

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on January 27, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator Anthony Hensley- absent
Senator Ruth Teichman- excused

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the committee:

Richard Samaniego, Kansas Association of Technical Colleges
Theresa Kiernan, Office of the Revisor of Statutes
Dr. Tom Burke, President, Kansas City, Kansas Community College
Dave Reist, President, Highland Community College
John Vratil, Senator

Others attending:

See attached list.

The meeting began with the introduction of special guests including the “shadow” of Senator Owens, Bailey Seward, an eighth grade student at Oxford Middle School in the Blue Valley School District, Overland Park. Senator Vratil also introduced his “shadow”, Hannah Baird and her father Jim, from Overland Park. Hannah is a student at Harmony Middle School.

Introduction of Bills

Senator Tim Owens requested the introduction of legislation with regard to the standardization of attendance days in K-12 across the state.

Senator Umbarger moved to introduce the bill, seconded by Senator Steineger. The motion carried.

Richard Samaniego, Kansas Association of Technical Colleges, requested introduction of legislation authorizing local boards of control of technical colleges to designate the name. (Attachment 1)

Senator Vratil moved to introduce the bill, seconded by Senator Owens. The motion carried.

Hearing on SB 11 - Community colleges; acquisition of real property within service area

Theresa Kiernan, Office of the Revisor of Statutes, appeared before the committee and provided a brief explanation of **SB 11**. She stated this bill would do two things: 1. require the Board of Regents to establish, by policy, the boundaries of the service area of each community college; and, 2. would authorize the community colleges to acquire land or land and improvements outside the community college district but within their service area.

Dr. Tom Burke, President, Kansas City, Kansas Community College (Attachment 2), testified in support of such legislation. Dave Reist, President, Highland Community College, also testified in support of the legislation recalling several instances where this would have benefitted the college without affecting the tax base of the county. Written testimony in support of the legislation was submitted on behalf of the Board of Regents. (Attachment 3).

The committee requested Kip Peterson, Board of Regents, provide additional information regarding service areas and the reason for the policy change, for the next meeting.

CONTINUATION SHEET

Minutes of the Senate Education Committee at 1:30 p.m. on January 27, 2009, in Room 545-N of the Capitol.

There were no other conferees to appear before the Committee.

The hearing on **SB 11** was closed.

Hearing on **SB 40 - At-risk education council; repeal of**

John Vratil, Senator, (Attachment 4) presented testimony in support of **SB 40** which seeks to remove from state statute outdated language relating to the At-risk Education Council established in 2005. The statute establishing the formation of the Council also established a termination date of June 30, 2007. As the Council no longer exists, **SB 40** removes the outdated enabling language from state statutes.

The hearing on **SB 40** was closed.

Hearing on **SB 41 - School districts; repeal of archaic statutes relating to transfers of funds and property; disorganized districts**

John Vratil, Senator, (Attachment 5) presented testimony in support of **SB 41** which would repeal outdated and unnecessary provisions concerning certain school districts.

The hearing on **SB 41** was closed.

Senator Umbarger moved to recommend **SB 40** and **SB 41** favorable for passage, seconded by Senator Owens. The motion carried.

The next meeting is scheduled for January 29, 2009, subject to the length of the Senate Session.

The meeting was adjourned at 2:20 p.m.

MEMORANDUM

TO: Senator Schodorf, Chair
Senate Education Committee

FROM: Richard Samaniego on behalf of the Kansas Association of Technical Colleges

DATE: January 27, 2009

RE: Request for Bill Introduction

The Kansas Association of Technical Colleges respectfully requests the introduction of the following legislative proposal as a committee bill by the Senate Education Committee:

- A bill concerning Technical Colleges; authorizing the local boards of control to designate the name; amending K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4476, 72-4477, 2008 Supp.72-4477a, and amendments thereto.

A draft of the proposed legislation is enclosed for your reference. Please feel free to contact us with questions or for more information.

*Senate Education
1-27-09
Attachment 1*

SENATE BILL NO. ____

By

AN ACT concerning technical colleges; relating to the powers and duties of the governing bodies thereof.

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

Section 1. (a) As used in this section, "technical college" means a technical college designated by K.S.A. 72-4472, 72-4473, 72-4474, 72-4475, 72-4476, 72-4477 or K.S.A. 2008 Supp. 72-4477a, and amendments thereto.

(b) The governing body of a technical college may change the designation of such technical college by adoption of a resolution. If the designation of a technical college is changed pursuant to this section, whenever the technical college is referred to or designated by or in any statute, contract or other document, such reference or designation shall be deemed to apply to the designation as designated in the resolution.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.



KANSAS ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

700 SW Jackson, Suite 1000 • Topeka, KS 66603-3757 • Phone: 785-357-5156 • Fax: 785-357-5157
Linda Fund, Executive Director • E-mail: lfund@kacct.org

January 27, 2009

Dear Chairwoman Schodorf and Committee Members:

On behalf of the Kansas Association of Community College Trustees, I write in support of SB 11.

Last November, the LEPC unanimously recommended and introduced the language in SB 11. This is a simple amendment to K.S.A. 71-201, with no fiscal cost to the State, to allow community colleges to acquire and accept donations of land and land improvements within their service areas. These service areas are designated by the Kansas Board of Regents and are detailed on the map attached to my testimony.

Current law prohibits community college boards of trustees from purchasing or otherwise acquiring land or land improvements outside the community college district, which is defined as the taxing district and territory of a community college. This means currently if a college is located in one county or taxing district, it cannot accept a donation of land in another county even though that county is in its service area.

In economic times such as these, we believe it is important to allow community colleges to acquire and accept land and land improvement donations as long as it is within their service territory and has no fiscal affect on the State.

Thank you for the opportunity to comment and support the passage of SB 11.

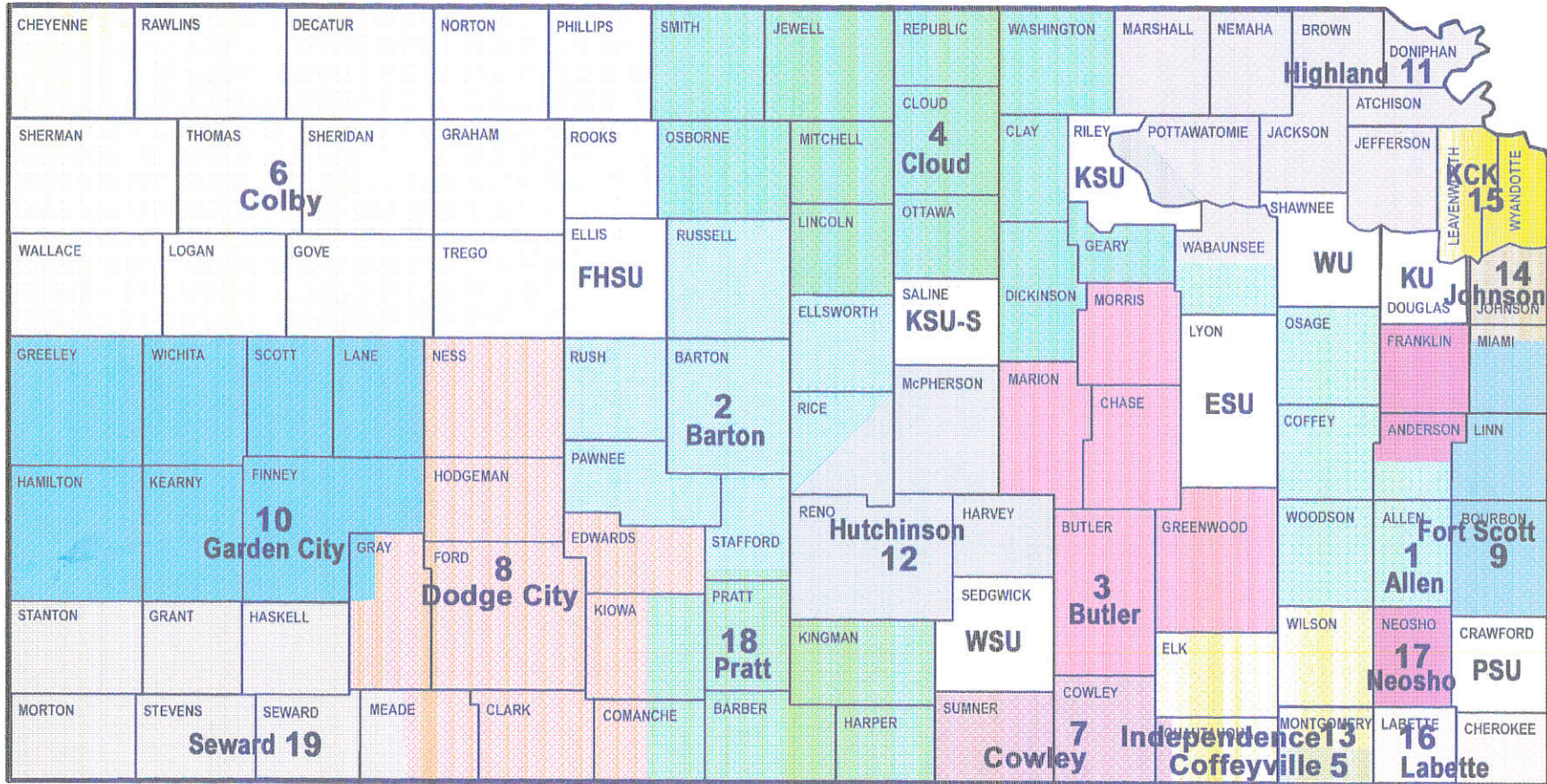
Sincerely,

Linda Fund, Executive Director
Kansas Association of Community College Trustees

Senate Education
1-27-09
Attachment 2

Kansas Community Colleges and Service Areas for Kansas Community Colleges

2-2



- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> 1. Allen County Community College, Iola <input type="checkbox"/> 2. Barton County Community College, Great Bend <input type="checkbox"/> 3. Butler County Community College, El Dorado <input type="checkbox"/> 4. Cloud County Community College, Concordia <input type="checkbox"/> 5. Coffeyville Community College, Coffeyville <input type="checkbox"/> 6. Colby Community College, Colby <input type="checkbox"/> 7. Cowley County Community College, Arkansas City <input type="checkbox"/> 8. Dodge City Community College, Dodge City <input type="checkbox"/> 9. Fort Scott Community College, Fort Scott <input type="checkbox"/> 10. Garden City Community College, Garden City <input type="checkbox"/> 11. Highland Community College, Highland | <ul style="list-style-type: none"> <input type="checkbox"/> 12. Hutchinson Community College, Hutchinson <input type="checkbox"/> 13. Independence Community College, Independence <input type="checkbox"/> 14. Johnson County Community College Overland Park <input type="checkbox"/> 15. Kansas City Kansas Community College, Kansas City <input type="checkbox"/> 16. Labette Community College, Parsons <input type="checkbox"/> 17. Neosho County Community College, Chanute <input type="checkbox"/> 18. Pratt Community College, Pratt <input type="checkbox"/> 19. Seward County Community College, Liberal |
|--|---|
-
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|--|
| <input type="checkbox"/> State Universities/Washburn |
| <input type="checkbox"/> Unassigned |



KANSAS BOARD OF REGENTS

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January 27, 2009

Senator Jean Schodorf, Chair
Senate Education Committee
Statehouse, Room 241-E
Topeka, KS 66612

Senator Anthony Hensley, Ranking Member
Senate Education Committee
Statehouse, Room 347-N
Topeka, KS 66612

Dear Chairwoman Schodorf and Ranking Member Hensley:

On behalf of the Kansas Board of Regents, I write to you in support of Senate Bill 11, legislation that would permit community colleges to own property outside their local college taxing district, but within their assigned service area. The Kansas Association of Community College Trustees forwarded this proposal to the Board in October, and the Board formally adopted this piece of legislation in November as part of its 2009 legislative agenda.

Historically, community college funding included out-district tuition which was paid by all Kansas counties and which was based on the number of students from a particular county attending community college outside that county. Similarly, community colleges have been prohibited from owning property outside the local taxing district because “out counties” were concerned that ownership in their local county would increase their local enrollment and thus increasing the amount they would have to pay. With the passage of SB 345 in 1999, out-district tuition was phased-out and this “out county” concern has been removed. Out-of-county ownership would provide community colleges with the flexibility to take advantage of intentional unexpected opportunities (provisions from estates, un-used government property transfers, and/or the ability to cost-effectively provide service area classroom space).

Thank you for the opportunity to comment on Senate Bill 11.

Sincerely,

Reginald L. Robinson
President & CEO

Senate Education
1-27-09
Attachment 3

State of Kansas

JOHN VRATIL
SENATOR, ELEVENTH DISTRICT
JOHNSON COUNTY
LEGISLATIVE HOTLINE
1-800-432-3924



Vice President Kansas Senate

Testimony Presented to
Senate Education Committee
By Senator John Vratil
January 27, 2009
Concerning Senate Bill 40

COMMITTEE ASSIGNMENTS
VICE CHAIR: EDUCATION
WAYS AND MEANS
MEMBER: JUDICIARY
ORGANIZATION, CALENDAR
AND RULES
INTERSTATE COOPERATION
KANSAS CRIMINAL
CODE RECODIFICATION
COMMISSION

Good afternoon! Thank you for the opportunity to appear before the Senate Education Committee in support of Senate Bill (SB) 40. The language in SB 40 seeks to remove from state statute outdated language (K.S.A. 2008 Supp. 72-9910 and 72-9911) relating to the At-risk Education Council established in 2005.

The six-member At-risk Council was created by the 2005 Legislature to identify the conditions or circumstances that contribute to students identified as "at-risk" not succeeding in school. It was to create a series of recommendations it believed would help at-risk students close the achievement gap. As part of its charge, the Council developed and recommended tools to assess and evaluate the effectiveness of approved at-risk programs, and it recommended funding alternatives for approved at-risk programs. The Council made its final report to the Governor and to the 2010 Commission prior to October 1, 2006. The Statute establishing the Council also set its termination date as June 30, 2007.

Since the Council no longer exists, I ask that you support SB 40 to remove the outdated enabling language from our state statutes.



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Senate Education
1-27-09
Attachment 4

State of Kansas

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Vice President Kansas Senate

COMMITTEE ASSIGNMENTS
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KANSAS CRIMINAL
CODE RECODIFICATION
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Testimony Presented to
Senate Education Committee
By Senator John Vratil
January 27, 2009
Concerning Senate Bill 41

Good afternoon! Thank you for the opportunity to appear before the Senate Education Committee in support of Senate Bill (SB) 41. Senate Bill 41 would repeal outdated and unnecessary provisions of law which concern certain school districts.

The specific statutes repealed in SB 41 are described below:

1. K.S.A. 72-67, 106: concerns school districts which have disorganized. It prohibits such districts from adopting a budget in school year 1965 and thereafter; and it provides for the payment of outstanding bonds issued by districts prior to disorganization.
2. K.S.A. 72-8149: authorized U.S.D. 260 to transfer funds from its general operating fund to its capital outlay fund in 1971.
3. K.S.A. 72-8155: authorized the transfer of land by U.S.D. 280 (Graham County) in 1972.
4. K.S.A. 72-8155a: authorized the transfer of land by U.S.D. 463 (Cowley County) in 1973.
5. K.S.A. 72-8155b: authorized the transfer of land by U.S.D. 426 (Republic County) in 1977; and
6. K.S.A. 72-8155c: authorized the transfer of land by U.S.D. 410 (Marion County) in 1980.

I ask that you support SB 41 to remove the outdated language from Chapter 72.

John Vratil
Senate Education
1-27-09
Attachment 5

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