

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, 2006 in Room 231-N of the Capitol.

All members were present except:

Representative Annie Kuether- excused
Representative Carl Krehbiel- excused
Representative Don Hill- excused
Representative JoAnn Pottorff- 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:

Senator Ruth Teichman
Scott Gates, Kansas Treasurer's Office

Others attending:

See attached list.

Chairman Sloan opened the hearing on **SB 305 - Kansas comprehensive grant program; students attending institutions accredited by American Association of Bible Colleges, eligibility of** and welcomed Senator Ruth Teichman to the committee as a proponent. Senator Teichman suggested that this was a necessary measure to help students meet the high cost of a college education. (Attachment 1) Chairman Sloan pointed to written testimony in support of **SB 305** submitted by Representative Dennis McKinney. (Attachment 2)

Seeing no questions from the committee, Chairman Sloan closed the hearing on **SB 305** and opened the hearing on **SB 330 - Learning Quest (family postsecondary savings accounts); removing penalty for early withdrawal.**

Scott Gates, Kansas Treasurer's Office, was welcomed to the committee to testify as a proponent of **SB 330**. He suggested that the legislation would encourage more Kansans to save for college by removing penalties for non-qualified withdrawals. (Attachment 3)

Chairman Sloan closed the hearing on **SB 330** and turned the committee's attention to **SB 436 - Community colleges and school districts; personnel evaluations.**

Representative Storm moved that **SB 436** be passed favorably and placed on the consent calendar. Representative Sharp seconded the motion.

The motion carried.

The committee's attention was turned to **SB 305 - Kansas comprehensive grant program; students attending institutions accredited by American Association of Bible Colleges, eligibility of.**

Representative Horst moved to replace the contents of the bill with an amendment to 74-32,146. (Attachment 4) Representative Sharp seconded the motion.

Questions were asked by Representatives Storm and Carlin.

The motion carried.

Action on **SB 305** was put on hold to allow Art Griggs, Office of the Revisor, time to get language on a

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 3:30 P.M. on March 8, 2006 in Room 231-N of the Capitol.

suggested amendment by Representative Carlin.

Chairman Sloan turned the committee's attention back to **SB 330 - Learning Quest (family postsecondary savings accounts); removing penalty for early withdrawal.**

Representatives Menghini and Carlin asked questions regarding the legislation.

Representative Horst moved that SB 330 be passed favorably. Representative Carlin seconded the motion.

The motion carried.

Chairman Sloan asked Representative Sharp to carry the bill and then instructed the committee to return their attention to **SB 305.**

Representative Carlin proposed an amendment. (Attachment 5) Representatives Horst, Storm, and Sloan asked questions regarding the amendment.

Representative Carlin moved the proposed amendment be adopted. Representative Kelsey seconded the motion.

Questions and concerns were raised by Representatives Johnson, Menghini, and Horst.

Representatives Carlin and Kelsey asked that their motions be withdrawn.

Representative Horst moved that SB 305 be passed favorably as amended. Representative Otto seconded the motion.

The motion carried.

With no further business, Chairman Sloan adjourned the committee at 4:15 p.m. The next meeting is scheduled for March 13, 2006 at 3:30 in Rm. 231-N.



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIR: FINANCIAL INSTITUTIONS AND INSURANCE
 MEMBER: EDUCATION
 WAYS & MEANS
 NATURAL RESOURCES
 ORGANIZATION, CALENDAR & RULES
 JOINT COMMITTEE ON PENSIONS,
 INVESTMENTS AND BENEFITS
 LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

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RUTH TEICHMAN

SENATOR, 33RD DISTRICT

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 STATE CAPITOL, ROOM—241-E
 TOPEKA, KANSAS 66612
 (785) 296-7394

Thank you for allowing me to testify on SB 305.

SB 305 concerns the Kansas comprehensive grant program; relating to persons eligible for these grants.

This bill specifically addresses the way colleges are accredited that then allows these colleges, through the North Central Accreditation Association, to apply for a comprehensive grant.

For the past two years, the legislature has allowed Barclay College to participate in the comprehensive grant program through the appropriations process with an exemption to being accredited through the North central Association/ Higher Learning Commission and accepting Barclays accreditation through the American Association of Bible Colleges, now known as the American Association of Biblical Higher Education.

The Association of Biblical Higher Education is an agency recognized by the US government and the US Department of Education as an approved accrediting agency and incorporates high quality standards to obtain accreditation. Students at institutions accredited by the ABHE are eligible for federal financial aid, including Pell grants. I have provided you with the first part of the standards that must be met to receive accreditation by this agency.

Barclay College is a small 4 year Bible College located in Haviland, KS half way between Pratt and Greensburg and is the only 4 year college in southwest Kansas. I have included a bio about Barclay College that gives the history of this institution and their mission. Barclay is the only college in the State of Kansas that does not have the opportunity to apply for these grants.

For the past two years, Barclay College has assured us that they were working toward the North Central accreditation. Recently, there has been a change in the administration of the college and a renewed commitment to the students and the college. I have enclosed an e-mail from the President with his thoughts about the future of the college. Mr. Frazier has again committed to me their quest for the North Central Accreditation. However, until they get the college back on a strong financial basis, they have put off this recognition for the time being.

This bill is supported by the Board of Regents and several recipients whose letters I have also included.

The Board of Regents has suggested a change in the way the bill was written that would allow participation by Barclay College or any accredited college to apply for the grant.

Granting this college the ability to permanently receive the opportunity to apply for this grant will help students meet the high costs of a college education. This is one way the legislature can help rural Kansas preserve higher education opportunity in South West Kansas.



BARCLAY COLLEGE



Barclay College was founded in 1917 at Haviland Kansas and has been a viable part of higher education in the State of Kansas ever since. It is authorized by the State of Kansas to award Associate and Bachelors degrees. The forerunner of the college was Friends Haviland Academy, which was the first high school in Kiowa County. The academy was started by Quakers, who founded the city of Haviland. They migrated here from the state of Indiana. The Academy opened its doors on October 31, 1892. Its first graduating class was in 1897. In 1917, the board started a two-year college program. In 1968 the college was expanded to a four-year institution and the academy was closed. It is the only four-year college in southwest Kansas. Barclay College is located on a seventeen-acre campus and has 6 major buildings.

The college has always maintained a strong academic program. While I was academic dean in the early 70s, I worked with Emporia State University on a joint degree program. Students could attend Barclay College for three years and Emporia State University for two years and receive their degree from both institutions with a major in the field of their choice and the other in Bible. While working with a committee at Emporia, I presented the grade point average, which our students had earned at both schools. During a meeting with the acting Dean of the Graduate School at ESU, he said, "I am amazed that your students can come here from your small college and earn the grades they do." In November the director of admissions of the graduate school at Friends University asked to visit our campus. She said that the Barclay students were some of the best students they get in their graduate program. She wanted to see the place from where they were coming and to encourage other of our graduates to apply to their program. Our on campus professors and adjunct professors are quality teachers who have doctorates and masters degrees in the areas of their expertise. Barclay College is accredited by the Association for Biblical Higher Education which is an agency recognized by the US government.

Our students serve in various vocations around the world. The college has prepared 105 missionaries who have left Barclay College and served in 33 different nations. The number of ministers we have prepared is more than I want to take time to count. Our teacher education program has quality people serving as teachers and administrators in schools in this country as well as one who is teaching in Singapore. The college's influence throughout the world is more than would be expected from a school of its size.

Our mission is to "Prepare students in a Bible centered environment for effective Christian Life, service and leadership." Our students are serious about their preparation for service. We allow no drugs, tobacco or alcohol on campus. The crime report we have to complete each year for the federal government does not take much time to prepare.

Your gift to us through the Kansas Comprehensive Grant has been very helpful to our Kansas students. We appreciate what you have done for us the past two years. I hope you feel that Barclay College is worthy of your continued support.

From: "Frazier, Herb" <frahe@barclaycollege.edu>
To: <teichman@senate.state.ks.us>
Date: 2/10/2006 11:11:23 AM
Subject: BARCLAY COLLEGE

Ruth,

Thank you for taking time to visit with Shirley and me. Know that I feel deeply indebted to your for the Kansas Comprehensive Grant. I wish I could be with you on the 15th. Shirely and I will be on our way to Orlando where the Association for Biblical Higher Education (our accrediting agency) will be in session.

Just for your information:

I became president of Barclay on July 1, 2005. The college went through some pretty dark times last spring. The administration is new. Problems included financial needs and low student enrollment.

I would not have accepted the presidency if I did not think I had a handle on both areas. I was Alumni Director prior to accepting this position. I believe I have the alumni's confidence and can get the money we need from them to stabilize the college. I have hired a new man in admissions whom I think will build the enrollment. At semester we held even which is quite a feat. A solid count of admissions applicants, who say they are definitely coming next fall, already match the number we enrolled last fall.

If I cannot change these two areas, I should not be president.

The college received \$1,140,838.60 from donors during my first six months as president. This is more than was received from donors the entire 12 months last year.

Land has been given to the college which is still processing and should be finalized this month which has already been sold for nearly \$90,000.

I am now in the process of getting enough donations from donors so our income from them equals \$67,000 which we need each month to stabilize the college.

This is probably more information than your need or want. I wanted to share it with you so you feel some security in promoting an institution which is stable. It is not of value as far as the request to the Education Committee is concerned.

The attached document is what I handed out to the committee I spoke to last Monday.

The Association of Biblical Higher Education is an organization which is nationally recognized and high quality.

Thanks for all you do for Barclay. Let me know if there are other facts you would like to have.

Herb Frazier <<Kansas I.doc>>

OTHER SOURCES OF STATE-FUNDED AID
(These do not require the state application)

STATE GRANT

KANSAS COMPREHENSIVE GRANT

The Kansas Comprehensive Grant is available to needy Kansas residents enrolled full-time at eighteen private colleges and universities located in Kansas, the six public universities, and Washburn University. The Kansas Legislature provides limited assistance to financially needy students. To be considered you must complete and submit the FAFSA, listing one or more eligible colleges. The priority receipt deadline is April 1, each year. The funding level allows about 1 in 3 eligible students to be assisted with award amounts ranging from \$200-\$3,000 at the private institutions and \$100-\$1,100 at the public institutions. **The grant is based on financial need.**

VOCATIONAL SCHOLARSHIP

VOCATIONAL EDUCATION SCHOLARSHIP

The Vocational Education Scholarship is available to eligible students enrolled in approved vocational programs at community or technical colleges and some two-year programs at four-year institutions. Applicants must take the vocational exam that is offered at various sites throughout the state on the first Saturday in November and March. See your high school counselor or college financial aid director for an application, contact the Board of Regents or download application from our web site. There are approximately 240 scholarships of \$500. Priority goes to renewals and the remainder to new applicants with the highest exam scores. Approximately 1 in 2 applicants are funded.

ADDITIONAL STATE FUNDED PROGRAMS

Recipients must be Kansas residents and full-time students. Additional information is available from the Board of Regents office. Call (785) 296-3517.

MILITARY SERVICE SCHOLARSHIP/TUITION ASSISTANCE

ROTC Service Scholarship - Student agrees to accept a commission as a Second Lieutenant and serve for not less than four years as a commissioned officer in the Kansas Army National Guard. This program is only available at Kansas State University, Pittsburg State University and University of Kansas.

Kansas National Guard Educational Assistance - Provides up to 100% of tuition and fees that leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements for members of a Kansas Air/Army National Guard unit. Full-time enrollment not required. See web site for application.

PROFESSIONAL SERVICE SCHOLARSHIPS

Kansas Osteopathic Medical Service Scholarship - Designed to encourage service in rural areas of Kansas. Recipients receive up to \$15,000 per year for up to four years of study at nationally accredited Osteopathic schools. Preference goes to first year students. Recipients serve one year of practice for each year of assistance. Applicants must complete a program application and the FAFSA. Priority Deadline: May 1, each year. See web site for application.

Kansas Optometry Service Scholarship - Designed to encourage optometrists to establish a Kansas practice. Kansas helps to pay the difference between resident and non-resident tuition at eligible out-of-state institutions. Generally, recipients must serve one year of practice for each year of assistance. Priority Deadline: April 1, each year. See web site for application.

Kansas Dental Educational Opportunities Program - Designed to encourage dentists to establish a Kansas practice. Kansas helps pay the difference between resident and non-resident tuition at the University of Missouri-Kansas City. Applications are available from UM-KC. Deadline: Rolling.

GRADUATE STUDIES AND FELLOWSHIPS

James B. Pearson Fellowship - Established by former Kansas Senator Pearson to encourage graduate students from Kansas public universities to experience the global perspective gained from study abroad. Preference given to applicants whose studies are directly related to foreign affairs. Stipends average \$2,456. Applications also available from graduate school offices. Deadline: April 1, each year.

Kansas Distinguished Scholarship Program - Created to encourage Brasenose, Chevening, Fulbright, Madison, Marshall, Mellon, Rhodes, and Truman scholars from Kansas to continue graduate studies at Kansas public universities. Kansas reimburses tuition and fees to recipients subject to funding constraints.

Other student financial assistance programs available: Workforce Development Loan Program, Foster Care Tuition Waiver, and Tuition & Fee Waivers for Dependents & Spouses of Deceased Public Safety Officers, Prisoners of War, and Deceased Military Personnel. For more information about these programs, call the Kansas Board of Regents Office or visit our website.

One of the standards for ABHE relates to the credentials for faculty. The standard and the college's faculty are given below.

9-3. *Undergraduate faculty who have earned a minimum of a master's degree and who are teaching in their area of expertise.*

Below is the list of all faculty, full-time and adjunct, who taught classes in the 2004/2005 academic year and/or are teaching classes in the 2005/2006 academic year. Given for each is the degree earned and the college or university from which it was earned, the area of teaching, and notes related to experience.

Faculty	Credentials	Area	Notes
Anders, Lee	B.S. Barclay College; B.S. McPherson College; M.B.A. Emporia State University.	business, computer	Head of Business Administration major for 22 years
Anderson, Ray	B.S. Emporia State University; M.S. Emporia State University	social sciences	over 30 years experience as high school instructor
Ashlock, Bernard	AA Hesston College, B.A. Oral Roberts University; M.A. Oral Roberts University; NCC, LCPC	education—exceptional children, counseling	professional counselor
Bardwell, Joel	B.A. Trinity College; M.Div. Trinity Evangelical Theological Seminary; Th.M. Trinity Evangelical Theological Seminary; M.A. New York University	Bible	
Burns, Michael	AA Nazarene Bible College B.A. Point Loma Nazarene College; M.A. Point Loma Nazarene College	Bible, especially Gospels	
Carpenter, Ryan	B.F.A. Emporia State University; M. Div. Midwestewrn Baptist Theological. Seminary	Bible	
Carswell, Justin	Ph.D. (abd) Southern Theological Seminary	philosophy	
Doelling, Clance	B.S. Purdue University; M.A. University of Dallas	business	over 40 years experience in business and engineering
Gary Damron	BA. Mid-America Nazarene University, MA. Wichita State University	history	many years at community college level
Enniss, Leonard	B.A. Ottawa University; M.A. University of San Francisco	Bible and ministry	
Enos, Gregory	B.A. University of California Davis; Th.M. Dallas Theological Seminary; Th.D. Dallas Theological Seminary	Bible and ministry	
Flinkman, Herb	B.A. Calvary Bible College; M.A. Calvary Bible College; Th.M. Dallas Theological Seminary.	Bible, especially hermeneutics and apologetics	
Fly, John	B.A. Nazarene Bible College; M.A. Northwest Nazarene University	Bible	
Garrett, Tim	B.B.E Colorado Christian University; course work at Bethel Seminary; M.Ed. Azusa Pacific University	youth ministry	

Hodges, Jerry	B.A. Southeastern Oklahoma State University; M.Div. Southwestern Baptist Theological Seminary	Bible, especially hermeneutics and apologetics	
Hunt, John	B.A. Colorado State University; M.Div. - Denver Seminary	Bible	
Jantz, Everett	B.A. Friends University; M.A. Houston Graduate School of Theology.	philosophy	years of experience as pastor
Johnson, Fred	B.A. Northwest Nazarene University; M.Div. Asbury Theological Seminary; M.S. Fort Hays State University; Ph.D. Kansas State University.	Bible-especially doctrine of holiness; education	was head of the Elementary Education major for 15 years
Kendall, Lois	B.A. Wichita State University; M.S. Psychology, Friends University	psychology	
Leppert, Glenn	B.A. Northwest Nazarene University; M.A.R. George Fox Evangelical Seminary; M.A. (History) Fort Hays State University; Ph. D. (History) Kansas State University	Bible, NT Greek, history	teacher on mission field, pastor, registrar
Lyngdoh, Prosperly	B.A. Serampore College; M.A. Gordon-Conwell Theological Seminary, Ph.D. Southern Theological Seminary	missions	experience on the mission field in India
Mills, Brian	B.S. Friends University; M.A. Southwestern Seminary; M.A. Southwestern Seminary	Ministry-especially counseling	runs private counseling service
Morley, Sylvia	B.S. Emporia State University; M.S. Emporia State University.	English, literature	many years in public school
Parker, Jeanette	B.A. Barclay College; M.L.S. Emporia State University	study skills	librarian
Payette, Skip	B.S. Crichton College; M.A.R. Asbury Theological Seminary; D.Min. Baptist Bible College and Sem.; Ph.D. (abd) Southern Theological Sem.	youth ministry	youth superintendent for Wesleyan Church
Pinkerton, James	B.S. Barclay College; M.A. Friends University	Bible	
Regier, Delbert	B.A. Grace Bible Institute; M.Th. Dallas Theological Seminary	Bible	pastor
Regier, Viola	B.A. Grace University; M.A. California State University	education	teacher in public school
Ross, Jared	B.S. Music, Friends University; M.A. Wichita State University	music	
Sazama, Heather	B.S. Barclay College; M.A. Fort Hays State University	education	education specialist for Hutchinson
Scarbrough, Anita	B.A. Northwest College of the Assemblies of God; M.A. Denver Seminary	Bible and ministry	
Seibel, Dianna	B.S. Barclay College; M.A. Friends University	psychology	
Spaulding, Mary	B.A. Kalamazoo College; M.A. Fuller Theological Seminary	Bible	
Starkey, Jeff	B.A. Roanoke Bible College M.Div. Ashland Theological Seminary, graduate hours from University of Akron	ministry	

Storz, Jerry	B.A. Mid-America Nazarene College; M.A. Southwest Baptist Seminary	Bible	
Taylor, Hunter	B.S. Kansas State University; M.S. Fort Hays State University.	psychology	
Towne, Becky	B.S. Barclay College; M.A. Fuller Theological Seminary. D.Min. Houston Graduate School of Theology	Bible and ministry	
Webb, Joyce	B.A. Trinity University, M.A. Southern Methodist University, Ph.D Southern Methodist University	psychology	
White, Sheryl	B.A. Mid-America Bible College; M.Div. Anderson University School of Theology; M.A. Anderson University School of Theology; D.Min. Houston Graduate School of Theology	ministry	
Williams, David	B.A. Sociology and Christian Ministry, Malone College; M.A. Biblical studies, Ashland Theological Seminary	pastoral ministry	pastor
Williams, Richard	B.A. Treveca Nazarene University; M.Div. Nazarene Theological Seminary	Bible and ministry	pastor
Yocum, David	B.Th. William Tyndale College, M.A. Dallas Theological Seminary M.Th. Dallas Theological Seminary	Bible	

TESTIMONY TO HOUSE HIGHER EDUCATION COMMITTEE

February 6, 2006

My name is Zane Raber. I was born in Coldwater, Kansas, and graduated from Haviland High School. I am a sophomore at Barclay College and am majoring in pastoral ministry. My father is employed by Panhandle Eastern Pipeline Company and my mother is employed by Iroquois Center for Human Development. I have a part time job with Northern Natural Gas during the school year and full time in the summer.

Thank you for providing me with the Kansas Comprehensive Grant. It means a lot to my wife and me to have help with our financial obligations while attending Barclay College.

TESTIMONY TO HOUSE HIGHER EDUCATION COMMITTEE

February 6, 2006

My name is Sarah Raber. I am Zane's wife. I graduated from Hugoton High School. My father works as a mechanic for John Deere and my mother is a dietary aid at the Stevens County Hospital. I am a sophomore at Barclay College majoring in Psychology and Family Studies. I work part time at Maurices to help supplement our income.

Zane and I were married last summer and this Kansas Comprehensive Grant is helpful to us as we are on our own and paying our college expenses.

TESTIMONY TO HOUSE HIGHER EDUCATION COMMITTEE

February 6, 2006

My name is Jessica Windorski. I was born in Wichita KS, and graduated from Douglass High School in 2004. I am a junior at Barclay College majoring in business administration. My father is a human resources manager at Spirit Aerosystems in Wichita and my mother is also employed in Wichita at The Breakthrough Club of Sedgwick County.

The Kansas Comprehensive Grant means a lot to me because of the higher tuition I pay at Barclay College. I am responsible for paying for my own education and work at the college's Welcome Center to help with expenses.

TESTIMONY TO HOUSE HIGHER EDUCATION COMMITTEE

February 6, 2006

My name is Jake Stahlman. I am a sophomore at Barclay College; my major is Music Ministry. I was born in Wichita, KS and graduated from Wichita South High School. I come from a single parent home. My mother works at Southwestern Bell/ AT&T. I work for the college in the maintenance department to help with my college expenses.

Thank you for providing me with the Kansas Comprehensive Grant. It means a lot to my mother and me by helping me attend a private college.



ABHE

The Association for
Biblical Higher Education

Formerly The Accrediting Association of Bible Colleges

COMPREHENSIVE INTEGRATED STANDARDS

EDITED VERSION

July, 2004

Comprehensive Integrated Standards

1. MISSION, GOALS, AND OBJECTIVES

The institution has a clearly defined mission that is appropriate to higher education as well as its own specific educational role. The mission statement serves as the foundation for institutional operations, programs, and activities. Statements of the goals and program objectives specify how the institution will fulfill its mission.

ESSENTIAL ELEMENTS

Relative to this standard, an accredited institution is characterized by . . .

- A clearly defined mission statement, appropriate to biblical higher education, developed and periodically reviewed by broad representation from all sectors of the institution and ratified by the governing board.
- A mission statement that is published widely among both internal and external constituencies.
- A mission statement that guides faculty, staff, administration, and governing boards in making decisions related to planning, resource allocation, program development, and educational outcomes.
- Clearly articulated and publicized institutional goals that are directly related to the mission statement.
- Clearly articulated and publicized objectives for each educational program that support the mission statement and institutional goals.

2. ASSESSMENT AND PLANNING

The institution demonstrates that it is accomplishing and can continue to accomplish its mission, goals and program objectives and improve performance through a regular and comprehensive system of assessment and planning.

(Issues regarding Student Learning are discussed in Standard 12. The intentional focus of this standard is toward Institutional Effectiveness.)

ESSENTIAL ELEMENTS

Relative to this standard, an accredited institution is characterized by . . .

- A written assessment document that describes continuous, structured processes involving the total institution.
- Meaningful analysis of assessment data and use of results by appropriate constituencies for the purpose of improvement.
- Substantial evidence issuing from its assessment processes that the institution is effective in fulfilling its mission and achieving its goals and objectives.
- A planning process that is systematic and ongoing and involves representatives of the various institutional constituencies.

- A planning process for the improvement of the institution's goals and services.
- A plan that reflects the institution's vision and is based on assessment results and realistic resource projections.
- A system for monitoring institutional progress in achieving planning goals.

3. INSTITUTIONAL INTEGRITY

The institution is a model of Christian ethical behavior, both internally and externally. The institution demonstrates integrity in all of its practices and relationships, with strict adherence to ethical standards and its own stated policies.

ESSENTIAL ELEMENTS:

Relative to this standard, an accredited institution is characterized by . . .

- Institutional publications, statements and advertising that describe accurately and fairly the institution, its operations, its programs, and its effectiveness claims.
- Student, faculty, and staff handbooks that describe and govern various institutional relationships with those constituencies, including appropriate grievance procedures.
- Policies and practices for the resolution of internal conflicts within the institution's constituency.
- An institutional culture that fosters respect for diverse backgrounds and perspectives.
- Equitable and consistent treatment of constituencies in all areas including student discipline, student evaluation, grievances, faculty promotion, administrative review, compensation, and human resource management.
- Honest and open communication regarding compliance with agencies such as accrediting, licensing, and governing bodies.
- Fulfillment of all applicable standards and requirements of the ABHE Commission on Accreditation.
- Integrity in all financial matters.

4. AUTHORITY AND GOVERNANCE

The institution is legally constituted as a nonprofit organization authorized by its state or province to operate as an educational institution and grant all degrees and/or offer credentials. The institution has a governing board with legal and fiduciary responsibility to exercise appropriate oversight over institutional integrity, policies, resource development, and ongoing operations.

ESSENTIAL ELEMENTS:

Relative to this standard, an accredited institution is characterized by ...

- Evidence that the institution is operating legally in its state or province.
- A constitution and bylaws that clearly and comprehensively provide a basis for institutional administration and governance.

- A governing board that possesses autonomy and exercises legal power to establish and review policies of the institution.
- Board membership that excludes all employees except the chief executive officer.
- A governing board with elected officers that do not include the chief executive officer.
- A governing board that assists in generating resources needed to sustain and improve the institution.
- A conflict of interest policy for board members that addresses issues such as financial interests, contracts, employment, family, or other personal interests in the institution.
- A governing board appropriate in size to operate efficiently and sufficiently diverse in terms of ethnicity, gender (where theologically appropriate), and professional competencies to represent the constituency.
- A governing board that is sufficiently autonomous to protect the integrity of the institution.
- A procedure in place for the assessment of the effectiveness of board members.
- A process for orienting and developing new board members, and providing updates for current members on issues relative to mission, organization, finances, and programs.
- A chief executive officer appointed by the board, to provide administrative leadership for the institution.
- Board policies and practices that restrain the board from individual and/or collective involvement in institutional administration.
- A board rotation system that encourages new members.

5. ADMINISTRATION

The institution has a core of administrators that brings together its various resources and allocates them to accomplish institutional goals by implementing policies and structures in collaboration with appropriate constituencies.

ESSENTIAL ELEMENTS:

Relative to this standard, an accredited institution is characterized by . . .

- A chief executive officer who is responsible to the board in leading the institution toward the accomplishment of its mission.
- A chief executive officer with the combination of academic background and professional training appropriate to the institution's mission.
- An organizational structure and qualified staff that fits the size and scope of the institution.
- Administrative leaders with appropriate education, skills, and resources necessary to discharge their duties.
- Clear documentation in regard to organizational structure, encompassing all units and roles.
- Complete, accurate, and securely maintained administrative records.
- A process for review and enhancement of the performance of administrators.


ABHE

*The Association for
Biblical Higher Education*

formerly: The Accrediting Association of Bible Colleges



Advancing and Assuring Quality Biblical Higher Educa

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Monday | February 13, 2006

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Accreditation Overview

ABHE's process of accreditation involves three stages whereby institutions proceed from applicant, candidate, and finally to accredited status.

Applicant Status is a pre-membership status granted to those institutions that meet the Association's Conditions of Eligibility and that possess such qualities as may provide a basis for achieving candidate status within four years. Applicant institutions are required to submit annual reports demonstrating progress toward candidate status. During year four, an institutional self-study report and an institutional planning document are to be submitted to the Association office prior to evaluation team visit regarding the institution's readiness for candidate status.

Candidate Status is a pre-accredited status granted to those institutions that show promise of achieving accreditation within four years. Candidate institutions are required to submit annual progress reports demonstrating progress toward accreditation. During year four, an institutional self-study report and an institutional planning document are to be submitted to the Association office prior to an evaluation team visit regarding the institution's readiness for initial accreditation.

Accredited Status is granted to those institutions that substantially meet or exceed the criteria of Association and give evidence of continual striving toward excellence. During year five, an institutional self-study report and an institutional planning document are to be submitted to the Association office prior to an evaluation team visit regarding the reaffirmation of the institution's accredited status. Once reaffirmed, the institution will repeat the reaffirmation process every ten years.

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MINORITY LEADER'S OFFICE

March 8, 2006

Testimony to the House Higher Education Committee

Senate Bill 305

Thank you for allowing me to testify in favor of Senate Bill 305.

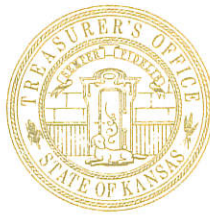
HB 2695 allows students at colleges accredited by the American Association of Biblical Higher Education to be eligible for tuition assistance under the Kansas comprehensive grant program. As a side note, that association has changed names and the bill should probably be changed to reflect the new name of American Association for Biblical Higher Education.

Institutions accredited by the AABHE must meet high academic standards. The AABHE is recognized by the United States Department of Education as an approved accrediting agency. Students at institutions accredited by the AABHE are eligible for federal financial aid, including Pell grants.

My information is that this bill affects at least one college in Kansas. Currently \$27,000 per year is allocated for students at Barclay College in Haviland, the only four year college headquartered in Southwest Kansas.

Therefore, under SB305 high academic standards will be maintained and the budget impact on the comprehensive grant program is extremely reasonable. SB305 will assist Kansas students attending a Kansas college meet the costs of their higher education. This will occur in a rural community working hard to preserve higher education opportunity in Southwest Kansas.

Thank you again for the opportunity to testify in favor of SB305.



STATE OF KANSAS

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Senate Committee on Education, February 8, 2006
Testimony on S. B. 330 by Scott M. Gates, Director of Learning Quest

Our current law imposes a penalty on Kansans when they make a non-qualified withdrawal from Learning Quest by not using the funds for college expenses. The penalty is calculated by adding the amount withdrawn to their Kansas Adjusted Gross Income to the extent that they received a deduction when the funds were contributed. A similar penalty is imposed when Kansans make a withdrawal within one year after opening an account regardless of whether the funds are used for college expenses. In S. B. 330, we are asking that you remove only this second penalty imposed on investors who make a qualified withdrawal within the first year after opening their account. Of the 27 states that offer a tax deduction for contributions to a 529 plan, only Georgia has a similar penalty. (See, attached report from Savingforcollege.com outlining tax deductions, matches and withdrawal penalties.) This rule is based on the assumption that their contribution was made for the sole purpose of manipulating the tax code by obtaining a deduction for a short term investment. Many other factors can affect an investor's decision to withdraw funds or close an account, such as investment performance or a change in their financial situation. Assuming the maximum tax rate of 6.5%, the tax savings generated by the maximum \$6,000 deduction is \$390. Taxpayers who are looking for ways to take advantage of the tax code have more lucrative options available to them than this deduction.

In 2005, Kansans withdrew \$1.2 million from their Learning Quest accounts within the first year after their account was opened. The Senate Education Committee amended the bill to require the Treasurer to report to Legislature the amount of contributions that are withdrawn within one year after the contribution was made to help us track whether Kansans are manipulating the tax code with short term investments. In calendar year 2004, there were 192,723 contributions made to accounts owned by Kansans totaling \$68,735,419 and 5,558 withdrawals were made totaling \$8,361,502. In 2005, there were 226,581 contributions made to accounts owned by Kansans totaling \$84,360,986 and 9,231 withdrawals were made totaling \$12,676,491. The \$2,434,569 in contributions that were withdrawn within one year represents **1.6% of the \$153,096,405 (\$68,735,419 plus \$84,360,986) in total contributions by Kansans**, and these 1,192 contributions represent **0.28% of the 419,304 number of contributions by Kansans** over the two year time period. We believe that these statistics show that Kansans have been investing over time and not just making short term deposits to take advantage of the tax deduction.

We have been promoting this plan for 6 years, but unfortunately some people still don't hear about it until their student is a senior in high school and preparing for college. Treasurer Jenkins believes that it is unfair to penalize these Kansans who get a late start at saving for college. We should do everything we can to encourage Kansans to save for college, even if they start late in the game. Our plan has short term money market options that would be appropriate for investors in this situation, and we believe that Kansans who open an account the same year that they will need the funds for college should receive the same incentive provided to those who opened an account just one year earlier.

House Higher Education Committee
3-8-06
Attachment 3

529 Plan Comparisons

www.SavingForCollege.com

Plan	In-state tax deduction for contributions:	Program match on contributions:	Is the deduction subject to recapture upon a future non-qualified distribution?
<u>GIFT College Investing Plan</u> Arkansas	Up to \$5,000 per taxpayer per year (up to \$10,000 total for a husband and wife)	None	Yes
<u>Direct Portfolio College Savings Plan</u> Colorado	Fully deductible; rollover contributions are not eligible for the deduction	Dollar-for-dollar match of up to \$500 in contributions from lower-income Colorado residents to accounts with an eligible beneficiary (a dependent under age 13 at the time of initial application); the match can extend for a maximum five years; matching grants for 2005 and future years are subject to continued funding by the sponsor	Yes
<u>Prepaid Tuition Fund</u> Colorado	Fund is closed to new purchases	Closed to new contributions	Yes
<u>Scholars Choice College Savings Program</u> Colorado	Fully deductible; rollover contributions are not eligible for the deduction	None	Yes
<u>Stable Value Plus College Savings Program</u> Colorado	Fully deductible; rollover contributions are not eligible for the deduction	Dollar-for-dollar match of up to \$500 in contributions from lower-income Colorado residents to accounts with an eligible beneficiary (a dependent under age 13 at the time of initial application); the match can extend for a maximum five years; matching grants for 2005 and future years are subject to continued funding by the sponsor	Yes
<u>DC 529 College Savings Program (Advisor-sold)</u> District of Columbia	Up to \$3,000 per contributor per year, with five-year carryforward of excess contributions; only contributions made by the account owner are deductible; rollover contributions are not deductible	None	Yes, unless the beneficiary dies, becomes disabled, or receives a scholarship equal to or greater than the amount of the distribution
<u>DC 529 College Savings Program (Direct-sold)</u> District of Columbia	Up to \$3,000 per contributor per year, with five-year carryforward of excess contributions; only contributions made by the account owner are deductible; rollover contributions are not deductible	None	Yes, unless the beneficiary dies, becomes disabled, or receives a scholarship equal to or greater than the amount of the distribution
<u>Georgia Higher Education Savings Plan</u> Georgia	Up to \$2,000 per dependent beneficiary per year by parents or guardians who itemize on their federal and Georgia tax returns and have an adjusted gross income under \$50,000 for single filers or \$100,000 for joint filers (the deduction phases out between \$50,000-\$55,000 for single filers and \$100,000-\$105,000 for joint filers); rollover contributions are not deductible	None	Yes, Georgia taxes principal to extent previously deducted; also applies recapture to qualified distributions within one year of establishing an account

<u>Idaho College Savings Program (iDeal)</u> Idaho	Up to \$4,000 per contributor per year; rollover contributions are not deductible	None	Yes, Idaho taxes principal whether or not contributions were fully deducted
<u>Bright Directions College Savings Program</u> Illinois	Up to \$10,000 per contributor per year (\$20,000 joint); for rollover contributions, only the principal portion is eligible for the deduction	None	No
<u>Bright Start College Savings Program</u> Illinois	Up to \$10,000 per contributor per year (\$20,000 joint); for rollover contributions, only the principal portion is eligible for the deduction	None	No
<u>College Illinois!</u> Illinois	Up to \$10,000 per contributor per year (\$20,000 joint); for rollover contributions, only the principal portion is eligible for the deduction	None	No
<u>College Savings Iowa</u> Iowa	Up to \$2,500 per beneficiary in 2006; only contributions made by the account owner are deductible	None	Yes, Iowa taxes principal to extent previously deducted
<u>Kansas Learning Quest 529 Education Savings Program (Advisor-sold)</u> Kansas	Up to \$3,000 (\$6,000 joint) per beneficiary per year; rollover contributions are not deductible	None	Yes, Kansas taxes principal to extent previously deducted; also applies to qualified distributions and rollovers within one year of establishing account
<u>Kansas Learning Quest 529 Education Savings Program (Direct-sold)</u> Kansas	Up to \$3,000 (\$6,000 joint) per beneficiary per year; rollover contributions are not deductible	None	Yes, Kansas taxes principal to extent previously deducted; also applies to qualified distributions and rollovers within one year of establishing account
<u>Schwab 529 College Savings Plan</u> Kansas	Up to \$3,000 (\$6,000 joint) per beneficiary per year; rollover contributions are not deductible	None	Yes, Kansas taxes principal to extent previously deducted; also applies to qualified distributions and rollovers within one year of establishing account
<u>START Saving Program</u> Louisiana	Up to \$2,400 per account per year (or \$4,800 per beneficiary if married filing jointly); any unused cap amount with an active account may be carried forward to increase the cap in subsequent tax years; double deductions up to \$4,800 per year (\$9,600 married file jointly) for an account opened for an eligible needy, non-related beneficiary	The state provides an earnings enhancement equal to 2% to 14% (depending on income) of a Louisiana participant's contributions when the account is used for qualifying expenses	Yes, Louisiana taxes principal to extent previously deducted
<u>College Savings Plans of Maryland - College Investment Plan</u> Maryland	Up to \$2,500 per beneficiary per year, with a 10-year carryforward of excess contributions; only contributions made by the account owner are deductible; providing the account holder has not taken a tax deduction on the contributions in the past, rollover contributions are deductible.	None	Yes, Maryland taxes principal until all prior deductions have been recaptured

<u>College Savings Plans of Maryland - Prepaid College Trust</u> Maryland	Up to \$2,500 per account per year. Only the Account Holder may take the tax deduction. Excess contributions may be carried forward and deducted from State adjusted gross income until the full amount has been deducted. Providing the account holder has not taken a tax deduction on the contributions in the past, rollover contributions are deductible.	None	Yes, Maryland taxes principal until all prior deductions have been recaptured
<u>Michigan Education Savings Program</u> Michigan	Up to \$5,000 per tax return (\$10,000 per joint return); rollover contributions are not deductible	Michigan residents with adjusted gross income of \$80,000 or less and a beneficiary under seven years old may apply for a one-time matching grant of up to \$200	Yes, Michigan taxes principal to extent previously deducted; exception for transfers due to change of beneficiary
<u>Michigan Education Trust</u> Michigan	Fully deductible; rollover contributions are not eligible for the deduction	None	Yes
<u>MACS 529 Advisor Program</u> Mississippi	Up to \$10,000 per tax return (\$20,000 per joint return)	None	Yes, Mississippi taxes principal to extent previously deducted
<u>Mississippi Affordable College Savings (MACS) Program</u> Mississippi	Up to \$10,000 per tax return (\$20,000 per joint return)	None	Yes, Mississippi taxes principal to extent previously deducted
<u>Mississippi Prepaid Affordable College Tuition (MPACT) Program</u> Mississippi	Fully deductible	None	Yes
<u>Missouri Saving for Tuition (MO\$T) Program (Direct-sold)</u> Missouri	Up to \$8,000 per taxpayer per year; only contributions made by the account owner are deductible; rollover contributions are not deductible	None	Yes, Missouri taxes principal to extent previously deducted
<u>MO\$T 529 Advisor Program</u> Missouri	Up to \$8,000 per taxpayer per year; only contributions made by the account owner are deductible; rollover contributions are not deductible	None	Yes, Missouri taxes principal to extent previously deducted
<u>CollegeSure® 529 Plan</u> Montana	Up to \$3,000 per tax return (\$6,000 per joint return); only contributions made by the account owner, the account owner's spouse, or the account owner's custodian/parent are deductible	None	Yes, Montana taxes principal only after nondeductible contributions are removed from the account; recapture tax is imposed at highest marginal Montana rate (currently 11%); also applies to qualified distributions within three years of establishing account

<u>Pacific Funds 529 College Savings Plan (Advisor-sold)</u> MT Montana	Up to \$3,000 per tax return (\$6,000 per joint return); only contributions made by the account owner, the account owner's spouse, or the account owner's custodian/parent are deductible	None	Yes, Montana taxes principal only after nondeductible contributions are removed from the account; recapture tax is imposed at highest marginal Montana rate; also applies to qualified distributions within three years of establishing account
<u>Pacific Funds 529 College Savings Plan (Direct-sold)</u> MT Montana	Up to \$3,000 per tax return (\$6,000 per joint return); only contributions made by the account owner, the account owner's spouse, or the account owner's custodian/parent are deductible	None	Yes, Montana taxes principal only after nondeductible contributions are removed from the account; recapture tax is imposed at highest marginal Montana rate; also applies to qualified distributions within three years of establishing account
<u>AIM College Savings Plan</u> Nebraska	Up to \$1,000 per tax return (\$500 per married-filing-separate return); only contributions made by the account owner are deductible	None	Yes, Nebraska taxes principal to extent previously deducted
<u>College Savings Plan of Nebraska (Advisor-sold)</u> Nebraska	Up to \$1,000 per tax return (\$500 per married-filing-separate return); only contributions made by the account owner are deductible	Nebraska and non-Nebraska plan beneficiaries attending a Nebraska higher education institution are eligible to receive additional contributions from a privately-funded endowment fund	Yes, Nebraska taxes principal to extent previously deducted
<u>College Savings Plan of Nebraska (Direct-sold)</u> Nebraska	Up to \$1,000 per tax return (\$500 per married-filing-separate return); only contributions made by the account owner are deductible	Nebraska and non-Nebraska plan beneficiaries attending a Nebraska higher education institution are eligible to receive additional contributions from a privately-funded endowment fund	Yes, Nebraska taxes principal to extent previously deducted
<u>State Farm College Savings Plan</u> Nebraska	Up to \$1,000 per tax return (\$500 per married-filing-separate return); only contributions made by the account owner are deductible	None	Yes, Nebraska taxes principal to extent previously deducted
<u>TD Waterhouse 529 College Savings Plan</u> Nebraska	Up to \$1,000 per tax return (\$500 per married-filing-separate return); only contributions made by the account owner are deductible	Nebraska and non-Nebraska plan beneficiaries attending a Nebraska higher education institution are eligible to receive additional contributions from a privately-funded endowment fund	Yes, Nebraska taxes principal to extent previously deducted
<u>CollegeSense 529 Higher Education Savings Plan</u> New Mexico	Fully deductible	None	Yes
<u>Scholar'sEdge</u> New Mexico	Fully deductible	None	Yes
<u>The Education Plan's College Savings Program</u> New Mexico	Fully deductible	None	Yes

<u>New York's 529 College Savings Program - Advisor Plan</u> New York	Up to \$5,000 per tax return (\$10,000 per joint return); only contributions made by the account owner are deductible	None	Yes, New York taxes principal only after nondeductible contributions have been removed from the account
<u>New York's 529 College Savings Program - Direct Plan</u> New York	Up to \$5,000 per tax return (\$10,000 per joint return); only contributions made by the account owner are deductible	None	Yes, New York taxes principal only after nondeductible contributions have been removed from the account
<u>Ohio CollegeAdvantage - Guaranteed Savings Fund</u> Ohio	Up to \$2,000 per beneficiary per year, with unlimited carryforward of excess contributions	None	Yes, Ohio taxes principal to extent previously deducted unless the withdrawal results from the beneficiary's death, disability, or receipt of scholarship
<u>Ohio CollegeAdvantage 529 Savings Plan</u> Ohio	Up to \$2,000 per beneficiary per year, with unlimited carryforward of excess contributions	None	Yes, Ohio taxes principal to extent previously deducted unless the withdrawal results from the beneficiary's death, disability, or receipt of scholarship
<u>Putnam CollegeAdvantage</u> Ohio	Up to \$2,000 per beneficiary per year, with unlimited carryforward of excess contributions	None	Yes, Ohio taxes principal to extent previously deducted unless the withdrawal results from the beneficiary's death, disability, or receipt of scholarship
<u>Oklahoma College Savings Plan</u> Oklahoma	Up to \$10,000 per taxpayer per year, with a five-year carryforward of excess contributions	None	No
<u>MFS 529 Savings Plan</u> Oregon	Up to \$2,000 per tax return (\$1,000 per married-filing-separate return), with four-year carryforward of excess contributions	None	Yes
<u>OppenheimerFunds 529 Plan</u> Oregon	Up to \$2,000 per tax return (\$1,000 per married-filing-separate return), with four-year carryforward of excess contributions	None	Yes
<u>Oregon College Savings Plan</u> Oregon	Up to \$2,000 per tax return (\$1,000 per married-filing-separate return), with four-year carryforward of excess contributions	None	Yes
<u>CollegeBoundfund (Advisor-sold)</u> Rhode Island	Up to \$500 per tax return (\$1,000 per joint return), with unlimited carryforward of excess contributions; only contributions made by the account owner are deductible; rollover contributions are not deductible	The program will annually match up to \$500 in contributions from low- and moderate-income Rhode Island residents to accounts opened before the beneficiary reaches age 11; the match can extend for a maximum five years; the match is either 1-for-1 or 2-for-1 depending on reported family income	Yes, Rhode Island taxes principal to extent previously deducted, but only for distributions within two taxable years of the deductible contribution
<u>CollegeBoundfund (Direct-sold, Alternative R)</u> Rhode Island	Up to \$500 per tax return (\$1,000 per joint return), with unlimited carryforward of excess contributions; only contributions made by the account owner are deductible; rollover contributions are not deductible	The program will annually match up to \$500 in contributions from low- and moderate-income Rhode Island residents to accounts opened before the beneficiary reaches age 11; the match can extend for a maximum five years; the match is either 1-for-1 or 2-for-1 depending on reported family income	Yes, Rhode Island taxes principal to extent previously deducted, but only for distributions within two years of the deductible contribution

<u>Future Scholar 529 College Savings Plan (Advisor-sold)</u> South Carolina	Fully deductible	None	Yes
<u>Future Scholar 529 College Savings Plan (Direct-sold)</u> South Carolina	Fully deductible	None	Yes
<u>South Carolina Tuition Prepayment Program</u> South Carolina	Fully deductible	None	Yes
<u>Utah Educational Savings Plan (UESP) Trust</u> Utah	Up to \$1,560 per beneficiary in 2006 (\$3,120 per beneficiary with joint return); only contributions made by the account owner or account owner's spouse are deductible; contributions to an account established after a beneficiary reaches age 19 are not deductible	Pilot program matches contributions of low-income Utah participants, up to \$300 each year for four years	Yes, Utah taxes principal to extent previously deducted
<u>Vermont Higher Education Investment Plan</u> Vermont	5% tax credit on up to \$2,000 in contributions per beneficiary per year (maximum \$100 credit per beneficiary per year)	None	Yes
<u>CollegeAmerica</u> Virginia	Up to \$2,000 per account per year, with unlimited carryforward of excess contributions; fully deductible in the year of contribution for contributors age 70 and older; contributions from a non-owner are deductible by the account owner and not by the non-owner/contributor	None	Yes, Virginia taxes principal to extent previously deducted, except for death, disability, and scholarship refunds
<u>Virginia Education Savings Trust (VEST)</u> Virginia	Up to \$2,000 per account per year, with unlimited carryforward of excess contributions; fully deductible in the year of contribution for contributors age 70 and older; contributions from a non-owner are deductible by the account owner and not by the non-owner/contributor	None	Yes, Virginia taxes principal to extent previously deducted, except for death, disability and scholarship refunds
<u>Virginia Prepaid Education Program (VPEP)</u> Virginia	Up to \$2,000 per account per year, with unlimited carryforward of excess contributions; fully deductible in the year of contribution for contributors age 70 and older; contributions from a non-owner are deductible by the account owner and not by the non-owner/contributor	None	Yes, Virginia taxes principal to extent previously deducted, except for death, disability and scholarship refunds
<u>Cornerstone SMART529</u> West Virginia	Fully deductible	None	Yes
<u>Director SMART529 College Savings Plan</u> West Virginia	Fully deductible	None	Yes

<u>Leaders SMART529</u> West Virginia	Fully deductible	None	Yes
<u>SMART529 Prepaid Tuition Plan</u> West Virginia	Fully deductible	None	Yes
<u>SMART529 Select</u> West Virginia	Fully deductible	None	Yes
<u>SMART529 WV Direct College Savings Plan</u> West Virginia	Fully deductible	None	Yes
<u>EDVEST (Advisor-sold)</u> Wisconsin	Up to \$3,000 per beneficiary per year; only contributions to an account naming the contributor, the contributor's dependent child, or the contributor's grandchild, great-grandchild, nephew, or niece as beneficiary are deductible	None	No
<u>EDVEST (Direct-sold)</u> Wisconsin	Up to \$3,000 per beneficiary per year; only contributions to an account naming the contributor, the contributor's dependent child, or the contributor's grandchild, great-grandchild, nephew, or niece as beneficiary are deductible	None	No
<u>Tomorrow's scholar</u> Wisconsin	Up to \$3,000 per beneficiary per year; only contributions to an account naming the contributor, the contributor's dependent child, or the contributor's grandchild, great-grandchild, nephew, or niece as beneficiary are deductible	None	No

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Section 1. K.S.A. 74-32,146 is hereby amended to read as follows: 74-32,146. As used in the Kansas national guard educational assistance act:

(a) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, technical colleges, and accredited independent institutions.

(b) "Eligible guard member" means a newly enlisted or reenlisted member of the Kansas national guard ~~who is a resident of Kansas~~, with not more than ~~15~~ 20 years of service and who is enrolled at a Kansas educational institution. The term eligible guard member does not include within its meaning any member of the Kansas national guard who is the holder of a baccalaureate or higher academic degree, who does not hold a high school diploma or general educational development (GED) credentials, or who is entitled to federal educational benefits earned by membership in the Kansas national guard, except financial assistance under the federal education assistance program (FEAP) for members of the selected reserve.

(c) "Kansas national guard educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas national guard educational assistance act.

(d) "Educational program" means a program which is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of ~~coursework~~ course work requirements.

Proposed Amendment

Section 1. K.S.A. 2005 Supp. 76-729 is hereby amended to read as follows: 76-729. (a) Persons enrolling at the state educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes. A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 12 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.

(b) The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees:

(1) Persons who are employees of a state educational institution;

(2) persons who are in military service;

(3) persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within 30 days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not timely enough established to meet the residence duration requirement of subsection (a);

(4) persons having special domestic relations circumstances;

(5) persons who have lost their resident status within six months of enrollment;

(6) persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the state board of education within six months of enrollment, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who are entitled to admission at a state educational institution pursuant to K.S.A. 72-116, and amendments thereto;

(7) persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of subsection (a), and who are not otherwise eligible for authorization to pay an amount equal to resident fees under this subsection; and

(8) persons who have graduated from a high school accredited by the state board of education within six months of enrollment and who, at the time of graduation from such a high school or while enrolled and in attendance at such a high school prior to graduation therefrom, were dependents of a person in military service within the state; if the person, whose dependent is eligible for authorization to pay an amount equal to resident fees under this provision, does not establish domiciliary residence in the state upon retirement from military service, eligibility of the dependent for authorization to pay an amount equal to resident fees shall lapse.

(c) (1) The state board of regents shall authorize the following class of persons to pay an amount equal to resident fees:

(A) Any dependent or spouse of a person in military service who is reassigned from Kansas to another duty station so long as such dependent or spouse continues to reside in Kansas.

(B) Any person who has retired from military service or has been honorably discharged from military service who has had a

permanent change of station order for active duty in Kansas at some time during such person's military service, is living in Kansas at the time of enrollment and is a Kansas registered voter, and the dependents and spouses of such person.

(2) So long as a person remains continuously enrolled, exclusive of summer sessions, a person who qualifies to pay resident fees by virtue of being a spouse or dependent of a person in military service shall not lose such status because of a divorce or the death of a spouse.

(d) As used in this section:

(1) "Parents" means and includes natural parents, adoptive parents, stepparents, guardians and custodians.

(2) "Guardian" has the meaning ascribed thereto by K.S.A. 59-3051, and amendments thereto.

(3) "Custodian" means a person, agency or association granted legal custody of a minor under the Kansas code for care of children.

(4) "Domiciliary resident" means a person who has present and fixed residence in Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.

(5) "Full-time employment" means employment requiring at least 1,500 hours of work per year.

(6) "Dependent" means: (A) A birth child, adopted child or stepchild; or

(B) any child other than the foregoing who is actually dependent in whole or in part on the person in military service and who is related to such individual by marriage or consanguinity.

(7) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.