

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

All members were present except:

Representative Annie Kuether- excused
Representative Valdenia Winn- excused

Committee staff present:

Mary Galligan, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Art Griggs, Office of the Revisor
Linda Reed, Committee Secretary

Conferees appearing before the committee:

Robert Hemenway, KU Chancellor
Reginald L. Robinson, President and CEO Board of Regents
Senator Nick Jordan
Mary Galligan, Kansas Legislative Research Department

Others attending:

See attached list.

Chairman Sloan called the meeting to order.

Senator Nick Jordan provided written testimony supporting oral testimony given to the Committee, March 9, 2005, regarding **SB 139**, **Authorizing state board of regents to establish the Kansas academy of mathematics and science (KAMS)**. (Attachment 1)

The Chairman directed the Committee's attention to the minutes of February 2, 2005, February 9, 2005 and February 14, 2005.

The Chairman also noted handwritten letters from employees at the University of Kansas in support of **SB 74, State educational institutions; conversion of positions to classified service**. (Attachment 2)

Chairman Sloan asked Mary Galligan, Kansas Legislative Research Department to walk the Committee through **SB 74** comparing it to **HB 2020, Authorizing the conversion of classified employees to unclassified employees at state universities**, pointing out the differences as Amended by Senate Committee and Committee of the Whole. (Attachment 3)

Ms. Galligan noted both **HB 2020** and SB 74 give Regents Institutions discretion regarding converting classified employees. Several differences in the two bills were cited **SB 74** requires (1) conversion of selected positions; (2) affirmative vote of the affected employees prior to a conversion from classified to unclassified status; (3) a university support staff would be created; (4) would remove the requirement that the Board of Regents assist with retirement planning (5) development of personnel policies and procedures.

The Chairman then opened the floor for questions by committee members of any participants that testified on **HB 2020** and to legislative staff.

Representative's Carlin and Storm questioned the voting procedure and time requirements of bill.

Chairman Sloan questioned the Chancellor on the voting process used 10 or 15 years ago for health care workers (nurses) at the KU Medical Center who changed from a classified system. The Chancellor stated that no voting process took place in that case. The Chancellor noted that the nurses have never asked to go back.

Representative Huff questioned Mr. Robinson as to which bill he preferred. Mr. Robinson indicated that he was pleased with what came out on the Senate side.

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 3:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

The hearing on SB 74 was closed at 4:40 p.m.

The Chairman opened discussion on SB 139: Authorizing state board of regents to establish the Kansas academy of mathematics and science (KAMS) by having Art Griggs present the balloon on SB 139 to the committee. (Attachment 4)

Chairman Sloan explained that the proposed balloon language attempted to incorporate language and issues raised during the hearing on SB 139.

Representative Huff moved to adopt SB 139 as amended.

The motion was seconded by Representative Sharp.

The motion was adopted.

Representative Carlin moved that the balloon bill be further amended to add language that KAMS could receive private funding.

The motion was seconded by Representative Kelsey.

The motion passed.

Representative Horst stated that parents of 11th and 12th grade students may want to have their children live at home and still have access to advanced classes.

Representative Horst made the motion to provide advance placement courses over the KAN-ED network for pupils in grades 9 through 12.

The motion was seconded by Representative Menghini.

The motion was adopted.

Representative Horst made the motion that base state aid would go to KAMS for resident students instead of to the pupil's former high school.

The motion was seconded by Representative Storm.

Senator Jordan stated that students would receive a dual diploma from the KAMS program. Senator Jordan stated that the course of study of KAMS shall be developed by the Board of Regents in cooperation with the State Board of Education to insure that students' academic needs are met for High School and Associate of Science degrees.

Representative Pottorff made the motion that the curriculum shall be subject to the approval the state board of education.

The motion was seconded by Representative Horst.

The motion was adopted.

Representative Sharp moved that the Committee recommend SB 139 as amended for favorable passage.

The motion was seconded by Representative Huff.

The motion was adopted.

Chairman Sloan asked Representative Sharp to carry the bill.

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 3:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

Chairman Sloan adjourned the meeting at 5:30 p.m. The next meeting is scheduled for March 16, 2005, at 3:30 p.m. in Rm. 231-N.

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

DATE 3/14/05

NAME	REPRESENTING
JOHN DOUGHERTY	RSU
Dennis Constance	KU
Kathy Jones	KU
Mike Anshel	KU Employees
RUSSELL MILLS	GACHE S
Shannon Bell	KBOR
Doug Smith	Washburn University
Reggie Robinson	KBOR
Kip Peterson	KBOR
Philard Sponberg	Kennex/KSHIC
Andy Sanchez	KAPF
Samuel Reed	Speakers Bureau
Maria Diane Gjerstad	WPS
Mary Ellen Conlee	WATC
Oleg Koval	Lawrence High School Foreign Exchange Students - working as pages for Tom Sloan
Kseniya Guseva	
Nataliya Rogach	
Lena Smetanenko	
Lynette Nosek	CIEE Local Coordinator, working w/ above exchange students

HOUSE HIGHER EDUCATION COMMITTEE GUEST LIST

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DATE 3/14/05

NAME	REPRESENTING
L. K. Bibeaux	FHSU
Juni Rai	KACCT

TESTIMONY

HOUSE HIGHER EDUCATION COMMITTEE

WEDNESDAY, MARCH 9, 2005

SENATOR NICK JORDAN

SB 139

Thank you, Chairman Sloan and members of the committee, for this opportunity to discuss SB 139, which creates the Kansas Academy of Mathematics and Science.

This idea was brought to me by Dr. Don Norwood and Professor Jerry Magliano, who are also constituents of Rep. Stephanie Sharp.

Over the interim, since last session, I have been involved in a number of meetings regarding science and math education. I am a member of U.S. Senator Pat Roberts' Blue Ribbon Committee on Science, Technology and the Future. Also, I was a facilitator/participant in a couple of brain-storming sessions at Emporia State University.

The Kansas Academy of Mathematics and Science addresses a number of our needs in Kansas.

There certainly is a disturbing trend in education compared with where our economy is headed. We are seeing a critical decline and need for degreed science and math teachers. Subsequently, we are seeing a decline in interest among young students in these subjects. This will have a significant negative impact on our economy if left alone without trying to address a solution. Of course we should be very interested, given the passage of the Kansas Economic Growth Act last session.

SB 139 would encourage and let our brightest science and math students accelerate their education and fulfill their dreams. They are probably students who are currently less than challenged, maybe bored, with their high school classes. This would allow them to move to a college setting after their sophomore year and receive college-level instruction. After graduation, these students could become teachers or maybe a distinguished scholar/researcher. They could fulfill their dream in Kansas.

Mr. Chairman, I want to make my comments brief. Dr. Norwood and Professor Magliano are here and can address details of the bill.

Before closing, let me quote *"USA Today"* from an article about other academies around the country.

Concerning the Texas program – "At the end of two years, TAMS Kids have a high school diploma, two years of college and swarms of college recruiters offering scholarships to our great technology-oriented universities..." "(these) academies constitute a call for re-establishing excellence in education..."

Thank you once again, Mr. Chairman. I would be happy to answer any questions.

To: Members of the House Higher Education Committee

From: Linda Orr
Administrative Assistant
Office of the Chancellor
The University of Kansas

Dear Committee members:

I am writing to request your support of the initiative to allow Regent System universities to remove their employees from the State Civil Service System. This initiative is included in HB 2020 + SB 74. I truly believe that this will serve the best interest of the University of Kansas and their Classified Staff.

Thank you for your prompt attention to this request.

Linda M. Orr

March 2, 2005

To: Higher Education Committee.
From: Elizabeth Luther

I am writing to ask for your support of the initiative to allow Regents Universities to withdraw from the Kansas State Civil Service System.

I am an employee at the University of Kansas.

Elizabeth Luther

To: Members House Higher Ed Committee

Please support SB 74 - the Civil Service
Alternative for KU.

Thank you for support.

Lecky Jansen
KU Classified Senate

Dear Members of the Higher Education Committee,

Please support the initiative to allow Regent System Universities to leave the State civil service system. As an employee of KU Student Housing, this issue is one of utmost importance to me and my fellow employees. Thank you for supporting SB74.

Doug Carter

March 3, 2005

Members of House Higher Education Committee:

I am writing to ask for your support the initiative to allow employees belonging to the Regents System to leave the state civil service system. This corresponds to House Bill 2020 and Senate Bill #74.

As an employee of the University of Kansas, I feel that this would do a great deal to help all employees in the Regents System.

Thanks for your support.



Library Assistant II
University of Kansas

March 2, 2005

TO THE HIGHER EDUCATION COMMITTEE:

Please support the initiative to allow Regent System Universities to leave the state civil service system. I have worked at KU for over eight years. As an Administrative Specialist, I am near the top of Classified positions for which I am qualified. I LOVE my job, but continually struggle to make ends meet. I am willing to forego any job security the Civil Service system now offers (which isn't all that, since Classified employees CAN and DO lose their jobs) to have the opportunity to allow The University of Kansas to have more control over my employment, especially when it comes to PAY RAISES. I don't want to leave KU, but if my earning potential does not improve, I will be forced to find a better-paying job in the private sector.

THANK YOU,
Angel Gillaspie
School of Social Work
Assistant of Lawrence
2-6

To: Members of the House Committee on
Higher Education

FROM: Shawn Lee Gee
Senior Administrative Assistant
University of Kansas
Division of Biological Sciences

Dear Committee Members:

I ask you to support for the initiative to allow Regent System universities to remove the state civil service system. This is included in HB2020 and SB74. This is a positive move both for employees and the universities.

Thank you,

Shawn Lee Gee

7 members of the House Committee on H₂ in
Education.

From: Mike Archard.
Carpenter Senior
University of Kansas.
Dept of Student Housing.

Dear Committee members:

I am asking you to support
the initiative that allows Regent System
universities to remove their employees from
the state civil service system. This
initiative is included in H/B 2020 &
S/B 74. I believe this a very positive
possibility for both employees and
the universities.

Thank you,

Mike Archard

Members of the Higher Education Committee:

I request your support of legislation that will remove Classified employees of the Regents System from State Civil Service.

Thank you for your support.

Beverly Koerner
Administrative Specialist
University of Kansas

3/2/05

To: The House Higher Education Committee,

From: Dennis Constance
Custodial Spvr. Sr.
University of Kansas

I am writing to ask for your support of the legislation allowing Regents' Universities the option to withdraw classified employees from the civil service system. I believe this will be in the best interests of both the Universities and their classified staffs.

Thank you.

Dennis Constance

March 3, 2005

Rep. Tom Sloan,

I am writing in support of
S.B. 74. The current civil service
system is archaic & needs
of the classified employees are
not being met by it.

Please support SB74.

Beverly J. Nightingale
Accountant III
University of Kansas

Comparison of 2004 HB 2020 and SB 74 as Amended by Senate Committee of the Whole

HB 2020	SB 74 as Amended by SCOW	Differenc
<p>New Section 1. (a) The state board of regents may authorize any state institution of higher education to convert <u>all classified staff</u> employee positions in the institution to the unclassified service of state employment. Those classified staff employees whose positions are converted from classified to unclassified status shall retain all health and flexible benefits and leave and retirement benefits provided to them under the state classified employee system. <u>Each institution designated by the board shall develop a system for administration of all other aspects of employment for these employees.</u> Implementation of this section shall not cause a salary reduction or layoff of any classified employee. [emphasis added]</p>	<p>New Section 1. (a) The state board of regents, <i>in accordance with the provisions of this section</i>, may authorize any state institution of higher education to convert all classified staff employee positions <i>or any portion thereof</i> in the institution to the unclassified service of state employment. Those classified staff employees whose positions are converted from classified to unclassified status shall retain all health and flexible benefits and leave and retirement benefits provided to them under the state classified employee system. Each institution designated by the board shall develop a system for administration of all other aspects of employment for these employees, <i>including personnel policies and procedures, and each such system of administration shall be subject to approval by the state board of regents. [Such personnel policies and procedures shall include a disciplinary and grievance process which provides for the right to appeal and due process procedures.]</i> Implementation of this section shall not cause a salary reduction or layoff of any classified employee. <i>This section shall not be implemented by the state board of regents at any state institution of higher education unless an election has been held for classified staff employees affected by such proposal at such institution and the classified staff employees voting at the election by majority vote approve the conversion of the classified staff employee positions affected by such proposal at that institution to unclassified positions.</i></p>	<p>SB 74 would:</p> <ul style="list-style-type: none"> • allow convers selected positior • require development of personnel policies and procedures including disciplinary and grievance processes and require Board approval of those policies and procedures • require an affirmative vote of the affected employees prior to converting positions from classified to unclassified
<p>No similar provision.</p>	<p>New Section 1. . . . <i>[(c) Nothing in this act shall affect the representation rights of collective bargaining organizations that represent employees of a state institution of higher education, nor shall the provisions of this act affect any term or condition of any collective bargaining agreement in effect on the effective date of this act.]</i></p>	<ul style="list-style-type: none"> • preserve current collective bargaining representation and agreements.

Comparison of 2004 HB 2020 and SB 74 as Amended by Senate Committee of the Whole

HB 2020	SB 74 as Amended by SCOW	Differences
<p>New Section 1. (b) For the limited purposes of this section, and K.S.A. 74-4925, and amendments thereto, these newly designated unclassified employees shall be referred to as "university support staff" and the university of Kansas medical center shall be considered a state institution of higher education separate from the university of Kansas Lawrence, and its campuses.</p>	<p>§1(b), pg. 1, lns. 40-43 and pg. 2, ln.1. (See language amending K.S.A. 74-4925 below.)</p>	<p>None</p>
<p>Sec. 2. K.S.A. 2004 Supp. 75-2935 is hereby amended to read as follows: 75-2935. The civil service of the state of Kansas is hereby divided into the unclassified and the classified services. (1) The unclassified service comprises positions held by state officers or employees who are: . . . <i>(cc) positions at state institutions of higher education that have been converted to unclassified positions pursuant to section 1 and amendments thereto.</i></p>	<p>§3, pg. 10, lns. 34-36</p>	<p>None</p>

Comparison of 2004 HB 2020 and SB 74 as Amended by Senate Committee of the Whole

HB 2020	SB 74 as Amended by SCOW	Differences
	<p>Sec. 2. K.S.A. 2004 Supp. 74-4925 is hereby amended to read as follows: 74-4925. (1) The state board of regents shall:</p> <p>(a) Assist all those members of the faculty and other persons who are employed by the state board of regents or by educational institutions under its management and who are in the unclassified service under the Kansas civil service act as provided in subsection (1)(f) of K.S.A. 75-2935 and amendments thereto, except health care employees, as defined by subsection (1)(f) of K.S.A. 75-2935 and amendments thereto, <i>and university support staff, as defined by section 1 and amendments thereto</i>, in the purchase of retirement annuities for their service rendered after December 31, 1961.</p>	<p>K.S.A. 74-4925 would not be amended by HB 2020.</p>

SENATE BILL No. 139

By Committee on Commerce

1-28

10 AN ACT establishing the Kansas academy of mathematics and science.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. As used in this act:

14 (a) "Kansas academy of mathematics and science" or "KAMS"
15 means: (1) An accelerated residential program for Kansas high school-age
16 pupils who are academically talented in science and mathematics; and (2)
17 a rigorous, two-year program of college coursework tailored to individual
18 abilities and taught by the faculty at a postsecondary educational insti-
19 tution designated by the board. The purpose of KAMS is to provide an
20 opportunity for academically talented pupils to live and work in a com-
21 munity of peers and to earn simultaneously college credits and a high
22 school diploma.

23 (b) "Academically talented pupil" means a pupil who: (1) Is a Kansas
24 resident; (2) is eligible for enrollment in the 11th grade or equivalent; (3)
25 has completed at least two years of high school with distinction in math-
26 ematics and or science by the end of 10th grade; (4) has achieved mini-
27 mum composite scores of 23 on the ACT or 1100 on the SAT; and (5)
28 demonstrates the maturity and capacity to benefit from the KAMS
29 experience.

30 (c) "Postsecondary educational institution" has the meaning ascribed
31 thereto in K.S.A. 74-3201b, and amendments thereto.

32 (d) "Board" means the state board of regents.

33 Sec. 2. (a) The state board of regents shall adopt any rules and reg-
34 ulations necessary for the administration of the provisions of this act and } subject to appropriations therefore,
35 shall:

36 (1) Provide for establishment and operation of the Kansas academy
37 of mathematics and science at a postsecondary institution designated by } educational
38 the board;

39 (2) establish guidelines and procedures for operation of KAMS and
40 for selection of academically talented pupils who apply for admission to
41 KAMS;

42 (3) prescribe the curriculum of KAMS, including coursework in
43 mathematics through calculus II, chemistry, biology, physics, computer

and

1 science, English, history and political science.

The curriculum shall be subject to the approval of the state board of education.

2 (b) The guidelines and procedures for the operation of KAMS shall
3 address:

4 (1) Selection and admission of academically talented pupils on the
5 basis of mathematics and or science career interests, standardized tests
6 scores, transcripts, teacher evaluations, essays, family commitment and,
7 personal interviews and other such factors as the board identifies;

8 (2) selection of faculty and faculty qualifications;

9 (3) research, laboratory and field trip activities;

10 (4) extracurricular activities;

11 (5) college and career counseling services;

12 (6) college credit to be awarded;

13 (7) preparation and utilization of manuals to be provided to high
14 school counselors for use in advising academically talented pupils;

15 (8) ways and means of encouraging and facilitating parental involve-
16 ment in KAMS; and

17 (9) manner and method of publicizing KAMS and acquainting aca-
18 demically talented pupils and their parents with the benefits to be gained
19 by attending KAMS.

20 (c) The procedure for selecting academically talented pupils for ad-
21 mission to KAMS shall provide for admission of no more than one aca-
22 demically talented pupil from each of the 40 senatorial districts in Kansas

five

pupils

23 for the first two years of operation followed by admission of no more
24 than two academically talented pupils from each of the 40 senatorial
25 districts in Kansas for the next two years and thereafter. No more than
26 two one academically talented pupils pupil shall be selected from a school
27 district to ensure equitable participation from throughout the state with-
28 out adversely affecting any single school district.

four congressional

and no more than 20 more pupils selected from across the state.

29 (d) The board shall have authority to aid regent institutions in
30 developing short-term summer academies.

The selection criteria and programs for KAMS may include advance placement courses offered over the KAN-ED network for pupils in grades 9 and 10 and residing at KAMS for grades 11 and 12.

31 Sec. 3. Academically talented pupils shall be admitted to KAMS
32 without charge for tuition, fees and books, but shall be responsible for
33 room and board charges. Academically talented pupils who demonstrate
34 financial need may be provided room and board without charge.

and shall include in its budget request funds for operating such academies. The governor shall include funding therefor in the governor's budget report. Such summer academies may be residential or use the KAN-ED system.

35 Sec. 4. This act shall take effect and be in force from and after its
36 publication in the statute book.

Sec. 4 attached.

5.

subject to appropriations therefore, academically

Sec. 4. For purposes of the state aid pursuant to the school district finance and quality performance act and other provisions of law relating to school finance, the funding attributable to pupils who reside at KAMS shall be paid to KAMS rather than the school district in which the student is enrolled in accordance with procedures and guidelines prescribed by the state board of education.