▷ 11. Highland Community College, Highland | <ul style="list-style-type: none"> ▷ 12. Hutchinson Community College, Hutchinson ▷ 13. Independence Community College, Independence ▷ 14. Johnson County Community College Overland Park ▷ 15. Kansas City Kansas Community College, Kansas City ▷ 16. Labette Community College, Parsons ▷ 17. Neosho County Community College, Chanute ▷ 18. Pratt Community College, Pratt ▷ 19. Seward County Community College, Liberal |
|---|---|
-
- | |
|--|
| <ul style="list-style-type: none"> ▷ State Universities/Washburn ▷ Unassigned/Shared |
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KANSAS COMMUNITY COLLEGES OUT-DISTRICT LOCATION GUIDE

Allen County Community College

Burlingame	Burlington	Colony	Eskridge	*Garnett	Gridley
Humboldt	Lebo	Le Roy	Lyndon	Melvorn	Moran
New Strawn	*Osawatomic	Osage City	*Ottawa	Overbrook	*Pittsburg
Toronto	Waverly	Wolf Creek	*Yates Center		

Barton County Community College

*Abilene	Albert	Bison	Bushton	Chase	Ellsworth
Galatia	Geneseo	*Hays	Holyrood	Junction City	La Crosse
Larned	Lucas	Luray	Lyons	Manhattan	McCracken
*Macksville	Osborne	Otis	Rozel	Russell	*Salina
St. John	*Smith Ctr.	Stafford	Victoria	Waldo	Wilson

Butler County Community College

Andover	Augusta	Cottonwood Falls	Council Grove	*Emporia
Eureka	Goessel	Hillsboro	Madison	Marion
Peabody	Rose Hill	Severy	White City	*Wichita

Cloud County Community College

*Abilene	Belleville	Beloit	Bennington	Burr Oak	Cawker City
Chapman	Clay Center	Clifton	Clyde	Cuba	Delphos
Downs	Enterprise	Glasco	Gypsum	Hanover	Herington
Hope	Jewell	Junction City	Kensington	Lincoln	Linn
*Manhattan	Mankato	Miltonvale	Minneapolis	Morrowville	Natoma
Osborne	*Salina	Scandia	*Smith Center	Solomon	Sylvan Grove
Tescott	Tipton	Wakefield	Washington		

Coffeyville Community College

Caney	Dearing	Tyro	Havana	Howard	*Pittsburg
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Colby Community College

Agra	Almena	Alton	Atwood	Bird City	Bogue
Damar	Gem	Goodland	Gove	Grainfield	Grinnell
Herndon	Hill City	Hoxie	Jennings	Kirwin	Lenora
Logan	McDonald	Morland	Norcatur	Norton	Oakley
Oberlin	Palco	Phillipsburg	Plainville	Quinter	Russell Springs
St. Francis	*Scott City	Selden	Sharon Spgs.	Stockton	*Tribune
Utica	WaKeeney	Weskan	Winona		

Cowley County Community College

Argonia	Belle Plaine	Caldwell	Cedar Vale	Conway Springs	
Mulvane	Oxford	Peck	South Haven	Wellington	*Wichita

Dodge City Community College

Ashland	Bazine	Beeler	Bucklin	*Cimarron	*Coldwater
Copeland	*Emporia	Fowler	*Greensburg	Hanston	*Hays
Ingalls	Jetmore	Kinsley	*Lawrence	Lewis	Minneola
Montezuma	Mullinville	Ness City	*Protection	Ransom	Spearville
Utica	*Wichita				

Fort Scott Community Coll

Arma	*Hays	LaCygne	*Lawrence	Louisburg	*Manhattan
Mound City	*Osawatomie	Paola	*Pittsburg	Pleasanton	Uniontown
*Wichita					

Garden City Community College

*Cimarron	Deerfield	Dighton	Healy	*Hugoton	*Johnson
Lakin	Leoti	*Scott Cty	*Sublette	Syracuse	*Tribune

Highland Community College

Alma	Atchison	Axtell	Baileyville	Bern	Centralia
Delia	Effingham	Elwood	Frankfort	Hiawatha	Holton
Hoyt	Horton	*Leavenworth	*Marysville	Meriden	McLouth
Onaga	Oskaloosa	Perry	Powhattan	Sabetha	Seneca
Soldier	Troy	Valley Falls	Vermillion	Wamego	Waterville
Wathena	Westmoreland	Wetmore	Winchester		

Hutchinson Community College

Burton	Canton	Halstead	Hesston	Inman	Lindsborg
Little River	Marquette	McPherson	Moundridge	Newton	*Salina
Sedgwick	Walton	*Wichita			

Independence Community College

Altoona	Buffalo	Cherryvale	Elk City	Elk Falls	Fredonia
Howard	Liberty	Longton	Moline	Neodesha	Peru
Sedan	Sycamore				

Johnson County Community College**Kansas City KS Community College**

Basehor	Easton	Kansas State Penitentiary - Lansing			Tonganoxie
*Lawrence	Leavenworth	U. S. Disciplinary Barricks - Leavenworth			

Labette Community College

Baxter Springs	Columbus	Galena	McCune	Oswego	*Pittsburg
Riverton	Weir	West Mineral			

Neosho County Community College

*Garnett	*Lawrence	*Ottawa	*Pomona	Wellsville
Williamsburg	*Yates Center			

Pratt Community College

Anthony	Attica	Chapparral	*Coldwater	Cunningham
*Greensburg	Harper	Haviland	Isabel	Kingman
Kiowa	*Macksville	Medicine Lodge	Norwich	*Pittsburg
Protection	*St. John	*Stafford	*Wichita	Zenda

Seward County Community College

Elkhart	*Hugoton	*Johnson	Meade	Moscow	Rolla
Plains-Kismet (Southwestern Heights)			Satanta	*Sublette	Ulysses

* Two or more community colleges utilize the same out-district location.
07/01/00.

KANSAS ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES
Revenue by Sources 2002-2003

Kansas Community Colleges - Revenue by Source 2002-2003 - Summary Worksheet
 Compiled from KACCBO - Kansas Community Colleges Enrollment and Financial Statistic (Compiled January, 2003)

	<u>Student Sources</u>	<u>Federal Sources</u>	<u>State Sources</u>	<u>County Sources</u>	<u>Local Sources</u>	<u>Other Sources</u>	<u>Total</u>
Allen	23.4%	1.0%	49.5%	2.8%	19.4%	3.9%	100.0%
Barton	20.5%	0.4%	42.2%	1.6%	31.8%	3.5%	100.0%
Butler	30.3%	0.2%	37.8%	3.9%	22.5%	5.2%	100.0%
Cloud	20.6%	1.2%	47.8%	4.6%	22.0%	3.8%	100.0%
Coffeyville	16.8%	2.7%	30.3%	0.8%	47.7%	1.7%	100.0%
Colby	27.0%	0.0%	35.5%	3.7%	25.9%	7.9%	100.0%
Cowley	20.7%	0.3%	47.3%	2.1%	24.2%	5.4%	100.0%
Dodge	14.3%	2.8%	26.9%	1.5%	52.4%	2.1%	100.0%
Fort Scott	30.2%	2.3%	39.0%	2.9%	20.4%	5.2%	100.0%
Garden City	19.9%	2.4%	19.3%	1.1%	52.4%	5.0%	100.0%
Highland	26.9%	0.0%	51.3%	5.2%	12.6%	4.0%	100.0%
Hutchinson	15.4%	1.7%	32.3%	1.9%	45.2%	3.6%	100.0%
Independence	17.3%	3.1%	23.8%	1.0%	52.7%	2.2%	100.0%
Johnson	20.0%	0.4%	24.1%	0.5%	51.5%	3.5%	100.0%
Kansas City	15.6%	0.0%	22.0%	1.8%	58.6%	2.0%	100.0%
Labette	14.2%	2.7%	39.6%	1.5%	40.4%	1.6%	100.0%
Neosho	17.4%	2.1%	30.4%	2.5%	44.9%	2.6%	100.0%
Pratt	18.1%	0.0%	26.9%	2.3%	44.3%	8.5%	100.0%
Seward	10.8%	0.9%	21.6%	1.5%	62.0%	3.1%	100.0%
Totals	20.2%	0.9%	30.8%	1.8%	42.6%	3.8%	100.0%

Note: Federal Sources include only revenues recorded in the Current Unrestricted Fund. Many Federal grants are recorded in Restricted Funds.

KANSAS ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES Revenue by Sources 2002-2003

Kansas Community Colleges - Revenue by Source 2002-2003 - Summary Worksheet
Compiled from KACCBO - Kansas Community Colleges Enrollment and Financial Statistic (Compiled January, 2003)

	<u>Student Sources</u>	<u>Federal Sources</u>	<u>State Sources</u>	<u>County Sources</u>	<u>Local Sources</u>	<u>Other Sources</u>	<u>Total</u>
Allen	\$1,493,880	\$62,874	\$3,163,293	\$177,624	\$1,236,129	\$252,083	\$6,385,883
Barton	\$3,417,688	\$65,073	\$7,036,280	\$264,978	\$5,310,611	\$591,725	\$16,686,355
Butler	\$8,799,642	\$61,820	\$10,983,075	\$1,133,196	\$6,523,428	\$1,516,374	\$29,017,535
Cloud	\$1,726,344	\$101,026	\$4,008,759	\$389,778	\$1,843,743	\$318,421	\$8,388,071
Coffeyville	\$1,559,293	\$249,999	\$2,811,514	\$76,500	\$4,429,636	\$160,106	\$9,287,048
Colby	\$2,116,894	\$0	\$2,780,930	\$293,664	\$2,029,582	\$622,215	\$7,843,285
Cowley	\$3,281,787	\$51,427	\$7,492,838	\$336,859	\$3,833,953	\$853,514	\$15,850,378
Dodge	\$1,458,560	\$284,298	\$2,745,206	\$151,200	\$5,348,822	\$217,811	\$10,205,897
Fort Scott	\$2,364,465	\$182,831	\$3,054,801	\$230,028	\$1,599,032	\$410,427	\$7,841,584
Garden City	\$2,943,673	\$352,647	\$2,848,621	\$161,664	\$7,740,522	\$732,644	\$14,779,771
Highland	\$1,954,965	\$0	\$3,733,876	\$378,613	\$914,595	\$292,766	\$7,274,815
Hutchinson	\$3,177,255	\$348,036	\$6,665,893	\$390,974	\$9,333,381	\$744,217	\$20,659,756
Independence	\$1,183,575	\$210,605	\$1,628,796	\$68,694	\$3,608,805	\$151,095	\$6,851,570
Johnson	\$18,893,519	\$361,781	\$22,702,495	\$477,348	\$48,601,463	\$3,313,269	\$94,349,875
Kansas City	\$4,520,793	\$0	\$6,376,467	\$509,228	\$16,963,765	\$566,564	\$28,936,817
Labette	\$1,003,478	\$189,963	\$2,809,537	\$108,073	\$2,866,613	\$112,246	\$7,089,910
Neosho	\$1,099,501	\$134,842	\$1,926,901	\$160,238	\$2,843,489	\$164,276	\$6,329,247
Pratt	\$1,380,148	\$0	\$2,051,402	\$173,681	\$3,379,746	\$645,962	\$7,630,939
Seward	<u>\$928,242</u>	<u>\$79,453</u>	<u>\$1,851,261</u>	<u>\$128,430</u>	<u>\$5,311,407</u>	<u>\$261,457</u>	<u>\$8,560,250</u>
Totals	<u>\$63,303,702</u>	<u>\$2,736,675</u>	<u>\$96,671,945</u>	<u>\$5,610,770</u>	<u>\$133,718,722</u>	<u>\$11,927,172</u>	<u>\$313,968,986</u>

Note: Federal Sources include only revenues recorded in the Current Unrestricted Fund. Many Federal grants are recorded in Restricted Funds.

Feb. 5, 2002

**KANSAS COMMUNITY COLLEGES
Property Tax Revenues Generated**

	FISCAL YEAR 2000			FISCAL YEAR 2001			FISCAL YEAR 2002			Three Year		
	Mill Levy, FY end 6/00	Assessed Valuation, CY 1999	Revenue Generated	Mill Levy, FY end 6/01	Assessed Valuation, CY 2000	Revenue Generated	Mill Levy, FY end 6/02	Assessed Valuation, CY 2001	Revenue Generated	Valuation Change	Revenue Change	Rev. Per. Change
Allen County	22.335	63,949,116	1,428,304	19.511	63,680,932	1,242,479	16.716	69,350,419	1,159,262	5,401,303	-269,042	-18.84%
Barton County	34.680	142,925,059	4,956,641	30.760	155,158,098	4,772,663	28.500	162,826,258	4,640,548	19,901,199	-316,093	-6.38%
Butler County	19.760	290,563,515	5,741,535	17.130	306,925,001	5,257,625	15.130	355,539,675	5,379,315	64,976,160	-362,220	-6.31%
Cloud County	28.374	52,416,806	1,487,274	27.240	55,329,691	1,507,181	27.639	61,554,695	1,701,310	9,137,889	214,036	14.39%
Coffeyville	38.371	89,072,397	3,417,797	37.530	95,771,731	3,594,313	39.520	111,325,486	4,399,583	22,253,089	981,786	28.73%
Colby	27.803	62,788,613	1,745,712	25.030	65,844,856	1,648,097	24.750	71,106,757	1,759,892	8,318,144	14,180	0.81%
Cowley County	22.762	158,017,683	3,596,799	19.967	163,098,479	3,256,587	16.998	183,692,750	3,122,409	25,675,067	-474,389	-13.19%
Dodge City	25.560	181,725,990	4,644,916	25.591	188,775,807	4,830,962	25.560	194,318,724	4,966,787	12,592,734	321,870	6.93%
Fort Scott	22.140	63,088,979	1,396,790	19.615	63,144,612	1,238,582	19.615	71,654,529	1,405,504	8,565,550	8,714	0.62%
Garden City	18.570	357,837,692	6,645,046	18.528	336,069,484	6,226,695	19.691	390,694,479	7,693,165	32,856,787	1,048,119	15.77%
Highland	17.260	45,271,398	781,384	14.300	48,849,686	698,551	14.300	55,722,877	796,837	10,451,479	15,453	1.98%
Hutchinson	23.390	363,371,741	8,499,265	21.488	378,330,021	8,129,555	21.021	413,500,026	8,692,184	50,128,285	192,919	2.27%
Independence	35.947	87,510,974	3,145,757	36.817	88,192,544	3,246,985	36.549	89,766,011	3,280,858	2,255,037	135,101	4.29%
Johnson County	7.184	4,849,449,401	34,838,444	7.646	5,472,074,811	41,839,484	7.743	6,022,876,211	46,635,131	1,173,426,810	11,796,686	33.86%
Kansas City	17.424	699,078,942	12,180,751	18.350	758,855,352	13,924,996	18.350	806,388,164	14,797,223	107,309,222	2,616,471	21.48%
Labette	24.970	93,317,891	2,330,148	24.470	93,048,630	2,276,900	23.970	102,014,082	2,445,278	8,696,191	115,130	4.94%
Neosho County	29.957	69,038,355	2,068,182	27.840	68,038,355	1,894,188	29.970	76,896,549	2,304,590	7,858,194	236,408	11.43%
Pratt	39.280	75,432,127	2,962,974	39.860	76,436,528	3,046,760	38.845	76,027,289	2,953,280	595,162	-9,694	-0.33%
Seward County	27.410	193,066,158	5,291,943	26.917	197,106,855	5,305,525	26.766	217,050,515	5,809,574	23,984,357	517,631	9.78%
Totals		7,937,922,837	107,159,663		8,674,731,473	113,938,127		9,532,305,496	123,942,729	1,594,382,659	16,783,066	15.66%
without Johnson Co.		3,088,473,436	72,321,218		3,202,656,662	72,098,643		3,509,429,285	77,307,599	420,955,849	4,986,380	6.89%
										20.09%		
										13.63%		

Information taken from Kansas Community Colleges 'Enrollment and Financial Statistics', compiled January, 2002 - (draft copy)

KANSAS COMMUNITY COLLEGES																	
8 Year History of Total Mill Levies - Years Ending 6/30																	
	FY-1995	+/-	FY-1996	+/-	FY-1997	+/-	FY-1998	+/-	FY-1999	+/-	FY-2000	+/-	FY-2001	+/-	FY-2002	+/-	FY-2003
Allen County	21.713	2.22%	22.194	-0.08%	22.176	-4.29%	21.224	4.52%	22.183	0.69%	22.335	-12.64%	19.511	-14.33%	16.716	9.70%	18.338
Barton County	31.314	-2.01%	30.684	-2.15%	30.024	6.01%	31.829	4.02%	33.107	4.75%	34.68	-11.30%	30.76	-0.03%	30.75	-2.80%	29.89
Butler County	21.029	-2.62%	20.478	3.82%	21.261	-0.84%	21.083	-3.61%	20.322	-2.78%	19.757	-13.28%	17.133	-11.04%	15.242	5.55%	16.088
Cloud County	32.645	-4.87%	31.054	-0.33%	30.95	-3.21%	29.956	-5.52%	28.301	0.26%	28.374	-4.00%	27.238	1.47%	27.639	0.48%	27.771
Coffeyville	39.808	-0.11%	39.764	-6.47%	37.19	-2.64%	36.208	4.39%	37.798	1.52%	38.371	-2.19%	37.53	5.36%	39.54	-1.84%	38.813
Colby	21.763	7.11%	23.311	0.75%	23.485	-0.22%	23.434	6.10%	24.864	8.75%	27.04	-7.43%	25.03	-1.20%	24.73	8.05%	26.72
Cowley County	21.63	0.25%	21.683	0.31%	21.751	-1.43%	21.441	1.94%	21.858	4.14%	22.762	-12.28%	19.967	0.00%	19.967	-15.18%	16.936
Dodge City	26.042	-1.85%	25.56	0.00%	25.56	0.00%	25.56	0.00%	25.56	0.00%	25.56	0.12%	25.591	0.00%	25.591	7.81%	27.59
Fort Scott	22.288	0.00%	22.288	-5.10%	21.151	-3.04%	20.507	-0.57%	20.39	8.58%	22.14	-11.40%	19.615	0.00%	19.615	10.17%	21.61
Garden City	16.64	-1.32%	16.42	8.34%	17.79	-5.34%	16.84	-0.62%	16.735	10.97%	18.57	-0.23%	18.53	6.28%	19.69	-0.53%	19.59
Highland	26.062	-3.83%	25.064	-3.47%	24.195	-1.73%	23.776	-20.70%	18.854	-8.45%	17.26	-17.15%	14.3	0.00%	14.3	10.77%	15.84
Hutchinson	18.616	7.91%	20.089	-3.61%	19.364	-0.27%	19.311	11.84%	21.597	8.30%	23.39	-8.13%	21.488	-2.17%	21.021	1.65%	21.367
Independence	37.066	5.19%	38.99	-3.18%	37.75	-12.40%	33.07	3.26%	34.148	5.27%	35.947	2.42%	36.817	0.00%	36.817	0.76%	37.095
Johnson County	10.138	-8.13%	9.314	-3.95%	8.946	-4.54%	8.54	-9.30%	7.746	-7.26%	7.184	6.43%	7.646	1.27%	7.743	21.76%	9.428
Kansas City	16.448	0.87%	16.591	-1.53%	16.337	5.12%	17.173	-1.85%	16.855	3.38%	17.424	5.31%	18.35	0.08%	18.364	4.43%	19.177
Labette	26.489	-2.79%	25.751	-3.80%	24.773	-3.90%	23.808	-2.46%	23.223	7.52%	24.97	-2.00%	24.47	-2.04%	23.97	20.86%	28.97
Neosho County	32.551	-5.43%	30.784	-0.08%	30.76	6.04%	32.619	-6.67%	30.444	-1.60%	29.957	-7.07%	27.84	7.65%	29.97	10.21%	33.03
Pratt	36.179	1.89%	36.861	5.20%	38.777	0.21%	38.86	-1.32%	38.346	2.44%	39.28	1.48%	39.86	-2.55%	38.85	2.97%	40.00
Seward County	21.224	22.22%	25.94	8.58%	28.166	-8.71%	25.714	4.42%	26.85	2.09%	27.41	-1.80%	26.917	-0.56%	26.766	6.77%	28.579
LOW	10.135	-8.10%	9.314	-8.31%	8.54	-9.25%	7.75	-7.23%	7.19	6.34%	7.646	0.00%	7.646	23.24%	9.423	0.00%	9.423
MEDIAN	24.973	-1.74%	24.539	-3.01%	23.8	-2.73%	23.15	8.64%	25.15	0.95%	25.39	-4.94%	24.14	-0.29%	24.07	4.28%	25.10
HIGH	39.808	-0.11%	39.764	-2.27%	38.86	-2.73%	37.8	5.45%	39.86	0.00%	39.86	-0.85%	39.52	1.21%	40.00	0.00%	40.00
AVERAGE	25.24	0.66%	25.41	-0.50%	25.28	-1.97%	24.79	-0.38%	24.69	2.82%	25.39	-4.94%	24.14	-0.29%	24.07	4.28%	25.10
TOTAL MILL LEVY	479.65		482.82		480.41		470.95		469.18		482.41		458.59		457.28		476.83
Change from prior year													(23.82)		(1.31)		19.55
Percent change													-5.08%		-0.27%		4.26%

KANSAS COMMUNITY COLLEGES
Mill Levies
For Fiscal Years Ended June 30, 1982 to 2003

	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
Allen County	10.440	10.460	12.530	12.500	11.770	15.050	14.910	17.380	19.470	20.578	20.578
Barton County	12.180	12.610	14.218	14.197	14.602	21.540	21.332	24.234	25.025	24.863	25.403
Butler County	11.500	11.474	11.584	11.861	13.349	15.466	16.601	19.138	16.272	16.684	16.685
Cloud County	12.616	13.725	17.038	18.624	24.600	24.310	24.310	24.280	25.447	26.460	27.006
Coffeyville	18.990	18.490	20.650	21.950	23.790	23.790	26.270	29.310	29.310	30.997	32.086
Colby	15.410	15.510	21.950	21.950	21.950	21.950	21.950	22.950	19.129	20.066	20.066
Cowley County	13.120	12.830	12.970	12.900	13.010	13.370	14.590	16.150	17.840	17.440	16.030
Dodge City	16.600	22.270	25.240	24.910	21.971	21.100	19.900	21.900	17.530	22.510	23.740
Fort Scott	15.220	15.720	20.444	20.435	19.435	19.435	19.435	18.869	19.237	19.195	20.525
Garden City	11.190	10.740	12.260	13.260	13.260	12.550	14.530	14.530	15.050	15.160	16.490
Highland	20.850	23.400	31.526	33.428	33.928	32.533	37.540	37.407	26.802	29.826	29.585
Hutchinson	10.378	11.875	16.420	17.041	18.031	18.031	18.510	17.303	14.144	15.183	16.917
Independence	21.610	22.200	26.030	25.130	24.160	26.830	27.590	27.590	26.591	27.750	27.750
Johnson County	9.340	10.270	11.770	12.270	12.421	13.666	15.257	15.789	8.453	8.914	8.923
Kansas City Kansas	7.760	7.520	10.700	11.180	14.125	14.587	14.910	15.443	10.910	11.668	13.083
Labette	12.980	19.880	19.580	20.480	21.480	21.480	23.480	23.480	23.480	22.210	24.210
Neosho County	13.940	18.980	16.510	21.740	19.470	20.454	22.298	29.210	26.980	24.830	20.491
Pratt	13.990	13.990	15.740	15.760	15.680	16.350	19.350	29.288	32.709	32.810	36.363
Seward County	14.520	16.350	16.330	15.990	17.190	18.102	19.362	21.168	18.029	17.880	18.981

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Allen County	20.099	21.057	21.713	22.194	22.176	21.224	22.183	22.335	19.511	16.716	18.338
Barton County	27.822	30.164	31.314	30.684	30.024	31.829	33.107	34.680	30.760	28.450	29.900
Butler County	19.603	21.133	21.029	20.478	21.261	21.083	20.322	19.760	17.130	15.133	16.088
Cloud County	32.208	31.733	32.645	31.054	30.950	29.956	28.301	28.374	27.240	27.639	27.771
Coffeyville	33.609	37.132	39.808	39.764	37.190	36.208	37.798	38.371	37.530	39.540	38.813
Colby	20.066	21.417	21.763	23.311	23.485	23.434	24.864	27.803	25.030	24.730	26.860
Cowley County	18.839	21.190	21.630	21.683	21.751	21.441	21.858	22.762	19.967	16.936	17.627
Dodge City	25.060	26.060	26.042	25.560	25.560	25.560	25.560	25.560	25.591	25.590	27.790
Fort Scott	20.326	22.288	22.288	22.288	21.151	20.507	20.390	22.140	19.615	19.615	21.621
Garden City	17.120	17.860	16.840	16.420	17.790	16.840	16.735	18.570	18.528	19.691	19.586
Highland	28.513	26.661	26.062	25.064	24.195	23.776	18.854	17.260	14.300	14.840	15.840
Hutchinson	18.437	18.268	18.616	20.089	19.364	19.311	21.597	23.390	21.488	21.021	21.367
Independence	30.710	33.675	37.066	38.990	37.750	33.070	34.148	35.947	36.817	36.817	37.744
Johnson County	10.658	10.146	10.138	9.314	8.946	8.540	7.746	7.184	7.646	7.743	9.428
Kansas City Kansas	13.517	15.197	16.448	16.591	16.337	17.173	16.855	17.424	18.350	18.365	19.177
Labette	24.210	25.340	26.489	25.751	24.773	23.808	23.223	24.970	24.470	23.970	28.970
Neosho County	20.481	24.460	32.551	30.784	30.760	32.619	30.444	29.957	27.840	29.970	33.030
Pratt	36.363	36.356	36.179	36.861	38.777	38.860	38.346	39.280	39.860	38.845	39.288
Seward County	19.069	21.225	21.224	25.940	28.166	25.714	26.850	27.410	26.917	26.766	28.579

1998-1999 Estimated Mill Equivalency of County Out-District Tuition Billings for Community Colleges

County	Amount Paid to Community Colleges	Community College Mill Equivalency	County	Amount Paid to Community Colleges	Community College Mill Equivalency	County	Amount Paid to Community Colleges	Community College Mill Equivalency
ALLEN	\$19,308	0.30	GREENWOOD	\$60,828	1.22	PAWNEE	\$87,020	1.48
ANDERSON	\$85,956	1.72	HAMILTON	\$30,984	0.87	PHILLIPS	\$55,428	1.47
ATCHISON	\$91,980	1.10	HARPER	\$49,836	1.11	POTTAWATOMIE	\$107,568	0.33
BARBER	\$87,552	1.96	HARVEY	\$222,252	1.24	PRATT	\$5,712	0.08
BARTON	\$3,108	0.02	HASKELL	\$57,048	0.44	RAWLINS	\$31,980	1.15
BOURBON	\$9,300	0.15	HODGEMAN	\$27,960	1.33	RENO	\$5,220	0.01
BROWN	\$109,104	1.70	JACKSON	\$79,512	1.37	REPUBLIC	\$83,148	2.02
BUTLER	\$13,908	0.05	JEFFERSON	\$128,292	1.33	RICE	\$97,560	1.30
CHASE	\$12,084	0.42	JEWELL	\$40,332	1.36	RILEY	\$132,896	0.54
CHAUTAUQUA	\$55,872	2.78	JOHNSON	\$61,152	0.01	ROOKS	\$24,972	0.74
CHEROKEE	\$131,028	1.17	KEARNY	\$67,440	0.36	RUSH	\$33,540	1.21
CHEYENNE	\$33,732	1.04	KINGMAN	\$101,988	1.51	RUSSELL	\$47,280	1.10
CLARK	\$34,104	1.16	KIOWA	\$42,624	0.94	SALINE	\$110,880	0.31
CLAY	\$86,172	1.70	LABETTE	\$15,288	0.16	SCOTT	\$57,984	1.12
CLOUD	\$2,928	0.05	LANE	\$25,620	1.24	SEDGWICK	\$2,148,644	0.83
COFFEY	\$80,796	0.15	LEAVENWORTH	\$632,162	2.11	SEWARD	\$898	0.00
COMANCHE	\$30,372	1.33	LINCOLN	\$29,628	1.20	SHAWNEE	\$41,844	0.04
COWLEY	\$11,700	0.07	LINN	\$90,372	0.59	SHERIDAN	\$38,040	1.38
CRAWFORD	\$206,424	1.25	LOGAN	\$43,860	1.58	SHERMAN	\$53,976	1.01
DECATUR	\$41,424	1.43	LYON	\$74,736	0.44	SMITH	\$40,044	1.27
DICKINSON	\$113,976	1.06	MARION	\$79,080	1.03	STAFFORD	\$49,992	1.15
DONIPHAN	\$4,728	0.10	MARSHALL	\$82,548	1.20	STANTON	\$27,696	0.37
DOUGLAS	\$508,064	0.76	MCPHERSON	\$196,092	0.89	STEVENS	\$62,892	0.20
EDWARDS	\$43,968	1.30	MEADE	\$55,548	0.75	SUMNER	\$299,100	2.41
ELK	\$38,508	1.94	MIAMI	\$269,736	1.36	THOMAS	\$444	0.01
ELLIS	\$69,168	0.41	MITCHELL	\$61,332	1.43	TREGO	\$19,608	0.69
ELLSWORTH	\$56,928	1.05	MONTGOMERY	\$31,464	0.17	WABAUNSEE	\$41,184	0.92
FINNEY	\$4,020	0.01	MORRIS	\$49,776	1.20	WALLACE	\$34,680	1.62
FORD	\$11,052	0.06	MORTON	\$45,624	0.38	WASHINGTON	\$76,116	1.63
FRANKLIN	\$174,240	1.36	NEMAHA	\$82,162	1.27	WICHITA	\$27,444	1.11
GEARY	\$191,604	1.92	NEOSHO	\$16,932	0.24	WILSON	\$120,324	2.38
GOVE	\$35,292	1.19	NESS	\$45,144	1.44	WOODSON	\$56,544	2.33
HAHAM	\$30,192	1.27	NORTON	\$52,596	1.61	WYANDOTTE	\$36,264	0.05
JANT	\$75,432	0.26	OSAGE	\$125,028	1.47			
GRAY	\$71,328	1.40	OSBORNE	\$32,532	1.20			
GREELEY	\$30,588	1.25	OTTAWA	\$38,808	0.94			
						Total	\$9,788,766	

ENROLLMENT FOR KANSAS COMMUNITY COLLEGES

June 1, 2002 - May 31, 2003¹

INSTITUTIONS	Enrollment June 1 - Dec 31, 2002		Enrollment Jan 1 - May 31, 2003		Enrollment Academic Year 2003 Total	
	Credit Hrs.	Headcount ²	Credit Hrs.	Headcount ²	Credit Hrs.	Headcount ²
Allen County CC	24,012.0	2,800	20,149.0	2,364	44,161.0	3,657
Barton County CC	46,894.5	8,079	36,251.0	7,039	83,145.5	12,334
Butler County CC	85,745.5	10,989	68,373.0	8,597	154,118.5	14,035
Cloud County CC	24,202.5	3,967	19,818.5	3,345	44,021.0	5,186
Coffeyville CC	14,683.0	2,142	10,571.0	1,741	25,254.0	2,675
Colby CC	17,347.0	2,584	14,102.0	2,077	31,449.0	3,223
Cowley County CC	50,324.0	5,559	42,285.5	4,780	92,609.5	7,303
Dodge City CC	18,373.5	2,641	13,156.0	2,326	31,529.5	3,607
Fort Scott CC	19,906.0	2,637	18,421.0	2,491	38,327.0	3,833
Garden City CC	22,752.0	3,520	18,596.0	2,883	41,348.0	4,837
Highland CC	24,545.0	3,620	21,268.0	3,125	45,813.0	4,958
Hutchinson CC	39,425.5	5,660	33,605.0	5,004	73,030.5	7,889
Independence CC	11,454.5	1,558	8,613.0	1,193	20,067.5	2,034
Johnson County CC	145,184.0	21,499	106,169.0	16,171	252,234.0 ³	26,700
Kansas City KS CC	50,146.0	6,760	38,604.0	5,649	88,750.0	8,753
Labette CC	20,579.0	3,002	15,639.5	2,424	37,557.0 ³	3,846
Neosho County CC	15,086.0	2,209	12,705.5	1,685	29,939.0 ³	2,780
Pratt CC	15,322.0	1,819	10,055.0	1,465	25,377.0	2,378
Seward County CC	14,149.0	2,156	11,629.0	1,618	25,758.0 ³	2,717
TOTAL	660,131.0	93,201	499,862.0	73,613	1,184,489.0	122,745.0

¹ This period coincides with credit hour state aid.

² All headcount numbers are unduplicated.

³ Total reported by institution

FY 2004 TUITION AND FEES SCHEDULE

Institution	Residence	Tuition per credit hour	FEES per credit hour	FEES per student	ROOM CHARGES per year	BOARD CHARGES per year	ROOM AND BOARD CHARGES if combined
ALLEN COUNTY CC	Resident	\$35.00	\$15.00				\$3,450.00
	Non-resident	\$35.00	\$15.00				
	Allen Co. Resident	\$32.00	\$15.00				
	International	\$125.00	\$15.00				
BARTON COUNTY CC	Resident	\$41.00	\$18.00				\$3,191.00
	Non-resident	\$68.00	\$18.00				
	International	\$68.00	\$18.00				
BUTLER COUNTY CC	Resident	\$50.25	\$13.25	\$2.00	\$2,876.00	\$1,334.00	
	Non-resident	\$92.25	\$13.25	\$2.00			
	Butler Co. Resident	\$43.00	\$13.25	\$2.00			
	International	\$157.00	\$13.25	\$2.00			
CLOUD COUNTY CC	Resident	\$44.00	\$18.00				\$3,420.00
	Non-resident	\$101.00	\$18.00				
	International	\$101.00	\$18.00				
COFFEYVILLE CC	Resident	\$24.00	\$18.00				\$3,280.00
	Non-resident	\$60.00	\$18.00				
	International	\$60.00	\$18.00				
COLBY CC	Resident	\$40.00	\$16.00				\$3,314.00
	Non-resident	\$79.00	\$16.00				
	International	\$94.00	\$16.00				
	NE/CO Border Co.	\$50.00	\$16.00				
COWLEY COUNTY CC	Resident	\$45.00	\$18.00				\$3,120.00
	Non-resident	\$99.00	\$18.00				
	Cowley Co. Resident	\$40.00	\$18.00				
	Oklahoma Resident	\$78.00	\$18.00				
	International	\$138.00	\$18.00				
DODGE CITY CC	Resident	\$33.00	\$17.00				\$3,600.00
	Non-resident	\$40.00	\$17.00				
	International	\$83.00	\$17.00				
FORT SCOTT CC	Resident	\$33.00	\$21.00				\$3,720.00
	Non-res. border state	\$61.00	\$21.00				
	Non-resident	\$89.00	\$21.00				
	International	\$111.00	\$21.00				
GARDEN CITY CC	Resident	\$37.00	\$19.00		\$2,150.00	\$1,750.00	
	Non-resident	\$65.00	\$19.00				
	International	\$65.00	\$19.00				
HIGHLAND CC	Resident	\$40.00	\$31.00		\$2,206.00	\$1,508.00	
	Doniphan Co. Resident	\$33.00	\$31.00				
	Non-resident	\$90.00	\$31.00				
	Non-res. within 150 mi.	\$52.00	\$31.00				
	International	\$234.00	\$31.00				
HUTCHINSON CC	Resident	\$47.00	\$14.00		\$1,854.00	\$1,740.00	
	Non-resident	\$86.00	\$14.00				
	International	\$91.00	\$24.00				
INDEPENDENCE CC	Resident	\$31.00	\$28.00				\$4,100.00
	In-district	\$31.00	\$23.00				
	Non-resident	\$31.00	\$28.00				
	International	\$97.00	\$28.00				
JOHNSON COUNTY CC	Resident	\$61.00	\$12.00		N/A	N/A	N/A
	Johnson Co. Resident	\$46.00	\$12.00				
	Non-resident	\$127.00	\$12.00				
KANSAS CITY KS CC	Resident	\$47.00	\$9.00		N/A	N/A	N/A
	Non-resident	\$141.00	\$9.00				
	International	\$141.00	\$9.00				
LABETTE CC	Resident	\$40.00	\$20.00				\$2,800.00
	Non-resident	\$95.00	\$20.00				
	International	\$95.00	\$20.00				
NEOSHO COUNTY CC	Resident	\$35.00	\$30.00				\$3,750.00
	Neosho Co. Resident	\$35.00	\$20.00				
	Non-resident	\$35.00	\$45.00				
	International	\$105.00	\$30.00				
PRATT CC	Resident	\$36.00	\$24.00				\$3,928.00
	Non-resident	\$36.00	\$24.00				
	International	\$79.00	\$24.00				
SEWARD COUNTY CC	Resident	\$38.00	\$19.00				\$3,900.00
	OK, TX, CO Border Co.	\$48.00	\$19.00				
	Non-resident	\$61.00	\$19.00				
	International	\$61.00	\$19.00				



Mark Desetti Testimony
Committee on Higher Education
Wednesday, January 28, 2004

Thank you for the opportunity to appear before you today to speak on House Bill 2510. My name is Mark Desetti and I represent the Kansas NEA.

Last year KNEA worked hard with the Wichita School District, the Board of Regents, Technical College Representatives, and this committee to make changes to Senate Bill 7 and pass it through both chambers.

We understood then that SB 7 was needed to ensure that our technical colleges could obtain accreditation, and that the students of those colleges would be able to move effortlessly among post secondary education options.

Under the provisions of SB 7, the technical colleges, in coordination with the Board of Regents, would plan for their separation from the USD Boards and establish their own governance boards. The plans would be due to the Board of Regents by July 1, 2005 with the final implementation taking place no later than June 30, 2009. This process is ^{now} not in play at the affected institutions.

House Bill 2510 now calls for the merger of technical colleges and community colleges to happen on July 1, 2006 – one year after the separation plans were submitted and a full three years prior to the required implementation of the plan.

Such mergers are permissible right now and, where appropriate, can be instituted. We believe that the legislature ought to give the technical colleges impacted under SB 7 the time to make the separation as described in SB 7 and that community college and technical college governing boards be left to determine appropriate mergers.

We are not convinced that the current arrangements and procedures are broken or in need of adjustment. We would urge the committee to allow SB 7 to be fully implemented and community college and technical college governing boards be left to determine appropriate mergers.

Substitute for HOUSE BILL NO. 2493

By Committee on Higher Education

AN ACT relating to education; concerning private and postsecondary institutions; repealing K.S.A. 72-4916, 72-4919, 72-4920, 72-4921, 72-4922, 72-4924 through 72-4937, inclusive, 72-4939, 72-4940 and 74-3249 through 74-3253, inclusive and K.S.A. 2003 Supp. 72-4938.

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

Section 1. This act shall be known and may be cited as the "Kansas private and foreign postsecondary institution act."

Sec. 2. As used in this act:

(a) "Academic degree" means any associate, bachelor's, first professional, master's, intermediate (specialist) or doctor's degree.

(b) "Accreditation" refers to accreditation by an agency recognized by the United States department of education.

(c) "Branch campus" means any subsidiary place of business maintained within the state of Kansas by an institution at a site which is separate from the site of the principal place of business maintained by the institution and at which subsidiary place of business the institution offers a course or courses of instruction or study identical to the course or courses of instruction or study offered by the institution at its principal place of business.

(d) "Commission" means the advisory commission established pursuant to this act.

(e) "Distance education" means any course delivered primarily by correspondence study, audio, video and/or computer technologies.

(f) "Foreign institution of postsecondary education" means any institution of postsecondary education chartered, incorporated or otherwise organized under the laws of any jurisdiction other than this state.

(g) "Institution employee" means any person, other than an owner, who directly or indirectly receives compensation from an institution for services rendered.

(h) "Owner" of an institution means:

(1) In the case of an institution owned by an individual, that individual;

(2) in the case of an institution owned by a partnership, all full, silent and limited partners;

(3) in the case of an institution owned by a corporation, the corporation, its directors, officers and each shareholder owning shares of issued and outstanding stock aggregating at least 10% of the total of the issued and outstanding shares; and

(4) in the case of an institution owned by a limited liability company, the company, its managers and all its members.

(i) "Person" means any individual, firm, partnership, association or corporation.

(j) "Physical presence" exists if the institution employs ^{in Kansas} any Kansas resident for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising or any other activity on behalf of the sponsoring organization, or if the institution delivers, or plans to deliver, instruction in Kansas, and receives assistance from any other organization within the state in delivering the instruction, such as, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution.

(k) "Private postsecondary institutions" or "institutions" are defined as entities which:

(1) Are business enterprises whether operated on a profit or not-for-profit basis; which have a physical presence within the state of Kansas, or solicit business within the state of Kansas;

(2) offer a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation, or offer a course or courses leading to an academic degree, except as hereinafter excluded; and

(3) are not specifically exempted by the provisions of this act.

(1) "Representative" means any person employed by an

institution to act as an agent, solicitor or broker to procure students or enrollees for the institution by solicitation within this state at any place other than the office or a place of business of the institution.

(m) "State board" means the Kansas board of regents, or such person or persons as may be designated by the state board to administer the provisions of this act.

(n) "Support" or "supported" means the primary source and means by which an institution derives revenue to perpetuate operation of the institution.

(o) "University" refers exclusively to an institution of postsecondary education authorized to offer bachelor degrees together with graduate or first professional degrees.

Sec. 3. The following are exempt from the provisions of this act and shall not be considered to be within the definition of private and foreign postsecondary institutions:

(a) An institution or educational institution supported primarily by Kansas taxation from either a local or state source;

(b) an institution or training program which offers instruction only for avocational or recreational purposes as determined by the state board;

(c) a course or courses of instruction or study, excluding degree-granting programs, sponsored by an employer for the training and preparation of its own employees, and for which no tuition or other fee is charged to the student;

(d) a course or courses of instruction or study sponsored by a recognized trade, business or professional organization having a closed membership for the instruction of the members of the organization, and for which no tuition or other fee is charged to the student;

(e) an institution which is otherwise regulated and approved under any other law of this state;

(f) a course or courses of special study or instruction having a closed enrollment and financed or subsidized on a contract basis by local or state government, private industry, or

any person, firm, association or agency, other than the student involved;

(g) an institution financed or subsidized by federal or special funds which has applied to the state board for exemption from the provisions of this act and which has been declared exempt by the state board because it has found that the operation of such institution is outside the purview of this act; and

(h) Any institution of postsecondary education which was granted approval to confer academic or honorary degrees by the state board of education under the provisions of former K.S.A. 17-6105 or to the Kansas City college and bible school, inc.

Sec. 4. (a) The state board of regents may adopt rules and regulations for the administration of this act. Prior to the adoption of any such rules and regulations, the state board shall afford the advisory commission an opportunity to make recommendations thereon.

(b) Specific standards shall be set for determining those private or foreign institutions of postsecondary education which qualify for approval to confer or award degrees. Such standards shall be consistent with standards applicable to state educational institutions under the control and supervision of the state board of regents.

(c) The state board shall maintain a list of institutions that have been issued a certificate of approval.

(d) Any state agency having information which will enable the state board of regents to exercise its powers and perform its duties in administering the provisions of this act shall from time to time as requested furnish such information to the state board of regents.

Sec. 5. (a) The advisory commission on private and foreign postsecondary institutions is hereby created. The commission shall consist of nine members appointed by the state board. Members shall serve from the date of appointment for terms of four years. If a commission member resigns, or is otherwise unable to serve, a new member shall be appointed by the state

board to fill the unexpired term. Five members of the commission shall be owners or managers of private postsecondary institutions, at least two of the five members shall represent institutions, which at the time of appointment of such members, have enrollments of under 125 students, and at least one shall represent a degree granting institution. Four members shall be selected from among the following categories: Secondary schools, postsecondary schools, business and industry, the employment community, economic development and health occupations.

(b) The commission shall elect one member as chairperson of the commission and such other officers as may be necessary.

(c) The commission shall meet at least annually in Topeka during the month of October, and shall conduct special meetings on the call of the chairperson or the state board or at the request of at least four members of the commission.

(d) Members of the advisory commission on private and foreign postsecondary institutions attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.

(e) A majority of the commission is a quorum to conduct business, but no less than four members must concur to pass upon any matter before the commission.

(f) The commission may recommend to the state board such policies, regulations, minimum standards and general rules that the commission deems necessary for administering the provisions of this act.

Sec. 6. (a) No private or foreign postsecondary institution may operate within this state without obtaining a certificate of approval from the state board as provided in this act. No private institution of postsecondary education chartered, incorporated or otherwise organized under the laws of this state shall confer or award any degree, whether academic or honorary, unless and until such an institution has been approved for such purpose by the state board of regents.

(b) Any contract entered into by or on behalf of any owner, institution employee or representative of an institution which is subject to the provisions of this act, but which has not obtained a certificate of approval, shall be unenforceable in any action.

Sec. 7. (a) Each institution shall apply to the state board for a certificate of approval. An institution shall not be required to obtain a separate certificate of approval for maintenance of any branch institution.

(b) An application for a certificate of approval shall be made on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.

(c) The state board may issue a certificate of approval upon determination that an institution meets the standards established by the state board. The state board may issue a certificate of approval to any institution accredited by a regional or national accrediting agency recognized by the United States office of education without further evidence.

Sec. 8. The state board shall issue a certificate of approval to an institution when the state board is satisfied that the institution meets minimum standards established by the state board by adoption of rules and regulations to insure that:

(a) Courses, curriculum and instruction are of such quality, content and length as may reasonably and adequately ensure achievement of the stated objective for which the courses, curriculum or instruction are offered.

(b) Institutions have adequate space, equipment, instructional material and personnel to provide education and training of good quality.

(c) Educational and experience qualifications of directors, administrators and instructors are such as may reasonably insure that students will receive instruction consistent with the objectives of their program of study.

(d) Institutions maintain written records of the previous education and training of students and applicant students, and

that training periods are shortened when warranted by such previous education and training or by skill or achievement tests.

(e) A copy of the course outline, schedule of tuition, fees and other charges, settlement policy, rules pertaining to absence, grading policy and rules of operation and conduct are furnished to students upon entry into class.

(f) Upon completion of training and/or instruction, students are given certificates, diplomas or degrees as appropriate by the institution indicating satisfactory completion of the program.

(g) Adequate records are kept to show attendance, satisfactory academic progress and enforcement of satisfactory standards relating to attendance, progress and conduct.

(h) Institutions comply with all local, city, county, municipal, state and federal regulations.

(i) Institutions are financially responsible and capable of fulfilling commitments for instruction.

(j) Institutions do not utilize erroneous or misleading advertising, either by actual statement, omission or intimation.

(k) Institutions have and maintain a policy, which shall be subject to state board approval, for the refund of unused portions of tuition, fees and other charges in the event a student enrolled by the institution fails to begin a course or withdraws or is discontinued therefrom at any time prior to completion, which policies shall take into account those costs of the institution that are not diminished by the failure of the student to enter or complete a course of instruction.

Sec. 9. (a) The state board, upon review of an application for a certificate of approval meeting the requirements of this act shall issue a certificate of approval to the applicant institution. Certificates of approval shall be in a form specified by the state board with advice from the commission. Certificates of approval shall state at least the following information:

- (1) The date of issuance and term of approval;
- (2) the correct name and address of the institution; and

(3) the signature of the chief executive officer of the Kansas board of regents or a person designated by the state board to administer the provisions of this act.

(b) Certificates of approval shall be valid for a term of one year.

(c) Each certificate of approval shall be issued to the owner of an applicant private and foreign postsecondary institution and shall be nontransferable. In the event of a change in ownership of a private and foreign postsecondary institution, the new owner must apply within 30 calendar days prior to the change in ownership for a new certificate of approval. The state board may waive the 30 calendar day requirement upon determination that an emergency exists and that the waiver and change in ownership would be in the best interests of students currently enrolled in the private and foreign postsecondary institution. Whenever a change of ownership occurs as a result of death, court order or operation of law, the new owner shall apply immediately for a new certificate of approval.

(d) At least 60 calendar days prior to expiration of a certificate of approval, the state board shall forward to the private and foreign postsecondary institution a renewal application form.

(e) Any institution which is not yet in operation when its application for a certificate of approval is filed shall not accept payments for tuition, fees or other enrollment charges until receipt of the certificate of approval.

(f) Any institution which does not plan to renew a certificate of approval must notify the state board at least 60 calendar days prior to the expiration date of the certificate of approval.

Sec. 10. (a) If the state board, upon review and consideration of an application for a certificate of approval, determines the applicant to be unacceptable, the state board shall refuse to issue the certificate and set forth the reasons for the determination.

(b) If an applicant, upon written notification of refusal by the state board to issue a certificate of approval, desires to contest such refusal, the applicant shall notify the state board in writing, within 15 calendar days after the date of service of such notice of refusal, of the desire to be heard, and such applicant shall be afforded a hearing in accordance with the provisions of the Kansas administrative procedure act. Upon conclusion of any such hearing, the state board shall issue a certificate of approval or a final refusal to do so.

(c) If an applicant, upon service of notice of refusal by the state board to issue a certificate of approval, fails to request a hearing within 15 calendar days after the date of service of such notice of refusal, the state board's refusal shall be final.

Sec. 11. (a) The state board may revoke a certificate of approval or impose reasonable conditions upon the continued approval represented by a certificate. Prior to revocation or imposition of conditions upon a certificate of approval, the state board shall notify the holder of the certificate in writing of the impending action setting forth the grounds for the action contemplated to be taken and affording a hearing on a date within 30 calendar days after the date of such notice. Hearings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(b) A certificate of approval may be revoked or conditioned if the state board has reasonable cause to believe that the institution is in violation of any provision of this act or of any rules and regulations adopted under this act.

Sec. 12. Any action of the state board pursuant to sections 10, 11 or 13, and amendments thereto, is subject to review in accordance with the act for judicial review and civil enforcement of agency actions. If it shall appear to the board of regents on the basis of its own inquiries or investigations or as a result of a complaint that any of the provisions of this act have been or are about to be violated, the board of regents may request the

attorney general to institute an action enjoining such violation or for an order directing compliance with the provisions of this act.

Sec. 13. (a) Each representative of an institution shall register with the state board. Application for registration may be made at any time on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.

(b) Registration of a representative shall be effective upon receipt of notice from the state board and shall remain in effect until expiration of the certificate of approval of the institution employing such representative. Renewal of representative registration shall be in accordance with the renewal application form forwarded to the institution by the state board.

(c) Denial or revocation of registration of a representative by the state board shall be in accordance with the provisions of this act applicable to denial or revocation of a certificate of approval.

(d) A representative employed by more than one institution shall not be required to register for each institution when such institutions have a common ownership.

Sec. 14. (a) Before a certificate of approval is issued under this act, a bond in the penal sum of \$20,000 shall be provided by the institution for the period for which the certificate of approval is to be issued. The obligation of the bond shall be that the institution and its officers, agents, representatives and other employees shall be bound, upon closure of the institution, to deliver or make available to the state board the records of all students who are in attendance at the institution at the time of closure or who have attended the institution at any time prior to closure. The bond shall be a corporate surety bond issued by a company authorized to do business in this state. The bond shall be filed with the state board. If the institution ceases operation, the state board may

recover against the bond all necessary costs for the acquisition, permanent filing and maintenance of student records of the private postsecondary institution.

(b) In lieu of the corporate surety bond required under subsection (a), an institution may provide any similar certificate or evidence of indebtedness or insurance as may be acceptable to the state board if such certificate or evidence of indebtedness or insurance is conditioned that the requirements of subsection (a) shall be met.

Sec. 15. (a) Subject to the provisions of subsection (b), no tuition in an amount greater than \$350 shall be collected from a student by any institution more than 30 days before the student receives classroom instruction, and not more than \$150 of such amount may be retained by an institution from any student who fails to enter the institution.

(b) In the case of distance education, no tuition in an amount greater than \$200 shall be collected from a student prior to the first submission of a lesson by the student, and not more than \$75 of such amount may be retained by an institution from any student who fails to enter the institution.

Sec. 16. (a) No person shall:

(1) Operate an institution without a certificate of approval;

(2) solicit prospective students without being registered as required by this act;

(3) accept contracts or enrollment applications from a representative who is not registered as required by this act;

(4) use fraud or misrepresentation in advertising or in procuring enrollment of a student;

(5) use the term "accreditation" except as defined in this act; and

(6) use the term "university" in the name or advertisement of the institution unless such institution is a "university" as defined by this act.

(b) Violation of any provision of subsection (a) or of any

other provision of this act is a class C nonperson misdemeanor.

Sec. 17. Upon application of the attorney general or a county or district attorney, the district courts shall have jurisdiction to enjoin any violation of this act and to enjoin persons from engaging in business in this state. In any action brought to enforce the provisions of this act, if the court finds that a person willfully used any deceptive or misleading act or practice, the attorney general or a county or district attorney, upon petition to the court, may recover on behalf of the state, in addition to the criminal penalties provided in this act, a civil penalty not exceeding \$1,000 per person for each violation. For purposes of this section, a willful violation occurs when the person committing the violation knew or should have known that the conduct of the person consisted of acts or practices which were deceptive or misleading.

Sec. 18. Any note or contract taken by any institution or its officers, directors, agents or representatives, without having complied with the provisions of this act, shall be null and void and any person who shall have entered into a contract with such institution or its officers, directors, agents or representatives shall be entitled to a full refund of the money or consideration paid plus interest accruing from the date of payment at a rate per annum equal to the rate specified in K.S.A. 16-207, and amendments thereto, together with other damages sustained by such person.

Sec. 19. Whenever any institution negotiates any promissory instrument or note received from a student or on behalf of a student as payment of tuition or other fees charged by each institution, any person or assignee or holder to whom the instrument or note is assigned shall take such instrument or note subject to all defenses which would be available to the student from whom or on behalf of whom the instrument or note was received.

Sec. 20. (a) The state board shall fix, charge and collect fees for certificates of approval, registration of

representatives and providing transcripts to students who attended a private postsecondary institution that has ceased operation by adopting rules and regulations for such purposes, subject to the following limitations:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

Initial issuance of certificate of approval nondegree granting -- not more than	\$1,700
Initial issuance of certificate of approval degree granting -- not more than	\$2,000
Renewal of certificate of approval nondegree granting -- not more than	\$1,200
Renewal of certificate of approval degree granting -- not more than	\$1,600
Initial registration of representative -- not more than	\$150
Annual renewal of registration of representative -- not more than	\$100

(2) For institutions domiciled or having their principal place of business outside the state of Kansas:

Initial issuance of certificate of approval nondegree granting -- not more than	\$3,400
Initial issuance of certificate of approval degree granting -- not more than	\$3,800
Renewal of certificate of approval nondegree granting -- not more than	\$2,400
Renewal of certificate of approval degree granting -- not more than	\$2,800
Initial registration of representative -- not more than	\$300
Annual renewal of registration of representative -- not more than	\$200
Student transcript from institution that has ceased operation -- not more than	\$10

(b) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and foreign postsecondary institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission on private and foreign postsecondary institutions an opportunity to make recommendations on the proposed fees.

(c) Fees may be charged to conduct onsite reviews for degree granting or to review curriculum in content areas where the state

board does not have expertise.

Sec. 21. (a) The state board shall remit all moneys received pursuant to the provisions of this act to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount remitted in the state treasury and shall credit the same to the private and foreign postsecondary institution fee fund to be used for the purpose of administering this act. All expenditures from the private and foreign postsecondary institution fee fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board or by a person or persons designated by the state board.

(b) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the private and foreign postsecondary institution fee fund interest earnings based on: (1) The average daily balance of moneys in the private and foreign postsecondary institution fee fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 22. If any clause, paragraph, subsection or section of the Kansas private and foreign postsecondary institution act shall be unconstitutional or invalid, it shall be conclusively presumed that the legislature would have enacted the remainder of the act without such unconstitutional or invalid clause, paragraph, subsection or section.

Sec. 23. K.S.A. 72-4916, 72-4919, 72-4920, 72-4921, 72-4922, 72-4924 through 72-4937, inclusive, 72-4939, 72-4940 and 74-3249 through 74-3253, inclusive, and K.S.A. 2003 Supp. 72-4938 are hereby repealed.

Sec. 24. This act shall take effect and be in force from and after its publication in the statute book.