

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on February 9, 2006, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Carolyn Rampey, Kansas Legislative Research Department  
Kathie Sparks, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Dr. Robert Masters, Vice President for Academic Affairs,  
Kansas Board of Regents

**SB 331 – Technical colleges; governing body, school district**

Carolyn Rampey, Kansas Legislative Research Department, explained that, when the state allowed area vocational schools to become technical schools, it was voluntary on the part of the area school. Then, in 2002, the Board of Regents adopted a policy for the schools that had become technical colleges which said that they were required to achieve North Central Association accreditation from the Higher Learning Commission. The Legislature followed up in 2003 with **SB 7**, which facilitated the accreditation in the sense that the technical college was required to have an independent board separate from the school district. Ms. Rampey went on to say that there is nothing in the law that allows for a technical college to opt out. She explained that **SB 331** goes into **SB 7** and gives a mechanism for a technical college to revert to an area vocational school. She noted that there are six technical colleges, and five are meeting the requirements to become accredited, but a technical college in Atchison does not want to proceed. The bill would give the option to any school that wants to opt out. She pointed out the amendments on page two of the bill. The first amendment on lines 3-13 applies to a school that has been approved to be a technical college. She noted that the board must make a recommendation, and legislative approval is required to change the name to a technical college. She explained that the language applies in cases wherein a school has been approved to be a technical college, but it has failed to pursue accreditation. The bill gives the Board of Regents the option to determine that those schools will revert to an area vocational school. The second amendment on lines 22 through 33 applies to a school that has not yet been approved to be a technical college either because it failed to submit an application or because it submitted a plan, but the Board of Regents did not approve it. This amendment gives these schools a mechanism to opt out.

Ms. Rampey called particular attention to a sentence beginning on line 12 and repeated on line 32 which provided that, when a technical college reverts to a area vocational school, it may not offer any course that leads to an academic degree. She suggested that the intention was that, if the school is an area vocational school, it may not offer an academic degree. She noted, "If you believe that this is saying the area vocational school cannot offer a technical course that transfers to a community college, I don't believe that's the intent of what the Board of Regents wanted or what the LEPC meant when it looked at this." Committee discussion followed. It was the consensus of the Committee that the language should be clarified or stricken.

Dr. Robert Masters, Vice President of Academic Affairs for the Kansas Board of Regents, testified in support of **SB 331**. He noted that the bill addresses technical institutions that wish to remain under local school district governance and that current statutes did not provide for this situation. He went on to discuss the primary difference between a technical school and a technical college, and he listed the six Kansas technical colleges. In addition, he discussed the 1999 Higher Education Coordination Act, which resulted in transferring the coordination of technical schools and colleges from the State Board of Education to the Board of Regents. In conclusion, he noted that, although the impact of reverting from a college to a school would be the loss of degree-granting authority, the school would be able to continue to offer postsecondary courses leading to a certificate and/or transferring courses to a degree-granting institution. (Attachment 1) When questioned concerning the intent of lines 12 and 13 as discussed by Ms. Rampey, Mr. Masters agreed that the language was unclear.

Senator Teichman moved to amend **SB 331** on page two by striking lines 12 and 13 ("Such school shall not offer any course that leads to an academic degree."), and the same sentence on lines 32 and 33, seconded by

## CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on February 9, 2006, in Room 123-S of the Capitol.

Senator Pine. The motion carried.

There being no others wishing to testify, the hearing on **SB 331** was closed.

Senator Schodorf turned the Committee's attention to a previously heard bill, **SB 481** concerning state aid for school districts which consolidate. Requested data on bond and interest state aid, prepared by Jim Hays, Kansas Association of School Boards, had been distributed to Committee members. (Attachment 2)

Theresa Kiernan, Revisor of Statutes Office, noted that the intent of **SB 481** was to extend the current incentives that are given to school districts when they consolidate. The districts would get the combination of the state aid received prior to the consolidation so that they would get special treatment for three years. For bond and interest and capital outlay state aid, they would get the higher or highest of the state aid percentage factor. With regard to bond and interest state aid, she recalled that the Committee had discussed using the life of the bond instead of three years. In that case, the district would have the higher or the highest of the percentage factor until the bonds are retired. Committee discussion followed regarding bond and interest state aid.

Senator Teichmant moved to amend **SB 481** to allow bond and interest state aid for the remaining life of the bond instead of for three years.

Senator Vratil asked, "Do we know how much that's going to cost?" Senator Teichman responded, "They may save money, but I don't think they are going to spend any more money." Senator Vratil commented, "But the whole purpose of this bill is to encourage districts to consolidate so we can save money. If we amend it so we don't save any money when they consolidate, there's no purpose for the bill." Senator Teichman commented that, in her opinion, the purpose of the bill was to encourage consolidation whether it saves money or it doesn't save money. Senator Vratil commented further that the proposed amendment would result in giving up potential savings, but it was unknown how much potential savings would be given up. Senator Lee noted that it was unknown how many districts were currently considering consolidation; therefore, the cost could not be determined. She went on to say, "This is just one way to take one of the impediments out of the way of those consolidation efforts when one of the school districts has a bond payment and the other one doesn't." Senator Schodorf added, "In fact, we've never had a study to see what the savings would be to consolidate. We really don't know if there's savings at all." Senator Apple commented, "I know we heard testimony at least twice that what's driving consolidation is not necessarily about dollars. It's how they can better serve their students by combining their resources." Senator Vratil commented, "It occurs to me that, if this amendment goes onto the bill and the bill ultimately passes, we are creating a situation where a consolidated school district with 500 students would actually get more state aid for their bond and interest than a non-consolidated school district with 200 students because you're going to continue to treat them as if they were not consolidated, and that's going to create disparities in the system. A consolidated school district with greater assessed valuation per pupil will end up getting more state aid than a non-consolidated school district with less assessed valuation per pupil because we're grandfathering in the existing system."

Senator Apple suggested that, in the interest not harming the bill, the Committee consider five years instead of three years. Senator Vratil stated that he would support the compromise figure of five years. Senator Teichman opened a discussion on what would happen after five years. Senator Ostmeier commented, "They did tell us that they had agreed amongst their districts. I would like to see us pass this bill out. It's a good bill. They gave us a good bill. Let's pass it out and work this on the floor. I'd rather make sure that they get their bill out on the floor because the school districts are wanting to do something."

Senator Teichman withdrew her motion.

Senator Ostmeier moved to recommend **SB 481** favorably for passage, seconded by Senator Apple. The motion carried.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 13, 2006.





# KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-3421  
FAX – 785-296-0983  
www.kansasregents.org

## TESTIMONY IN SUPPORT OF SB 331

Senate Education Committee  
February 9, 2006

Dr. Robert Masters  
Vice President for Academic Affairs

Good afternoon Madam Chair and Members of the Committee. My name is Robert Masters and I am the Vice President of Academic Affairs for the Kansas Board of Regents. I am here on behalf of the Board to testify in support of Senate Bill 331.

Essentially a follow-up to Senate Bill 7, which the Legislature approved in 2003, and which allowed technical colleges to pursue independent governance, Senate Bill 331 addresses technical institutions that wish to remain under local school district governance. Current statutes do not provide for this situation.

### BACKGROUND:

In 1994, K.S.A. 72-4468 was enacted permitting area vocational schools and area vocational-technical schools to convert to and be established as technical colleges. The primary difference between a technical school and technical college is that the technical school can offer postsecondary courses that lead to a certificate and the technical college can offer postsecondary courses that lead to an associate of applied science degree. Between 1995 and 2001, six technical schools transitioned to technical colleges with authority to award associate of applied science degrees.

The six technical colleges are:

- Flint Hills Technical College, Emporia
- Manhattan Area Technical College, Manhattan
- North Central Kansas Technical College, Beloit
- Northeast Kansas Technical College, Atchison
- Northwest Kansas Technical College, Goodland
- Wichita Area Technical College, Wichita

*Senate Education Committee  
2-9-06  
Attachment 1*

## **BOARD OF EDUCATION TO BOARD OF REGENTS:**

In 1999, as a result of the passage of Senate Bill 345, the Higher Education Coordination Act, coordination of technical schools and colleges was transferred from the State Board of Education to the Board of Regents (K.S.A. 74-32,141). In December 2002, the Board of Regents passed a policy requiring all degree-granting institutions of higher education to become accredited by the Higher Learning Commission of the North Central Association. This accreditation process requires significant changes in governance for most technical colleges, which was not contemplated in existing statutes. In order for the institutions to change the governance structure and to become accredited consistent with Board policy, the Board of Regents supported legislation (Senate Bill 7) to permit these changes. The new law required a technical college to develop a plan to replace the existing governing board, a board closely related to or the same as the local unified school district's board of education, with a new separate, independent governing board to operate, control and manage the technical college. Under K.S.A. 72-4420a, these plans were to be submitted to the Board of Regents on or before July 1, 2005.

## **TRANSITION PLANS:**

Five of the six technical colleges submitted comprehensive plans for the transition to independent governance that were subsequently accepted by the Board. The sixth technical college, Northeast Kansas Technical College (NEKTC), located in Atchison, submitted a letter to the Board in May 2005, stating that they do not intend to pursue independent governance nor do they intend to pursue HLC/NCA accreditation. NEKTC's action brought to light the fact that current statutes do not address the reversion of a technical college to a technical school.

## **SUMMARY:**

In short, SB 331 provides the vehicle for modifying K.S.A. 72-4470a in order to allow a technical college to revert to a technical school. In this specific example, NEKTC would revert from a technical college to a technical school. The impact of reverting from college to school, as stated above, is the loss of degree-granting authority. The school may continue to offer postsecondary courses leading to a certificate and/or transferring courses to a degree-granting institution. NEKTC has already signed a transfer and articulation agreement with Highland Community College for this purpose.

Thank you for your consideration of SB 331. I appreciate the opportunity to comment and would be happy to answer any questions.

**4-05 FINANCE DATA:  
Bond and Interest Aid Info**

*Final  
Auditing  
Completed  
by KSDE*

Monday,  
February  
06, 2006  
9:24 AM

KASB Research Dept, Jim Hays, Research  
Specialist, Questions call 1-800-432-2471 or  
research@kasb.org

USDs with 04-05 data submitted.

All USDs in counties with at least one USD less  
than 150.0 FTE; showing bonded indebtedness  
and possible impact of SB 481

USD	Name	Enrollment	Bond Payments	Bond \$\$ per pupil	State Aid for Bond and Interest	Bond and Interest Mill Levy	Aid \$\$ in levy mills equivalent	Aid as % of Bond Payments	Total USD Debt at end of last Fiscal Year
294	Oberlin	432.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
295	Prairie Heights	30.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Decatur</b>							
347	Kinsley-Offerle	313.6	\$0	\$0	\$0	0.00	0.00	0.0%	\$251,070
502	Lewis	136.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Edwards</b>							
291	Grinnell	120.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
292	Wheatland	183.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
293	Quinter	329.0	\$123,735	\$376	\$13,611	8.20	0.96	11.0%	\$360,000
		<b>Gove</b>							
102	Cimarron-Ensign	639.2	\$474,780	\$743	\$104,452	9.71	3.24	22.0%	\$3,760,000
371	Montezuma	240.6	\$254,001	\$1,056	\$22,860	13.28	1.54	9.0%	\$3,600,000
476	Copeland	112.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
477	Ingalls	241.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Gray</b>							
386	Madison-Virgil	238.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
389	Eureka	676.0	\$872,246	\$1,290	\$244,229	17.70	8.18	28.0%	\$8,722,247
390	Hamilton	106.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Greenwood</b>							
361	Anthony-Harper	896.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
511	Attica	128.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Harper</b>							
227	Jetmore	297.0	\$191,574	\$645	\$38,315	15.72	2.54	20.0%	\$4,982,000
228	Hanston	91.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Hodgeman</b>							
104	White Rock	122.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
278	Mankato	215.2	\$16,844	\$78	\$4,716	3.37	0.50	28.0%	\$400,000
279	Jewell	168.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Jewell</b>							
422	Greensburg	298.7	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
424	Mullinville	131.4	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
474	Haviland	164.4	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
		<b>Kiowa</b>							

Senate Education Committee  
2-9-06  
Attachment 2

SD	Name	Enrollment	Bond Payments	Bond \$\$ per pupil	State Aid for Bond and Interest	Bond and Interest Mill Levy	Aid \$\$ in levy mills equivalent	Aid as % of Bond Payments	Total USD Debt at end of last Fiscal Year
468	Healy	117.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
482	Dighton	241.3	\$183,350	\$760	\$0	4.48	0.00	0.0%	\$285,600
<b>Lane</b>									
274	Oakley	410.6	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
275	Triplains	83.9	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
<b>Logan</b>									
106	Western Plains	189.5	\$87,881	\$464	\$0	5.02	0.00	0.0%	\$445,000
301	Nes Tre La Go	28.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
303	Ness City	259.0	\$123,251	\$476	\$0	4.83	0.00	0.0%	\$452,000
<b>Ness</b>									
211	Norton Community	649.4	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
212	Northern Valley	191.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$37,840
213	West Solomon Valley	63.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
<b>Norton</b>									
426	Pike Valley	261.7	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
427	Republic County	458.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
455	Hillcrest Rural	118.0	\$64,415	\$546	\$0	6.82	0.00	0.0%	\$575,000
<b>Republic</b>									
376	Sterling	501.3	\$0	\$0	\$0	0.00	0.00	0.0%	\$57,655
401	Chase-Raymond	148.5	\$100,638	\$678	\$0	7.99	0.00	0.0%	\$555,000
405	Lyons	827.6	\$399,405	\$483	\$143,786	5.90	4.49	36.0%	\$5,547,814
444	Little River	281.7	\$167,519	\$595	\$0	6.47	0.00	0.0%	\$1,340,000
<b>Rice</b>									
269	Palco	141.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
270	Plainville	370.8	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
271	Stockton	354.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
<b>Rooks</b>									
399	Paradise	148.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
407	Russell County	994.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
<b>Russell</b>									
314	Brewster	128.8	\$0	\$0	\$0	0.00	0.00	0.0%	\$32,902
315	Colby	1,025.4	\$548,130	\$535	\$109,626	6.57	2.03	20.0%	\$4,485,000
316	Golden Plains	188.3	\$59,554	\$316	\$1,191	6.40	0.13	2.0%	\$365,000
<b>Thomas</b>									
241	Wallace County	223.8	\$246,465	\$1,101	\$0	0.00	0.00	0.0%	\$2,075,000
242	Weskan	131.0	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
<b>Wallace</b>									

2-2

213

JSD	Name	Enrollment	Bond Payments	Bond \$\$ per pupil	State Aid for Bond and Interest	Bond and Interest Mill Levy	Aid \$\$ in levy mills equivalent	Aid as % of Bond Payments	Total USD Debt at end of last Fiscal Year
221	North Central	113.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
222	Washington	353.5	\$261,788	\$741	\$94,244	12.62	7.33	36.0%	\$3,000,000
223	Barnes	383.6	\$0	\$0	\$0	0.00	0.00	0.0%	\$0
224	Clifton-Clyde	306.5	\$0	\$0	\$0	0.00	0.00	0.0%	\$0

		Washington							
Totals these USDs:		16,006.3	\$4,175,576	\$777,030				\$41,329,128	