

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 P.M. on January 23, 2006 in Room 231-N of the Capitol.

All members were present except:

Representative Carl Krehbiel- 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
Haley DaVee, Committee Secretary

Conferees appearing before the committee:

Representative Tom Sloan

Others attending:

See attached list.

Chairman Sloan asked for requests for bill introductions.

Representative Storm requested a bill setting a procedure to hear appeals on residency disagreements.

Representative Storm moved that the bill be introduced. Representative Kuether seconded the motion.

The motion carried.

Representative O'Malley requested a bill be introduced to create a pilot program to provide matching funding for low-income Kansans participating in our Learning Quest 529 Savings Plans.

Representative Pottorf moved that the bill be introduced. Representative Huff seconded the motion.

The motion carried.

Representative Carlin requested a bill be introduced concerning the KS comprehensive grant program relating to persons attending bible colleges in the state of KS.

Representative Carlin moved that the bill be introduced and Representative Kelsey seconded the motion.

The motion carried.

Chairman Sloan turned the committees attention to **HB 2572 - Private and out-of-state postsecondary educational institutions; clean-up amendments.**

Representative Kelsey moved to report HB 2572 out favorably. Representative Hill seconded the motion.

Representative Horst pointed out her concerns with page 4, lines 35-38 of the legislation and recalled that an amendment was drafted to resolve the problem. Art Griggs presented a balloon on **HB 2572** to the committee. (Attachment 1)

Representatives Kelsey and Hill asked the committee for permission to withdraw their motions.

Representative Horst moved the balloon amending HB 2572 be adopted. Representative Craft seconded the motion.

The motion carried.

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 3:30 P.M. on January 23, 2006 in Room 231-N of the Capitol.

Representative Horst made the motion that **HB 2572** be passed as amended. Representative Storm seconded the motion.

The motion carried.

Chairman Sloan asked that Representative Horst carry the bill.

The Chairman opened discussion on **HB 2575 - Kansas challenge to secondary school pupils; concurrent enrollment; gifted children; technical colleges.**

The Kansas Board of Regents distributed copies of their current concurrent enrollment policies in response to inquiries made by the committee during the last meeting. (Attachment 2)

Representative Storm moved to pass **HB 2575** out favorably and put it on the consent calender. Representative Kelsey seconded the motion.

The motion carried.

Chairman Sloan turns the meeting over to Representative Johnson, who opened the hearing on **HB 2604 - Midwestern high education commission.**

Representative Sloan testified as a proponent of **HB 2604**. He noted that under existing state law, despite having a member on the executive committee, the alteration of chamber and political party representation to MHEC would result in the loss of an executive committee position for the legislature. **HB 2604** would allow the legislative member who serves on the executive committee to continue to be state's official representative. Representative Sloan pointed out that it is a continuity issue—whether it is more important to have a Kansan in a leadership position on the executive committee than it is to continue the line of alternating representatives. (Attachment 3)

Chairman Johnson opened the floor for questions regarding **HB 2604**. The following representatives asked questions: Kelsey, Storm, Pottorf, Horst, Otto, Carlin, and Menghini.

Chairman Johnson returned the meeting back to Representative Sloan.

Chairman Sloan adjourned the meeting at 4:50 p.m. The next meeting is scheduled for January 25, 2006 at 3:30 p.m. in Rm. 231-N.

Rep. Horst

Session of 2006

HOUSE BILL No. 2572

By Legislative Educational Planning Committee

1-5

9 AN ACT concerning postsecondary educational institutions; relating to
10 private and out-of-state institutions; amending K.S.A. 58-3046a, 72-
11 4450, 72-4451, 72-4452, 74-3201b and 74-32,144 and repealing the
12 existing sections.
13

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

15 Section 1. K.S.A. 58-3046a is hereby amended to read as follows: 58-
16 3046a. (a) Except as provided in K.S.A. 58-3040, and amendments
17 thereto, any person who applies for an original license in this state as a
18 salesperson shall submit evidence, satisfactory to the commission, of at-
19 tendance of a principles of real estate course, of not less than 30 hours
20 of instruction, approved by the commission and received within the 12
21 months immediately preceding the filing of application for salesperson's
22 license. The commission may require the evidence to be furnished to the
23 commission with the original application for license or it may require the
24 applicant to furnish the evidence to the testing service designated by the
25 commission as a prerequisite to taking the examination required by K.S.A.
26 58-3039 and amendments thereto. If the evidence is furnished to the
27 testing service, the instruction shall have been received within 12 months
28 immediately preceding the date of the examination.

29 (b) Except as provided in K.S.A. 58-3040, and amendments thereto,
30 any person who applies for an original license in this state as a broker
31 shall submit evidence, satisfactory to the commission, of attendance of 24
32 hours of instruction, approved by the commission and received within the
33 12 months immediately preceding the filing of application for broker's
34 license. Such hours shall be in addition to any hours of instruction used
35 to meet the requirements of subsection (c), (d), (e) or (f). The commission
36 may require the evidence to be furnished to the commission with the
37 original application for license, or it may require the applicant to furnish
38 the evidence to the testing service designated by the commission as a
39 prerequisite to taking the examination provided in K.S.A. 58-3039, and
40 amendments thereto. If the evidence is furnished to the testing service,
41 the instruction shall have been received within 12 months immediately
42 preceding the date of the examination.

43 (c) Except as provided in subsections (d), (e) and (f), at or prior to

1 tutions and entities and the courses offered by them in this state which
2 are approved by the commission.

3 (l) No license shall be issued or renewed unless the applicable
4 requirements set forth in this section are met within the time prescribed.

5 Sec. 2. K.S.A. 72-4450 is hereby amended to read as follows: 72-
6 4450. As used in this act:

7 (a) "Vocational education program" means a program of vocational
8 or technical training or retraining which is operated at the postsecondary
9 level and is designed to prepare persons for gainful employment.

10 (b) "Vocational education institution" means any area vocational
11 school, area vocational-technical school, community college, municipal
12 university, or any state educational institution which operates one or more
13 vocational education programs.

14 (c) "Area vocational school," "area vocational-technical school,"
15 "community college," "municipal university," "state educational institu-
16 tion," and "state board" have the meanings respectively ascribed thereto
17 in K.S.A. 72-4412, and amendments thereto.

18 (d) ~~"Proprietary school" has the meaning ascribed thereto in K.S.A.~~
19 ~~72-4919, and amendments thereto. "Private postsecondary educational~~
20 ~~institution" and "out-of-state postsecondary educational institution" have~~
21 ~~the meanings ascribed thereto in K.S.A. 2005 Supp. 74-32,163, and~~
22 ~~amendments thereto.~~

23 (e) "Program" means the Kansas training information program estab-
24 lished by this act.

25 Sec. 3. K.S.A. 72-4451 is hereby amended to read as follows: 72-
26 4451. There is hereby established the Kansas training information pro-
27 gram. The state board shall adopt rules and regulations for administration
28 of the program and shall:

29 (a) On or before December 31 in each fiscal year, publish and dis-
30 tribute a report of the employment placement rates and average salaries
31 earned by persons completing vocational education programs in this state
32 during the most recently ended fiscal year for which such information is
33 available. The information required in such report shall be separately
34 reported by program and by institution or school;

35 (b) establish an advisory committee consisting of representatives of
36 vocational education institutions and participating ~~proprietary schools pri-~~
37 ~~vate and out-of-state postsecondary educational institutions~~ to assist in
38 the administration of the program; and

39 (c) prescribe all forms necessary for vocational education institutions
40 and participating ~~proprietary schools private and out-of-state postsecon-~~
41 ~~dary educational institutions~~ to provide the information necessary to pro-
42 duce the report required by this section.

43 Sec. 4. K.S.A. 72-4452 is hereby amended to read as follows: 72-

Such representatives shall be comprised of persons who reside or work in Kansas

Board Minute of May 18-19, 2005REVISION OF CONCURRENT ENROLLMENT POLICY

A briefing on the concurrent enrollment policy review process was provided by Vice President Robert Masters, including information about the initiation of the provisions in 1993 under the Kansas Challenge to Secondary School Pupils' Act, K.S.A. 72-11a01 to 72-11a05. Board staff conducted a survey in the summer of 2003 to determine the status of concurrent enrollment; however, the survey was not conclusive due to the widespread contrast in the definition of concurrent enrollment. The System Council of Chief Academic Officers reviewed the topic in October 2003 and, because of inconsistencies in definition, a subcommittee was named to report back to SCOCAO.

Council consideration continued and ultimately the policy with proposed revisions approved by SCOCAO and SCOPs, along with a proposed amendment by Board staff, was reviewed by the Board Academic Affairs Standing Committee (BAASC), prior to coming to the full Board for action. Regent Shank reported that BAASC concurred with the amended policy, including the language proposed by Board staff. BAASC also recommended that the fiscal issues related to concurrent enrollment be studied by Board staff or the Fiscal and Audit Committee at some point. Regent Shank also noted that the policy will not be effective for one year, and a two year review period after implementation is a policy provision. However, if data becomes available in the interim, BAASC would like an update at the end of the first year. Additionally, BAASC requested that, although the recommendation of the Council of Faculty Senate Presidents regarding faculty credentials was not included in the policy, the provisions become part of the official record in the event it would be desirable to include the provisions at a later date.

Questions and discussion followed. Regent Wynn proposed that feedback be sought from parents and students to determine how the policy is working. Responding to comments to establish an early review timeline, President Robinson noted that some of the steps to make the revised policy fully effective depend on legislative action, so any scheduled timeline would need to follow that process. President Tom Burke provided the historical perspective that the issue surfaced in the 1980's because students were taking longer than four years to complete a degree program. Legislators thought that getting students into the pipeline earlier would solve that problem and the double payment was an incentive to get colleges and school districts to cooperate. He recalled that concurrent enrollment was available prior to 1993, and thought that the 1993 legislation expanded the opportunity to both high school juniors and seniors, rather than just seniors. Additionally, the term concurrent enrollment permitted the individual school district to determine how the earned credit was handled. Another inquiry addressed the 24 credit hour requirement related to technical colleges and it was clarified that the policy relates to individuals teaching in the secondary setting, but not for instructors at the postsecondary site. It was reported that 80 percent of the concurrent enrollment offerings are taught by high school teachers in the high school setting. Additionally, it is anticipated that the Kansas Postsecondary Database will answer the question about whether these courses adequately prepare the student.

Regent DeBauge moved that the proposed policy, with the addition of the language proposed by Board staff be adopted, and that Board staff commence a study of the fiscal issues related to concurrent enrollment with any data collected within the next year being shared with Board staff and BAASC, that the COFSP recommendation be included in Board minutes and available in the future, if necessary, and that information on student satisfaction be included in the data collection. Following the second of Regent Wynn, the motion carried. The policy was approved as follows:

Concurrent Enrollment Policy Proposal, Chapter IV

8. POLICY FOR CONCURRENT ENROLLMENT OF HIGH SCHOOL STUDENTS IN ELIGIBLE PUBLIC POSTSECONDARY INSTITUTIONS

It is the policy of the Kansas Board of Regents (KBOR) to encourage high school students to take advantage of postsecondary education opportunities by enrolling in postsecondary courses while still in high school or participating in home schooling. K.S.A. 2000 Supp. 72-11a01 through 72-11a05 provide for these opportunities through the Kansas Challenge to Secondary School Pupils Act. The act commonly is known as concurrent enrollment of high school students in eligible postsecondary institutions.

Different types of concurrent enrollment can be included under the statute. In one type, a high school student may enroll at a postsecondary institution at any time without any formal agreement between the high school and the postsecondary institution. (This type of concurrent enrollment would include 11th and 12th grade students enrolling pursuant to K.A.R. 88-26-3, as amended, and any non-degree-seeking student.) In another type, a high school teacher teaches a college-level course to high school students at the high school during the regular high school day. The latter must conform to section b. of this policy.

a. Purposes of Concurrent Enrollment

As established by KBOR, the system-wide purposes of concurrent enrollment are fourfold:

(1) To Develop Seamlessness in the Regents' System

Seamlessness is defined as in Chapter IV section 22a of this policy manual.

(2) To Enhance Efficiency

Efficiency is enhanced by exposing as many qualified students as possible to a college-level experience, allowing students to get a "jump" on their college

education by reducing the time required to complete a degree and lowering the costs borne by parents, students and taxpayers.

(3) To Challenge High School Students and Promote College-Level Success

This goal is aimed at providing a college-level learning experience for qualified students by enhancing the amount, level and diversity of learning in high school beyond the traditional secondary curriculum. First year experience courses, performing and visual arts courses and advanced science, mathematics and language offerings not available in high school are especially encouraged.

(4) To Foster Improved Relationships Between the Regents' System and Kansas Secondary Schools

The Concurrent Enrollment Partnerships (CEP) will foster improved relationships among stakeholders by clarifying expectations, roles, and responsibilities.

Statutory language provides conditions under which secondary school districts and eligible postsecondary institutions may establish cooperative agreements, or what has been defined as a CEP.

b. Procedures and Standards of Quality for Cooperative Agreements and Delivery of Concurrent Enrollment Partnership Course Work

(1) Definition of Concurrent Enrollment

For purposes of this policy:

- i Concurrent enrollment partnership pupil means a person who is enrolled in classes at a high school at which approved high school teachers teach college credit classes during the normal school day, who is in either of grades 11 or 12, or who is gifted (see section b.(5) iii), and is acceptable or has been accepted for enrollment at an eligible postsecondary education institution.
- ii "Eligible postsecondary education institution" means any state educational institution, community college, municipal university or technical college.
- iii "State educational institution" has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.
- iv "Community college" means any community college organized and operating under the laws of this state.

- v “Municipal university” means a municipal university established under the provisions of article 13a of chapter 13 of Kansas Statutes Annotated.
- vi “Technical college” means any technical college established under the laws of this state as described in K.S.A. 74-3201b.
- vii “Concurrent Enrollment Partnership (CEP)” agreement means a written memorandum of understanding between an eligible postsecondary institution and a school district for the purpose of offering college-level learning to students who have been accepted for concurrent enrollment partnership in off-campus classes at a high school at which approved high school teachers teach college credit classes during the normal school day.

The CEP agreement must contain, at a minimum, the names and contact information of the liaisons for both parties, term and termination of the agreement, an overview of the partnership’s purpose and benefits, the individual and joint responsibilities of both parties, information, guidelines and necessary directions for curriculum, faculty, students, assessment, professional development activities and a listing of principles for assuring quality in programming. CEPs must include attachments that address issues of compensation, awarding of credit and course listings for each party.

CEP arrangements will include collaborative faculty development programming such as pedagogy, instructional design, course management, instructional delivery skill improvement, curricular

reform initiatives, qualified admissions considerations (if applicable), and student success assessment strategies.¹

(2) Agreement between Eligible Postsecondary Institutions and School Districts

A CEP agreement must be established between the eligible postsecondary institution and the school district. Such agreement must minimally satisfy the requirements of statute 72-11a04 and contain the essential elements provided in this policy.

General provisions of the statute relative to CEP agreements are as follows:

- i The academic credit is to be granted for course work successfully completed by the pupil at the eligible postsecondary institution, which shall qualify as college credit and may qualify as both high school and college credit;
- ii Such course work must qualify as credit applicable toward the award of a degree or certificate at the eligible postsecondary institution;
- iii The pupil shall pay to the institution the negotiated amount of tuition, fees and related costs charged by the institution for enrollment of the pupil.

(3) Curriculum Standards and Content of Courses in which Concurrent Enrollment Partnership Students are Enrolled

- i Courses must have been approved through the curriculum approval process of the postsecondary institution.
- ii The high school and college-level prerequisites, the content of courses, course goals and objectives, must be the same as those for the same courses offered to students at any location or by any delivery method.
- iii Materials such as textbooks used must be comparable to those used in the same course throughout the institution. Procedures for selection of textbooks and related material by faculty who teach concurrently enrolled students must follow adopted postsecondary institutional policies.

¹ Note...Although courses in some CEPs may have some elements or characteristics of the programs stated below, CEPs do not include the following programs:

- i Programs in which the high school student travels to the college campus to take courses prior to graduation during the academic year or during the summer.
- ii Programs in which college faculty travel to the high school to teach separate courses to the high school students.
- iii The College Board Advanced Placement Program and the International Baccalaureate Program where standardized tests are used to assess students' knowledge of a curriculum developed by a committee consisting of both college and high school faculty.

- iv If a course has been approved by the KBOR staff as competency-based, the competencies for the courses must be the same as those for courses not taught to concurrently enrolled students.
- v Remedial/developmental course work or course work that does not apply to a Regents' approved degree program at the postsecondary partner institution in a CEP agreement is not considered appropriate for college-level credit or eligible for financial reimbursement.

(4) Faculty/Instructors

- i Faculty teaching college-level concurrent enrollment partnership (CEP) courses must attain instructional eligibility by meeting one of the following standards: (1) demonstrate possession of a masters degree with 18 credit hours in the assigned course content; or (2) demonstrate possession of a bachelors degree, with at least 24 credit hours in the assigned course content and utilize the same final examination as given in a representative section of the course taught at the institution awarding the course credit and apply the same scoring rubric for the assigned course as that used in the on-campus class. Institutions may set higher standards. Teaching evaluations must be conducted. The postsecondary institution will provide instructors with orientation and ongoing professional development.
- ii Before approving the instructors to teach college-level CEP courses, the postsecondary institution must provide high school instructors with orientation and training in course curriculum, assessment criteria, course philosophy, and CEP administrative requirements.
- iii Each CEP must include an implementation plan for ensuring that instructors teaching concurrently enrolled partnership students are part of a continuing collegial interaction through professional development, seminars, site visits, and ongoing communication with the postsecondary institution's faculty and administration of the partnership.

(5) Student Eligibility for Enrollment

- i Concurrently enrolled students must meet institutional enrollment requirements, follow institutional procedures regarding assessment/placement, and satisfy course prerequisites. High school students enrolled in courses administered through a CEP may be officially registered or enrolled as non-degree or non-matriculated students of the sponsoring postsecondary institution. To meet the "academic challenge" purpose of this policy, CEP students must have an acceptable score or subscore on a standardized placement test in order to enroll in a CEP course. Institutions may establish higher standards.

- ii Students must be provided with a student guide created as part of the CEP that outlines their responsibilities in the learning experience as well as a description of how courses may be transferred in the Regents system. Advising of students who desire to enroll in CEP classes must be carried out by both the high school and postsecondary institution.
 - iii Students who are enrolled in grades less than grade 11 and are classified by a school district as “gifted” according to the State Department of Education’s definition, K.A.R.91-40-1(cc), as amended, may be admitted as concurrently enrolled students provided all other applicable requirements as outlined above are satisfied.
 - iv The student must be authorized by the school principal to apply for enrollment.
- (6) CEP Courses which Include Students Enrolled for Secondary and/or Postsecondary Credit

A course may include students enrolled for postsecondary and/or secondary credit. The postsecondary institution is responsible for ensuring that academic standards (course requirements and grading criteria) are not compromised.

(7) Accountability/Assessment Standards

- i Courses offered through a concurrent enrollment partnership must be reviewed annually by faculty in the discipline at the postsecondary partner to assure that grading standards (i.e., papers, portfolios, quizzes, labs), course management, instructional delivery and content meet or exceed those in regular on-campus sections.
- ii Each CEP must be reviewed at least every five years by the eligible postsecondary institution to assure compliance and quality considerations as outlined in this policy.
- iii The Regents System will track students who have participated in concurrent enrollment partnerships and other forms of concurrent enrollment.

(8) Collegiate Learning

CEP classes are not intended to replace a substantial portion of the academic experience on a college/university campus. Up to 24 semester credit hours may be earned in concurrent enrollment partnership classes.

c. Reporting of Concurrent Courses

- (1) Institutions will report the following as a part of the Kansas Postsecondary Database:
 - o Directory information for each high school student enrolled
 - o Credit hours generated by each high school student
 - o Credentials of faculty teaching CEP courses
 - o CEP credit hours generated by each high school student

- (2) By January 31 of odd-numbered years, each public postsecondary institution will provide a list of high schools involved in formal CEP agreements. For each institution, KBOR will select no more than two high schools for reporting. For each high school selected, each institution will submit the following to KBOR:
 - o Copy of the CEP agreement including (but not limited to)
 - o Implementation plan for professional development of instructors of CEP students (as described in b(1)vii and b(4)iii)
 - o Student Guide for CEP students (as described in b(5)ii)
 - o Report resulting from the review of CEP courses by postsecondary faculty and dates of most recent review of all CEP courses, aggregated by discipline (as described in section b(7)i).

- (3) Each institution will forward to KBOR a copy of the report resulting from the institutional review of CEPs (as described in b(7)ii).

- (4) All reports will be reviewed for compliance and the results will be reported by 2010.

d. Implementation

This policy shall become effective at the beginning of the fall semester one calendar year after approval.

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MEMBER: UTILITIES
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RESOURCES BUDGET
KANSAS WATER AUTHORITY

Testimony on HB 2604 - Midwestern Higher Education Commission Membership

January 23, 2006

Higher Education Committee

Committee Members: HB 2604 would change the manner in which the Kansas Legislature's representatives to the Midwestern Higher Education Commission (MHEC) serve. Kansas' participation in MHEC is authorized by statute and two legislators, one from each house and from different parties, are selected by the Speaker and President. MHEC provides programs, data collection and analysis, and other services for states in the Michigan to Kansas, Missouri to South Dakota area. Examples of services are: multi-state property insurance for higher education institutions, multi-state tuition agreements, and analysis of tuition-student aid levels.

Historically, the legislative representative to MHEC alternates between the House and Senate, with the member of the second chamber serving as alternate. Every two years, the representation would change chambers, so that if the House member were the primary legislative representative, the Senate member would assume that role. When Lana Oleen was selected to represent the Legislature at MHEC, the House Democrat "alternate" effectively deferred to her and allowed Senator Oleen to attend all of the meetings for four years. This provided an opportunity for Senator Oleen to become a member of MHEC's Executive Committee and ultimately President of MHEC.

HB 2604 would allow a legislative member of MHEC's Executive Committee to remain the official Kansas Legislative representative so long as he/she continues to be appointed to MHEC by the Speaker/President and remains on the Executive Committee.

The issue is continuity of Kansas' representation on this important regional higher education organization. However, it is important that you know that I currently serve as the state's legislative representative to MHEC and I am a member of the Executive Committee.

If you believe that having a legislative member on the MHEC Executive Committee is important, I encourage you to support HB 2604. If you support the concept, but are uncomfortable enacting something in which an incumbent benefits, make the bill take effect January 1, 2007. Obviously if you do not believe that maintaining a legislative member on MHEC's Executive Committee is significant, then defeat this proposal.

I will be pleased to respond to questions.

House Higher Education Committee
1-23-06
Attachment 3