

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on January 30, 2008, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Kathrynne Mueller, Director of Academic Initiatives, Kansas Board of Regents
Dr. Edward H. Hammond, President, Fort Hays State University
Todd Powell, General Counsel, Ft. Hays State University

Introduction of bill

Senator Schodorf moved to introduce a bill which would create a mathematics, engineering technology, and science (METS) education innovation counsel, seconded by Senator Steineger. The motion carried.

SB 404 – Kansas Academy of Mathematics and Science (KAMS); admission of nonresidents; fees and tuition; attendance and qualified admissions, exceptions

Theresa Kiernan, Revisor of Statutes Office, explained that **SB 404**, which was introduced at the request of the Legislative Educational Planning Committee (LEPC), would make several changes to statutes concerning KAMS. A change in Section 1 exempts students who are enrolled in the Academy from the requirements of the compulsory attendance law. An amendment in Section 2 allows the admittance of nonresidents and international students. The bill also exempts KAMS students from the requirements of the qualified admission statutes. KAMS would be allowed to charge fees and tuition. In the case of residents, the school district in which the student is enrolled would pay the tuition. Nonresident students would be responsible for their own tuition and fees. Section 3 includes a provision which requires that at least two-thirds of the total number of students enrolled in KAMS be Kansas residents. Section 4 provides that academically talented pupils shall be admitted to KAMS without charge for tuition, fees, and books except those fees regularly charged to public high school students.

Kathyrne Mueller, Director of Academic Initiatives, Kansas Board of Regents, testified in support of **SB 404**. At the outset, she presented general background information about KAMS. She also explained that a 2007 steering committee realized that several statutory changes would be required for the KAMS to reach its full potential, and the Board of Regents agreed with the committee's suggestions. She noted that the Board recently selected Fort Hays State University to be the home of the new academy. Ms. Mueller then discussed the proposed amendments under the following headings in her written testimony: (1) Exclusion from Compulsory Attendance Law, (2) Exclusion from Qualified Admission Requirements, (3) Admission of Nonresident Students, (4) Procedure for Selecting KAMS Students, and (5) Clarification of Tuition and Fees for Resident Students Not Enrolled in the Public School System. (Attachment 1)

Senator Vratil questioned the intent of the amendment on page 5, lines 5 and 6, regarding exemption from qualified admissions. He also questioned the need for the amendment regarding tuition fees in Section 4 (page 6) as the subject is addressed in K.S.A 72-9712.

Dr. Edward H. Hammond, President, Fort Hays State University, commented that KAMS was established by the passage of **SB 139** in 2006. He went on to say that the proposal that FHSU submitted to the Board of Regents states that KAMS will have 40 Kansan students in accordance with legislative intent, and non-Kansans selected will not exceed 10 students. He then distributed copies of an informational brochure regarding KAMS prepared by FHSU. He pointed out that the brochure outlined the junior and senior year

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curriculum (18 credit hours per semester.) At the end of the two years, the students will have completed all of the requirements for a high school degree and at the same time will have completed approximately two years of college credit. In addition to the curriculum, the students will be involved in research in collaboration with faculty not only at Fort Hays but also at the University of Kansas, Kansas State University, and Wichita State University, and other institutions in an effort to establish a research initiative that will keep the students in Kansas. KAMS also will develop the "whole student" by balancing academics with extracurricular activities involving community service.

In conclusion, Dr. Hammond then addressed the questions from the Committee regarding the proposed amendments. He called upon Todd Powell, general counsel for FHSU, to respond to Senator Vratil's question concerning the need for the amendments in Section 4. Mr. Powell explained that the existing language in Section 4 specifies that students admitted to KAMS will not be charged tuition fees and books. The amendment adds, "except those fees regularly charged to high school students." He explained further that the change referred back to Section 3, subsection (5), of the bill which states, "For students who are enrolled in a Kansas district, such tuition and fees shall be paid by the school district." He noted that the tuition is limited to the base state aid per pupil. He stated, "The only thing this change does is to authorize KAMS to charge the out-of-Kansas students tuition fees." Senator Vratil pointed out that the amendment on lines 14-16 in subsection (5) states that students not enrolled in a Kansas district must pay tuition and fees; therefore the additional amendment was not needed in Section 4. Mr. Powell noted that the amendment in Section 4 was prepared by the Office of the Revisor of Statutes.

There being no others wishing to testify, the hearing on **SB 404** was closed.

Senator Vratil announced the subcommittee on virtual schools will meet on February 4 at 1:30 p.m. in Room 123-S.

The meeting was adjourned at 2:25 p.m.

The next meeting is scheduled for January 31, 2008.

SENATE EDUCATION COMMITTEE
GUEST LIST

DATE: January 30, 2008

NAME	REPRESENTING
Cindy Denton	Budget
Bill Brady	SFFF
Marianne Ljerdstad	Wichita USD 259
Callie Coco	Hearney + Associates Inc.
Katie Zubang	Hearney + Associates
Val DeFevo	SQ E
Austin Hayden	Hein Law Firm
LARRY BEEB	KACCT
MIKE REECHT	KIZ Inc.
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DK Prideaux	FHSU



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Senate Education Committee

January 30, 2008

Testimony in Support of Senate Bill 404

Kathyrne Mueller
Director of Academic Initiatives

Good afternoon Chairwoman Schodorf, Ranking Member Lee, and members of the Committee. My name is Kathyrne Mueller and I am the Director of Academic Initiatives at the Kansas Board of Regents. I am here this afternoon to testify in support of Senate Bill 404, legislation that proposes amendments of K.S.A. 72-9711 through 13, Kansas Academy of Mathematics and Science (KAMS), and K.S.A. 72-1111, Compulsory School Attendance; Exemptions.

Background

K.S.A. 72-9711 through 13 provides for the establishment and operation of KAMS. KAMS is a two-year residential academy for 11th and 12th graders who are academically talented in science and mathematics. Graduates will earn both a high school diploma and college credits equivalent to an associate degree. During the spring of 2007, a steering committee conducted research about the operation of similar academies in other states and developed a Request for Proposals for institutions that wish to be considered for hosting the KAMS. It is interesting to note that similar academies current exist in 15 other states including our neighboring states of Missouri and Oklahoma. During its deliberations, the steering committee realized that several statutory changes would be required for the KAMS to reach its full potential, and the Board agreed with these suggestions at its November meeting.

As you may know, just last month, the Board selected Fort Hays State University to be the home of the new academy.

Proposed Amendments

Exclusion from Compulsory Attendance Law. K.S.A. 72-111, the compulsory attendance law, requires high school-aged students to be enrolled in high school. Students who are required to be enrolled in high school are not eligible for federal financial aid. KAMS students are high school aged students who will be enrolled full-time in college courses for a two-year period. Access to federal financial aid is essential to make the Academy an affordable option for Kansas families. Other states have addressed this problem by amending the state compulsory attendance law to exclude Academy students from its requirements, and therefore eliminate this barrier to receipt of federal financial aid.

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Exclusion from Qualified Admission Requirements. K.S.A. 76-717, the Qualified Admission statute, prescribes minimum requirements for admission of students to state universities. One requirement is graduation from an accredited high school or receipt of a GED with minimum scores. Even though KAMS students are of high school age, they will be enrolled in full-time college coursework. The amendment proposes excluding KAMS students from the requirements of the Qualified Admission statute, so that KAMS students may enroll in a state university.

Admission of Nonresident Students. Most similar academies in other states enroll international and out-of-state students. In fact, Kansas residents are currently enrolled in the Missouri Academy of Mathematics and Science. The ability to admit nonresident students could increase the visibility and reputation of KAMS. The larger student pool from which to recruit may also help to ensure the continuation of KAMS. The Board proposes amending the KAMS statute to allow limited enrollment of nonresidents. Nonresidents would be charged tuition, fees, and room/board at a rate that would cover costs.

Procedure for Selecting KAMS Students. The statute provided “for admission of 20 students selected on a congressional district basis with no more than five pupils from each of the four congressional districts and 20 other pupils selected on a statewide basis.” An amendment, which would be added to Senate Bill 404, and which has been forwarded to Revisor’s staff for your consideration, is proposed to ensure that the number of students admitted to KAMS isn’t limited simply because one or more congressional districts may have less than five qualified candidates who desire to attend KAMS. The amendment states that if any congressional district has less than five applicants qualified for admission to KAMS, then more than five applicants may be selected from other congressional districts, with the congressional district balance being maintained to the greatest extent possible.

Clarification of Tuition and Fees for Resident Students not Enrolled in the Public School System. The KAMS statute states that Kansas students shall be admitted without payment of tuition and fees; fees shall be paid by the student’s home school district, and shall be limited to base state aid per pupil. This arrangement does not account for students from private schools, home-schools or who are non-residents and who are not enrolled in a Kansas school district. Amendment of the statute is proposed to clarify that students from private schools and home schools may attend KAMS at their own expense.

Thank you for your consideration of Senate Bill 404. I would be happy to address any questions that you may have.