

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 p.m. on March 8, 2004 in Room 231-N of the Capitol.

All members were present except:

Committee staff present:
Susan Allen

Conferees appearing before the committee:

Dr. Lee Alderman, President, Flint Hills Technical College
Mark Desetti, Director of Government Relations, Kansas National Education Association

Others attending:

See Attached List.

Chairman Sloan called the Committee's attention to a letter from Major Ray Bergman of the Kansas National Guard. In his letter, Major Bergman described the State of Wisconsin's tuition waiver program for National Guardsmen (Attachment 1).

SB 314 - Technical colleges; powers and duties of governing body.

The Chairman opened hearings on **SB 314**, and drew the Committee's attention to written testimony from Senator Jim Barnett (Attachment 2), and Reginald Robinson, Kansas Board of Regents (Attachment 3). Both Senator Barnett's and Mr. Robinson's testimonies were supportive of **SB 314** and indicated that this legislation would contribute to clarifying the governance of technical colleges.

Chairman Sloan called Lee Alderman, President, Flint Hills Technical College to testify. Mr. Alderman who testified as a proponent of the bill, indicated that **SB 314** would specify many of the powers and duties of the governing bodies of the Technical Colleges (Attachment 4).

Mark Desetti, Kansas National Education Association, was the final conferee for **SB 314**. Mr. Desetti testified as a proponent of the bill, and suggested an amendment to the bill regarding the governing board's ability to hire non-teaching staff (Attachment 5).

Representatives Neighbor and Storm asked Mr. Desetti for clarification regarding his proposed change to the bill. Representative Horst asked Mr. Alderman if the Technical College contracted for instructors. Mr. Alderman replied that the school did not contract for instructors, but for distant learning services such as Blackboard. Representative Reitz suggested that it is important to inform the citizens of the entire State of the value of Technical Colleges and the need to provide adequate funding.

Chairman Sloan asked Mr. Alderman about service areas of Technical Colleges. Mr. Alderman explained that Technical Colleges do not have service areas but organized territories that were determined when the Technical College was originated. Representative Sloan asked Mr. Alderman about the funding possibilities for Technical Colleges. Mr. Alderman replied that when Technical Colleges become independent from United School Districts, the Technical Colleges will no longer have the bonding ability to fund capital improvements. Mr. Alderman also indicated that when the Technical Colleges receive accreditation from the North Central Association, their programs will be transferable to other post-secondary institutions.

With no further questions, Chairman Sloan adjourned the meeting at 4:02 p.m. The next meeting is scheduled for Wednesday, March 10 at 3:30 p.m. in room 321-N.

Thank you for your time on the phone regarding assistance to the National Guard, and the military in general. We in Kansas are blessed to have a legislature who supports its National Guard in so many ways.

The greatest assistance we could ask from the Kansas Legislature is a Tuition Waiver program similar to the ones already in place in several other states. This would replace the State Tuition Assistance program. The current environment leads us to believe your help in this matter is more critical than ever. Given the rate at which our soldiers and airmen are deploying, it has become more challenging to recruit and retain personnel. These deployments take a heavy toll on both the service member and their families. An incentive of improved educational benefits will certainly bolster our ability to recruit and retain quality personnel during this time of war.

The best program I've seen is in Wisconsin which is outlined below. Other states who have similar programs to what we seek are Massachusetts, Illinois and Texas. The state of Wisconsin, Dept of Veterans Affairs, offers 100% tuition, books and Fees reimbursements ON TOP of the GI Bill benefit. For those who have separated, they must use before their 10 year anniversary date. For those who are beyond their 10 year mark, they also have another grant which also pays 100%, however, those students can only go part-time up to 11 semester hours of study. For National Guardsmen they have a full Tuition Grant up to the cost of their highest priced public university. Lastly, they have a \$25,000 low interest loan, part of which can be deferred until they complete their education. The veteran must meet the one year residency requirement, or entered the service from Wisconsin, or separated from the service and reside in Wisconsin for at least one year.

We estimate the cost for a National Guard program like Wisconsin's would be in the neighborhood of 1.5 million dollars (National Guard only). I realize this is quite a jump from the \$724,000 the legislature provided the State Tuition Assistance program this past year. However, such a program will have long term benefits both for the Kansas National Guard, and the workforce within the state of Kansas. Our soldiers and airmen are already an integral part of the state wide workforce. These service members maintain an above average work ethic and level of self discipline. They exemplify the sort of person worth our investment of these precious resources. The return to Kansas is a highly educated workforce among the more motivated and self disciplined portions of our state populace.

Col. Bergman
House Higher Education Committee
Meeting Date: 3/8/04
Attachment No.: 1

Additionally, Colonel Vonderschmidt (phone: 274-1141) mentioned a program in New Jersey which provides interest free loans up to one year for guard members who are activated. The money (up to \$10K) is intended to help offset any loss in income to the family as a result of the guardsman's activation. It is unclear whether this was funded by the New Jersey Legislature, or some sort of state wide banking industry cooperative.

Thank you for your time, and I especially thank you all for your countless hours of selfless service to this great state!

Major Ray Bergman
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JIM BARNETT
SENATOR, 17TH DISTRICT
CHASE, COFFEY, GEARY, GREENWOOD
LYON, MARION, MORRIS, OSAGE, AND
WABAUNSEE COUNTIES



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FUND OVERSIGHT

Testimony

Senate Bill 314

Chairman Sloan and other distinguished members of the House Higher Education Committee, thank you for the opportunity to write in support of SB 314.

You are well aware of the importance of technical education in our state. As our technical colleges are separating from local school districts, the newly formed boards need defined powers and authority.

SB 314 mirrors the current law for community college boards. The legislation will help our state further advance its ongoing effort for reorganization and restructuring of higher education.

Today, members of the area technical colleges are present to speak in support of this bill. Thank you for your consideration. I request your favorable action on SB 314.

Signed:

A handwritten signature in black ink, appearing to read 'Jim Barnett', written over a horizontal line.

Senator Jim Barnett

JAB/gkp



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March 8, 2004

Representative Tom Sloan
Chairman
House Higher Education Committee
State Capitol – Room 446-N
Topeka, KS 66612

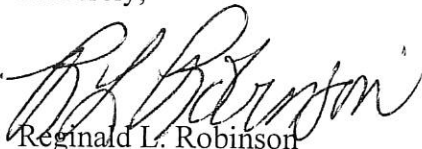
Dear Chairman Sloan:

Today your Committee will hear testimony regarding SB 314. As you know, this legislation amends K.S.A. 2003 Supp. 72-4470a relative to governance of technical colleges. The statute currently grants certain powers to technical college governing boards created under this section. SB 314 enumerates several additional powers granted to the governing boards.

This legislation would have no fiscal impact on the state, and the Board of Regents sees merit in the provisions that clarify technical college governance authority. The Senate approved SB 314 with a 40-0 vote on February 26.

Thank you for the opportunity to comment on this legislation. Please let me know if I can be of further assistance.

Sincerely,


Reginald L. Robinson
President and CEO

House Higher Education Committee

Meeting Date: 3/8/04

Attachment No.: 3

House Higher Education Committee

Testimony presented Monday March 8, 2004 3:30

Lee V. Alderman, Ph.D.
President
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Chairperson Sloan
Committee members,

Thank you for the opportunity to present information to you regarding SB314. My comments today are brief.

I am requesting support for SB 314, an act concerning technical colleges relating specifically to the powers and duties of their new governing bodies. SB 314 will allow the new governing boards to have management and control of their institutions—ensuring local control, with supervision from the Board of Regents.

As you know, SB7 of 2003 allows technical colleges to become autonomous from unified school districts. Implementing SB7 requires our governing boards to have powers to conduct the general business for the college.

Our legal counsel, upon implementation of SB 7, noticed that several management and control powers of the new governing board were omitted. As such, calls were made to legislators and the Board of Regents to get clarification. Both entities stated that certain management and control powers for the board were inadvertently omitted. They also suggested that we draft legislation clarifying the management and control powers necessary for the new governing board to operate the college. Please see K.S.A. 71-201, which gives similar powers to community college governing boards.

The management and control powers delineated in 314 will not have any fiscal impact on the technical college territory or the state. Also, there will be no impact on other agencies within the state.

The new governing boards of the technical colleges are requesting the powers to be granted in SB 314; the powers will be implemented and subject to the rules and regulations as set forth by the State of Kansas and the Kansas Board of Regents.

We support passage of SB314. Thank you for the opportunity to speak about bill 314.

House Higher Education Committee

Meeting Date: 3/8/04

Attachment No.: 4



Mark Desetti, testimony
House Higher Education Committee
March 8, 2004
Senate Bill 314

Mr. Chairman, members of the committee, thank you for the opportunity to speak today about **Senate Bill 314**.

We agree with the intent of this bill. Last year, in passing Senate Bill 7, this committee was instrumental in protecting employees in such a way that the efforts of faculty and administration could be focused on smoothing the transition and not on battling issues of wages, benefits, and working conditions. We applaud you for that effort.

This bill is an important part of the transition and is intended to give the new governing boards the authority to make important decisions necessary to their operation. It is right to do this.

As I read the bill however I came across one change that caused me some panic. In thinking and rethinking the change, I do not believe that it was meant to negatively impact the teaching staff of the technical colleges but the fact that it made me pull together our legal staff concerned me.

I refer to lines 36 through 39 on page two. At first I thought that this was a change in the treatment of the teaching staff and so was concerned. Upon further reflection, I believe that the intent is to empower the governing board to hire non-teaching staff. If that interpretation is true, then I would suggest that for the sake of clarification, you change those lines to read:

(9) within state adopted standards, fix and determine qualifications, duties, compensation, and all other items and conditions of employment for non-teaching employees.

Subsection (4) on lines 23 through 27 applies to the teaching faculty. Our suggested change would clarify that these two subsections apply to two different employee groups.

We appreciate your consideration of our amendment and thank you for your help in making the transition under SB 7 as painless as possible.

House Higher Education Committee

Meeting Date: 3/8/04

Attachment No.: 5