

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 A.M. on February 1, 2007 in Room 313-S of the Capitol.

All members were present except:

- Representative Pat Colloton - excused
- Representative Don Hill - excused

Committee staff present:

- Sharon Wenger, Kansas Legislative Research Department
- Michele Alishahi, Kansas Legislative Research Department
- Ashley Holm, Kansas Legislative Research Department
- Theresa Kiernan, Revisor of Statutes
- Janet Henning, Committee Assistant

Conferees appearing before the committee:

- Representative Candy Ruff
- Representative Ann Mah
- Diane Duffy, Vice-President, Finance and Administration, Kansas Board of Regents
- Robin Klempf, Interim General Counsel, Kansas Board of Regents
- Representative Clay Aurand

The Chair recognized Representative Candy Ruff who informed the Committee that she and Representative Anthony Brown have prepared a bill regarding an early high school graduation incentive program.

Representative Otto moved the motion which was seconded by Representative Faber. The motion carried on a voice vote.

Representative Horst informed the Committee of a situation which occurred when a new teacher started in the district and had all of the students in her class prick their finger with the same instrument to test for their blood type.

Representative Horst moved for a bill to be drafted which would reflect the policies suggested by the KDHE. The motion was seconded by Representative Storm. The motion carried on a voice vote.

Representative Faber stated he had been approached to introduce a bill that would put in place an appeals process with the State Board of Education for potential charter schools that are turned down. Representative Wolf seconded the motion. The motion carried on a voice vote.

HB 2185 - Colleges and universities; in-state tuition and fees for persons who return to Kansas within five years.

Representative Mah addressed the Committee as a proponent of **HB 2185.** (Attachment #1)

Other proponents to the bill gave written testimony and were Kenneth and Elizabeth Scott (Attachment #2) and Representative Steve Brunk (Attachment #3).

Diane Duffy spoke of the Kansas Board of Regents' suggestions for changes to **HB 2185.** (Attachment #4)

Following questions and answers of the Committee, the Chair closed the hearing on **HB 2185.**

HB 2123 - School districts; transportation of students residing outside the district.

Vice-Chair Horst recognized Representative Aurand as a proponent to **HB 2123.** (Attachment #5)

CONTINUATION SHEET

MINUTES OF THE House Education Committee at 9:00 A.M. on February 1, 2007 in Room 313-S of the Capitol.

After a brief question and answer discussion, Vice-Chair Horst closed the hearing on HB 2123.

HB 2014 - Establishing the technical college and technical commission; powers and duties.

Representative Horst made the motion that HB 2014 be passed out favorably. The motion was seconded by Representative Storm.

Representative Faber made a motion for an amendment to 1) requirement reappointment of members appointed pursuant to the proviso and 2) develop a procedure for filling a vacancy which may occur on this commission.

Representative Horst withdrew the original motion. Representative Horst then seconded the motion for the amendment. The motion carried on a voice vote.

Representative Hodge made a motion for an amendment which would limit the extension to the end of the calendar year. The motion was seconded by Representative Huebert. The motion failed.

Representative Craft made a motion for a "technical" amendment which on line 29 would insert the word "voting". The motion was seconded by Representative Horst. The motion carried on a voice vote.

Representative Faber made the motion that HB 2014 be passed favorably as amended. The motion was seconded by Representative Crow. The motion carried on a voice vote.

The Chair appointed Representative Mah to carry the bill.

The Chair adjourned the meeting at 10:15 AM. The next meeting will be held Tuesday, February 6, 2007.

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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
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GOVERNMENT EFFICIENCY AND
TECHNOLOGY

House Education Committee
Testimony - HB 2185
Chairman – Rep. Aurand

Mr. Chairman, thank you for hearing this bill. I believe it is common sense legislation that meets a need of the state and a concern of our constituents. Last session in the Economic Development Committee we heard that Kansas is in need of degreed workers to fill jobs. In fact, we were told that over the next several years we would need to import thousands of degreed workers. If we cannot meet these demands, we face losing the jobs. We should encourage our own children to return to Kansas Regent institutions, complete their degrees, and take those jobs. One way to do that is to allow them in-state (or resident) tuition.

Currently, if resident fee eligible students leave the state for more than twelve months, they must pay non-resident tuition upon returning. It is difficult to return to Kansas as a student and then qualify for the resident rate. That is not helpful to their situation or ours. This bill allows those students to return for up to five years after leaving and get the resident rate for which they previously qualified. With this change we will attract students to Kansas schools who are not now considering that option because of the cost.

Further, parents who are lifelong residents do not understand why their children cannot return to Kansas and get resident tuition. Ken and Betsy Scott experienced that situation with their son who returned to attend law school. They have provided written testimony for you today. It simply makes sense to encourage our own children to come home and participate in the job growth we are experiencing. It also makes sense to support Kansas families in this way.

Finally, some will say that this measure will cost the universities “lost” tuition dollars, but you cannot lose something you never had. There may be some students enrolled now who will get a lower rate, but I believe there will be far more students who had not considered coming back to Kansas because of the cost who will find our Regents institutions more attractive with this plan in place. I encourage you to pass this measure and would be glad to answer questions.

House Education Committee
Date: 2-1-07
Attachment # 1

House Education Committee
Chairman Aurand
Testimony - HB 2185
February 1, 2007

Mr. Chairman and Committee:

Thank you for allowing us to testify in support of HB 2185. We are third-generation Kansans and have two sons who were also born and raised in Kansas. Both sons attended Kansas University. We thank you for providing the state of Kansas with great universities in order to create opportunities for the future generations of Kansas.

Upon receiving his undergraduate degree from Kansas University, our oldest son, Chris, accepted a job with a major corporation in Kansas City. Initially he relocated to Johnson County but ultimately moved to an apartment in downtown Kansas City in order to be closer to his work. He resided in Kansas City, Missouri, for two years.

During this time, he began working on his requirements for law school, including preparing for the LSAT, submitting applications, interviewing, and relocating to a new city. The process took about eighteen months. Chris was accepted at several schools across the United States and was offered at least one scholarship, but decided to return to home and attend Kansas University. This decision was based on the quality and reputation of the KU Law School. (Being able to attend basketball games on a student ticket was just icing on the cake.)

Chris discovered that because he had moved out of the state (about one mile in distance) he would be treated as an out-of-state student and was subject to additional tuition. In his case he was required to pay an additional \$10,000 per year in order to attend the university that was twenty miles from the town he grew up in. We discussed at length holding off for one year in order to forego the increased tuition or accepting the scholarship from UMKC, but he said he had mentally prepared to begin in the fall of 2005 and he would continue to pursue his goal.

Chris will graduate with student loans in excess of \$50,000. He has decided to become a prosecutor and currently works in the Douglas County Prosecutor's office. Like most public servants, his compensation will be substantially less than his peers in private or corporate practice. In addition, odds are, he will probably work in Kansas, protecting Kansas citizens, in order to make Kansas a better place to live. In our minds, we think Chris was penalized in order to return home.

Our youngest son, Ryan, graduates this spring with a business degree from Kansas University. He, too, has been blessed and has accepted a job with a major corporation in Kansas City. Like Chris, Ryan plans to obtain a graduate degree in the future. He is now faced with the same challenges that Chris had. The state of Kansas may not be as lucky next time. A recent news article discussed the concern public officials had with the "brain drain" from the state of Kansas. Your support of HB 2185 is not the total solution for this problem, but it is a positive step in the right direction.

Your time is valuable, and we know that you are very busy. Thank you for the opportunity for input.

Kenneth R. and Elizabeth H. Scott
3317 SE Meadowview
Topeka, KS 66605

House Education Committee
Date: 2-1-07
Attachment # 2

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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STATE BUILDING CONSTRUCTION
TAXATION

Thank you for accepting my written testimony for HB 2185.

I want to offer my strong support for extending the 12 month period of departure to 60 months as it relates to residency for Kansans.

Our best and brightest should be afforded every opportunity to receive in state tuition as they continue in, or finalize their educational pursuits. I am aware of situations where Kansans have embraced internships, jobs, or have pursued other paths in life for short periods of time, then have returned to Kansas to continue their education and establish their careers "at home".

They return with excitement and dreams, only to have their dreams dashed with the reality of high tuition costs.

Please favorably consider this bill. It will help stop the "brain drain" that concerns us all.

Thank you,

Rep Steven R Brunk #85

Rep. Steve Brunk #85

House Education Committee

Date: 2-1-07

Attachment # 3



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**House Education Committee
February 1, 2007**

Regarding H.B. 2185
Diane Duffy, Vice-President, Finance & Administration

Mr. Chairman and members of the Committee, good morning, my name is Diane Duffy and I am here on behalf of the Kansas Board of Regents to testify regarding H.B. 2185.

Basically this bill does two things related to residency requirements for purposes of attendance at state universities.

- (1) There is a provision in the residency statute that allows residents who move away but return to the state within 12 months to be considered residents for tuition purposes. This bill would change that time period to five years. This means that anyone who moves away, establishes residency in another state, but moves back anytime within five years could immediately be considered a resident and be eligible to pay in-state tuition.
- (2) The five year provision is retroactive to students' enrollment after July 1, 2006. So it would grandfather all people enrolled for the current academic year that have already paid the out-of-state rates.

I would like to call the Committee's attention to a December 2006 study by Legislative Post Audit that reviewed tuition rates being charged to non-resident students in Kansas. This audit provides valuable, factual information about tuition rates for non-residents that this Committee may find useful in examining the various policies and policy rationales for waiving or discounting tuition for non-residents.

The audit found that there were 167,627 students enrolled at Kansas public colleges and universities in Fall, 2005, of which nearly 27,000, or 16 percent, were non-residents who received some sort of tuition reduction. The audit concluded that current tuition reduction policies accounted for \$26 million or 5.2 percent of total tuition revenues. Total tuition revenues were estimated to be \$500 million in FY 2006.

The difference between in-state and out-of-state tuition and fees for academic year 2006-2007 ranges from \$9,735 at Kansas State University to \$6,660 at Fort Hays State University.

Tuition revenues, whether from residents or non-residents, are important to all public postsecondary institutions. For state universities, the Legislature created an incentive with the

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Attachment # 4

operating grant/tuition ownership approach to budgeting for the Board to be careful with discounting and/or waiving tuition. Upon the Board's approval of tuition rates and plans, each university assesses, collects, and has expenditure authority over its tuition. This method ensures that the Board will exercise great care in evaluating and weighing the extent to which it is in the state universities interest to waive or discount non-resident tuition.

The Board believes the numerous tuition reduction programs identified in the audit, such as for military service members and their dependents, graduate teaching assistants, and border residents, fairly balance the state's policy interests in promoting access, affordability, and recruitment against foregone tuition revenues

While board leadership has been briefed, Board staff has not had the opportunity to thoroughly study the implications of this policy change. However, we understand the timeframes of the legislative session and if there is interest in the Committee to pass the bill, we would encourage you to consider the following:

- (1) Change the time period to three years as opposed to five years. Since students are not currently tracked in this manner, it is difficult to calculate the potential loss of revenue to the institution. By implementing a smaller window, there is less financial risk to the institutions and an opportunity to track the impact of the policy change and analyze the potential impact from those students who are attracted back to the State.
- (2) Make the bill effective July 1, 2007 and applicable to students for Fall, 2007. The state universities would avoid administrative costs in refunding the difference between in-state and out-of-state. By beginning in the Fall, the universities would have time to put procedures in place to implement the new policy.
- (3) Add criteria that would require the student or student's parents to have resided in the state for some period of time – perhaps 10 years.

Again, thank you for the opportunity to appear on this bill. I'll be please to answer any questions you may have.

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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CHAIRMAN:
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MEMBER:
AGRICULTURE AND NATURAL RESOURCES
AGRICULTURE AND NATURAL RESOURCES BUDGET

I appreciate the opportunity to testify this morning on **HB 2123**. First a little background:

Through the years; unification, consolidation and the closing of attendance centers has left many families in the unfortunate position of residing in a district whose schools are substantially farther away than a neighboring district's school. Families who find themselves in this situation have always been able to go to a school outside their district with approval of that school. However, unless the students' home school district allowed it, the receiving school could not send buses to the students' homes to pick them up.

To remedy this, the legislature enacted the current law that allows for students, meeting certain criteria, to board a bus at their house and ride to their hometown school. What a radical concept.

The bill before you is an attempt to help individual families by removing one of the criteria that is in the current law. The problem is that some families still are not able to access the school that fits their families needs. Removing one more barrier can only make life easier for families, especially those whose work location is different and a large distance from their home district's school.

The trend of closing attendance centers in rural Kansas continues. Let's do what we can to make this difficult reality less of a problem for parents and kids.

Thank you.

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House Education Committee
Date: 2-1-07
Attachment # 5