

MINUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

October 12, 2009
Room 545-N—Statehouse

Members Present

Senator Jean Kurtis Schodorf, Chairperson
Representative Deena Horst, Vice-Chairperson
Senator Marci Francisco
Senator Bob Marshall
Senator Ruth Teichman
Senator John Vratil
Representative Steve Huebert
Representative Eber Phelps
Representative Valdenia Winn

Members Absent

Senator Mark Taddiken
Representative Barbara Ballard
Representative Owen Donohoe
Representative JoAnn Pottorff

Staff Present

Sharon Wenger, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Kristen Kellems, Office of the Revisor of Statutes
Renaë Jefferies, Office of the Revisor of Statutes
Dale Dennis, Kansas State Department of Education
Janet Henning, Committee Assistant

Others Present

Scott Frank, Legislative Division of Post Audit
Laurel Murdie, Legislative Division of Post Audit
Alex Gard, Legislative Division of Post Audit
Mike Reecht, K12, Inc.
Kathy Damron, University of Kansas

Lee Stickle, Kansas Instructional Support Network
Sarah Hoffmeier, Kansas Instructional Support Network
Bill Reardon, Kansas City Kansas Public Schools
Bill Brady, Schools for Fair Funding
Jennie Rose, Kansas Children's Service League
Bruce Givens, USD 260, Derby and Kansas Association of Special Education Administrators
Mike Lewis, High Plains Educational Coop. and Kansas Association of Special Education Administrators
Tom Krebs, Kansas Association of School Boards
Stuart Little, Shawnee Mission USD 512
Missy Taylor, Kansas Families for Education
Val DeFever, Schools for Quality Education
Erin Dugan, USD 233, Olathe
Sue Denny, USD 229, Blue Valley
Phoebe Rinkel, Kansas State Department of Education, University of Kansas, Kansas Inservice Training System
Ryan Wright, Kansas Action for Children
Doug Bowman, Coordinating Council on Early Childhood Developmental Services
Diane Gjerstad, Wichita Public Schools
Dodie Wellshear, United School Administrators/Kansas
Dr. Gary George, Olathe School District

Morning Session

The meeting of the Legislative Educational Planning Committee (LEPC) was called to order at 10:00 am by Chairperson Schodorf.

Performance Audit: *Can State Universities Provide Postsecondary Education More Efficiently to Reduce Costs?*

Joe Lawhon, Principal Auditor, Kansas Legislative Post Audit, spoke to Committee members regarding the findings, conclusions, and recommendations of the completed performance audit, *State Universities: Can State Universities Provide Postsecondary Education More Efficiently To Reduce Costs?* (On file - Kansas Legislative Division of Post Audit, August, 2009)

Mr. Lawhon told Committee members the February 2008 *State Legislatures* magazine reported that officials from the university system in Maryland had recognized the need to demonstrate greater efficiencies in how they delivered postsecondary education. This information led to questions about whether the six public universities in Kansas could apply some of the same techniques to achieve greater efficiencies and reduce the overall cost of providing a college education. For reporting purposes, the question was broken down into three audit questions.

- How do costs per student and staffing levels compare for Kansas' six major universities?

The primary measure of efficiency for universities are expenditures per student and teacher workload. In fiscal year 2008, Emporia State and the University of

Kansas spent about \$2,000 more per student than their in-State counterparts. From 2005-2008, average expenditures per student increased from 8 percent to 22 percent and much of that increase was funded with tuition revenues. Additionally, expenditures per student increased at a higher rate than inflation at four of the six universities between 2005 - 2008. Over the same four-year period, full-time equivalent (FTE) student enrollments increased by an average of just two percent, but that increase varied considerably among universities. For educational programs, staffing and salary levels appeared to account for most differences in spending. However, a variety of factors appear to have contributed to differences in spending on general operational programs. Overall, Emporia State and Kansas State had more total staff per student than their counterparts in 2008. Emporia State also had significantly more staff per 1,000 students than its out-of-state peers. Comparable data were not available for the research universities. Across all six universities, total staffing levels increased by 4.4 percent from 2005-2008. Data limitations hindered the ability to compare Kansas universities with out-of-state peers.

- What actions could universities take to reduce their academic spending?

Numerous options exist for delivering universities' academic programs and courses more economically or efficiently. These include eliminating or combining low-enrollment course sections, academic departments, or degree programs within universities; collaborating with other universities to share course content, teachers, instructional programs; increasing the number of courses and programs offered online or through distance learning; increasing faculty workloads; and modifying remedial courses.

- What actions could universities take to reduce their institutional spending?

Universities in other states are considering or have taken a variety of actions to reduce their institutional spending, including maximizing the use of existing space to reduce the need for additional space, consolidating or changing administrative functions or processes – both within and across universities, outsourcing some non-academic services (like bookstores and grounds maintenance, and taking other actions such as sharing purchasing costs, reducing energy costs, improving recycling efforts, and more).

In Kansas, the six universities have taken steps in several of these areas, but the reviews suggest that additional opportunities exist to reduce costs and streamline university operations. Some of the most difficult actions to take involve consolidation or streamlining of administrative functions or processes. Such action likely would involve considerable study and may be the most difficult to accomplish, given the fact that each university in Kansas is separate and not part of an integrated system, but could yield some of the most significant savings. Finally, university officials identified a number of laws or practices that they felt inhibit their ability to provide services more economically, many of which limit their authority to buy, lease, or sell certain goods or services without State approval.

A question and answer session followed the presentation.

Kansas Board of Regents Preview of Legislative Initiatives

Reginald Robinson, President and CEO, Kansas Board of Regents, spoke to Committee members in response to the Legislative Post Audit performance audit: *Can State Universities Provide Postsecondary Education More Efficiently to Reduce Costs?*

President Robinson expressed appreciation to the Legislative Post Audit (LPA) staff for their time and professionalism in their effort to understand and analyze a very complex and difficult set of issues. He also extended his appreciation to state university officials for their work with LPA staff to provide all of the information that was needed.

However, President Robinson told Committee members there were areas of concerns with some of the analysis and data that had been presented. He stated some of the concerns related to the failure of the audit to include meaningful data or analysis that compares the state universities with peer institutions nationally. President Robinson advised the data is presented in a manner that invites comparisons among Kansas' state universities, both within and across sectors and missions, without reference to a broader set of national or even regional peers. He further stated it is important that efforts to understand and analyze these cost-related matters be benchmarked against institutions with similar missions and added the Board of Regents will continue to work with the state universities to use national data sources to analyze cost-related issues (Attachment 1).

President Robinson presented to Committee members the Board of Regents 2010 preliminary legislative initiatives:

- Revision of Private Postsecondary Statutes (proposal submitted by Board Staff);
- Technical Education Authority, Establish Terms and Eliminate 45-day Provision (proposal submitted by Board staff);
- State University Purchasing Pilot Project, Make Permanent (proposal submitted by the University of Kansas);
- State University Surplus Property Exemption (proposal submitted by the University of Kansas);
- Amend Investment Statutes (proposals submitted by Emporia State University and Kansas State University);
- Gifts and Bequests (proposal submitted by the University of Kansas);
- Kansas Academy of Mathematics and Science, Funding (proposal submitted by Fort Hays State University);
- Pittsburg State University School of Construction, Funding (proposal submitted by Pittsburg State University);
- National Institute for Aviation Research (NIAR)/Industry State Aviation Research Program, Funding (proposal submitted by Wichita State University);
- Technical Colleges, Taxing Authority (proposal submitted by the Kansas Association of Technical Colleges); and

- Fort Hays State University, Authorization to Sell Land (proposal submitted by Fort Hays State University) (Attachment 2).

A question and answer session followed the presentation.

KPERS: Working After Retirement - Rules and Utilization and Funding of KPERS School Group

Glenn Deck, Executive Director, Kansas Public Employees Retirement System (KPERS), gave an overview to Committee members of KPERS rules and regulations. Mr. Deck told Committee members that recent studies and statutory changes included:

- 2006 House Sub. for SB 270
 - Raised the earnings limitation for retirees returning to work for their previous employer from \$15,000 to \$20,000; and
 - Required employers hiring a retiree who did not previously work for that employer to pay KPERS the actuarial employer and employee contribution rate.
- Interim Studies in 2007 and 2008
 - During the 2007 Interim, the LEPC, the 2010 Commission, and the Joint Committee on Pensions, Investments and Benefits received testimony on the teacher shortage problem in Kansas and the impact of the working-after-retirement restrictions on the shortage.
 - During the 2008 Interim, the Joint Committee on Pensions, Investments and Benefits studied a number of different proposals for changes to the working-after-retirement restrictions and particularly focused on the issue of third-party contracting arrangements that circumvent the restrictions.
 - The Joint Committee introduced SB 196 in the 2009 Session, which would apply the same working-after-retirement provisions to employees returning to work either as individuals or as contracted employees of third-party companies.

Mr. Deck told Committee members that during the 2009 Session, Senate Sub. for HB 2072 included various versions of working-after-retirement legislation. The final legislation included the following major provisions:

- **Break in service:** Extends the minimum break in service from any employment with any KPERS participating employer from 30 days to 60 days for all KPERS retirees;

- Licensed School Professional Retirement Date: Amends school law provisions to allow licensed professionals to retire before June 30 of a calendar year;
- Earnings Limit for Licensed School Employees: Lifts the \$20,000 earnings limit for retired licensed professionals returning to work for the same school district from which they retired, for a three-year period (through June 30, 2012), if they retired either:
 - Under a normal retirement option; or
 - Under an early retirement option more than 60 days before the effective date of the bill.
- Employer Contribution Rates: Establishes a special employer contribution rate for public school employers who employ retired licensed professionals, for a three-year period;
- Third-Party Contractors: Applies working-after-retirement restrictions to retirees who provide licensed professional services to a participating employer through a third-party contractor. Contracts that are effective on or after April 1, 2009, are covered by the bill; and
- Report to Joint Committee: Requires KPERS to report to the Joint Committee on Pensions, Investments and Benefits on the results of the provisions for licensed school professionals when they expire on June 30, 2012.

Mr. Deck told Committee members that as of December 31, 2008, there were 2,672 KPERS retirees who had returned to work and of those, 1,351 were rehired by the same employer and 1,321 by a different employer.

Mr. Deck also told Committee members that investment losses have had a substantial adverse impact on KPERS' long-term funding outlook. He advised current benefits are safe for a period of time. He advised investment returns alone cannot fix the funding shortfall. While it is not an immediate crisis, addressing the funding shortfall is critical. He told Committee members that KPERS is committed to a comprehensive funding solution that is sustainable and balanced (Attachment 3).

A question and answer session followed the presentation.

Afternoon Session

Summary of School Districts' Actions to Increase Efficiency

Sharon Wenger, Kansas Legislative Research Department, gave an overview to Committee members of recent surveys and studies conducted by various entities. This study consisted of cost-cutting or efficiency measures being taken by Kansas school districts. Ms. Wenger told Committee members that, as might be expected, the largest cost savings have come from elimination of staff. It should be noted that professional development and new teacher orientation and induction have

been cut in many districts when recent studies indicate these are areas needed the most for the best outcomes.

Ms. Wenger told Committee members the Standard & Poor's Efficiency Study makes the point that one of the most important "investments" a school district can make is in good professional development. The Study describes how this investment "optimizes returns (*i.e.*, student achievement) on resources."

Ms. Wenger also told Committee members that comparing the cost-cutting and efficiency measures with the items included in the performance audit entitled "*K-12 Education: School District Efficiency Audits*" as examples of things districts could do to reduce various costs, out of all the examples, the majority have been done by at least one school district, and in all likelihood several districts, in efforts to cut costs (Attachment 4).

A question and answer session followed the presentation.

School Districts with High Assessed Valuation Per Pupil Enrollment and Free Lunch Estimates for School Year 2009-10

Dale Dennis, Deputy Commissioner, Kansas Department of Education, spoke to Committee members and expressed concerns being related to their department from schools districts across the state. Mr. Dennis told Committee members that free and reduced lunch applications are up significantly, estimating a minimum of ten percent, which could increase cost approximately an additional \$30 million in at-risk funding. He also told Committee members of the increased enrollment of students across the state. He advised it has been determined that as parents lose their jobs in other states, they are returning to Kansas to live with relatives. It is estimated there are between 1,500 - 2,000 additional students that have enrolled this school year with an estimated cost of approximately an additional \$7 million. Mr. Dennis told Committee members there were 2,101 licensed positions and 1,603 non-licensed positions eliminated for the 2009-10 school year.

Mr. Dennis told Committee members the State Department of Education has appealed to the U.S. Department of Education for a special education waiver which has not been approved or disapproved to date. He stated that if the special education waiver is not approved, federal law requires the U.S. Department of Education to reduce the federal allocation to Kansas by approximately \$60.0 million. Such a reduction would create serious funding problems for special education in our state.

Mr. Dennis also told Committee members the Kansas Department of Education is planning to apply for federal Race to the Top Funds (RTTF). Details for application have not been received or made available by the U.S. Department of Education (Attachment 5).

Mr. Dennis spoke to Committee members about the assessed valuation and assessed valuation per pupil (AVPP) (Attachment 6).

A question and answer session followed the presentation.

Overview: Special Education in Wichita School District

Tom Racunas, Director of Categorical & Transition Services, Division of Special Education and Support Services, USD 259 Wichita, spoke to Committee members and gave an overview of Autism Spectrum Disorders ([Attachment 7](#)).

Mr. Racunas also spoke to Committee members about the catastrophic aid proposal from the Kansas Association of Special Education Administrators (KASEA).

A question and answer session followed the presentation.

Early Childhood Programming: Ages 0 - 3

Colleen Riley, Director for Special Education, Kansas State Department of Education, spoke to Committee members regarding early childhood programming. She introduced Sarah Hoffmeier, MSW, Family Service and Training Coordinator, University of Kansas Medical Center.

Ms. Hoffmeier gave an overview of the Kansas Instructional Support Network (KISN). She told Committee members the mission of KISN is to assist Kansas school districts in building local capacity to serve students with autism through results based on professional development and technical assistance. She advised their 'target population' includes children, birth to 21 years of age, who are on or show characteristics of an autism spectrum disorder ([Attachment 8](#)).

Lee Stickle, Co-Director of Kansas Instructional Support Network, also gave an explanation of services in western Kansas.

A question and answer session followed the presentation.

Phoebe Rinkel, M.S. Technical Assistance Specialist, Kansas Inservice Training System (KITS), spoke to Committee members of the KITS program. She told Committee members the program is designed to meet the need for professional development and technical assistance for early intervention and early childhood special education professionals, paraprofessionals, related services professionals, and parents. She advised the framework supporting this system is composed of information services, collaboration, linkages, training, and technical assistance. She further advised that professional development is addressed at three levels of training - Proactive/General Issues Staff Development, Focused Staff Development, and Intensive Staff Development. Ms. Rinkel advised the goals are:

- Sustain collaborative partnerships between state agencies, institutions of higher education, local education agencies, and professional organizations working in the area of early childhood;
- Develop and disseminate evidence and research-based materials;
- Increase the knowledge, skills, and capacity of individuals or organizations across the state through results-based training and technical assistance; and
- Contribute to the development of state level guidance documents, processes, and training materials ([Attachment 9](#)).

A packet of handout material also was distributed to Committee members (On file - Kansas Inservice Training System, 2601 Gabriel, Parsons, Kansas 67357 PS#620-421-6550, Ext 1618).

A question and answer session followed the presentation.

**Performance Audit: K-12 Education:
Reviewing Issues Related to Catastrophic
Funding for Special Education**

Laurel Murdie, Principal Auditor, Kansas Legislative Post Audit, gave an overview to Committee members on the school district performance audit report: *K-12 Education: Reviewing Issues Related to Catastrophic Funding for Special Education*. (On file - Legislative Post Audit, October 2009)

Ms. Murdie told Committee members the 2010 Commission became concerned about the recent dramatic increase in special education catastrophic aid claims. Specifically, they were concerned that districts may not have been including the same types of costs when applying for catastrophic aid and wanted to know what might happen to catastrophic claims if the law is not changed.

One question was asked by the Performance Audit team:

- Why has the number of "catastrophic" special education claims increased in recent years, and how many claims are likely over the next several years?

Claims submitted to cover the "catastrophic" costs for very expensive special education students - those costing more than \$25,000 per year - jumped from 276 claims to 768 between 2008 and 2009, and catastrophic aid jumped from \$6 million to \$12 million.

Historically, districts submitted claims only for their very expensive students who required full-time teachers, expensive contracted services, and similar costs. The big increase in 2009 occurred mostly because the Shawnee Mission School District decided to prorate all costs related to its special education students, even its less expensive ones. In recent years, several other large districts also began prorating costs for their most expensive students.

If the law does not change for 2009-10 and if all districts and cooperatives were to follow Shawnee Mission's practice of prorating costs and submitting all the claims they could, it is estimated claims would jump to 5,500 and aid to nearly \$48 million for 2009-10. This worst-case scenario represents a 625 percent increase over the claims filed in 2008-09.

Proposed changes to the requirements for qualifying for catastrophic aid, including raising the threshold for qualifying, and requiring districts to deduct the State special education aid they already receive when calculating catastrophic costs, would reduce catastrophic aid claims significantly.

A question and answer session followed the presentation.

Presentation of Catastrophic Aid Recommendation from Special Education Directors

Bruce Givens, Legislative Chairperson for the Kansas Association of Special Education Administrators (KASEA), spoke to Committee members regarding revisions to the catastrophic aid formula. Mr. Givens told Committee members the group had met on several occasions to discuss catastrophic aid and the complexity of the issues associated with this concept.

Mr. Givens advised each KASEA region has been requested to vote on the proposed revisions to KSA 72-983, which are as follows:

- Everywhere the phrase "in excess of \$25,000" replace with "two times the average cost of a full-time special education student of the preceding year."
- Add language that would require the district to subtract any state revenue tied specifically to the resources provided in the application (excluding any revenues associated with Medicaid).
- Add a limit to the amount of appropriations that districts can receive via this statute that would be one-half of one percent of the state's total special education expenditures of the previous year.
- Add language that any funds left unapplied for shall be applied to the state's special education fund for all schools.
- Refer to this type of funding as "Extraordinary Cost" rather than "catastrophic."
- The revisions to KSA 72-983 should be enacted for the 2009-2010 school year (Attachment 10).

Sue Denny, Executive Director of Student Services, Blue Valley School District, and representing Region 1 of the Kansas Association of Special Education Administrators (KASEA), spoke to Committee members in opposition to the proposal submitted by KASEA (Attachment 11).

Chairperson Schodorf asked Committee members if there were any changes or additions to the minutes of July 28-29, 2009. *Senator Teichman moved to accept the minutes as presented. The motion was seconded by Representative Horst. The motion carried.*

Chairperson Schodorf announced there would be a meeting in November, however, the date has not been finalized.

The meeting was adjourned at 4:10 pm. The next meeting is scheduled in November 2009.

Prepared by Janet Henning
Edited by Sharon Wenger

Approved by Committee on:

November 19, 2009
(Date)

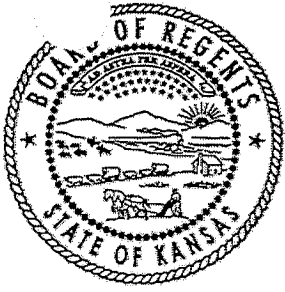
ATTENDANCE LIST

COMMITTEE: LEPC

DATE: 10-12-09

(Please print your name and the organization you are representing)

| Name | Organization |
|-----------------|-----------------------------|
| Mike Reebert | K12 Inc |
| Nathy Damm | KU |
| Ron Hitchler | KSPD |
| Dee Strick | KISN |
| Sarah Hoffmeier | KISN |
| Bill Reardon | K.C.Ks. Pub. Schls. |
| Bill Brady | SFFF |
| Jennie Rose | KCSL |
| Bruce Givens | USD 260, Derby (KASEA) |
| Mike Lewis | High Plains Ed Coop - KASEA |
| Tom Kuh | KASB |
| Stuart Little | Shawnee Mission #512 |
| Missy Taylor | KFE |
| Val DeFera | SPE |
| Erin Dugan | Olathe 233 |
| Sue Denny | Blue Valley 229 |



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

TELEPHONE – 785-296-3421

FAX – 785-296-0983

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LEGISLATIVE POST AUDIT COMMITTEE

August 28, 2009

State Universities:

Can State Universities Provide Postsecondary Education More Efficiently To Reduce Costs?

Reginald L. Robinson, President and CEO

Thank you to the auditors with the Legislative Division of Post Audit (LPA) for their professionalism, their hard work and their truly impressive effort to understand and analyze a very complex and difficult set of issues.

Thank you to state university officials for their work with LPA staff to provide all of the information that was sought, and who worked cooperatively with the LPA team. Difficult and complex audits impose a heavy burden on the auditors conducting the study, but such audits also impose significant time and information-gathering burdens on the agencies subject to the audit. I appreciate the serious work that was done on “both sides” of this complex study.

Of course, as I would guess is the case with any complex study such as the one that has just been presented to you, we have some quibbles with some of the analysis and some of the data that is presented in this report. And, some of those quibbles are significant. As I note in our written response to the audit, which is included as an appendix, we are particularly disappointed that the audit fails to include meaningful data or analysis that compares our state universities with peer institutions nationally. Instead, in our view, the data is presented in a manner that invites comparisons among Kansas’s state universities, both within and across sectors and missions, without reference to a broader set of national or even regional peers. We think that it is important that efforts to understand and analyze these cost-related matters be benchmarked against institutions with similar missions, and, as we note in our written response, we will continue to work with the state universities to use national data sources to analyze cost related issues.

So, as I noted, there are aspects of the LPA report about which we take issue. Those particular concerns are expressed in the written response I have provided on behalf of the Board of Regents and in some of the institution-specific responses to the report that are also included as appendices to the final report you have received.

But notwithstanding those particular concerns, I really want to respond to this report in a broader, and I think more productive way. So let me do that now.

LEPC
10-12-09
Attachment 1.

First, as the report notes, the Board of Regents has not been pulled dragging and kicking into a conversation about the pursuit of efficiencies on the state university campuses. For the last several years, the state universities have, at the direction of the Board, been making special efforts to pursue campus efficiencies and have been reporting the results of those efforts to the Board of Regents. Some of those efforts have been impressive, and that work should not go unnoticed in the context of this report. The point is, the pursuit of campus efficiencies has been a focal point for the Board of Regents for years now, and I think it is important for this Committee to understand that reality.

Second, as the LPA study itself notes, it was not possible for its analysis to capture the actions that have been taken on state university campuses to respond to the very difficult budget reductions that have been experienced over the course of the last 14 months. As you all know, since the start of Fiscal Year 2009 (about 14 months ago), the state universities have experienced a 12% or \$76 million dollar reduction in their state general fund budgets. As a result of those reductions, we know that the state universities have pursued already many of the specific actions that are included within in the study's list of recommendations. Here are just some examples that reflect that action:

- ESU: Adopted university policy establishing low enrollment in lower division, upper division, and graduate courses.
- FHSU: Has already implemented the two academic reorganizations recommended on p. 41. The Departments of Special Education and Teacher Education along with the Departments of Economics and Finance and Management and Marketing have been merged as part of our recent Budget Reduction Actions. In addition, FHSU has for sometime outsourced the nonacademic functions (p. 64) of its Bookstore, Food Service and Vending Services.
- KSU: Has already outsourced many functions in the Union including the bookstore, food, and catering functions.
- KU: The only remedial course taught at KU, Math 002, is staffed in a manner to cover the full cost of the program and provide the quality instruction that helps certain students overcome this deficiency.
- PSU: Has combined academic administrative functions and reduced the number of department chairs in the College of Arts and Sciences, and when the reorganization within the College of Business is complete, another department chair will be eliminated in that college.
- WSU: Is merging the graduate school and Office of Research Administration.

Third, and most importantly, I want to convey to you in no uncertain terms that the Kansas Board of Regents takes this report and its recommendations seriously, and that we are committed to exploring aggressively the recommendations that the report lays out. For that reason, the Board will take the following action:

First, the Board will direct each of the state universities to convene on their campuses, task forces or committees that are charged with exploring each of the specific cost-cutting recommendations that are presented in the report. Further, each of the campus task forces must include non-university community/business leaders who can bring an important outside perspective to the review of these recommendations. The CEOs will bring forward their reports to the Board and the Board will report the results of these campus task forces to the Legislature at the start of the 2010 Legislative Session.

Additionally, regarding the distance education-related LPA recommendations, the Board of Regents will convene, under the auspices of its Academic Affairs Committee, which is led by Board of Regents Vice Chair Gary Sherrer, a task force that will review and make recommendations for full Board of Regents consideration regarding state university efforts to deliver university programs via distance education modes.

I think it's important to note, and the LPA report points this out, that it is not at all clear, from an institutional perspective, that distance education is a "cost-cutter." In state systems that have burgeoning populations and incredibly challenging higher education capacity issues as a result (like California, Florida, and Arizona), the cost-cutting implications are clear. In Midwestern states, the question is more complex. Even so, expanded distance education could present clear cost-cutting benefits for students and their families and produce significant state benefits from an access perspective, so this is an area that clearly merits exploration.

One final point regarding the pursuit of state university efficiencies, we are particularly pleased that in the course of producing its study, LPA invited the Board of Regents and the state universities to identify those changes in state statute or other policy that could enable the universities to pursue efficiencies more aggressively and effectively. Those suggestions are presented on pages 68-69 of the report. If we truly want to enable our state universities to operate in as efficient a manner as reasonably possible, a serious examination of the kinds of provisions identified in the report, such as making expanding to all six state universities and making permanent the pilot purchasing project enacted a couple of years ago, will be required.

In conclusion, again, I want to thank the Legislative Division of Post Audit for its work, and let you know that we look forward to reporting to you and others in the Statehouse at the start of the 2010 Legislative Session regarding our response to these recommendations. Thank you for your attention this morning.



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LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE October 12, 2009

Board of Regents 2010 Preliminary Legislative Initiatives (As Submitted by Agency/Institution/Sector)

Reginald L. Robinson, President and CEO

1) Revision of Private Postsecondary Statutes (*Attachment, Pages 1-20*)

Proposal (submitted by Board Staff): Would amend Private Postsecondary statutes by including: new definitions of regulated entities, eliminating the exemptions for branch locations, changes to the application and renewal process, clarifying the types of degrees requiring a certificate of approval, providing for greater penalties for violations of the Private Postsecondary Act, revising the fee structure to establish new maximum amounts that may be charged to regulated entities, requiring data to be reported by regulated institutions, and requiring the schools to post their student complaint process.

2) Technical Education Authority, Establish Terms & Eliminate 45-Day Provision (*Attachment, Pages 21-24*)

Proposal (submitted by Board Staff): Would amend Kansas Postsecondary Technical Education Authority statutes by: establishing terms for members, and eliminating the 45-day provision, thus providing additional time for the study, discussion, and consideration of the Authority's recommendations.

3) State University Purchasing Pilot Project, Make Permanent (*Attachment, Pages 25-27*)

Proposal (submitted by the University of Kansas): The University of Kansas and Fort Hays State University have participated in a three-year purchasing pilot program which has exempted them from state purchasing statutes. The proposal would make the exemption permanent and would allow all six state universities to participate. The pilot project will sunset on June 30, 2010 unless new legislation is enacted.

4) State University Surplus Property Exemption (*Attachment, Page 28*)

Proposal (submitted by the University of Kansas): Would exempt the six state universities from the State Surplus Property Act.

LEPC
10-12-09
Attachment 2

5) Amend Investment Statutes (*Attachment, Pages 29-32*)

Proposals (*submitted by Emporia State University & Kansas State University*): Would update out-dated statute language and would offer an additional investment option supported by the recent adoption of the Uniform Prudent Management of Institutional Funds Act by the State.

6) Gifts and Bequests (*Attachment, Pages 33-36*)

Proposal (*submitted by the University of Kansas*): Would clarify and streamline statutes pertaining the investment of "endowments and bequests" by state university endowments/foundations on behalf of the universities.

7) Kansas Academy of Mathematics and Science, Funding (*Attachment, Pages 37-38*)

Proposal (*submitted by Fort Hays State University*): Requests \$754,000 for Fiscal Year 2011 for the operation of KAMS. House Bill 2858, approved by the 2008 Legislature, authorized funding for KAMS for Fiscal Years 2009-2014, including \$754,000 for Fiscal Year 2011.

8) Pittsburg State University School of Construction, Funding (*Attachment, Pages 39-49*)

Proposal (*submitted by Pittsburg State University*): Requests \$1,393,400 to establish a School of Construction to be housed in the Kansas Technology Center. Funding would enable PSU to add staff, increase operating funding, and enhance instructional equipment. This request was originally considered by the Board in October 2007.

9) NIAR/Industry/State Aviation Research Program, Funding (*Attachment, Pages 50-51*)

Proposal (*submitted by Wichita State University*): Requests \$5 million for FY 2011 to continue the NIS program, which was created in 2003 to aid the Kansas aerospace industry by enabling technology that allows the industry to compete in the global marketplace.

10) Technical Colleges, Taxing Authority (*Attachment, Pages 52-53*)

Proposal (*submitted by the Kansas Association of Technical Colleges*): Would grant local taxing authority to the state's six technical colleges.

11) Fort Hays State University, Authorization to Sell Land (*Attachment, Pages 54-57*)

Proposal (*submitted by Fort Hays State University*): Would authorize Fort Hays State University to sell two tracts of land to the City of Hays as part of the development of a community sports complex.

REVISION OF PRIVATE POSTSECONDARY STATUTES

Summary and Recommendations

Staff recommends approval of proposed Private Postsecondary revisions to the Private Postsecondary statutes. The revisions to these statutes include: new definitions of regulated entities, eliminating the exemptions for branch location(s), changes to the application and renewal process, clarifying the types of degrees requiring a certificate of approval, providing for greater penalties for violations of the Private Postsecondary Act (including making violation of the Act a violation of the Kansas Consumer Protection Act¹), revising the fee structure to establish new maximum amounts that may be charged to regulated entities (for implementation in 2012), requiring data to be reported by regulated institutions, and requiring the schools to post their student complaint process.

September 10, 2009

1) Issue Background

During the 2004 Legislative Session, the Kansas Legislature passed the Kansas Private and Out-of-State Postsecondary Educational Institution Act ("Act"), a set of 22 statutes found at K.S.A. 74-32,162, *et seq.* The Act replaced two other separate legislative enactments that regulated out-of-state degree granting institutions and professional training schools and made the Board's oversight of these two different types of entities more uniform.

The Board regulates most private and out of state postsecondary educational institutions that want to do business in the state. The Board grants "certificates of approval" to institutions that fall under the Act, if the institution meets minimum standards. The certificate of approval allows an institution to lawfully operate within the state, subject to annual review and renewed approval. The Act allows the Board to charge fees for applying for a certificate of approval or registering authorized representatives to recruit students. Staff have researched proposed statute changes by looking at practices in other states. The proposed changes are outlined in the attached summary.

2) Rationale/Consequences

These changes are intended to improve the quality of, and standards for, private postsecondary institutions operating in Kansas. Some changes are being requested to clarify current intent and are a result of past issues encountered with specific fact situations. We intend these changes help KBOR ensure the quality of training received by the students attending and receiving degrees, certificates or diplomas from these types of institutions. The Board also requests that the fees be increased in order to allow KBOR to adequately fund the Private Postsecondary Education Department.

Should some of the new provisions in the statutes not be approved, there may be continued confusion over what institutions are covered by the Act. Kansas students attending private postsecondary institutions will not have the benefit of improved minimum standards that help prevent degree mills and ensure the validity of degrees, certificates and diplomas, and there will not be a clearly defined student complaint process for students attending private postsecondary institutions. If increased fees are not approved, KBOR may not have sufficient resources to adequately regulate this segment of postsecondary education.

¹ A change suggested and requested by the Sedgwick County DA's office, who has assisted in enforcing this Act with regard to several schools.

3) Fiscal and Administrative Impact

There is no cost increase for the state. Increased fees will be paid by the institutions being regulated and will help ensure the Private Postsecondary Department at KBOR will be adequately funded.

4) Impact on other State Agencies

Will the proposal affect other state agencies?

The proposal helps clarify private postsecondary education's role to other state regulating agencies.

5) Questions Legislators May Ask / Possible Political Hurdles / Anticipated Opposition or Allies

What questions or obstacles can be anticipated?

There may be some Private Postsecondary institutions that object to portions of the proposed changes. However, we anticipate support from schools, large and small, who recognize the necessity to "self-police" and set high standards. The changes made help to protect students and provide for quality institutions. The elimination of an entire exception will most likely cause the impacted schools to object. However, the Department of Commerce supports and encourages this change.

Will any entities oppose this or lobby on its behalf?

We are confident some of the regulated entities will support this effort and work with us for passage; however, there may be some that oppose it.

Has any outreach occurred with potential proponents or opponents, including individual legislators?

If this package is approved, we will share it with the Private Postsecondary Commission as soon as possible and will work towards reaching a consensus on as many of its objectives as is possible. There has been no contact with Legislators about this matter.

6) Draft of Proposed Legislation (See attached)

**PRIVATE POSTSECONDARY
SUMMARY OF PROPOSED CHANGES TO - STATUTES K.S.A. 74-32-162 et seq.
SEPTEMBER 2009**

| Statute | Reason for change |
|--|---|
| 74-32,163. Definitions. (a) | Change from doctor's to doctoral degree |
| 74-32.163. Definitions. (p) | More specific |
| 74-32,167. Certificates of Approval. (a) | Clearly states institutions cannot award other types of awards without KBOR approval – e.g. a certificate of graduation. |
| 74-32,168, Same; branch institutions; application. (a) | Added language to ensure branch sites are reported to KBOR and compliance to all requirements are met. |
| 74-32,169 (l) | New requirement that schools publish the procedure for handling student complaints. |
| 74-32,170. Same; Contents; term; renewal; notice of intent to nonrenew. (4) (c) | Change to 60 days prior – increasing the time of notice of ownership changes to this office. |
| 74-32,170. (4) (d) | Change renewal paperwork from being sent to institutions 60 days prior to expiration to being sent 120 days prior to expiration. The intent is to reduce the number of schools that operate with an expired certificate of approval. |
| 74-32,170. (e) | Added specific language requiring approval from KBOR before regulated institutions accept student enrollments or paid fees. |
| 74-32,178. Violations of act; injunctions; civil fine. | Currently, this penalty is only available for deceptive type practices. The fine would apply for operating without approval. Added language is more specific and increases penalty from \$1,000 to \$5,000; which matches the fine charged by the consumer protection agency. This makes a violation of the Private Postsecondary Act a violation of the Consumer Protection Act. |
| 74-32,181. Fees. (a) (1) and (2) Fee information from Minnesota, Wisconsin, Tennessee and Georgia; where demographics often compare to Kansas. (attached) Proposed Regulation Fee Schedule is included to illustrate | Total restructure of fees more accurately reflects the cost of necessary resources required for reviewing and processing applications, including all programs, certificates, diplomas and degrees. The restructuring of fees also ensures Kansas is within the range of fees other states are charging private institutions wanting to offer training in their states. Initial Application Fee is the Base fee plus initial authorization of degree level. Non-refundable option is new. At present, when a school has been declined we have refunded their fees. This does not justly reflect the hours of staff time dedicated to working on the applications (sometimes |

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| <p>fees we will be requesting. Statute fee levels are for the maximum limits. Regulations fees are set lower, giving room to increase fees over the next several years without requirement of Statute changes.</p> | <p>many weeks of work are invested before a school is denied).</p> <p>Initial authorization of degree-level evaluation is new. The new fee reflects the time spent by staff to review programs submitted for compliance and preparation of issue paperwork on degree programs with the initial application of a school.</p> <p>New Program Submission Fee is new. New program submission fees are directly related to the time required for staff review and research of programs submitted.</p> <p>Program Modification Fee is new. The new fee reflects the staff resources required when a program is modified or changed.</p> <p>Branch site fee is new. A Branch site requires the same application process as a main campus.</p> <p>Renewal – Late Submission Fee is new . This fee will encourage schools to submit completed and accurate re-application materials. It will also encourage them not to operate without a valid and current certificate of approval.</p> <p>Changes in School Fees also reflect s staff resources and research required to approve changes for currently approved institutions.</p> |
| | |
| 74-32,181. Fees. (c) (d) (e) | Added language to apply to non degree granting schools |
| | NEW (d) Added more specific statement to recover all costs. |
| | NEW (e) Added language allowing for fee adjustments annually if needed. The current norm is every 5 years, but due to Cost Price Increases. This option would align us with other state agencies that charge fees and operate based on their fee revenue. |
| | |
| Request new Statutes | NEW Provision of data requires that private institutions provide data to KBOR similar to the data provided by publics for institutional research purposes. This provides improved tracking systems of students and institutions so KBOR better understands the educational needs in Kansas. |
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PRIVATE POSTSECONDARY EDUCATION COMPARISON OF NEW FEE STRUCTURE

| Fees – In State Institutions | Proposed Statute Maximum Limit Allowed | Proposed Regulation Actual Fee | Current Fee Structure |
|--|---|---|---|
| Initial Application Fee - Non-degree granting | \$ 3,000 | \$ 1,500 | \$ 850 |
| Degree granting | \$ 6,000 | \$ 3,000 | \$ 1,000 |
| Initial degree level evaluation – | | | |
| Non-degree granting | \$ 2,000 | \$ 750 | No Current Fee |
| Associate degree | \$ 3,000 | \$ 1,000 | |
| Baccalaureate | \$ 6,000 | \$2,000 | |
| Masters | \$ 8,000 | \$3,000 | |
| Professional and/or Doctoral | \$10,000 | \$4,000 | |
| Renewal Application Fee – | | | |
| Non-degree granting | .4% of gross Tuition \$6,000 min or \$50,000 max. | .2% of gross Tuition \$ 1,500 min or \$25,000 max. | \$ 600 |
| Degree granting | \$12,000 min. or \$50,000 max. | \$ 3,000 min. or \$25,000 max. | \$ 800 |
| New Program Fee – (cost per program) | | | |
| Non-degree | \$ 2,000 | \$ 250 | No Current Fee |
| Associate degree | \$ 3,000 | \$ 500 | |
| Baccalaureate | \$ 6,000 | \$ 750 | |
| Master's | \$ 8,000 | \$ 1,000 | |
| Professional and/or Doctoral | \$10,000 | \$ 2,000 | |
| Program Modification Fee (per program) | \$ 1,000 | \$ 100 | No Current Fee |
| Branch Site Fee – | | | |
| Initial – Non-degree | \$ 3,000 | \$ 1,500 | Branches are not charged separate fees at this time |
| Initial – Degree | \$ 6,000 | \$ 3,000 | |
| Renewal: Non-degree | .4% of gross Tuition \$6,000 min or \$50,000 max. | .2% of gross Tuition \$ 1,500 min. or \$25,000 max. | |
| Degree | \$12,000 min. or \$50,000 max. | \$ 3,000 min. or \$25,000 max. | |
| Site Approval Visit | \$ 1,000 | \$ 125 | |
| Representative Fees: | | | |
| Initial Registration | \$ 1,500 | \$ 150 | \$ 75 |
| Renewal | \$ 1,000 | \$ 100 | \$ 50 |
| Renewal – Late Submission Fee | \$ 1,000 | \$ 125 | No Current Fee |
| Student Transcript Fee | \$ 50 | \$ 10 | \$ 7 |
| Returned Check Fee | \$ 300 | \$ 50 | No Current Fee |
| Changes in School Profile Fee – | | | |

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|--|--|--|---|
| Change in Name | \$ 800 | \$ 100 | No Current Fee |
| Change in Location | \$ 800 | \$ 100 | No Current Fee |
| Change of Only Ownership | \$ 800 | \$ 100 | Changes in Ownership representing a change in curriculum, must apply for new certificate of approval Application fees apply. |
| Change in Ownership with additional changes in the institution's programs or instruction, location, and/or entrance requirements | Must apply for new authorization Initial Application fees apply | Must apply for new authorization Initial application fee apply | |
| Evaluation Team Fee | Applicant Institution is responsible for any costs connected with the on-site visit, and if necessary, and subsequent visits, including travel, meals, lodging, subject matter expert fees, and associated costs | Applicant Institution is responsible for any costs connected with the on-site visit, and if necessary, and subsequent visits, including travel, meals, lodging, subject matter expert fees, and associated costs | No Current Fee |

**PRIVATE POSTSECONDARY EDUCATION
COMPARISON OF NEW FEE STRUCTURE**

| Fees – Out of State Institutions | Proposed Statute Maximum Limit | Proposed Regulation Actual Fee | Current Fee Structure |
|----------------------------------|--------------------------------|--------------------------------|-----------------------|
|----------------------------------|--------------------------------|--------------------------------|-----------------------|

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| | Allowed | | |
|--|---|---|--|
| Initial Application Fee - Non-degree granting | \$ 6,000 | \$ 3,000 | \$ 1,700 |
| Degree granting | \$10,000 | \$ 5,000 | \$ 1,900 |
| Initial degree level evaluation – | | | No Current Fee |
| Non-degree granting | \$ 4,000 | \$ 1,500 | |
| Associate degree | \$ 6,000 | \$ 2,000 | |
| Baccalaureate | \$ 8,000 | \$3,000 | |
| Masters | \$ 10,000 | \$4,000 | |
| Professional and/or Doctoral | \$12,000 | \$5,000 | |
| Renewal Application Fee – | | | |
| Non-degree granting | .6% of gross Tuition \$9,000 min or \$50,000 max. | .3% of gross Tuition \$ 3,000 min or \$25,000 max. | \$ 1,200 |
| Degree granting | \$15,000 min. or \$50,000 max. | \$ 5,000 min. or \$25,000 max. | \$ 1,400 |
| New Program Fee – (cost per program) | | | No current Fee |
| Non-degree | \$4,000 | \$ 500 | |
| Associate degree | \$ 6,000 | \$ 750 | |
| Baccalaureate | \$ 8,000 | \$ 1,000 | |
| Master's | \$10,000 | \$ 1,500 | |
| Professional and/or Doctoral | \$12,000 | \$ 2,500 | |
| Program Modification Fee | \$ 2,000 | \$ 100 | No Current Fee |
| Branch Site Fee – | | | Branches are not charged separate fees at this time |
| Initial – Non-degree | \$ 6,000 | \$ 3,000 | |
| Initial – Degree | \$ 10,000 | \$ 5,000 | |
| Renewal: | | | |
| Non-degree | .6% of gross Tuition \$9,000 min or \$50,000 max. | .3% of gross Tuition \$ 3,000 min. or \$25,000 max. | |
| Degree | \$15,000 min. or \$50,000 max. | \$ 5,000 min. or \$25,000 max. | |
| Site Approval Visit | \$ 2,000 | \$ 500 | No Current Fee |
| Representative Fees: | | | |
| Initial Registration | \$ 2,500 | \$ 300 | \$ 150 |
| Renewal | \$ 3,000 | \$ 200 | \$ 100 |
| Renewal – Late Submission Fee | \$ 3,000 | \$ 125 | No Current Fee |
| Student Transcript Fee | \$ 50 | \$ 10 | \$ 7 |
| Returned Check Fee | \$ 300 | \$ 50 | No Current Fee |
| Changes in School Profile Fee – | | | |
| Change in Name | \$ 1,000 | \$ 100 | No Current Fee |
| Change in Location | \$ 1,000 | \$ 100 | No Current Fee |
| Change of Only Ownership | \$ 1,000 | \$ 100 | Changes in Ownership representing a change in curriculum, must |
| Change in Ownership with additional | Must apply for new | Must apply for new | |

| | | | |
|--|--|--|---|
| changes in the institution's programs or instruction, location, and/or entrance requirements | Authorization Initial application fees apply | authorization Initial application fee apply | apply for new certificate of approval Application fees apply. |
| Evaluation Team Fee | Applicant Institution is responsible for any costs connected with the on-site visit, and if necessary, and subsequent visits, including travel, meals, lodging, subject matter expert fees, and associated costs | Applicant Institution is responsible for any costs connected with the on-site visit, and if necessary, and subsequent visits, including travel, meals, lodging, subject matter expert fees, and associated costs | No Current Fee |

PRIVATE POSTSECONDARY

NOTES AND COMMENTS ON STATUTES K.S.A. 74-32-162 et seq.

74-32,162. Title and citation of act. K.S.A. 2007 Supp. 74-32,163 through 74-32,183 shall be known and may be cited as the Kansas private and out-of-state postsecondary educational institution act.

History: L. 2004, ch. 185, § 2; June 10.

74-32,163. Definitions. As used in the Kansas private and out-of-state postsecondary educational institution act:

(a) "Academic degree" means any associate, bachelor's, first professional, master's, intermediate (specialist) or doctor's ~~doctoral degree~~.

Comment [s1]: Changed from - doctor's
Changed to Doctoral degree.

(b) "Accreditation" means an accreditation by an agency recognized by the United States department of education.

(c) "Branch campus" means any subsidiary place of business maintained within the state of Kansas by an institution at a site which is separate from the site of the institution's principal place of business and at which the institution offers a course or courses of instruction or study identical to the course or courses of instruction or study offered by the institution at its principal place of business.

(d) "Commission" means the advisory commission on private and out-of-state postsecondary educational institutions established pursuant to this act.

(e) "Distance education" means any course delivered primarily by use of correspondence study, audio, video or computer technologies.

(f) "Out-of-state postsecondary educational institution" means a postsecondary educational institution chartered, incorporated or otherwise organized under the laws of any jurisdiction other than the state of Kansas.

(g) "Institution" means an out-of-state or private postsecondary educational institution.

(h) "Institution employee" means any person, other than an owner, who directly or indirectly receives compensation from an institution for services rendered.

(i) "Owner of an institution" means:

(1) In the case of an institution owned by an individual, that individual;

(2) in the case of an institution owned by a partnership, all full, silent and limited partners;

(3) in the case of an institution owned by a corporation, the corporation, its directors, officers and each shareholder owning shares of issued and outstanding stock aggregating at least 10% of the total of the issued and outstanding shares; and

(4) in the case of an institution owned by a limited liability company, the company, its managers and all its members.

(j) "Person" means an individual, firm, partnership, association or corporation.

(k) "Physical presence" means the employment in Kansas of a Kansas resident for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising or any other activity on behalf of the institution, or the delivery of, or the intent to deliver, instruction in Kansas with the assistance from any entity within the state in delivering the instruction including, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution.

- (l) "Private postsecondary educational institution" means an entity which:
- (1) Is a business enterprise, whether operated on a profit or not-for-profit basis, which has a physical presence within the state of Kansas or which solicits business within the state of Kansas;
 - (2) offers a course or courses of instruction or study through classroom contact or by distance education, or both, for the purpose of training or preparing persons for a field of endeavor in a business, trade, technical or industrial occupation or which offers a course or courses leading to an academic degree; and
 - (3) is not specifically exempted by the provisions of this act.

(m) "Representative" means any person employed by an institution to act as an agent, solicitor or broker to procure students or enrollees for the institution by solicitation within this state at any place other than the office or a place of business of the institution.

(n) "State board" means the Kansas board of regents or the board's designee.

(o) "Support" or "supported" means the primary source and means by which an institution derives revenue to perpetuate operation of the institution.

(p) "University" means a postsecondary educational institution authorized to offer any degree including bachelor ~~together with~~ graduate degrees or first professional degrees.

(q) "State educational institution" means any state educational institution as defined by K.S.A. 76-711, and amendments thereto.

(r) "This act" means the Kansas private and out-of-state postsecondary educational institution act.

History: L. 2004, ch. 185, § 3; June 10.

74-32,164. Institutions and courses exempt from act.

The Kansas private and out-of-state postsecondary educational institution act shall not apply to:

- (a) An institution supported primarily by Kansas taxation from either a local or state source;
- (b) an institution or training program which offers instruction only for ~~a vocational or recreational~~ purposes as determined by the state board;
- (c) a course or courses of instruction or study, excluding degree-granting programs, sponsored by an employer for the training and preparation of its own employees, and for which no tuition or other fee is charged to the student;
- (d) a course or courses of instruction or study sponsored by a recognized trade, business or professional organization having a closed membership for the instruction of the members of the organization, and for which no tuition or other fee is charged to the student;
- (e) an institution which is otherwise regulated and approved under any other law of this state;
- (f) a course or courses of special study or instruction having a closed enrollment and financed or subsidized on a contract basis by local or state government, private industry, or any person, firm, association or agency, other than the student involved;
- (g) an institution financed or subsidized by federal or special funds which has applied to the state board for exemption from the provisions of this act and which has been declared exempt by the state board because it has found that the operation of such institution is outside the purview of this act;
- (h) the Kansas City college and bible school, inc.; and

Comment [s2]: SUGGESTED CHANGES

(i) any postsecondary educational institution which was granted approval to confer academic or honorary degrees by the state board of education under the provisions of K.S.A. 17-6105 prior to its repeal.

History: L. 2004, ch. 185, § 4; June 10.

74-32,165. Rules and regulations; institutions qualified to award academic degrees, standards; information from state agencies. (a) The state board may adopt rules and regulations for the administration of this act. Prior to the adoption of any such rules and regulations, the state board shall afford the advisory commission an opportunity to make recommendations thereon.

(b) Specific standards shall be set for determining those institutions which qualify for approval to confer or award academic degrees. Such standards shall be consistent with standards applicable to state educational institutions under the control and supervision of the state board.

(c) The state board shall maintain a list of institutions that have been issued a certificate of approval.

(d) Any state agency having information which will enable the state board to exercise its powers and perform its duties in administering the provisions of this act shall furnish such information when requested by the state board.

History: L. 2004, ch. 185, § 5; June 10.

74-32,166. Advisory commission; membership; meetings; compensation.

(a) The advisory commission on private and out-of-state postsecondary educational institutions is hereby created. The commission shall consist of nine members appointed by the state board. Except as provided by this section, members shall be appointed for terms of four years. Vacancies shall be filled by the state board for the unexpired term. Five members of the commission shall be owners or managers of private postsecondary educational institutions, at least two of the five members shall represent institutions, which at the time of appointment of such members, have enrollments of under 125 students, and at least one shall represent a degree granting institution. Four members shall be selected from among persons representing: Secondary schools, postsecondary schools, business and industry, members of the employment community, economic development interests of the state and health occupations.

(b) The commission shall elect one member as chairperson of the commission and such other officers as may be necessary.

(c) The commission shall meet at least once annually in Topeka during the month of October, and shall conduct special meetings on the call of the chairperson or the state board or at the request of at least four members of the commission.

(d) Members attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.

(e) A majority of the commission is a quorum to conduct business, but no less than four members must concur to pass upon any matter before the commission.

(f) The commission may recommend to the state board such policies, minimum standards and rules and regulations that the commission deems necessary for administering the provisions of this act.

History: L. 2004, ch. 185, § 6; June 10.

74-32,167. Certificates of approval. (a) No institution may operate within this state without obtaining a certificate of approval from the state board as provided in this act. No institution shall confer or award any degree, certificate, or diploma, whether academic or honorary, unless such institution has been approved for such purpose by the state board of regents.

(b) Any contract entered into by or on behalf of any owner, employee or representative of an institution which is subject to the provisions of this act, but which has not obtained a certificate of approval, shall be unenforceable in any action.

History: L. 2004, ch. 185, § 7; June 10.

Comment [MSOffice3]: DOES NOT CLEARLY SAY THEY CAN'T AWARD OTHER TYPES OF AWARDS WITHOUT KBOR APPROVAL - E.G. A CERTIFICATE OF GRADUATION ETC. THE FIRST SENTENCE SAYS THEY CAN'T OPERATE.

74-32,168. Same; branch institutions; application.

(a) Each institution shall apply to the state board for a certificate of approval. An institution shall not be required to obtain a separate certificate of approval for maintenance of any branch institution. Any institution opening or maintaining a branch institution shall notify the board and be subject to a review of the branch site for compliance with this act.

(b) An application for a certificate of approval shall be made on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.

(c) The state board may issue a certificate of approval upon determination that an institution meets the standards established by the state board. The state board may issue a certificate of approval to any institution accredited by a regional or national accrediting agency recognized by the United States department of education without further evidence.

History: L. 2004, ch. 185, § 8; June 10.

Comment [s4]: This is to make sure the new site is complying with the law and meets applicable standards.

74-32,169. Same; compliance with minimum standard required. The state board shall issue a certificate of approval to an institution when the state board is satisfied that the institution meets minimum standards established by the state board by adoption of rules and regulations to insure that:

(a) Courses, curriculum and instruction are of such quality, content and length as may reasonably and adequately ensure achievement of the stated objective for which the courses, curriculum or instruction are offered;

(b) institutions have adequate space, equipment, instructional material and personnel to provide education and training of good quality;

(c) educational and experience qualifications of directors, administrators and instructors are such as may reasonably insure that students will receive instruction consistent with the objectives of their program of study;

(d) institutions maintain written records of the previous education and training of students and applicant students, and that training periods are shortened when warranted by such previous education and training or by skill or achievement tests; of the previous education and training of students and applicant students, and that training periods are shortened when warranted by such previous education and training or by skill or achievement tests;

(e) a copy of the course outline, schedule of tuition, fees and other charges, settlement policy, rules pertaining to absence, grading policy and rules of operation and conduct are furnished to students upon entry into class;

- (f) upon completion of training or instruction, students are given certificates, diplomas or degrees as appropriate by the institution indicating satisfactory completion of the program;
- (g) adequate records are kept to show attendance, satisfactory academic progress and enforcement of satisfactory standards relating to attendance, progress and conduct;
- (h) institutions comply with all local, state and federal regulations;
- (i) institutions are financially responsible and capable of fulfilling commitments for instruction;
- (j) institutions do not utilize erroneous or misleading advertising, either by actual statement, omission or intimation; and
- (k) institutions have and maintain a policy, which shall be subject to state board approval, for the refund of unused portions of tuition, fees and other charges if a student enrolled by the institution fails to begin a course or withdraws or is discontinued there from at any time prior to completion. Such policies shall take into account those costs of the institution that are not diminished by the failure of the student to enter or complete a course of instruction.

(l) (1.) All institutions shall publish and adhere to a procedure for handling student complaints. This procedure shall include use of written documentation that contains signature of the appropriate school officials and the student as well as the date that each step of the complaint process was completed. (2.) Institutions shall post information so that students will be aware of the complaint process available to them. This information shall be posted in locations used and/or seen by all students on a regular basis such as web site, enrollment agreement, catalogue or other media.

History: L. 2004, ch. 185, § 9; June 10.

74-32,170. Same; contents; term; renewal; notice of intent to nonrenew. (a) After review of an application for a certificate of approval and if the state board determines that the institution meets the requirements of this act, the state board shall issue a certificate of approval to the institution. Certificates of approval shall be in a form specified by the state board. Certificates of approval shall state:

- (1) The date of issuance and term of approval;
 - (2) the correct name and address of the institution;
 - (3) the signature of the chief executive officer of the Kansas board of regents or a person designated by the state board to administer the provisions of this act; and
 - (4) any other information required by the state board.
- (b) Certificates of approval shall be valid for a term of one year.

(c) Each certificate of approval shall be issued to the owner of an institution and shall not be transferable. If a change in ownership of an institution occurs, the new owner shall apply within ~~30~~ 60 days prior to the change in ownership for a new certificate of approval. The state board may waive the thirty-day requirement upon determination that an emergency exists and that the waiver and change in ownership would be in the best interests of students currently enrolled in the institution.

Whenever a change in ownership occurs as a result of death, court order or operation of law, the new owner shall apply immediately for a new certificate of approval.

(d) At least ~~60~~ 120 days prior to expiration of a certificate of approval, the state board shall forward to the institution a renewal application form, which must be completed and returned no later than 60 days before the expiration of their certificate.

Comment [s5]: Add requirement for schools to publish procedure for handling students complaints. National research supports this language and requirement.

Comment [s6]: Change to 60 days prior.

Comment [s7]: Renewal paperwork is mailed out 120 days before expiration in hopes that schools will return paperwork to us 60 days prior to expiration. Reducing the number of schools who do not have renewal paperwork completed before certificate expires.

Comment [s8]: Added date that renewal materials must be returned.

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(e) Any institution which is not approved or ~~not~~ yet in operation when its application for a certificate of approval is filed shall not accept payments for tuition, fees or other enrollment charges until receipt of the certificate of approval.

Comment [s9]: Added language

(f) Any institution which does not plan to renew a certificate of approval shall notify the state board of its intent not to renew at least 60 days prior to the expiration date of the certificate of approval.

History: L. 2004, ch. 185, § 10; June 10.

74-32,171. Refusal to issue certificate; appeal. (a) After review of an application for a certificate of approval and if the state board determines that the applicant does not meet the requirements of this act, the state board shall refuse to issue the certificate and set forth the reasons for the determination.

(b) If an applicant, upon written notification of refusal by the state board to issue a certificate of approval, desires to contest such refusal, the applicant shall notify the state board in writing, within 15 days after the date of service of such notice of refusal, of the desire to be heard. Such applicant shall be afforded a hearing in accordance with the provisions of the Kansas administrative procedure act. Upon conclusion of any such hearing, the state board shall issue a certificate of approval or a final refusal to do so.

(c) If an applicant, upon service of notice of refusal by the state board to issue a certificate of approval, fails to request a hearing within 15 days after the date of service of such notice of refusal, the state board's refusal shall be final.

History: L. 2004, ch. 185, § 11; June 10.

74-32,172. Same; revocation or imposition of conditions; notice; hearing. (a) The state board may revoke a certificate of approval or impose reasonable conditions upon the continued approval represented by a certificate. Prior to revocation or imposition of conditions upon a certificate of approval, the state board shall give written notice to the holder of the certificate of the impending action setting forth the grounds for the action contemplated to be taken and affording a hearing on a date within 30 days after the date of such notice. Hearings under this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(b) A certificate of approval may be revoked or conditioned if the state board has reasonable cause to believe that the institution is in violation of any provision of this act or of any rules and regulations adopted under this act.

History: L. 2004, ch. 185, § 12; June 10.

74-32,173. Same; judicial review; violations of act, injunction. Any action of the state board pursuant to K.S.A. 2007 Supp. 74-32,170, 74-32,171 or 74-32,172, and amendments thereto, is subject to review in accordance with the act for judicial review and civil enforcement of agency actions. If it appears to the state board on the basis of its own inquiries or investigations or as a result of a complaint that any provision of this act has been or may be violated, the state board may request the attorney general to institute an action enjoining such violation or for an order directing compliance with the provisions of this act.

History: L. 2004, ch. 185, § 13; June 10.

74-32,174. Institution's representative, registration with state board; renewal, denial, or revocation of registration. (a) Each representative of an institution shall

register with the state board. Application for registration may be made at any time on a form prepared and furnished by the state board and shall contain such information as may be required by the state board.

(b) Registration of a representative shall be effective upon receipt of notice from the state board and shall remain in effect until expiration of the certificate of approval of the institution employing such representative. Renewal of representative registration shall be in accordance with the renewal application form forwarded to the institution by the state board.

(c) Denial or revocation of registration of a representative by the state board shall be in accordance with the provisions of this act applicable to denial or revocation of a certificate of approval.

(d) A representative employed by more than one institution shall not be required to register for each institution when such institutions have a common ownership.

History: L. 2004, ch. 185, § 14; June 10.

74-32,175. Surety bond or certificate of evidence of insurance.

(a) Before a certificate of approval is issued under this act, a bond in the penal sum of \$20,000 shall be provided by the institution for the period for which the certificate of approval is to be issued. The obligation of the bond shall be that the institution and its officers, agents, representatives and other employees shall be bound, upon closure of the institution, to deliver or make available to the state board the records of all students who are in attendance at the institution at the time of closure or who have attended the institution at any time prior to closure. The bond shall be a corporate surety bond issued by a company authorized to do business in this state. The bond shall be filed with the state board. If the institution ceases operation, the state board may recover against the bond all necessary costs for the acquisition, permanent filing and maintenance of student records of the institution.

(b) In lieu of the corporate surety bond required under subsection (a), an institution may provide any similar certificate or evidence of indebtedness or insurance as may be acceptable to the state board if such certificate or evidence of indebtedness or insurance is conditioned that the requirements of subsection (a) shall be met.

History: L. 2004, ch. 185, § 15; June 10.

74-32,176. Advance payment of tuition and retention of tuition, limitations. (a) Subject to the provisions of subsection (b), no tuition in an amount greater than \$350 shall be collected from a student by any institution more than 30 days before the student receives classroom instruction, and not more than \$150 of such amount may be retained by an institution from any student who fails to enter the institution.

(b) In the case of distance education, no tuition in an amount greater than \$200 shall be collected from a student prior to the first submission of a lesson by the student, and not more than \$75 of such amount may be retained by an institution from any student who fails to enter the institution.

History: L. 2004, ch. 185, § 16; June 10.

74-32,177. Prohibited acts; criminal penalty.

(a) No person shall:

- (1) Operate an institution without a certificate of approval;
- (2) solicit prospective students without being registered as required by this act;

- (3) accept contracts or enrollment applications from a representative who is not registered as required by this act;
 - (4) use fraud or misrepresentation in advertising or in procuring enrollment of a student;
 - (5) use the term "accredited" in the name or advertisement of the institution unless such institution is accredited as defined in this act; and
 - (6) use the term "university" in the name or advertisement of the institution unless such institution is a university as defined by this act.
- (b) Violation of any provision of subsection (a) or of any other provision of this act is a class C nonperson misdemeanor.

History: L. 2004, ch. 185, § 17; June 10.

74-32,178. Violations of act; injunctions; civil fine. Upon application of the attorney general or a county or district attorney, a district court shall have jurisdiction to enjoin any violation of this act and to enjoin persons from engaging in business in this state. In any action brought to enforce the provisions of this act, if the court finds that a person willfully used any deceptive or misleading act or practice, or operates an institution without first obtaining and maintaining a certificate of approval, the attorney general or a county or district attorney, upon petition to the court, may recover on behalf of the state, in addition to the criminal penalties provided in this act, a civil penalty not exceeding \$1,000 ~~\$5,000~~ for each violation. For purposes of this section, a willful intentional violation occurs when the person committing the violation knew or should have known that the conduct of the person consisted of acts or practices which were deceptive or misleading, including operating an institution without first obtaining a certificate of approval from the Kansas Board of Regents. A violation of this act shall constitute a violation of the Kansas Consumer Protection Act.

History: L. 2004, ch. 185, § 18; June 10.

74-32,179. Failure to comply with act; refund of money, interest; contracts, void. Any note or contract taken by any institution or its officers, directors, agents or representatives, without having complied with the provisions of this act, shall be null and void and any person who has entered into a contract with such institution or its officers, directors, agents or representatives shall be entitled to a full refund of the money or consideration paid plus interest accruing from the date of payment at a rate per annum equal to the rate specified in K.S.A. 16-207, and amendments thereto, together with other damages sustained by such person.

History: L. 2004, ch. 185, § 19; June 10.

74-32,180. Promissory instruments as payment of tuition. Whenever any institution negotiates any promissory instrument or note received from a student or on behalf of a student as payment of tuition or other fees charged by each institution, any person or assignee or holder to whom the instrument or note is assigned shall take such instrument or note subject to all defenses which would be available to the student from whom or on behalf of whom the instrument or note was received.

History: L. 2004, ch. 185, § 20; June 10.

74-32,181. Fees. (a) The state board shall fix, charge and collect fees for certificates of approval, registration of representatives and providing transcripts to

Comment [s10]: Add language more specific.

Comment [s11]: Increased penalty to get the attention of schools who violate this act and don't take this office seriously. \$5,000 matches fine charged by the consumer protection agency.

Comment [MSOffice12]: Currently, this penalty is only available for deceptive type practices. We want the fine to apply for operating without approval.

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students who attended an institution that has ceased operation by adopting rules and regulations for such purposes, subject to the following limitations:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

| | |
|---|---------|
| Initial issuance of certificate of approval nondegree granting — not more than..... | \$1,700 |
| Initial issuance of certificate of approval degree granting — not more than..... | \$2,000 |
| Renewal of certificate of approval nondegree granting — not more than..... | \$1,200 |
| Renewal of certificate of approval degree granting — not more than..... | \$1,600 |
| Initial registration of representative — not more than..... | \$150 |
| Annual renewal of registration of representative — not more than..... | \$100 |

Student transcript from institution that has ceased operation — not more than..... \$10

A. Initial Application Fee (non-refundable)

| | | |
|--|---------------|----------|
| Initial new school application - non-degree granting | Not more than | \$ 3,000 |
| Initial new school application - degree granting | Not more than | \$ 6,000 |

Initial Authorization of degree-level evaluation – Fee is in addition to initial application fee.

| | | |
|--|---------------|----------|
| Non-degree-granting – | Not more than | \$ 2,000 |
| Associate degree-granting - | Not more than | \$ 3,000 |
| Baccalaureate degree-granting - | Not more than | \$ 6,000 |
| Masters degree-granting - | Not more than | \$ 8,000 |
| Professional and/or Doctoral degree-granting - | Not more than | \$10,000 |

B. Renewal Application Fee (non-refundable)

| | |
|---|--|
| Not more than .4% of gross tuition*, subject to the following | |
| Non-degree granting institutions – | Not more than \$6,000 minimum or \$50,000 maximum |
| Degree-granting institutions – | Not more than \$12,000 minimum or \$50,000 maximum |

(*For a new institution, gross tuition is estimation for the first twelve months.)

C. New Program Fee – Processing fee for adding a non-degree or degree program.

| | | |
|--|---------------|----------|
| Non-degree new program submission fee – each | Not more than | \$ 2,000 |
| Associate degree program submission fee – each | Not more than | \$ 3,000 |
| Baccalaureate program submission fee –each | Not more than | \$ 6,000 |
| Master's program submission fee – each | Not more than | \$ 8,000 |
| Professional and/or Doctoral submission fee – each | Not more than | \$10,000 |

D. Program Modification Fee - each program

Not more than \$ 1,000

E. Branch Site Fee: for each site

| | | |
|-------------------------------|---------------|----------|
| Initial - non-degree granting | Not more than | \$ 3,000 |
| Initial – degree granting | Not more than | \$ 6,000 |

Renewal:

| | |
|---|--|
| Not more than .4% of gross tuition*, subject to the following | |
| Non-degree granting institutions – | Not more than \$6,000 minimum or \$50,000 maximum |
| Degree-granting institutions – | Not more than \$12,000 minimum or \$50,000 maximum |

Site Approval Visit

Not more than \$ 1,000

F. Representative Fees:

| | | |
|----------------------|---------------|----------|
| Initial Registration | Not more than | \$ 1,500 |
| Renewal fee | Not more than | \$ 1,000 |

G. Renewal – Late Submission Fee*

Not more than \$ 1,000

H. Student Transcript Copy Fee

Not more than \$ 50

Comment [s13]: Fees have been restructured to more accurately reflect the cost of time spent for reviewing and processing applications. Also, to keep Kansas competitive with the fees other states are charging private institutions wanting to offer training in their states.

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- I. Returned Check Fee Not more than \$ 300
- J. Changes in School Profile Fee
 Change of school name Not more than \$ 800
 Change of school location Not more than \$ 800
 Change of ownership only Not more than \$ 800
 Change of ownership with additional changes in the institution's programs of instruction. Location, and/or entrance requirements – Must apply for new authorization. Initial Application Fees does apply
- K. Evaluation Team Fee: The applicant institution shall be responsible for any costs connected with the certificate of approval process, renewal inspection, or on-site visit and, if necessary, and subsequent visits, including but not limited to, travel, meals, lodging, subject matter expert fees, and associated costs.
- *For a new institution, gross tuition is estimation for the first twelve months.
 ** Short Courses – Instructional programs, test preparations courses, pre-approved by another Kansas State agency before submission to KBOR
 ****Failure to submit completed renewal file or submit requested documentation to complete the renewal before the expiration date of the current certificate of approval

(2) For institutions domiciled or having their principal place of business outside the state of Kansas:

| | |
|---|---------|
| Initial issuance of certificate of approval nondegree granting – not more than..... | \$3,400 |
| Initial issuance of certificate of approval degree granting – not more than..... | \$3,800 |
| Renewal of certificate of approval nondegree granting – not more than..... | \$2,400 |
| Renewal of certificate of approval degree granting – not more than..... | \$2,800 |
| Initial registration of representative – not more than..... | \$300 |
| Annual renewal of registration of representative – not more than..... | \$200 |

Comment [s14]: See new fee chart attached. Fees have been restructured to better represent the actual cost of time spent in reviewing and processing applications. Also to reflect similar fees from other states.

Student transcript from institution that has ceased operation – not more than..... \$10

- A. Initial Application Fee (non-refundable)
- | | |
|--|------------------------|
| Initial new school application - non-degree granting | Not more than \$ 6,000 |
| Initial new school application – degree granting | Not more than \$10,000 |
- Initial Authorization of degree-level evaluation – Fee is in addition to initial application fee.
- | | |
|--|------------------------|
| Non-degree-granting – | Not more than \$ 4,000 |
| Associate degree-granting - | Not more than \$ 6,000 |
| Baccalaureate degree-granting - | Not more than \$ 8,000 |
| Masters degree-granting - | Not more than \$10,000 |
| Professional and/or Doctoral degree-granting - | Not more than \$12,000 |

Comment [s15]: Fees have been restructured to more accurately reflect the cost of time spent for reviewing and processing applications. Also, to keep Kansas competitive with the fees other states are charging private institutions wanting to offer training in their states.

- B. Renewal Application Fee (non-refundable)
 Not more than .6% of gross tuition*, subject to the following
 Non-degree granting institutions – Not more than \$ 9,000 minimum or \$50,000 maximum
 Degree-granting institutions – Not more than \$15,000 minimum or \$50,000 maximum
- C. New Program Fee – Processing fee for adding a non-degree or degree program.
- | | |
|--|------------------------|
| Non-degree new program submission fee – each | Not more than \$ 4,000 |
| Associate degree program submission fee – each | Not more than \$ 6,000 |
| Baccalaureate program submission fee –each | Not more than \$ 8,000 |
| Master's program submission fee – each | Not more than \$10,000 |

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- | | |
|---|---|
| Professional and/or Doctoral submission fee – each | Not more than \$12,000 |
| D. Program Modification Fee - each program | Not more than \$ 2,000 |
| E. Branch Site Fee: for each site | |
| Initial - non-degree granting | Not more than \$ 6,000 |
| Initial – degree granting | Not more than \$10,000 |
| Renewal: | |
| Not more than .6% of gross tuition*, subject to the following | |
| Non-degree granting institutions – | Not more than \$9,000 minimum or \$50,000 maximum |
| Degree-granting institutions – | Not more than \$15,000 minimum or \$50,000 maximum |
| Site Approval Visit | Not more than \$ 2,000 |
| F. Representative Fees: | |
| Initial Registration | Not more than \$ 2,500 |
| Renewal fee | Not more than \$ 3,000 |
| G. Renewal – Late Submission Fee* | Not more than \$ 3,000 |
| H. Student Transcript Copy Fee | Not more than \$ 50 |
| I. Returned Check Fee | Not more than \$ 300 |
| J. Changes in School Profile Fee | |
| Change of school name | Not more than \$ 1,000 |
| Change of school location | Not more than \$ 1,000 |
| Change of ownership only | Not more than \$ 1,000 |
| Change of ownership with additional changes in the institution's programs of instruction. | |
| Location, and/or entrance requirements – Must apply for new authorization. | |
| Initial Application Fees does apply. | |
| K. Evaluation Team Fee: | The applicant institution shall be responsible for any costs connected with the certificate of approval process, renewal inspection, or on-site visit and, if necessary, and subsequent visits, including but not limited to, travel, meals, lodging, subject matter expert fees, and associated costs. |

*For a new institution, gross tuition is estimation for the first twelve months.
 ** Short Courses – Instructional programs, test preparations courses, pre-approved by another Kansas State agency before submission to KBOR
 ****Failure to submit completed renewal file or submit requested documentation to complete the renewal before the expiration date of the current certificate of approval

(b) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(c) Fees may be charged to conduct onsite reviews for degree granting and non degree granting schools or to review curriculum in content areas where the state board does not have expertise.

(d) The applicant for a new or renewed certificate shall be responsible for the actual costs incurred by the Board in connection with the approval process.

Comment [s16]: Addition to be more specific

Comment [s17]: More specific statement to recover all costs

History: L. 2004, ch. 185, § 21; June 10.

74-32,182. Private and out-of-state postsecondary educational institution fee fund. (a) The state board shall remit all moneys received pursuant to the provisions of this act to the state treasurer. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount remitted in the state treasury and shall credit the same to the private and out-of-state postsecondary educational institution fee fund to be used for the purpose of administering this act. All expenditures from such fee fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board or the board's designee.

(b) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the private and out-of-state postsecondary educational institution fee fund interest earnings based on: (1) The average daily balance of moneys in such fee fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

History: L. 2004, ch. 185, § 22; June 10.

74-32,183. Severability. If any clause, paragraph, subsection or section of the Kansas private and out-of-state postsecondary educational institution act is found to be unconstitutional or invalid, it shall be conclusively presumed that the legislature would have enacted the remainder of the act without such unconstitutional or invalid clause, paragraph, subsection or section.

History: L. 2004, ch. 185, § 23; June 10.

NEW STATUTES FOR PRIVATE AND OUT-OF-STATE POSTSECONDARY INSTITUTIONS

Comment [s18]: Add new statute for requiring institutions to provide data annually to KBOR

Provision of data to Kansas Board of Regents

Within the limits of appropriations therefore, the board of regents shall develop and maintain a statewide data collection system to collect and analyze private and out-of-state postsecondary educational information, including, but not limited to student, course, financial aid, and program demographics that will assist the board in improving the quality of private and out-of-state postsecondary education.

Kansas Postsecondary Technical Education Authority

Legislative Proposal

Amend current law to provide continuity of the membership of the Kansas Postsecondary Technical Education Authority by establishing terms for appointed current and future members.

Background

The Postsecondary Technical Education Authority (TEA) was established as a part of the Kansas Board of Regents to coordinate postsecondary technical education within the state through a series of laws enacted by the 2007 legislature. K.S.A. 72-4481 is the statute that establishes the postsecondary technical education authority and addresses specific membership qualifications as well as the handling of vacancies, meetings, and compensation for members.

Rationale/Consequences

The postsecondary technical education authority is now in its third year of existence and has embarked on a number of technical education initiatives to focus attention on and support the coordination of the postsecondary technical education system within the state. To ensure the continuity and momentum of these activities, the postsecondary technical education authority requests the establish terms for appointed members, applicable to both current and future members, similar to those of the Kansas Board of Regents. The proposed additions to K.S.A. 72-4481 were discussed and recommended by the TEA during the August 26, 2009 meeting.

Fiscal and Administrative Impact

None.

Impact on other State Agencies

None. As ex-officio members of the Authority, the Secretary of Commerce, Secretary of Labor, and the Commissioner of Education have been involved in the discussion and approved these proposed changes.

Questions Legislators May Ask/Possible Political Hurdles/Anticipated Opposition or Allies

Legislators may ask why the change. Essentially terms were overlooked in the initial legislation and because terms do not exist, members may actually serve longer terms than individuals on the Kansas Board of Regents. Appointing Authorities – Governor and KBOR should assign terms to their appointees.

Draft of Proposed Legislation

Chapter 72.--SCHOOLS

Article 44.--VOCATIONAL EDUCATION

72-4481. Postsecondary technical education authority; membership qualifications; vacancies; meetings; compensation. (a) There is hereby established the postsecondary technical education authority. The authority shall be composed of 12 members appointed as follows:

- (1) Four members shall be appointed by the state board of regents. Of the members appointed by the state board of regents: Two shall be members of the state board of regents, or the designee thereof; one shall be a representative of the community colleges which

provides technical education, or the designee thereof; and one shall be a representative of the technical colleges in the state, or the designee thereof;

(2) three members shall be appointed by the governor. Of the members appointed by the governor: One shall represent Kansas business and industry; and two shall represent the general public;

(3) one member shall be appointed by the president of the senate and shall be a representative of business and industry;

(4) one member shall be appointed by the speaker of the house of representatives and shall be a representative of business and industry; and

(5) the commissioner of education, the secretary of commerce and the secretary of labor who shall serve as ex officio members of the authority.

Each appointed member shall hold office for a term of four years, except as provided in subsection (h) for the first members appointed to the authority, and until a successor is appointed. Terms of members shall expire on June 30. No person shall serve more than two terms of office as an appointed member of the authority.

(b) When making appointments of the representatives of Kansas business and industry and the general public, consideration shall be given to persons who are recognized for their knowledge or expertise and are representative of current and emerging technical career clusters of the state. No more than two members of the authority shall be representative of any one specific technical career cluster. Of the members appointed to represent Kansas business and industry and the general public, there shall be appointed at least one member from each congressional district. Redistricting of congressional districts occurring subsequent to a member's appointment shall not disqualify any member of the authority from service. The state board of regents shall determine the technical career clusters of the state.

(c) No more than five voting members of the authority shall be members of the same political party.

(d) Any vacancy in the membership of the authority shall be filled by appointment in the same manner as provided for original appointment of the member.

(e) The members of the authority shall meet and organize annually by electing one member as chairperson, except that the governor shall designate the first chairperson of the authority from among the first members appointed.

(f) The authority may meet at any time and at any place within the state on the call of the chairperson. A quorum of the authority shall be five voting members. All actions of the authority shall be by motion adopted by a majority of those voting members present when there is a quorum.

(g) Members of the authority attending meetings of the authority, or attending a subcommittee meeting thereof authorized by the authority, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

(h) Beginning July 1, 2009, the terms of office for the first appointed members of the authority established under this section shall be as follows: of the four members appointed by the state board of regents, one shall have a term of office of four years, one shall have a term of office of three years, one shall have a term of office of two years, and one shall have a term of office of one year; of the three members appointed by the governor, one shall have a term of office of four years, one shall have a term of office of three years, and one shall have a term of office of two years; of the members appointed by the president of the senate and the speaker of the house each shall have a term of office of four years.

History: L. 2007, ch. 199, § 1; May 24.

Legislative Proposal

Amend current law to provide additional time for study and discussion of recommendations presented by the Kansas Postsecondary Technical Education Authority prior to final action by the Kansas Board of Regents.

Background

The Postsecondary Technical Education Authority (TEA) was established as a part of the Kansas Board of Regents to coordinate postsecondary technical education within the state through a series of laws enacted by the 2007 legislature. K.S.A. 72-4482 is the statute that delineates the powers and duties of the postsecondary technical education authority and establishes the vice president of workforce development as the executive director of the authority.

Rationale/Consequences

The postsecondary technical education authority is now in its third year of existence and has embarked on a number of technical education initiatives to focus attention on and support the coordination of the postsecondary technical education system within the state. Elimination of the 45 day requirement will allow KBOR additional time for study and discussion prior to the board being required to take action on Authority recommendations.

Fiscal and Administrative Impact

None.

Impact on other State Agencies

None.

Questions Legislators May Ask/Possible Political Hurdles/Anticipated Opposition or Allies

Some legislators may ask why the change. Potential opposition by some TEA Members as they have not discussed this change.

Draft of Proposed Legislation**Chapter 72.--SCHOOLS****Article 44.--VOCATIONAL EDUCATION****72-4482. Same; powers and duties; vice-president of workforce development and executive director of authority.**

(K.S.A. 2008 Supp. 72-4482 is hereby amended to read as follows)

(a) The postsecondary technical education authority shall:

(1) Have delegated authority from the board of regents to coordinate state-wide planning for postsecondary technical education, new postsecondary technical education programs and contract training. Such planning shall be conducted in coordination with federal agencies, the state board of education and other state agencies and Kansas business and industry;

(2) recommend for adoption by the state board of regents rules and regulations for the supervision of postsecondary technical education;

(3) review existing and proposed postsecondary technical educational programs and program locations and make recommendations to the state board of regents for approval or disapproval of such programs for state funding purposes;

(4) review requests of state funding for postsecondary technical education and make recommendations to the state board of regents for amounts of state funding and the distribution thereof;

(5) develop benchmarks and accountability indicators of programs to be utilized in the awarding of state funding and make recommendations relating thereto to the state board of regents;

(6) develop and advocate annually a policy agenda for postsecondary technical education;

(7) conduct continuous studies of ways to maximize the utilization of resources available for postsecondary technical education and make recommendations for improvement in the use of such resources to the state board of regents;

(8) conduct studies to develop strategies and programs for meeting needs of business and industry and make recommendations relating thereto to the state board of regents;

(9) make reports on the performance of its functions and duties together with any proposals and recommendations it may formulate with respect thereto to the state board of regents and the legislature; and

(10) coordinate the development of a seamless system for the delivery of technical education between the secondary-school level and the postsecondary-school level; and

(11) (A) develop and recommend to the state board of regents a credit hour funding distribution formula for postsecondary technical training programs that (i) is tiered to recognize and support cost differentials in providing high-demand high-tech training, (ii) takes into consideration target industries critical to the Kansas economy, (iii) is responsive to program growth and (iv) includes other factors and considerations as deemed necessary or advisable; and (B) establish and recommend to the state board of regents the rates to be used in such funding distribution formula.

(b) Recommendations adopted by the authority pursuant to subsection (a) shall be submitted to the state board of regents. ~~A recommendation of the authority shall be implemented by the state board unless the state board, by majority vote thereof, vetoes the recommendation within 45 days of the submission of the recommendation to the state board.~~

(c) (1) Subject to the provisions of paragraph (2), the state board of regents and the postsecondary technical education authority shall appoint a vice-president of workforce development who shall serve as the executive director of the postsecondary technical education authority. The vice-president for workforce development shall be in the unclassified service under the Kansas civil service act. Such person shall not be a member of the authority and shall serve at the pleasure of the state board of regents.

(2) The state board of regents shall develop a procedure for the appointment of the vice-president of workforce development. Such procedure shall provide for the participation of the Kansas association of community college trustees and the Kansas association of technical schools and colleges, or the successor organizations thereof, in the selection of the vice-president of workforce development.

History: L. 2007, ch. 199, § 2; May 24. (Amended 2009)

Purchasing Pilot Project

1) Legislative Proposal- K.S.A. 76-769 authorized the Board of Regents to select one regional university and one research university to participate in a three-year purchasing pilot program. Under the pilot program the two universities would be exempt from the basic state purchasing statute as well as the Prison Made Goods Act. The pilot project will sunset on June 30, 2010 unless legislation is passed to extend the exemptions. The proposal is to make permanent the terms of K.S.A. 76-769 and expand its scope to all Regents universities. The proposal also seeks to exempt universities from the statutes covering the procurement of professional services, negotiated procurement processes, and mandated use of the State Division of Printing; and broadens the exemption to more fully include the University Press and certain real estate leases.

2) Issue Background- Fort Hays State University and the University of Kansas were selected by the Board of Regents to participate in the purchasing pilot project. Each university has documented significant cost and administrative savings in each of the first 2-years of the pilot program. The other Regents universities are currently working under memoranda of agreements with the state division of purchases but cannot achieve the full measure of authority provided by K.S.A. 76-769 due to the restrictions contained in current state law.

3) Rationale/Consequences- Unless legislation is passed in the 2010 legislative session the pilot program will sunset and all Regents universities will revert to operating under the basic state purchasing statutes that govern all state agencies. This will result in material inefficiency and lost savings.

3) Fiscal and Administrative Impact- FHSU and KU have reported material savings and efficiencies that were only possible due to the flexibility inherent in the purchasing pilot program. These savings and efficiencies have been achieved without incurring additional cost or administrative burden. The loss of the flexibility would result in the loss of the savings and administrative inefficiencies documented by the pilot universities.

4) Impact on other State Agencies- None. The Regents universities would continue to collaborate with the state division of purchases, participate in projects, and utilize contracts that provide mutual benefit. The state division of purchases would achieve administrative savings by no longer having to process transactions for the Regents universities.

5) Questions Legislators May Ask / Possible Political Hurdles / Anticipated Opposition or Allies- There will be questions regarding why combining the entire state volume does not provide the best pricing, how decentralization achieves administrative efficiencies and how removing the state educational institution volume from state contracts will affect state agency pricing. There will be questions from vendors desiring safeguards and oversight. There will also be questions regarding in-state or even local jurisdiction preferences. The state will be neutral. Vendors may have questions but likely will not oppose. Correctional Industries may oppose.

6) Draft of Proposed Legislation-

76-769 Pilot project, a Acquisition of goods and services for certain state educational institutions; duties and functions of state board of regents and director of purchases; guidelines, exemptions and limitations; reports to legislature. ~~(a) With regard to the acquisition of supplies, materials, equipment, goods, property, articles, products or services, a pilot project shall be conducted by the state board of regents in accordance with the provisions of this section. The state board of regents shall select not more than two of the state educational institutions, as defined by K.S.A. 76-711, and amendments thereto, to be the pilot universities in accordance with this section. The state board of regents shall select one of the following state educational institutions to be a pilot university: Emporia state university, Fort Hays state university or Pittsburg state university. The state board of regents may select one of the following state educational institutions to be a pilot university: Kansas state university, Wichita state university or the university of Kansas. If the state board of regents does not select Kansas state university, Wichita state university or the university of Kansas to be a pilot university, then the state board of regents shall select a second one of the following state educational institutions to be a pilot university: Emporia state university, Fort Hays state university or Pittsburg state university. During the period from June 1, 2007, through June 30, 2010:~~

~~(a)(1) The acquisition of any supplies, materials, equipment, goods, property, printing, certain real estate leases, or services, including professional services as defined in K.S.A. 75-37,131, for all state educational institutions, as defined by K.S.A. 76-711, and amendments thereto for the pilot universities shall may be in accordance with policies adopted by the state board of regents and no such acquisition during such period shall be subject to any statewide purchasing contract or other contract that is entered into under the provisions of K.S.A. 75-1005, 75-3737a through 75-3741b, 75-3742 through 75-3744, 75-37,130 through 75-37,134 and amendments thereto or any rules and regulations or policies adopted thereunder and that requires any state agency to make any such acquisition under any such contract, but nothing herein shall be construed as limiting the state educational institution pilot universities from using contracts or services established by the director of purchases;~~

~~—(2) the acquisition of any travel services for the pilot universities shall be in accordance with policies adopted by the state board of regents and no such acquisition during such period shall be subject to any statewide travel services contract or other travel services contract that is entered into under the provisions of K.S.A. 75-3737a through 75-3744 and amendments thereto or any rules and regulations or policies adopted thereunder and that requires any state agency to acquire travel services under any such contract; and~~

~~(b) (3) The acquisition of any articles or products produced by inmates in the custody of the secretary of corrections that may be required for state educational institutions the pilot universities shall may be in accordance with policies adopted by the state board of regents and no such acquisition during such period shall be subject to the~~

provisions of the prison-made goods act of Kansas requiring any such acquisition to be made from the secretary of corrections as provided in K.S.A. 75-5273 through 75-5282 and amendments thereto, or any rules and regulations or policies adopted thereunder.

~~(c) (b) The state board of regents shall submit a report to the legislature at the beginning of the regular session in 2007, 2008, 2009 and 2010 regarding the activities of the pilot universities under the provisions of subsection (a). Each such report shall include any new or amended policies adopted by the state board of regents for implementation of such activities, the amounts and kinds of expenditures by the pilot universities for activities under each paragraph of subsection (a), and shall include information regarding any savings experienced and any issues or problems encountered for all such acquisitions for the pilot universities under the provisions of subsection (a).~~

~~(c) The director of purchases shall submit a report to the legislature at the beginning of the regular session in 2007, 2008, 2009 and 2010 regarding the impact of the pilot project conducted pursuant to subsection (a) on the purchasing system of the department of administration and on the purchases and purchasing activities of state agencies other than pilot universities, including information regarding amounts and kinds of expenditures by such other state agencies and regarding other issues or problems encountered as a result of the pilot project. *shall be authorized to approve lease agreements between the state educational institution and its affiliated corporations or local units of government. The state board of regents shall be further authorized to approve lease agreements for non-occupied space that is less than 10,000 gross square feet or for a term not to exceed twenty-four months.*~~

(d) K.S.A. 76-392 is hereby repealed.

Surplus Property Exemption

- 1) Legislative Proposal- Exempt all state educational institutions from the State Surplus Property Act. The relevant statutory cites are K.S.A. 75-6601 through 75-6608 and K.S.A. 74-2124, and amendments thereto.
- 2) Issue Background- All state agencies outside of Shawnee County currently operate under delegated authority from the state of Kansas department of administration so we have some flexibility in managing the disposition of surplus property. However, current statutes prohibit the sale of surplus at a fixed price. This is an impediment to the operation of an efficient and effective surplus property program that is administered by local agencies and educational institutions. As an example, highly specialized scientific equipment has a very limited number of potential buyer's. Having the expanded latitude to set price and terms in these transactions would ease the process of obtaining value for specialized pieces of equipment.
- 3) Rationale/Consequences- Passage of this legislation would allow state educational institutions to gain full control over their supply chain and thus be able to design the most efficient and effective program for their institution. The additional authority gained through the state surplus property exemption when combined with the purchasing authority granted by the expansion of KSA 76-769 would allow institutions cradle to grave control over their property acquisition, use, and disposal processes. Since we have been delegated authority, we have shown that we can be good stewards of the state's resources and operate more efficiently on a local basis.
- 4) Fiscal and Administrative Impact- The ability to design and operate an institution specific surplus program would increase opportunities for reuse (green and sustainability related programs) of property at the institution as well as facilitate revenue generation opportunities. There should be minimal cost impact since the universities have already been delegated authority to manage surplus property disposition.
- 5) Impact on other State Agencies- None. The authority has already been delegated and this legislation would simply streamline current operations.
- 6) Questions Legislators May Ask / Possible Political Hurdles / Anticipated Opposition or Allies- There may be questions about how to protect against deals with donors, insuring competition and transparency and use of proceeds.
- 7) Draft of Proposed Legislation

State universities as defined in K.S.A. 76-711 and amendments thereto are exempted from K.S.A. 75-6601 through 75-6608 and K.S.A. 74-2124, and amendments thereto.

2010 Emporia State University Legislative Proposal

Legislative Proposal and Brief Summary: to amend KSA 76-718 and KSA 76-604 updating the identification of the investing agent of the state normal school fund for Emporia State University and identifying the endowment through which it may be invested, never diminished from its principal and how the proceeds may be utilized to benefit Emporia State University at the direction of the legislature.

Issue Background: Kansas statute KSA 76-718a provides for the investment of the Permanent University Fund, invested by the Kansas University Endowment Association under KSA 76-308, the State Agricultural University Fund, invested by the Kansas State University Foundation under KSA 76-410a, and the State Normal School Fund, invested by the Emporia State University Foundation under KSA 76-604.

Rationale/Consequences: This proposal is presented to address an obsolete issue in the current statute wording and to offer an additional investment option supported by the recent adoption of the Uniform Prudent Management of Institutional Funds Act by the State of Kansas.

Fiscal Administrative Impact: None.

Impact on other State Agencies: Should be no impact on the universities or any other state agency. It is anticipated over the long term the proposal has a potential financial benefit to the universities if the endowment investment option is selected as the respective funds are long term in nature, matching the long term investment objectives and subsequent greater returns of the universities' foundation and endowment investment pools.

Questions Legislators May Ask/Possible Political Hurdles: A possible question is why this change at this time? We are proposing the change to address the updated regulatory authorities of financial institutions. In addition, the proposed amendments allow for the addition of the endowment pools as an investment option. The respective pools of money are permanent endowment pools in nature, as stated in the authorizing statutes, and therefore their investment objectives are compatible with those of the respective institutions endowment pools. Including this investment option has the dual benefits of better matching the investment objectives of the pools of funds with authorized investment options and simplifying the implementation of actual investment of the funds through existing investment pools at each institution.

Draft Proposed Legislation:

76-718a. Investment of moneys in certain funds by investing agents for certain state educational institutions. The Kansas ~~University e Endowment asseociation~~ Association is hereby authorized to act as the investing agent for the permanent university fund referred to in K.S.A. 76-308, and the amendments thereto. The Kansas ~~state State university University foundation~~ Foundation is hereby authorized to act as the investing agent for the state agricultural university fund referred to in K.S.A. 76-410a and amendments thereto. The Emporia ~~state State university University foundation~~ Foundation, Inc., is hereby authorized to act as the investing agent for the state normal school fund referred to in K.S.A. 76-604, and amendments thereto.

Such investing agents shall invest and reinvest moneys in such funds in:

- (a) Time deposit, open accounts for periods of not less than 30 days, or certificates of deposit for periods of not less than 90 days, ~~in commercial banks located in Kansas offered by financial institutions to the extent of the insurance provided by the FDIC or NCUSIF;~~
- (b) United States treasury bills or notes with maturities as the investing agent shall determine; or
- (c) Permanent endowment fund of said endowment association or foundation. ~~insured savings and loan associations to the extent of the insurance provided by the F.S.L.I.C.~~

History: L. 1974, ch. 294, § 11; L. 1977, ch. 237, § 32; L. 1980, ch. 295, § 2; L. 1989, ch. 48, § 99; L. 1992, ch. 16, § 2; July 1.

76-604. State normal school fund. The moneys of the state normal school fund shall constitute a perpetual fund, the original principal of which shall remain forever undiminished. ~~The state normal school fund shall be administered by the state board of regents for the benefit of Emporia state university, and t~~ The earnings of such fund shall be subject to appropriation by the legislature. K.S.A. ~~58-3601-7658-3610~~ et seq. shall apply to the state normal school fund, except as otherwise provided by this section and K.S.A. 76- 718a.

History: L. 1974, ch. 294, § 11; L. 1977, ch. 237, § 32; L. 1980, ch. 295, § 2; L. 1989, ch. 48, § 99; L. 1992, ch. 16, § 2; July 1.

2010 Kansas State University Legislative Proposal

Legislative Proposal: to amend KSA 76-718 and KSA 76-410a.

Summary: Kansas State University is requesting permission to amend KSA 76-718a and KSA 76-410 a. Kansas statute KSA 76-718a provides for the investment of the Permanent University Fund, invested by the Kansas University Endowment Association under KSA 76-308, the State Agricultural University Fund, invested by the Kansas State University Foundation under KSA 76-410a, and the State Normal School Fund, invested by the Emporia State University Foundation under KSA 76-604. This proposal to amend KSA 76-718a and 76-410 is presented to address an obsolete issue in the current statute wording and to offer an additional investment option supported by the recent adoption of the Uniform Prudent Management of Institutional Funds Act by the State of Kansas.

Issue Background: Kansas statute KSA 76-718a provides for the investment of the Permanent University Fund, invested by the Kansas University Endowment Association under KSA 76-308, the State Agricultural University Fund, invested by the Kansas State University Foundation under KSA 76-410a, and the State Normal School Fund, invested by the Emporia State University Foundation under KSA 76-604.

Rationale/Consequences: This proposal is presented to address an obsolete issue in the current statute wording and to offer an additional investment option supported by the recent adoption of the Uniform Prudent Management of Institutional Funds Act by the State of Kansas.

Fiscal Administrative Impact: None.

Impact on other State Agencies: Should be no impact on the universities or any other state agency. It is anticipated over the long term the proposal has a potential financial benefit to the universities if the endowment investment option is selected as the respective funds are long term in nature, matching the long term investment objectives and subsequent greater returns of the universities' foundation and endowment investment pools.

Questions Legislators May Ask/Possible Political Hurdles: A possible question is why this change at this time? We are proposing the change to address the updated regulatory authorities of financial institutions. In addition, the proposed amendments allow for the addition of the endowment pools as an investment option. The respective pools of money are permanent endowment pools in nature, as stated in the authorizing statutes, and therefore their investment objectives are compatible with those of the respective institutions endowment pools. Including this investment option has the dual benefits of better matching the investment objectives of the pools of funds with authorized investment options and simplifying the implementation of actual investment of the funds through existing investment pools at each institution.

Draft Proposed Legislation:

76-718a. Investment of moneys in certain funds by investing agents for certain state educational institutions. The Kansas ~~University e Endowment association~~ Association is hereby authorized to act as the investing agent for the permanent university fund referred to in K.S.A. 76-308, and the amendments

thereto. The Kansas ~~state~~ State university University foundation Foundation is hereby authorized to act as the investing agent for the state agricultural university fund referred to in K.S.A. 76-410a and amendments thereto. The Emporia ~~state~~ State university University foundation Foundation, ~~inc~~ Inc., is hereby authorized to act as the investing agent for the state normal school fund referred to in K.S.A. 76-604, and amendments thereto.

Such investing agents shall invest and reinvest moneys in such funds in:

- (a) Time deposit, open accounts for periods of not less than 30 days, or certificates of deposit for periods of not less than 90 days, ~~in commercial banks located in Kansas offered by financial institutions to the extent of the insurance provided by the FDIC or NCUSIF;~~
- (b) United States treasury bills or notes with maturities as the investing agent shall determine; or
- (c) Permanent endowment fund of said endowment association or foundation. ~~insured savings and loan associations to the extent of the insurance provided by the F.S.L.I.C.~~

History: L. 1974, ch. 294, § 11; L. 1977, ch. 237, § 32; L. 1980, ch. 295, § 2; L. 1989, ch. 48, § 99; L. 1992, ch. 16, § 2; July 1.

76-410a. State agricultural university fund. The original principal of the state agricultural university fund shall at no time be ~~diminished-distributed~~ for any spending purpose whatsoever. Such fund shall be administered by the state board of regents for the benefit of Kansas ~~state~~ State university University, ~~of agriculture and applied science~~ and the earnings of such fund shall be subject to appropriation by the legislature. K.S.A. ~~58-3601~~ 76-3610 *et seq.* shall apply to the state agricultural university fund, except as otherwise provided by this section and K.S.A. 76-718a.

History: L. 1974, ch. 294, § 10; July 1.

Gifts and bequests

- 1) Legislative Proposal: KSA76-156a was enacted in 1969 to authorize specific endowment associations and foundations to act as authorized agents to invest “endowments and bequests” received by Regents institutions. Over the years many gifts of varying dollar magnitudes have been directed to the educational institutions rather than to the endowment associations and foundations. The “endowments and bequests” language is not well defined, although the legislative intent to allow the endowment associations and foundations to receive and manage these resources in concert with the other funds they receive directly from donors is clear. Several institutions have established agency fund accounts for gifts they define to be “endowments and bequests,” while others may be following a practice similar to the proposed legislation. Nearly all gifts are restricted by the donor for specific uses at the specified institution, and the related endowment associations and foundations have established procedures to ensure the donors’ wishes are honored. The proposed legislation will resolve any issues regarding the original intent of the existing legislation, reduce the institution’s administrative effort to establish separate “agency” fund accounts, and eliminate the inefficiency and duplication of effort required by the endowment associations and foundations to manage these accounts.
- 2) Issue Background: See above
- 3) Fiscal and Administrative Impact: Minimal fiscal impact but will reduce administrative efforts at the Universities that have established agency accounts at their respective endowment/foundations.
- 4) Impact on Other State Agencies: None.
- 5) Questions Legislators may Ask/Possible Political Hurdles/Anticipated Opposition or Allies: None anticipated.
- 6) Draft of Proposed Legislation:

NEW STATUTE

(a) Subject to Subsection (c), each gift, donation, bequest, devise or endowment of any property, whether tangible, intangible, real or personal, made to any State University, shall, upon written approval and subject to any conditions established by the President or Chancellor of such State University or his or her designee in such approval, be deemed to be a gift, donation, bequest, devise or endowment to the Official Foundation for such State University for all purposes.

(b) All agency funds and all student scholarship or loan funds held or managed by the Official Foundation of any State University for such State University, pursuant to a statute in effect immediately prior to the effective date of this statute shall, upon written approval and subject to any conditions established by the President or Chancellor of such State University or his or her designee in such approval, hereafter be deemed to be the property of such Official Foundation for all purposes.

(c) If any gift, donation, bequest, devise or endowment of any property has heretofore or is hereafter made to a State University, upon the express written condition that such gift, donation, bequest, devise or endowment not be transferred to the Official Foundation for such State University, then the provisions of Subsection (a) shall not apply to such gift, donation, bequest, devise or endowment. Notwithstanding the provisions of Subsection (a), a gift, donation, bequest, devise or endowment that otherwise would vest in the respective Official Foundation pursuant to Subsection (a) will not so vest until the earlier of: (i) such Official Foundation accepting such gift, donation, bequest, devise or endowment, including any conditions established in the approval thereof by the President or Chancellor of such State University, in a written notice of such acceptance given to the President or Chancellor for the respective State University; or (ii) the passage of thirty (30) days after the President or Chancellor for the respective State University, or their designee, gives written notice to the Official Foundation of such gift, donation, bequest, devise or endowment including any conditions established in the approval thereof by the President or Chancellor of such State University and the failure of such Official Foundation within such thirty (30) day period to give such President or Chancellor written notice that such Official Foundation either disclaims or thereby is assigning to a third party entity wholly owned, or to a non-member, non-stock not for profit entity wholly controlled by such Official Foundation (a "Foundation Subsidiary"), in whole or in part, the gift, donation, bequest, devise or endowment of any property that was described in such President's or Chancellor's notice that otherwise would become property of such Official Foundation pursuant to Subsection (a). If written notice of such disclaimer or of such an assignment to a Foundation Subsidiary of such Official Foundation is delivered to the President or Chancellor, as the case may be, of the respective State University within such thirty (30) day period, then for all purposes such property disclaimed or so assigned will be deemed never to have belonged to such Official Foundation and, in the case of an assignment, the portion thereof so assigned shall be deemed for all purposes to be the property of the Foundation Subsidiary subject to any conditions established in the approval thereof by the President or Chancellor of such State University.

(d) No property, whether tangible, intangible, real or personal, which is or becomes the property of an Official Foundation or any Foundation Subsidiary, whether pursuant to Subsections (a), (b), (c) or otherwise, shall be deemed to be public funds or state moneys for any purpose whatsoever under any statute or regulation of the State of Kansas, including without limitation KSA 45-240 as amended from time to time. Without limiting the generality of the preceding sentence, all real property which is or becomes property of an Official Foundation or a Foundation Subsidiary, whether pursuant to Subsections (a), (b), (c) or otherwise, shall be exempt from the guidelines for the disposition of surplus real estate applicable to real estate owned by agencies or subdivisions of the State of Kansas.

(e) All property which becomes property of an Official Foundation or a Foundation Subsidiary pursuant to Subsections (a), (b) or (c) shall be received, held, administered, invested, reinvested and expended solely for the benefit of such Official Foundation's respective State University, including faculty or staff thereof, subject to any lawful restrictions created by any agreement or other instrument which governs such gift, donation, bequest, devise, endowment or student scholarship or loan fund, whether by the donor thereof or in the approval thereof by the President or Chancellor of the respective State University; provided that unless such lawful restrictions provide otherwise, any such property may be commingled with other property of such Official Foundation and the Official Foundation or Foundation Subsidiary may charge and deduct a reasonable administrative fee for services provided in fulfilling its obligations under this Subsection (e), and be reimbursed for its actual out of pocket expenses incurred in performing such services, from the rents, profits, income or principal of such property.

(f) Definitions: For purposes of this Section, each of the following shall be deemed to be State Universities: the University of Kansas, including without limitation its campuses and all academic and administrative units thereof, including any college, school, department or other unincorporated subdivision; Kansas State University, including without limitation its campuses and all academic and administrative units thereof, including any college, school, department or other unincorporated subdivision; Wichita State University, including without limitation its campuses and all academic and administrative units thereof, including any college, school, department or other unincorporated subdivision; Fort Hays State University, including without limitation its campuses and all academic and administrative units thereof, including any college, school, department or other unincorporated subdivision thereof; Emporia State University, including without limitation its campuses and all academic and administrative units thereof, including any college, school, department or other unincorporated subdivision thereof; and Pittsburg State University, including without limitation its campuses and all academic and administrative units thereof, any school, college, department or other unincorporated subdivision thereof.

(g) For purposes of this Section, The Kansas University Endowment Association is hereby designated as the Official Foundation for the University of Kansas; The Kansas State University Foundation is hereby designated as the Official Foundation for Kansas State University. The Wichita State University Foundation is hereby designated as the Official Foundation for Wichita State University. The Fort Hays State University Endowment Association is hereby designated as the Official Foundation for Fort Hays

State University. The Emporia State University Foundation, Inc., is hereby designated as the Official Foundation for Emporia State University. The Pittsburg State University Foundation, Inc., is hereby designated as the Official Foundation for Pittsburg State University.

(h) The provisions of Subsections (a) and (b) shall not apply to any fees, tuition or other charges of any nature collected by a State University.

(i) The provisions of Subsections (a) and (b) shall not apply to any gift, donation or transfer made by an Official Foundation or Foundation Subsidiary to its respective State University.

(j) The provisions of Subsections (a) and (b) shall not apply to any appropriated funds provided to a State University by the State of Kansas, the Board of Regents, any agency, municipality or other subdivision of the State of Kansas or the United States of America or any agency thereof; provided, however, that the Official Foundation (or at the designation of the Official Foundation one of its respective Foundation Subsidiaries) may receive, hold, administer, invest, reinvest and expend any of such appropriated funds or moneys and any funds or property which the Official Foundation timely disclaims in compliance with Subsection (c) in accordance with, and subject to the terms and conditions of, a written agreement entered into between such Official Foundation or its designated Foundation Subsidiary and its respective State University which is otherwise authorized by (i) applicable statutes, (ii) applicable regulations or (iii) the terms and conditions of a written agreement between such State University and, or of another governing instrument issued by, the State of Kansas, the Board of Regents, any agency, municipality or other subdivision of the State of Kansas or the United States of America or any agency thereof.

(k) No Official Foundation or Foundation Subsidiary has authority to commit its respective State University thereof to expend any public funds or state moneys for any purpose whatsoever.

(l) The provisions of 76-156a shall not apply to a gift, donation, bequest, devise or endowment transferred pursuant to subsection (a).

(m) The provisions of this statute shall not supersede the provisions of KSA 76-718a.

(n) KSA 76-347, 76-349, 76-360, and 76-362 are hereby repealed.

Legislative Proposal—Kansas Academy of Mathematics and Science Funding

Fort Hays State University is requesting funding in the amount of \$754,000 for fiscal year 2011 to operate the Kansas Academy of Mathematics and Science (KAMS). In 2006, the Kansas Legislature passed Senate Bill 139 which created KAMS and delegated to the Board of Regents the task of implementing the legislation. In December of 2007, the Board selected FHSU as the site for KAMS. During the 2008 Legislative Session, House Bill 2858 was passed appropriating funding for fiscal years 2009-2014 for KAMS. The fiscal year 2011 funding identified in HB 2858 was \$754,000.

Issue Background

While HB 2858 appropriated funding for six years for KAMS, budget difficulties during the 2009 legislative session resulting in FHSU only receiving \$333,000, rather than the originally appropriated \$713,000 in funding for KAMS. In order to operate KAMS with this reduced funding, KAMS was forced to leave two faculty positions, an academic counselor position and a psychologist position all vacant. This resulted in an increased use of University resources and personnel, and less programming and support provided to KAMS students as originally proposed. Planned equipment purchases were also postponed or cancelled. In all, \$300,000 was reduced from the fiscal year 2010 appropriations in order to accommodate the state's budget difficulties.

However, this KAMS "Lite" funding was only for the initial class of 26 students¹. This legislative budget request for 2011 assumes KAMS will be at a maximum capacity of 66 students (40 in-state juniors, and 26 seniors)², requiring more faculty programming and student services. In order to operate the program as intended by the Kansas Legislature and the Kansas Board of Regents, the full funding of \$754,000 for fiscal year 2011 is needed.

Rationale/Consequences

KAMS was created by the Kansas Legislature, and the Board of Regents delegated the task of operating KAMS to FHSU. There is widespread public and private support for KAMS, and 26 high school juniors from the State of Kansas making up KAMS' inaugural class has entered the academy, with the understanding that state support for KAMS will continue. Should full funding not be received this year, it is unlikely that full cohorts of juniors and seniors will be able to attend KAMS. In addition, less than full funding will continue to result in fewer faculty and less student services, programming and support, thereby making it more difficult for KAMS to achieve its purposes, and decreasing the KAMS students' chances of success.

¹ The legislature authorized 40 Kansas students per class, but KAMS Lite funding was predicated on a maximum class of 30.

² K.S.A. 72-9712 (c) authorizes KAMS to recruit 40 in-state students, and out-of-state and/or international students, so long as the total number of students in such categories does not exceed 25% of the total number of students admitted to KAMS. Therefore, it is possible KAMS will recruit 10 additional out-of-state and/or international Juniors, who will be responsible for payment of their own tuition and fees.

Fiscal and Administrative Impact

FHSU is asking for \$754,000, which was originally appropriated to KAMS in HB 2858.

Impact on Other State Agencies

FHSU's request for full funding for KAMS for FY 2011 is not expected to have any effect on other state agencies.

Possible Political Hurdles

The economic climate in Kansas does not appear to be significantly improved from the 2009 legislative session, thereby rendering it likely that the Kansas Legislature will need to make difficult budgetary decisions. Therefore, while it is expected that there will be widespread support for the continued funding of KAMS, it is possible that there may be requests for FHSU to reduce the amount of funding sought for FY 2011. For reasons addressed above, FHSU hopes that full funding can be received.

Draft of Proposed Legislation

None, due to existence of HB 2858.



Pittsburg State University
OFFICE OF THE PRESIDENT

September 29, 2009

Mr. Reginald Robinson
President and CEO
Kansas Board of Regents
1000 SW Jackson Street, Suite 520
Topeka, KS 66612-1368

Dear Reggie:

Attached to this letter is the legislative proposal for Pittsburg State University for the 2010 legislative session. In essence, the proposal seeks to establish a School of Construction to be housed in the Kansas Technology Center. The \$1,393,400 proposal would enable us to add staff, increase operating funding, and enhance instructional equipment. The outcome of this additional investment of state funds would be an increased number of graduates qualified to enter the construction industry. Although state finances are currently under great stress, it is in the institution's best interest to keep this project in front of both the regents and the Kansas legislature.

As you will recall, the School of Construction was originally submitted for consideration to the Kansas Board of Regents in the fall of 2007. With the board's support, the proposal was conceptually approved in the 2008 legislative session by both the House and the Senate. However, the fiscal note for the project was not approved. We have continued to visit with legislative leaders and representatives about this project since its original consideration.

I will appreciate the board's review of this proposal and would appreciate its continued support. If you need additional information regarding the proposal's details, please do not hesitate to contact me.

Sincerely,

Steven A. Scott
President

Attachment

PITTSBURG STATE UNIVERSITY

Legislative Proposal for FY 2011 Submitted to the Kansas Board of Regents

Proposal Description

Even with the current economic environment, the U.S. construction industry is faced with critical shortages of qualified construction management professionals and professional craftspeople to fill existing and expected positions. Due to the exceptionally high demand for graduates from Pittsburg State University's highly regarded construction programs and to be positioned for the impending improvement in the construction economy, Pittsburg State University requests the support of the Kansas Board of Regents to form a new academic unit—The Pittsburg State University School of Construction. In terms of organizational structure, this new school would be located within the College of Technology, and physically it would be located within the Kansas Technology Center. Funding of this proposal will ensure increased numbers of qualified construction professionals for the industry, the establishment of the first safety, health and environmental management program for the State, a location for Kansas contractors to send their employees to enhance their skills, and increased interaction and support between K-12, community and technical colleges and baccalaureate programs.

Proposal Narrative – Relevance to Strategic Areas of Focus

Workforce Alignment

To some extent, this proposal falls under several of the board's strategic areas of focus, but it most clearly fits under 'Workforce Alignment.' Without question, the proposal seeks to create an even stronger alignment between the offerings to which our students are exposed and the demands of the Kansas economy. The following information is provided in support of this claim.

Background

Pittsburg State University's current baccalaureate Construction Engineering Technology and Construction Management programs have evolved over the years from a building design and drafting program in the 1960s, to a construction program with calculus-based and algebra-based options in the 1970s, to the present structure.

The current design of the university's Construction Management and Construction Engineering Technology programs has been strongly influenced by recommendations from the Technology Accreditation Commission of the Accreditation Board for Engineering and Technology (TAC-ABET, Inc.), construction industry representatives and a very active construction leadership council (advisory board). As a result of this effort to be responsive to a rapidly changing and technologically evolving construction industry, both programs have become the first choice for recruiting for an increasing number of regional and national companies.

The Construction Management and Construction Engineering Technology programs are currently located in the newly established Department of Construction Management and Construction Engineering Technologies within the College of Technology. This new department was previously part of the Department of Engineering Technology (700 majors before split). The new department started the Fall 2009 semester with more than 350 majors, 50+ minors and 8 FTE faculty. Together, the two construction programs and associated minors have grown steadily over the years.

Recent studies have brought attention to a critical shortage of qualified personnel within the construction industry. Partly due to the impending retirement of large numbers of the Baby Boom generation and also by the increasing demand for well trained and highly skilled college graduates, the industry has a severe shortfall of qualified persons for the foreseeable future. Research by the Construction Industry Institute, a consortium of more than 100 leading firms, indicates that these critical shortages “will likely worsen unless significant action is taken.” By 2015, the CII study found, almost half of the industry’s work force will be over 55. (CII workforce Development Committee Research Team 231)

Similarly, a white paper by the Building Futures Council and the Associated General Contractors of America entitled ‘The War for Talent’ concluded that the industry “is losing the war for talent due to a convergence of demographic, economic, and societal trends.” In addition to problems with numbers, the construction industry is also concerned about the lack of ethnic diversity and the relatively low numbers of women in the ranks of potential employees. The management consulting firm FMI Corporation in a recent study noted that 83 percent of all management or supervisory roles in the industry were held by white, non-Hispanic men. Similarly, the Bureau of Labor Statistics reports that while females hold half of all management and professional jobs in the U.S., only 9 percent of management roles in the construction industry are held by women.

These problems in this vital industry are a concern for the State of Kansas, the region and the nation because of the role the construction industry plays as a driver of the economy. The Bureau of Labor Statistics estimates that these jobs account for more than 30 percent of the “goods producing” sector and construction is the only non-services industry expected to see an increase in jobs (11 percent over the next decade).

At the 2008 Company Day hosted by the construction programs and the College of Technology, representatives from 60+ construction companies met and recruited construction program majors. Included in those companies were the following (shown with their 2008 ENR Top 400 General Contractors (US) rankings):

- Kiewit Construction - #5 ENR top 400 General Contractor (GC)
- The Whiting – Turner Contracting Co. - #15 ENR Top 400 GC
- URS/Washington Group - #16 ENR Top 400
- The Walsh Group - #17 ENR Top 400
- Hensel Phelps Construction - #19 ENR Top 400
- J.E. Dunn Construction - #24 ENR Top 400
- Austin Industries (Austin Road & Bridge) - #31 ENR Top 400
- Black & Veatch - #35 – ENR Top 400

- The Weitz Co. - #42 ENR Top 400
- Flintco Companies - #43
- Okland Construction - #65
- Walton Construction - #92 – ENR Top 400
- Burns & McDonnell - #97
- Crossland Construction - #133
- Garney Holding - #178
- KEY Construction - #209
- Lusardi Construction - #298
- Hawkins Construction - #312
- Performance Contracting Group - #8 (Top 600 Specialty Contractors Rankings)
- CECO Construction Group - #20 (Top 600 Specialty Contractors Rankings)
- E & K - #99 (Top 600 Specialty Contractors Rankings)
- In addition, PULTE Homes - #1 Residential builder in the US

During the visits to campus, several of the corporate representatives expressed an interest in providing additional financial support to the construction program. Below is a sampling of those conversations:

- Kiewit Construction – Kiewit is interested in providing a Kiewit classroom or continuing support focused on the development of students for future roles in the industry. NOTE: Because of the increased interest by many of the Kiewit divisions in recruiting Pittsburg State construction majors, PSU is ranked as one of the top 5 recruiting universities for Kiewit.
- Crossland Construction – Crossland Construction is instrumental in providing scholarships to existing construction students (40-50 each year). They also have expressed interest in developing a center for construction excellence outdoor lab. Crossland also sponsors a high school construction rodeo (100-120 students) each year that they have asked Pittsburg State University to host. They also have expressed interest in funding faculty development.
- KEY Construction – KEY Construction has expressed interest in a proposal for a sponsored electronic project management laboratory including digital meetings for scheduling and planning, BIM (Building Information Modeling) activities and clean construction activities.

It should be noted that these proposals occurred prior to the economic downturn, but ongoing conversations with these companies and several other companies suggest future support is available.

Summary Comments on Board's Strategic Areas of Focus

Pittsburg State University has historically been responsive to legislative and Kansas Board of Regents initiatives that have sought to address critical shortages in the state workforce. Specific areas addressed in the past few years include alternative teacher education and nursing, with the result being a significant increase in the production of teachers and nurses. Because of its mission and culture, Pittsburg State University has a long tradition of preparing graduates for immediate and successful entry to relevant and viable careers. Alignment of the university's efforts and resources with work force development is not a new phenomenon or area of commitment for

Pittsburg State University. The expansion of the construction programs, programs that are already of national caliber and reputation, is an appropriate and reasonable next step in that endeavor.

In addition to workforce alignment, this proposal addresses two other strategic areas of focus—Alignment with K-12 and Participation. While not as strong as the connection to workforce alignment, this proposal would significantly enhance the university's interaction with K-12 educators and students. In addition, by adding capacity to the construction programs, the university has every expectation that women and minorities will be among those served and will be attracted to these programs in greater numbers than ever before.

Proposal Details – Activities and Preliminary Budget

In order to support continued growth and to meet the future needs and challenges of the construction industry, Pittsburg State University proposes to expand the capacity of the construction program in order to significantly increase the number of students served and consequently the number of graduates entering the workforce.

Expanded and New Academic Programs

The School of Construction will include several existing, yet expanded, College of Technology programs with additional programs or minor areas of study added in the future as demands arise. The programs that will be part of the School of Construction include:

- Expanded TAC-ABET accredited Construction Engineering Technology program;
- Expanded Construction Management program with the goal adding additional civil construction options
- Expanded Bachelor of Applied Science (BAS) degree program in construction with a goal to establish 2+2 agreements with six to ten community colleges and technical colleges that offer construction-related AAS programs within the next five years; and
- Newly established Bachelor of Science degree program in Safety, Health and Environmental Management based on the successful undergraduate minor in safety that is already in place.
- Expanded emphasis in Green and Sustainable Construction. (Note: Five (5) of the CM CET faculty just recently completed certification requirements and are now designated LEED AP)

Anticipated Future Program Development

As the School of Construction matures, a number of integrated and cross-disciplinary programs will be considered for development and implementation, including:

- Bachelor of Science degree program in land surveying;
- Integrated minor, merging heavy/diesel equipment and construction;
- Cooperative minors in various construction areas such as mechanical/plumbing, electrical and civil construction (highway/bridges/utilities); and
- Certificate programs developed jointly with regional community colleges in an effort to enhance workforce development in skilled crafts workers for the construction industry.

The Center for Construction Excellence in Field Management and Supervision

Pittsburg State University will establish the Center for Construction Excellence in Field Management and Supervision (CCFMS), which will be housed in the School of Construction. The center will focus on K-12 engagement, community college and technical college engagement and construction industry professional/crafts workshops and continuing education programs.

K-12 engagement will encourage students, with special attention to female and minority sub-populations, to understand and appreciate the construction process as well as the career opportunities in the industry. Programs will include summer workshops, construction education through NCCER (National Center for Construction Education and Research) programming, web site videos and webcam sites for K-12 classes, summer teacher workshops and programs like the Crossland Construction Rodeo.

Community college and technical college engagement will build upon efforts already underway to provide an avenue for students to follow two-year or 2+2 programs with a bachelor's level degree (the current BAS program). A program currently under discussion is a 2+2+2 program with Fort Scott Community College, which will be a NCCER-based construction curriculum that is articulated by FSCC with local high school construction education programs.

Construction industry engagement includes continuing education for existing construction personnel, which is a recurring need within the industry. Currently, many companies must send their employees out of state for those training activities.

The Center for Construction Excellence in Field Management and Supervision will also pursue construction industry applications research. Specific attention in the research and development of new construction materials and methods would be focused on "green" construction materials and installation techniques.

The Center for Construction Excellence in Field Management and Supervision will seek investment from regional and national foundations as well as regional and national construction companies to support the university's outreach programs. The center will be physically housed in the Kansas Technology Center with access to approximately 20 acres of newly acquired university property for the development of best practice field laboratories and construction job site simulations.

Preliminary Budget

Since its opening in 1997, the Kansas Technology Center and the programs that are housed within it have proven to be very costly to operate. With 54 laboratory spaces to equip and maintain, this facility and its programs are like no other academic programs in terms of their overall expense. Nonetheless, the Second Century Task Force report, a comprehensive visioning process conducted three years ago, and the university's current strategic plan, both recognize and articulate the importance of the Kansas Technology Center as the unique element of the mission of Pittsburg State University. In light of this, the university has aggressively increased the support for these technology programs through internal reallocation of faculty positions, added faculty and staff positions through tuition increases, and added equipment funds through course fee assessments.

In addition to these efforts, the university recently added two staff members who will support the College of Technology in recruiting and development efforts. The new Enrollment and Outreach Coordinator is responsible for the development, implementation and administration of strategies related to the marketing, recruiting and enrolling of undergraduate students with a focus on the academic programs offered in the College of Technology. Additionally, this individual works to identify industry internship opportunities for current students and to increase the number of companies that recruit and interview technology graduates on the Pittsburg State University campus.

While as much as two-thirds of the operating funds spent in support of College of Technology programs comes from corporate partners, there is a realization that this level of support must continue and actually needs to increase in the future. Given that, the university recently hired a development officer specifically for the College of Technology. The development officer's responsibilities will be centered upon supporting the continuing capital campaign of the university with a focus on development opportunities specific to the College of Technology.

Internal reallocations of resources, additional fees and tuition directed at equipment and new faculty and staff positions, and substantial corporate investment in the university's technology programs are not sufficient to enable Pittsburg State University to move forward with the proposal described in this document. These overall efforts have positioned the programs to serve the current students at a very high level, and they provide the foundation required for not only conceptualizing this proposal but to operationalize it as well.

As an example of the external support enjoyed by the construction programs in particular, the following information is offered from a report from the College of Technology's dean:

The Construction Alumni Association was formed in 1988 by four (4) Construction alumni to provide scholarships for deserving construction students. The Association has evolved to include three (3) annual fund raising golf tournaments located in Kansas City, Wichita and Pittsburg. The Association charter includes a statement to provide scholarships and financial support to the construction programs. Since its inception the Construction Alumni Association has raised almost \$350,000 and awarded almost 200 scholarships valued near \$200,000. On October 10, 2009, the Association will present its most recent check in support of construction programs in the sum of \$50,000. A \$100,000 endowment has also been established. The Association also sponsors guest speakers, a program-wide luncheon during homecoming activities and funding for a temporary administrative assistant for the construction programs.

Additionally in August 2009, the CMCET department in conjunction with a local Kansas contractor submitted a \$400,000+ proposal to the Department of Labor/OSHA – Susan Harwood grant to develop training programs for tilt-up construction.

While this proposal requires additional state funding, it is clear that any additional funding provided by the state would be leveraged for additional support from the construction program's many generous alumni and its longtime corporate supporters and partners.

As can be seen in the tables that follow, this \$1,393,400 proposal includes funding for personnel, equipment, and operating support. The additional faculty positions that would be allocated under this plan have been identified as critical to any effort to expand the construction programs to a school status and build the capacity the university seeks to achieve in terms of majors and graduates. In addition, the faculty positions in safety/environmental are necessary to elevate the successful safety minor into a four-year degree program with a major in Safety, Health and Environmental Technology. Currently, only one faculty member oversees and teaches fulltime within the safety program.

In a direct response to the construction program advisory council, a faculty position in Spanish language instruction has also been included in this proposal. For several years, the council has recommended adding conversational Spanish as a requirement for construction majors. Without the teaching capacity to handle the extra load, the Modern Languages and Literatures Department have been unable to meet this request. Funding of an additional position in the department would allow the department to begin meeting this emerging need.

**Proposed Budget
 School of Construction**

| Administrative/Supervisory | (Salary Excluding Fringe Benefits) |
|--|---|
| Director (equivalent to academic chair position) 12-month position | \$110,000 |
| CCEFMS Coordinator | \$90,000 |
| Program Coordinators | |
| Construction Engineering Technology – 12-month (additional 3 months salary) | \$20,000 |
| Construction Management – 12-month (additional 3 months salary) | \$20,000 |
| Safety, Health and Environmental Science – 12-month (additional 3 months salary) | \$20,000 |
| Bachelors of Applied Science – 12-month (additional 3 months salary) | \$20,000 |
| Fringes (excluding health insurance) for Administrative/Supervisory | \$56,000 |

| New Faculty Positions | |
|--|----------|
| Civil (heavy/highway/bridge/utility) – 9-month position | \$75,000 |
| Civil (heavy/highway/bridge/utility) – 9-month position | \$75,000 |
| Technical Spanish – 12-month position | \$64,000 |
| Construction Safety/environmental – 9-month position | \$75,000 |
| Safety/environmental – 9-month position | \$75,000 |
| Safety/environmental – 9-month position | \$75,000 |
| Fringes (excluding health insurance) for new faculty positions | \$87,800 |

| Support Staff/Student Assistants | |
|---|----------|
| Senior Administrative Assistant for Academic Programs | \$30,000 |
| Administrative Assistant for Outreach/Workshops/Partnerships | \$28,500 |
| Student Assistants | \$25,000 |
| Laboratory Technician | \$42,000 |
| Fringes (excluding health insurance) for Support Staff/Student Assistants | \$20,100 |

Equipment/OOE Funding

| | |
|---|-----------|
| School Equipment | \$165,000 |
| School OOE/Travel/Professional Development | \$120,000 |
| CCECFMS Equipment | \$50,000 |
| CCECFMS OOE/Travel/Professional Development | \$50,000 |

Total Request\$1,393,400

Anticipated Proposal Outcomes

Proposal Benefits

Clearly, this proposal represents a large investment of additional state dollars in a single program. Yet, the critical needs that the construction industry is facing, and the extraordinary career opportunities this proposal represents for Kansas citizens, particularly for its youth, ensures that the return on the investment of additional funding will be significant, producing a multitude of benefits for years to come. Generally, the proposal will:

- Allow the university to respond more adequately to industry needs and challenges;
- Attract professionally and academically qualified faculty;
- Provide additional K-12 activities and partnerships;
- Further develop partnerships with community colleges and technical colleges;
- Attract and retain top quality students; and
- Attract a more diverse student population.

Impact on Number of Graduates

The funding of this proposal would lead to direct and measureable outcomes, both for the university and the construction industry. In the table below, one can see the anticipated growth in the various programs that are affected by the proposal. As the table indicates, Construction Engineering Technology (CET) graduates would increase by 25% over five years and Construction Management (CM) graduates would increase by 27%. The newly created degree in Safety, Health and Environmental Management (SH&EM) would grow to over 30 majors in just five years. Finally, the newly created path for two-year college students articulating into the construction program would likely reach 40 in that same time period.

Projected Majors and Graduates from Programs Affected by the Proposal

| | 2005 | 2006 | 2007 | 2008 | 2009 | 2009 actual | 2010 | 2011 | 2012 | 2013 |
|------------------------|------|------|------|------|------|----------------|------|------|------|------|
| CET Majors | 51 | 63 | 52 | 60 | 65 | 81 | 85 | 90 | 95 | 100 |
| CET Graduates | 15 | 5 | 13 | 12 | 13 | | 17 | 18 | 20 | 25 |
| CM Majors | 195 | 232 | 238 | 240 | 252 | 276 | 285 | 295 | 300 | 320 |
| CM Graduates | 32 | 33 | 38 | 40 | 42 | | 44 | 46 | 51 | 60 |
| BAS Majors | 1 | 2 | 5 | 4 | 2 | 2 | 10 | 20 | 30 | 40 |
| BAS Graduates | | | | 2 | 4 | | 4 | 8 | 12 | 20 |
| S,H,& E M Majors | | | | 0 | 0 | | 4 | 10 | 20 | 30 |
| S,H,& E M Graduates | | | | 0 | 0 | | 4 | 8 | 10 | 10 |

Ensuring Competent Graduates

In the context of increasing accountability demands on higher education, it is not sufficient to merely increase the number of graduates from a program without ensuring those graduates are prepared to successfully enter professional careers and to contribute to the bottom line for the employers who hire them. For many years, students completing degrees in both Construction Management and Construction Engineering Technology have been required to complete a national examination developed through the work of the American Institute of Constructors (AIC). The AIC, organized in 1971 as the professional society for the practicing constructor, is the sponsoring organization for the Constructor Certification Program. AIC has been qualifying the Constructor through examinations of experience and education since its inception. In 1994, the AIC Constructor Certification Commission was organized under the auspices of AIC to expand the Constructor qualifying process to include a written examination and to offer an internationally recognized certification process to AIC members and nonmembers alike. The certification process is peer developed and is intended to set high standards for skills, knowledge, education and conduct for the Certified Constructor.

The Certified Professional Constructor process provides the Constructor with formal recognition of the education and experience that defines the Constructor as a Professional. The certification program's goal is to provide voluntary, non-governmental certification.

The certification process was developed without intent to discriminate or exclude any individual who may be qualified to achieve certification. Because Constructor Certification is aimed at those in the management and administration of the construction process, many avenues of education and experience are open. Certification is available equally for both experienced practitioners and new candidates entering the profession.

In order to receive certification through AIC, students must score a 70% or better on the examination. Currently, over 50% of construction majors achieve the 70% or better score and can be certified. The construction program requires all majors to score a 60% or better on the exam in order to complete their Senior Capstone course requirements. Currently 95% meet the 60% requirement. With this formal assessment of program graduates in place and given the fact that the assessment instrument is nationally recognized and based on industry standards, the maintenance of both program quality and relevance is virtually assured. In addition, the results of the examinations are tracked and reported as a part of the program's academic accreditation requirements.

Closing Comments

This proposal offers the state of Kansas a unique opportunity to invest in postsecondary education in a way that will have an immediate and significant impact. A highly successful, workforce-oriented program will expand its capacity by nearly 40% and in doing so better meet the needs of an industry that lies at the heart of state and national economies. Pittsburg State University is prepared to meet the challenges and seize the opportunities that this proposal represents and is excited about the prospects of once again leveraging institutional values, resources, and strengths to better serve the citizens of Kansas and beyond.



Wichita State University

Request for KBOR 2010 Legislative Proposals

NIAR/Industry/State (NIS) Aviation Research Program

1) Legislative Proposal

The NIAR/Industry/State (NIS) program was created in 2003 to aid the aerospace industry in Kansas and enable technology that allows the Kansas aviation industry to compete in a global economic environment. The program was funded by the State Legislature as a result of an industry led campaign. It is executed by industrial representatives through an executive committee comprised of representatives from Boeing, Bombardier-Learjet, Cessna, Hawker Beechcraft and Spirit AeroSystems. In order to stay at the forefront of exponentially changing technology, the Kansas aviation industry will ask that \$5 million in research funding be continued. NIAR is the center of excellence in new technologies that are critical to retaining world leadership in the aerospace and general aviation markets that the Kansas aerospace industry companies address. Most importantly, NIAR's research is truly customer driven in that it is prioritized by the Kansas based aviation companies.

The importance of the existing aviation industry on the Kansas economy is noted below by the following 2008/2009 statistics:

- Aviation is the #1 export in the United States
- Aviation employment is at its lowest point in 40 years
- 70% of the embedded fleet was manufactured in Kansas
- 50% of the general aviation fleet is manufactured in Kansas
- 20,000+ aviation-related jobs in Sedgwick county – June 2009 post-economic impact estimates
- Each aviation job generates an additional 2.9 jobs
- \$1.6 billion (22%) of the Kansas State's \$5.9 billion budget is related to the 5 largest aviation companies

2) Issue Background

In 2004, 2005, 2006, and 2007 the Kansas Legislature and the Governor approved \$1M, \$2M, \$2M, and \$2M, respectively, for aviation related research to support future products. In 2007, the Kansas aviation industry requested a second initiative for enhanced funding of \$25M over a 5 year period, which was funded at \$4.75M and \$5M, respectively in 2008 and 2009. During the 2009 legislative session, the aviation industry requested the third year of funding of \$5M to support research and technical support in the areas of:

- Composites and Advanced Materials Applications
- Aircraft Icing
- Environmental Effects on Aircraft Operation

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- Advanced Manufacturing Techniques
- Crash Dynamics and Crash Safety
- CAD/CAM Applications and Design
- Advanced Joining

In fiscal year 2010, this funding continued with research in these areas with an award of \$4.75M.

3) Rationale/Consequences

These research projects will help the Kansas aviation industry reduce cycle time-to-market, reduce costs, enhance quality and safety for improved competitiveness, and retain and create jobs. Based upon the report by the Commission on the Future of the United States Aerospace Industry, Kansas was cited as having the largest concentration of aerospace and aviation industry jobs in the nation, accounting for one out of every five jobs in Wichita. While Boeing, Bombardier-Learjet, Cessna, Hawker Beechcraft and Spirit AeroSystems dominate employment in south central Kansas, there are 1,800 smaller manufacturing shops in the 13-county region surrounding Wichita. Economists estimate that there are 2.9 jobs outside aerospace for every direct job within aerospace.

4) Fiscal and Administrative Impact

The protocol which the aviation industry executive committee follows is based upon each industrial representative presenting 5-6 high priority research project within their company and sharing with the total group. These projects are summarized in a combined list and discussed among the executive committee which projects have overlap and may be combined, which projects bring the highest return on investment (from providing the greatest competitive advantage for the Kansas aviation cluster) and which projects could achieve specific goals in the required time frame. Budgets are also placed with each project. Based upon the funding provided by the State legislature, the project listing is trimmed or rescaled to fit within the NIS budget year as well as the allowable funding.

5) Impact on other State Agencies

No impact to other State Agencies is anticipated from this proposal. This request is a continuation of a program which began in 2003.

6) Questions Legislators May Ask / Possible Political Hurdles / Anticipated Opposition or Allies

No opposition is expected since this has a previous funding history dating back to 2003.

7) Draft of Proposed Legislation

Continuation of current appropriation language.

KANSAS ASSOCIATION OF TECHNICAL COLLEGES

TO: KANSAS BOARD OF REGENTS
FROM: KANSAS ASSOCIATION OF TECHNICAL COLLEGES
SUBJECT: 2010 LEGISLATIVE PROPOSAL
DATE: 10/2/2009
CC: KIP PETERSON

- Legislative Proposal

The KATC respectfully requests the Board of Regents endorsement of permissive legislation that would allow a local option tax to support individual Technical Colleges. The six technical colleges are the only post secondary technical education institutions that are wholly dependent on state funding as a source of public support. In an environment where resources are declining or flat at the State level through post secondary aid, the option for the communities that are served by our member institutions to vote to self impose a tax providing additional support for our schools is additional tool to meet the growing need for our offerings.

- Issue Background

Local option taxes to support education have long been used to support local and regional education institutions. Local support for our colleges has been strong at the local level historically and while under local school district governance, bond projects voted on locally benefiting our colleges were passed when expansion and modernization was needed.

- Rationale/Consequences

The separation from other governing bodies during the maturation process of post secondary technical education has left our six colleges isolated from even tangential access to other funding streams. With no funding stream other than post secondary aid from the state, and no opportunity to take our needs to the communities we serve, our members are unnecessarily restricted to seek solutions on their own behalf.

- Fiscal/Administrative Impact

None of which we are aware. This proposal pertains only to a local option tax proposition that our individual communities would vote on with a ballot question.

- Impact on other State Agencies

None of which we are aware.

- Questions legislators may ask/Political Hurdles/Opposition or Allies

The issue of local option taxes for education is one frequently debated and largely successful, particularly when the state can not meet its' obligations to sustain current levels of delivery or need for expansion. During last years' budget debate education was afforded as much flexibility locally as possible, with legislators understanding that the state would not be able to support the current levels of funding. Sensitivity to local control and local solutions was apparent and we know of no reason to expect that this attitude will not prevail during the 2010 Session deliberations. Opposition is the anti tax/anti government lobby. Local control does often prevail over their objections.

Thank you for your consideration of our request.

Legislative Proposal

Summary of Legislative Proposal

Fort Hays State University requests approval of the Kansas Board of Regents to seek legislation authorizing the sale of two tracts of land owned by the University to the City of Hays. One tract of land will be sold to the City of Hays in order to locate a community sports complex. Fort Hays State University is erecting an intercollegiate soccer stadium in conjunction with construction of the sports complex, and the property on which the soccer stadium will be located will be retained by the University. The second tract of land sought to be transferred is University owned-property adjacent to a municipal golf course and driving range, and the parties have agreed to exchange this property as part of the sports complex land transaction.

Background

Over the course of the last two years, a group of Hays residents joined together to seek community support for the construction of a sports complex. The University cooperated with this group of citizens and informed the public that it planned to locate an intercollegiate soccer stadium to house the University's newly created men's and women's soccer programs adjacent to and in conjunction with the sports complex. In November of 2008 a sales tax initiative was placed on the ballot, seeking authorization for the City of Hays to impose a 1/2% city wide retailer's special purpose sales tax for construction and maintenance of a sports complex. The voters approved the initiative and authorized the construction of a sports complex to cost no more than 8 million dollars. The ballot initiative specifically identified the property on which the complex would be located as being City owned property at the specific location on which the complex is now proposed to be constructed.

City officials and the University have agreed in principal to the transfer of 120 acres of University-owned property at the intersection of Old Highway 40 and US Highway 183 Alternate in Hays, where the sports complex is proposed to be located. The property was appraised on January 23, 2009 and the property was valued at \$300,000.

The parties have also agreed that the University will sell and the City will buy 10.037 acres of property, which was appraised on the same date as the sports complex property for \$20,074. This property is adjacent to a driving range serving the City of Hays Municipal Golf Course and the parties believe it to be in the best interests of both of them for the land to be transferred to the City as part of the sports complex land transaction. The parties have agreed in principal for the total sales price for both tracts of property to be \$320,574.

Rationale/Consequences

The citizen committee advocating construction of a sports complex felt for many reasons that the proposed location for the complex was the best available in the City of Hays. The committee believed that there was ample land for construction of the type of complex desired, and the property was easily accessible. While locating the sports complex in conjunction with the University's soccer stadium was not actually placed on the ballot, it is believed that this co-

location was an important factor in the passage of the sales tax increase, because there are economies of scale to be realized by both parties due to the co-location of the sports complex and soccer stadium. On the other hand, placing the sports complex at the proposed site was in the language of the ballot initiative, and the initiative requires the property to be owned by the City of Hays.

Therefore, if this proposal is not adopted and the legislation not passed, the intent of the citizens of the City of Hays will not be realized and likely another ballot initiative would be needed to locate the sports complex at an alternative location. Further, the economies of scale sought to be realized by building the sports complex in conjunction with the University soccer stadium would not be achieved.

Fiscal and Administrative Impact

This land transaction will result in the University receiving \$320,574 in exchange for transferring this land. In addition, both tracts of property sought to be transferred have been maintained by the University's buildings and grounds and farm personnel, and therefore there will be some cost savings due to the University not having to maintain the property any longer.

Impact on other State Agencies

This proposal is not believed to have any effect on other state agencies.

Possible Political Hurdles

It is not anticipated that there will be any political hurdles to the passage of legislation authorizing the sale of property to the City of Hays. The citizens of Hays unanimously voted to approve the construction of a City-owned sports complex at the location where the complex is sought to be constructed. The University cooperated with this effort and supports the location of the sports complex at the proposed site.

Proposed Legislation

Attached.

(a) The state board of regents is hereby authorized and empowered, for and on behalf of Fort Hays State University to sell and convey all of the rights, title and interest, excepting any and all mineral rights, in the following tracts of real estate, and any improvements thereon, to the City of Hays, Kansas:

That part of the North Half of Section 5, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the southeast corner of the Northwest Quarter of said Section 5; thence on an assumed bearing of North 00 degrees 44 minutes 11 seconds East, along the east line of said Northwest Quarter, a distance of 170.04 feet to the point of beginning of the land to be described, said point being on the northeast side of a tract (Tract A) owned by the City of Hays, Kansas and recorded in Deed Book 180, Page 714, at the Ellis County Register of Deeds, said point also being on the east side of another tract (Tract B) owned by the City of Hays and recorded in Deed Book 619, Page 54; thence continuing North 00 degrees 44 minutes 11 seconds East, along the east line of said Northwest Quarter, also being the east line of said Tract B, a distance of 142.28 feet to the northeasterly corner of said Tract B; thence North 39 degrees 47 minutes 40 seconds West, along the northeast side of said Tract B, a distance of 120.06 feet to the northerly corner of said Tract B; thence South 50 degrees 12 minutes 20 seconds West, along the northwest side of said Tract B, a distance of 92.69 feet to a point on the northeast side of said Tract A; thence North 39 degrees 51 minutes 08 seconds West, along the northeast side of said Tract A, a distance of 1,051.20 feet; thence North 53 degrees 08 minutes 44 seconds East a distance of 462.95 feet to a point on the southerly right of way line of U.S. Highway 183 Alternate; thence South 25 degrees 39 minutes 58 seconds East, along said southerly right of way line, a distance of 308.99 feet; thence continuing along said southerly right of way line, on a curve to the left, an arc distance of 981.18 feet, said curve having a radius of 2,939.79 feet, a central angle of 19 degrees 07 minutes 23 seconds, a chord length of 976.64 feet and a chord bearing of South 35 degrees 13 minutes 39 seconds East; thence South 39 degrees 07 minutes 13 seconds West a distance of 313.64 feet to the easterly corner of said Tract A; thence North 39 degrees 51 minutes 08 seconds West, along the northeast side of said Tract A, a distance of 77.83 feet to the point of beginning. This tract contains 10.037 acres.

That part of the north Half of Section 31, Township 13, South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 31; thence on an assumed bearing of South 00 degrees 36 minutes 33 seconds West, along the east line of said Northeast Quarter, a distance of 1,256.60 feet; thence North 89 degrees 23 minutes 27 seconds West a distance of 63.00 feet to the point of beginning of the land to be described; thence South 01 degrees 54 minutes 27 seconds East a distance of 500.00 feet; thence North 89 degrees 23 minutes 27 seconds West a distance of 1,400.00 feet; thence South 00 degrees 36 minutes 33 seconds West a distance of 600.00 feet; thence North 89 degrees 23 minutes 27 seconds West a distance of 1,720.82 feet; thence North 00 degrees 17 minutes 18 seconds East a distance of 2,317.01 feet to a point on the north line of the Northwest Quarter of said Section 31; thence North 89 degrees 53 minutes 44 seconds East, along the north line of said Northwest Quarter a

distance of 540.86 feet to the northwest corner of the Northeast Quarter of said Section 31; thence North 89 degrees 54 minutes 15 seconds East along the north line of the northeast Quarter of said Section 31, a distance of 650.01 feet; thence South 56 degrees 42 minutes 52 seconds East, along a line that is parallel with and 260.00 feet southerly of the center of the Union Pacific Railroad, a distance of 2,282.28 feet to the point of beginning. This tract contains 120.000 acres.

(b) Conveyance of such rights, title and interest in such real estate, and any improvements thereon, shall be executed in the name of the state board of regents by its chairperson and executive officer. The deed for such conveyance may be by warranty deed or by quitclaim deed as determined to be in the best interests of the state by the state board of regents in consultation with the attorney general. Any proceeds from the sale of such real estate, and any improvements thereon, shall be deposited in the state treasury and credited to the appropriate account or accounts of the restricted fees fund of Fort Hays State University for the use and benefit of Fort Hays State University.

(c) No sale and conveyance of real estate and improvements thereon as authorized by this section shall be made by the state board of regents until the deeds and conveyances have been reviewed and approved by the attorney general and if a warranty deed is to be the instrument of conveyance, a title review has been performed or title insurance has been obtained and the title opinion or the certificate of title insurance, as the case may be, has been approved by the attorney general.

LEPC
10-12-09
Attachment 3

Kansas Public Employees Retirement System

KPERS Working After Retirement and Long-Term Funding Update

Legislative Educational Planning Committee

▪ October 12, 2009

3.2

Working After Retirement

Legislative History

3-3

KPERS working-after-retirement restrictions are provided in Kansas statutes and are subject to IRS regulations because KPERS is a qualified, tax-exempt retirement plan.

Recent interim studies and statutory changes include:

2006 House Sub. for SB 270

- Raised the earnings limitation for retirees returning to work for their previous employer from \$15,000 to \$20,000.
- Required employers hiring a retiree who did not previously work for that employer to pay KPERS the actuarial employer and employee contribution rate.

Interim Studies in 2007 and 2008

- During the 2007 Interim, the Legislative Educational Planning Committee (LEPC), the 2010 Commission, and the Joint Committee on Pensions, Investments and Benefits received testimony on the teacher shortage problem in Kansas and the impact of the working-after-retirement restrictions on the shortage.

Legislative History (Continued)

4-8
3-8

- During the 2008 Interim, the Joint Committee on Pensions, Investments and Benefits studied a number of different proposals for changes to the working-after-retirement restrictions and particularly focused on the issue of third-party contracting arrangements that circumvent the restrictions.
- The Joint Committee introduced SB 196 in the 2009 Session, which would apply the same working-after-retirement provisions to employees returning to work either as individuals or as contracted employees of third-party companies.

2009 Senate Substitute for HB 2072

3-5

Various versions of working-after-retirement legislation were considered by the Senate Ways and Means Committee, the House Select Committee on KPERS, and two conference committees. The final legislation included the following major provisions:

- **Break in Service.** Extends the minimum break in service from any employment with any KPERS participating employer from 30 days to 60 days for all KPERS retirees.
- **Licensed School Professional Retirement Date.** Amends school law provisions to allow licensed professionals (teachers, administrators, and certain other professionals, such as social workers and dietitians) to retire before June 30 of a calendar year.
- **Earnings Limit for Licensed School Employees.** Lifts the \$20,000 earnings limit for retired licensed professionals returning to work for the same school district from which they retired, for a three-year period (through June 30, 2012), if they retired either:
 - Under a normal retirement option (e.g., with 85 points)
 - Under an early retirement option more than 60 days before the effective date of the bill (March 28, 2009).

2009 Senate Substitute for HB 2072 (Continued) 3-26

- **Employer Contribution Rates.** Establishes a special employer contribution rate for public school employers who employ retired licensed professionals, for a three-year period (through June 30, 2012).
 - The rate is the employer actuarial rate plus 8 percent (20.07% in FY 2010).
 - The employer rate applies to:
 - Retirees returning to work for the same or a different school district.
 - All positions for which a license is required, regardless of the number of hours worked.
 - This employer rate does not apply to retirees employed only as substitute teachers.
 - This employer rate does not apply to retirees who were first employed by a different school district before July 1, 2006.
- **Third-Party Contractors.** Applies working-after-retirement restrictions to retirees who provide licensed professional services to a participating employer through a third-party contractor. Contracts that are effective on or after April 1, 2009, are covered by the bill.
 - Each employer contracting with a third party for licensed professional services must include in the contract a provision requiring the third party to report the retiree's compensation, so that the employer can comply with reporting and employer contribution requirements.

2009 Senate Substitute for HB 2072 (Continued) 3-7

- During the three-year exemption for licensed professionals, retirees returning to work through a third-party contract for the same or a different employer would not have an earnings limitation (if they would otherwise have been eligible for the exemption), but the employer would be required to pay the special employer contribution on the retiree's compensation (20.07% in FY 2010).
- **Report to Joint Committee.** Requires KPERS to report to the Joint Committee on Pensions, Investments and Benefits on the results of the provisions for licensed school professionals when they expire on June 30, 2012.

Working After Retirement Utilization

3-8

- Employers are required to submit an annual report on a calendar year basis, with data regarding the number of rehired retirees by category.
- As of 12/31/2008, there were 2,672 KPERS retirees who had returned to work – of those, 1,351 were rehired by the same employer and 1,321 by a different employer.

| | Same Employer | Different Employer Before 07/01/06 | Different Employer After 07/01/06 | Total |
|---------|---------------|------------------------------------|-----------------------------------|-------|
| Local | 221 | 61 | 86 | 368 |
| Schools | 997 | 361 | 795 | 2,153 |
| State | 133 | 11 | 7 | 151 |
| | 1,351 | 433 | 888 | 2,672 |

Working After Retirement Utilization (Continued) 6-9

- KPERS staff is working with school districts in identifying licensed and non-licensed positions held by retirees who are working after retirement.
 - So far, the school districts have identified 837 retirees in licensed positions requiring the special employer contribution rate.
 - Not all school districts who have hired KPERS retirees for the current year have completed the KPERS working after retirement enrollment forms.
 - KPERS staff expects that a substantial number of additional enrollment forms will be submitted this fall.
- While the total number of retirements in June and July 2009 was comparable to the same period in 2008, the number of retirements in June doubled from 328 in 2008 to 660 in 2009.
- It is likely that the number of June retirements will grow in future years as school employees shift their retirement dates to June to complete their 60-day break in service before the new school year.
- More comprehensive data about retirees rehired under 2009 Sen. Sub. For HB 2072 will be available after KPERS receives employer reports at the end of the calendar year. KPERS will provide additional information as this data is collected from employers.

3-10

Long-Term Funding

3-11

Defined Benefit Basics

Kansas Legislature enacts KPERS' retirement plan design in State statutes, providing for:

- membership eligibility
- employee and employer contributions
- service credit
- vesting
- benefit formula
- retirement eligibility

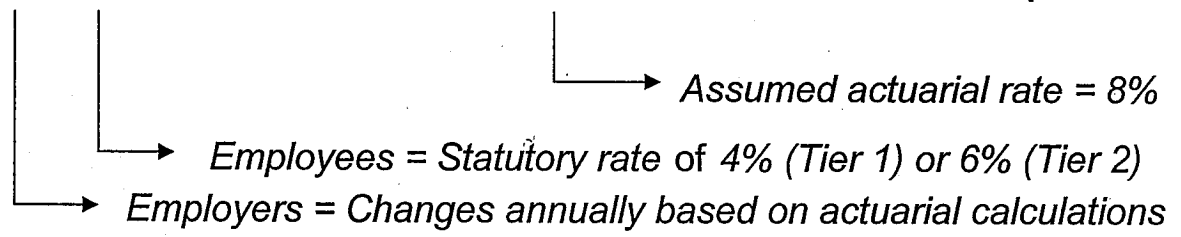
Defined Benefit Formula

Final Average Salary X Years of Service X Statutory Multiplier = Annual Benefit

Example: \$40,000 x 30 years x 1.75% = \$21,000

Retirement Funding

Contributions + Investments - Expenses = Benefits



Retirement Funding Background

3-12

- In 2001 and 2002, actuarial projections indicated the KPERS retirement plan was not in actuarial balance, which means the statutory rate would not converge with the actuarially required contribution (ARC) rate before the end of the amortization period in 2033.
- Following the 2001 actuarial valuation results, KPERS worked with the Legislature to develop a comprehensive, long-term funding plan to address the shortfall and bring the Plan into actuarial balance.
 - 2003 legislation raised statutory caps on employer contribution rate increases from 0.2% annually to 0.4% in FY 2006; 0.5% in FY 2007; and 0.6% in FY 2008 and subsequent years.
 - State issued \$500 million in pension obligation bonds in 2004.
 - 2007 legislation established a new plan design for employees hired on or after July 1, 2009, which increased retirement eligibility ages and employee contributions.
- These actions, along with strong investment returns in the 2004-2007 period, significantly improved the projected funded status of the System.

Key 2008 Valuation Results

3-13

The unprecedented investment market declines in 2008 had a substantial negative impact on the funded status of the System. The S&P 500 had an investment return of -26.2% during FY 2009, which is reflected in KPERS' return of -19.4% for the same period.

- The 12/31/08 actuarial valuation report shows:
 - A 12% decline in the System's funded ratio to 59%.
 - A \$2.7 billion increase in the unfunded actuarial liability (UAL) to \$8.3 billion.
- The actuarial value of assets is now significantly greater than their market value.
 - There are about \$2 billion in deferred losses to be recognized over the next four years.
 - Actual investment returns will determine how much of the deferred losses are offset in subsequent valuations.
 - On a current market value basis, the funded ratio is 49% and the UAL is \$10.3 billion.
- The School Group is out of actuarial balance. The ARC rates for State and Local Groups are projected to nearly double their current contribution rates.

Impact on Funded Status by Group

3-14

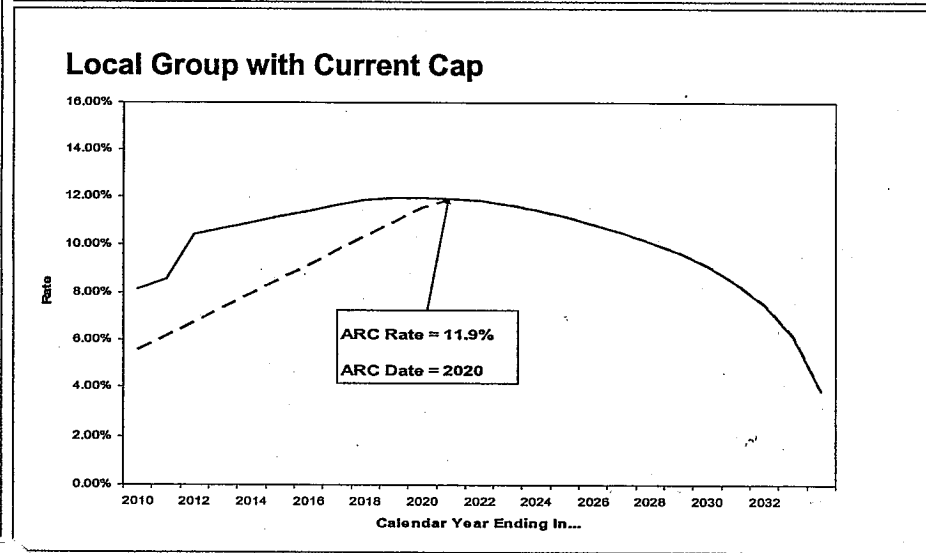
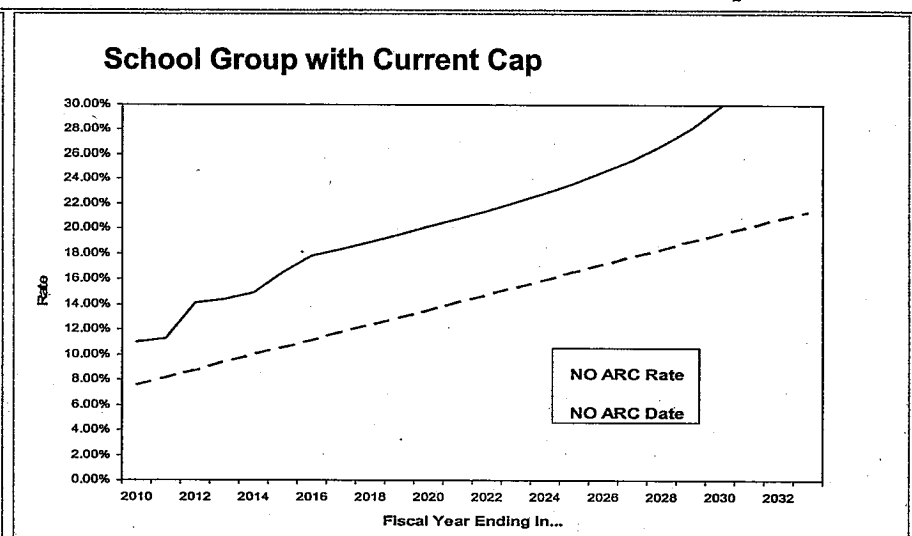
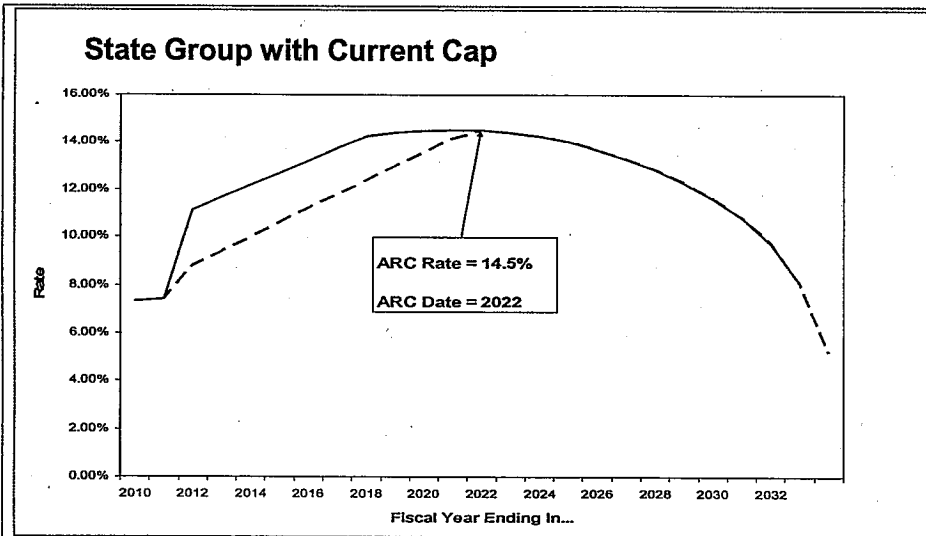
Even assuming an 8% investment return over the next five years:

- The funded ratio of each group will continue to fall.
- Each group's UAL and ARC rate will rise significantly.

| | 12/31/2007 Valuation | | 12/31/2008 Valuation | |
|--|---|--------------|---|--------------|
| | Unfunded Actuarial Liability (millions) | Funded Ratio | Unfunded Actuarial Liability (millions) | Funded Ratio |
| Kansas Public Employees Retirement System (KPERs) | | | | |
| • <i>State Group</i> | \$451 | 87% | \$1,002 | 72% |
| • <i>School Group</i> | 3,862 | 63% | 5,239 | 52% |
| • <i>Local Group</i> | 941 | 70% | 1,385 | 59% |
| Kansas Police and Firemen's Retirement System (KP&F) | | | | |
| | 284 | 86% | 619 | 71% |
| Kansas Retirement System for Judges | | | | |
| | 15 | 89% | 36 | 75% |
| Retirement System Totals | \$5,552 | 71% | \$8,279 | 59% |

ARC Projections: Current Rate Increase Cap

3-15



Projections based on:

- Level 8% annual return
- No cap increase

| | FY 2010 Rate | ARC Rate | ARC Date |
|--------|--------------|----------|----------|
| State | 7.57%* | 14.50% | 2022 |
| School | 7.57%* | N/A | N/A |
| Local | 5.54% | 11.90% | 2020 |

— Actuarial Employer Rates - - - Statutory Employer Rates Based on Preliminary Estimates. * State/School Combined Rate

A Comprehensive Funding Solution

3-16

Over the next few months, KPERS will complete a comprehensive funding analysis that will examine the System's financial health, including contributions, benefits and plan design.

The comprehensive funding analysis will include the following steps.

- Work with actuary to model the System's long-term sustainability under various investment return scenarios.
- Analyze legal limitations associated with plan changes affecting employee contribution rates and benefits.
 - In Kansas, state retirement systems create contracts between the State and members that will be protected from impairment by the Contract Clause of the U.S. Constitution.
 - Kansas case law indicates careful legal analysis is required for changes to benefits or contribution rates for current members, but suggests greater flexibility with respect to future members.

A Comprehensive Funding Solution (Continued)

3-17

- Use model to project the effect of funding solution options. Options may include:
 - Employer rate increases.
 - The Joint Committee on Pensions, Investments and Benefits considered long-term funding issues during the 2008 Interim.
 - The Committee recommended that the Legislature raise the cap on employer contribution rate increases from 0.6% annually to at least 1.0% annually, effective no later than FY 2012.
 - KPERS is working on various employer contribution rate increase options.
 - Future employee contribution increases and benefit changes such as decreasing the benefit multiplier for future service.
- Defined contribution plan option.
 - There are approximately a dozen state retirement systems with a mandatory, voluntary, or hybrid form of a defined contribution plan.
 - The House Appropriations Committee and Joint Committee on Pensions, Investments and Benefits requested further information regarding a defined contribution option.
 - KPERS will model and provide a more detailed analysis of this option.
- Actuarial changes.
 - Key actuarial components will be evaluated as part of the long-term funding analysis.

Conclusions

3-18

- Investment losses have had a substantial adverse impact on KPERS' long-term funding outlook.
- Current benefits are safe for a period of time. Assets of approximately \$10 billion are available to pay benefits.
- Investment returns alone cannot fix the funding shortfall. While it is not an immediate crisis, addressing the funding shortfall is critical.
- KPERS will conduct a comprehensive funding analysis with options for restoring the System's financial health.
- KPERS is committed to a comprehensive funding solution that is sustainable and balanced.
- Options for the funding solution will be presented to the Legislature and Governor later this year for their consideration.

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

010-West-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 ♦ FAX (785) 296-3824

kslegres@klrd.ks.gov

<http://www.kslegislature.org/klrd>

September 22, 2009

To: 2010 Commission Members
Legislative Educational Planning Committee Members

From: Sharon Wenger, Principal Analyst

Re: Cost-Cutting and Efficiency Measures Undertaken by Kansas School Districts

After reviewing the surveys, studies, and work described below, I have compiled a list of cost-cutting or efficiency measures undertaken by Kansas school districts in the recent past.

- Standard & Poor's Kansas School District Efficiency Study (7/2007);
- Testimony of School District Superintendents to the Kansas House Appropriations Committee (August 2009);
- Kansas Department of Education (Survey of USDs in 2009 and 2004 Cost Savings Survey);
- Site Visits by the Center for Innovative School Leadership; and
- Information from Selected School District Superintendents.

I have compressed the various items mentioned in these documents and with these individuals into broad categories. As might be expected, in the information presented above, the largest cost savings have come from elimination of staff. It also is interesting to note that professional development and new teacher orientation and induction have been cut in many districts, when the studies I have reviewed indicate these are the areas needed the most for the best outcomes.

The Standard & Poor's Efficiency Study makes the point that one of the most important "investments" a school district can make is in good professional development. The Study describes how this investment "optimizes returns (*i.e.*, student achievement) on resources."

On a final note, I compared the cost-cutting and efficiency measures listed on the attached document with the items included in the performance audit entitled "K-12 Education: School District Efficiency Audits" as examples of things districts could do to reduce various costs. Out of all the examples, the majority have been done by at least one school district, and in all likelihood several districts, in efforts to cut costs.

Enclosure

**Cost-Cutting and Efficiency Measures Accomplished by
Kansas School Districts as Described by:**

- **Standard & Poor's Kansas School District Efficiency Study (7/2007)**
- **Testimony of School District Superintendents to the Kansas House Appropriations Committee (August 2009)**
- **Kansas Department of Education (Survey of USDs in 2009 and 2004 Cost Savings Survey)**
- **Site visits by the Center for Innovative School Leadership (at Emporia State)**
- **Selected School Superintendents**

Staff Cost-Cutting and Efficiency Measures

Eliminated 2,101 licensed positions in the 2009-10 school year.

Eliminated 1,603 non-licensed positions in the 2009-10 school year.

Some specific examples, include:

Used early retirement options.

Froze salaries.

Reduced or eliminated professional development.

Shared food service manager with local hospital.

Shared a school nurse with the county health department.

Reduced or eliminated out-of-state conference travel.

Shared staff with other districts, such as a technology coordinator.

Eliminated bonuses for teachers in high-poverty schools.

Reduced new teacher orientation and induction.

Reduced and eliminated school resource officers, counselors, librarians, educational aides, administrators, paraprofessionals, social workers, school nurse, and parent educators.

Filled a coaching position with private funds from the community.

Used part-time staff.

Reduced overtime for non-licensed staff.

Utility-Related Cost-Cutting and Efficiency Measures

Contracted with a company to evaluate energy systems and recommend replacement and savings.

Created an "energy czar" position which monitors energy use and implementation of energy cost-saving measures.

Retrofitted buildings with energy saving lights.

Updated heating and cooling systems.

Installed new energy-efficient heating and cooling systems.

Lowered room temperatures in the winter and increased room temperatures during the summer.

Purchased natural gas via a bulk-buying group.

Created a student advisory council who assisted with finding energy savings through the district's buildings.

Programming Efficiencies

Increased pupil-teacher ratio.

Reduced or eliminated early childhood programs.

Reduced the number of activity buses taken to out-of-town athletic events.

Reduced the number of activity trips.

Reduced the number of curriculum-related field trips.

Reduced extracurricular activities, such as clubs, organizations, etc.

Reduced alternative school programs.

Reduced or eliminated before school, after school, and summer school programming.

Reduced or eliminated support to Parents as Teachers programs.

Reduced or eliminated fine arts, language arts, and family and consumer science programs.

Reduced athletic programs.

Reduced tutoring.

Reduced instructional time.

Lengthened school day and shortened school year, which saved money on custodial, utility, and transportation services.

Eliminated field trips, unless paid for by parents or boosters.

Raised class sizes in some or all subjects.

Revenue Increases

Increased school lunch, drivers' education, and facility rental fees.

Increased scrutiny of Medicaid-eligible services so billing of services increased.

Operations and Maintenance

Closed school buildings.

Discontinued contracted bus service.

Eliminated or reduced bus routes, making some routes longer than one hour.

Deferred maintenance, repairs, and improvements to buildings and equipment.

Bid large ticket items such as milk, fuel, technology software/hardware/services, telecommunications, vehicles, and other large equipment.

Installed hand blowers in restrooms to reduce paper towel use.

Installed automatic flush toilets to reduce custodial time.

Joined cooperative buying units.

Used State contract when purchasing various equipment and supplies.

Delayed purchases of textbooks, supplies, and school buses.

Entered into agreements with local units of government for some services, such as school security services with a local police department.

Reduced maintenance to a minimum.

Eliminated transportation of students to day care providers.

Used bigger buses or passenger vans.

Reduced funding available to purchase necessary school supplies, which increases the cost to teachers and parents, who still must provide supplies.

Finance

Refinanced bonded indebtedness.

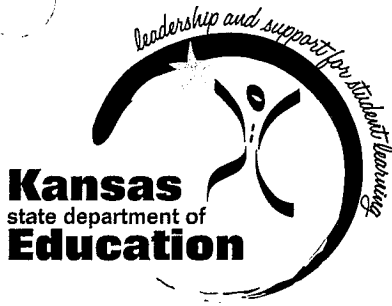
Reduced cash reserves (which is of concern for future budgets.)

Insurance

Promoted wellness and safety issues in an attempt to keep health insurance renewal rates as low as possible.

Changed to higher deductibles on insurance policies.

Joined the State Health Insurance Plan (while initial costs are high, the long term benefit of the larger group helps keep annual increases low.)



Division of Fiscal & Administrative Services

785-296-3872
785-296-0459 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • (785) 296-6338 (TTY) • www.ksde.org

October 12, 2009

TO: Legislative Educational Planning Committee

FROM: Dale M. Dennis, Deputy
Commissioner of Education

SUBJECT: KSDE School Finance Update

We have provided the following information for your review.

- Potential changes in state aid entitlements as a result of estimated increases in enrollment particularly at-risk students.
- USD reductions in positions and cost-saving measures
- Cost-cutting and efficiency measures accomplished by Kansas school districts
- Average salaries of public school teachers
- Update on American Recovery and Reinvestment Act (ARRA)
- Base state aid per pupil
- State aid reductions for 2009-10 school year
- Annual Yearly Progress (AYP) targets and trends
- FY 2011 enhancement budget request

h:leg:LEPC—10-12-09

LEPC
10-12-09
Attachment 5

GENERAL STATE AID COMPARISON

| | Actual 2008-09 | Estimate 2009-10 | Difference |
|--|-------------------|---------------------|---------------|
| FTE Enrollment | 447,705.6 | 449,411.3 | 1,705.7 |
| At-Risk Students | 152,116 | 167,327 | 15,211 |
| Total Weighted Enrollment | 634,289.3 | 642,931.2 | 8,641.9 |
| State Cost Due to Change in Weighted Enrollment (8,641.9 times \$4,218-BSAPP) | | | \$ 36,451,534 |
| Less Loss Due to Assessed Valuation & Mineral Production Tax | | | 17,174,671 |
| Total Shortfall | | | \$ 53,626,205 |

SURVEY – USD REDUCTIONS – JUNE 2009

1. How many licensed positions were eliminated for the 2009-2010 school year?

| | Number (Headcount) | Est. Dollars Reduced |
|----------------|-----------------------|-------------------------|
| Administrators | 133 | \$ 9,707,109 |
| Teachers | 1,160 | 53,823,567 |
| Coaches | 583 | 3,969,786 |
| Other | 225 | 5,672,252 |
| TOTALS | 2,101 | \$ 73,172,714 |

2. How many non-licensed positions were eliminated for the 2009-2010 school year?

| | Number (Headcount) | Est. Dollars Reduced |
|------------------------|-----------------------|-------------------------|
| Food Service | 111 | \$ 1,534,779 |
| Bus Drivers | 70 | 882,820 |
| Custodians/Maintenance | 278 | 6,647,964 |
| Paraprofessionals | 566 | 9,015,962 |
| Coaches | 234 | 616,865 |
| Other | 344 | 7,650,066 |
| TOTALS | 1,603 | \$ 26,348,456 |

3. How many other cost-saving measures were reduced/eliminated for the 2009-2010 school year (excluding salaries)?

| Program | Estimated Reductions (excluding staff) |
|--------------------------------------|---|
| Before School | \$ 47,500 |
| After School | 1,005,671 |
| Summer School | 2,213,672 |
| Parents as Teachers | 259,416 |
| Fine Arts | 328,623 |
| Language Arts | 78,500 |
| Career & Technical Education | 654,091 |
| All-Day Kindergarten | 25,500 |
| In-District Professional Development | 3,657,528 |
| Out-of-District Conferences | 3,015,233 |
| Extracurricular Activities | 1,054,256 |
| Shortened School Year | 4,491,382 |
| Transportation | 3,344,869 |
| Closing of Attendance Center(s) | 2,454,557 |
| Delay Purchase of Textbooks | 6,606,054 |
| Delay Purchase of School Buses | 7,243,132 |
| Other | 31,212,762 |
| TOTALS | \$ 67,692,746 |

TOTAL
POSITIONS

TOTAL ESTIMATED
REDUCTIONS

3,701

\$ 167,213,916

**Cost-Cutting and Efficiency Measures Accomplished by
Kansas School Districts as Described by:**

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- **Selected School Superintendents**

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Eliminated bonuses for teachers in high-poverty schools.

Reduced new teacher orientation and induction.

Reduced and eliminated school resource officers, counselors, librarians, educational aides, administrators, paraprofessionals, social workers, school nurse, and parent educators.

Filled a coaching position with private funds from the community.

Used part-time staff.

Reduced overtime for non-licensed staff.

Utility-Related Cost-Cutting and Efficiency Measures

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Created an "energy czar" position which monitors energy use and implementation of energy cost-saving measures.

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Lowered room temperatures in the winter and increased room temperatures during the summer.

Purchased natural gas via a bulk-buying group.

Created a student advisory council who assisted with finding energy savings through the district's buildings.

Programming Efficiencies

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Reduced or eliminated early childhood programs.

Reduced the number of activity buses taken to out-of-town athletic events.

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Eliminated field trips, unless paid for by parents or boosters.

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Increased school lunch, drivers' education, and facility rental fees.

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Deferred maintenance, repairs, and improvements to buildings and equipment.

Bid large ticket items such as milk, fuel, technology software/hardware/services, telecommunications, vehicles, and other large equipment.

Installed hand blowers in restrooms to reduce paper towel use.

Installed automatic flush toilets to reduce custodial time.

Joined cooperative buying units.

Used State contract when purchasing various equipment and supplies.

Delayed purchases of textbooks, supplies, and school buses.

Entered into agreements with local units of government for some services, such as school security services with a local police department.

Reduced maintenance to a minimum.

Eliminated transportation of students to day care providers.

Used bigger buses or passenger vans.

Reduced funding available to purchase necessary school supplies, which increases the cost to teachers and parents, who still must provide supplies.

Finance

Refinanced bonded indebtedness.

Reduced cash reserves (which is of concern for future budgets.)

Insurance

Promoted wellness and safety issues in an attempt to keep health insurance renewal rates as low as possible.

Changed to higher deductibles on insurance policies.

Joined the State Health Insurance Plan (while initial costs are high, the long term benefit of the larger group helps keep annual increases low.)

**C-11. AVERAGE SALARIES OF PUBLIC SCHOOL
TEACHERS, 2007-08 (\$)**

| | | |
|-----|----------------------|-----------------|
| 1. | CALIFORNIA | 64,424 |
| 2. | NEW YORK | 62,632 |
| 3. | CONNECTICUT | 61,976 |
| 4. | NEW JERSEY | 61,277 * |
| 5. | DISTRICT OF COLUMBIA | 60,628 * |
| 6. | ILLINOIS | 60,474 |
| 7. | MASSACHUSETTS | 60,701 |
| 8. | MARYLAND | 60,039 |
| 9. | RHODE ISLAND | 57,168 |
| 10. | ALASKA | 56,758 |
| 11. | MICHIGAN | 56,096 * |
| 12. | DELAWARE | 55,994 |
| 13. | PENNSYLVANIA | 55,833 |
| 14. | OHIO | 55,410 |
| 15. | HAWAII | 53,400 |
| 16. | WYOMING | 53,074 |
| | UNITED STATES | 52,308 * |
| 17. | OREGON | 51,811 |
| 18. | GEORGIA | 51,550 |
| 19. | MINNESOTA | 50,582 |
| 20. | WASHINGTON | 49,884 |
| 21. | WISCONSIN | 49,051 |
| 22. | INDIANA | 48,508 |
| 23. | NEVADA | 47,710 |
| 24. | NEW HAMPSHIRE | 47,409 |
| 25. | NORTH CAROLINA | 47,354 |
| 26. | COLORADO | 47,248 |
| 27. | KENTUCKY | 47,207 |
| 28. | LOUISIANA | 46,964 |
| 29. | FLORIDA | 46,930 |
| 30. | VIRGINIA | 46,786 |
| 31. | IOWA | 46,664 |
| 32. | ALABAMA | 46,504 |
| 33. | VERMONT | 46,593 * |
| 34. | TEXAS | 46,179 |
| 35. | ARKANSAS | 45,773 * |
| 36. | ARIZONA | 45,772 |
| 37. | SOUTH CAROLINA | 45,768 |
| 38. | KANSAS | 45,136 |
| 39. | NEW MEXICO | 45,112 |
| 40. | TENNESSEE | 45,030 * |
| 41. | IDAHO | 44,099 |
| 42. | OKLAHOMA | 40,651 |
| 43. | MAINE | 40,397 |
| 44. | MISSOURI | 40,206 |
| 45. | NEBRASKA | 42,885 |
| 46. | MONTANA | 42,874 |
| 47. | WEST VIRGINIA | 42,529 |
| 48. | MISSISSIPPI | 42,263 |
| 49. | UTAH | 41,615 |
| 50. | NORTH DAKOTA | 40,272 |
| 51. | SOUTH DAKOTA | 36,674 |
| | MEDIAN | 47,248 |
| | RANGE | 27,750 |
| | U.S. AVERAGE | 67,388 |
| | C.V. | |

NEA Research, Estimates Database (2008).

UPDATE

American Recovery and Reinvestment Act (ARRA)

- We have appealed for a special education waiver which has not been approved/disapproved to date. The appeal was submitted to the Secretary of Education on May 22, 2009, and additional information was provided August 12, 2009.

If the special education waiver appeal is not approved, federal law requires the U.S. Department of Education to reduce the federal allocation to Kansas by \$60.2 million. Such a reduction would create serious funding problems for special education in our state.

- The State Department of Education is planning to apply for Race to the Top Funds (RTTF). Details for application has not been received or made available by the U.S. Department of Education. The Secretary of Education has indicated on several occasions that states that use their ARRA funds for backfill would not likely receive Race to the Top funds.
- The State Department of Education is currently administering approximately \$245 million in ARRA funds for ten programs. The federal government informed us initially that they would not provide any administrative funds. Approximately two months later, after the funds were allocated to school districts, they reversed their position but all funds had been allocated to school districts. We do not feel it would be appropriate to retract funds already allocated.

KSDE staff has spent significant amounts of time beyond the normal work day to ensure the success of these programs. Considerable time has been spent recently in complying with the quarterly reporting requirements. The first quarterly report is due October 10, 2009 for all programs for all school districts. In Kansas, we will have over 1,000 reports due on October 10. The U.S. Department of Education has indicated there will be no exceptions on the due dates unless there is a disaster.

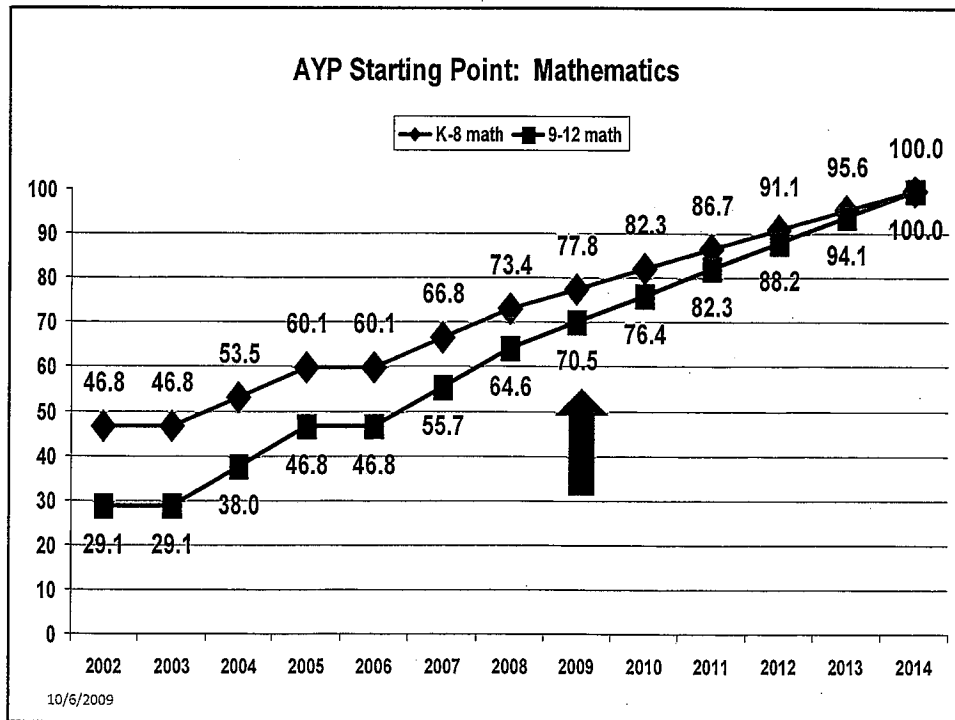
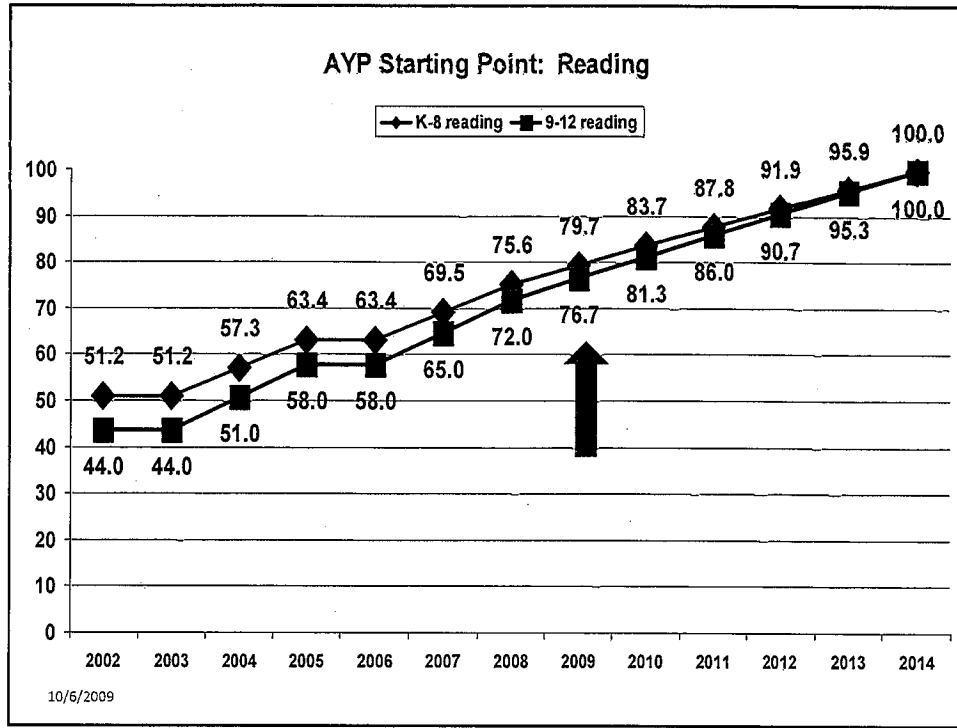
BASE STATE AID PER PUPIL

| | |
|---|----------|
| Statutory Base State Aid Per Pupil | \$ 4,492 |
| Base State Aid Per Pupil Following Legislative Adjournment | \$ 4,280 |
| Base State Aid Per Pupil Following Governor's Allotments | \$ 4,218 |

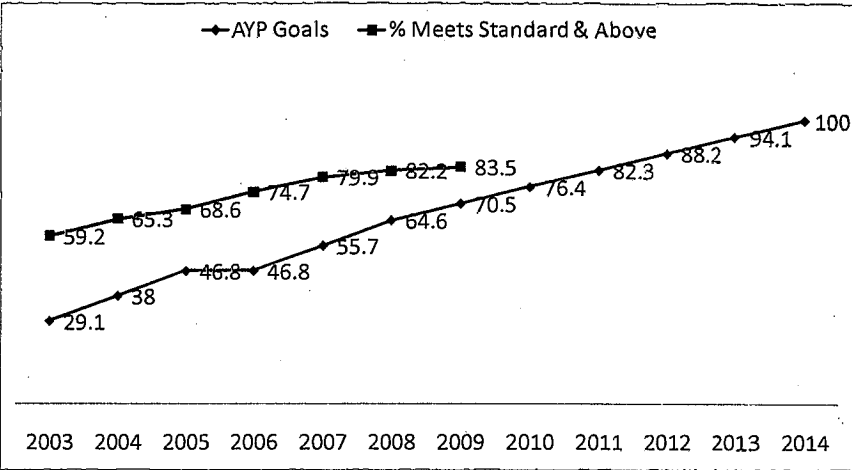
STATE AID REDUCTIONS

2009-10 School Year

| State Aid | Reduction |
|---|-----------------------|
| General State Aid BSAPP \$4,433 to \$4,218 | \$ 136,525,000 |
| Capital Outlay | 25,600,000 |
| Professional Development | 1,750,000 |
| Teacher Mentoring | 200,000 |
| Discretionary Grants | 85,000 |
| National Board Certification | 240,000 |
| Special Education | 4,000,000 |
| TOTAL | \$ 168,400,000 |

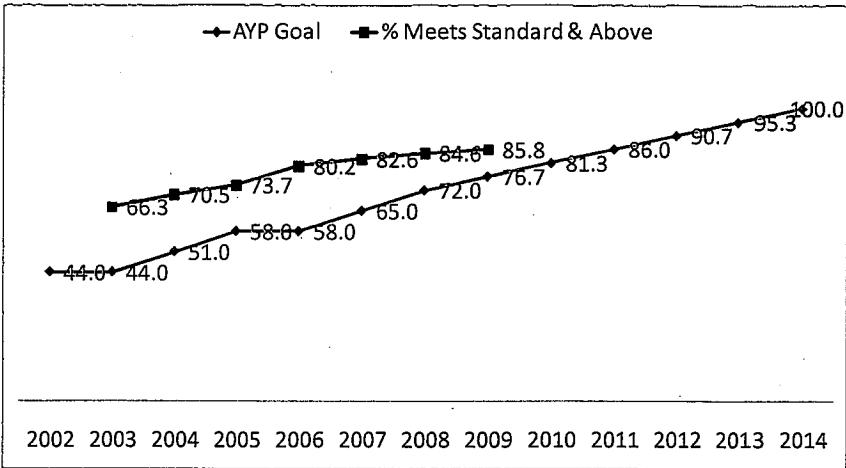


Kansas AYP Math Trends All Students 2003-2009



3

Kansas AYP Reading Trends All Students - 2003-2009



ARRA Money for Kansas

| Program | Estimated 2009-2010 | Estimated 2010-2011 |
|---|------------------------|------------------------|
| State Fiscal Stabilization Fund | \$138,700,000 | \$138,700,000 |
| Title I Grants to LEAs | \$70,868,000* | * |
| Title I School Improvement Grants | \$11,377,000 | \$11,377,000 |
| Special Education – Part B Grants | \$53,436,000 | \$53,436,000 |
| Special Education – Early Childhood | \$2,248,000 | \$2,248,000 |
| Title II, Part D – Enhancing Technology | \$4,552,000 | |
| Education for Homeless | \$460,000 | |
| School Lunch Equipment | \$850,000 | |
| AmeriCorps | \$631,000 | |
| Title I Part D Subpart 2 Delinquent | \$816,000 | \$816,000 |

10/6/2009

70

ARRA Money for Kansas

| Program | Estimated 2009-2010 | Estimated 2010-2011 |
|--------------------------------------|------------------------|------------------------|
| Qualified School Construction Bonds* | \$79,589,000 | \$79,589,000 |
| Qualified Zone Academy Bonds* | \$10,508,000 | \$10,508,000 |

10/6/2009

6

FY 2011 ENHANCEMENT BUDGET REQUEST

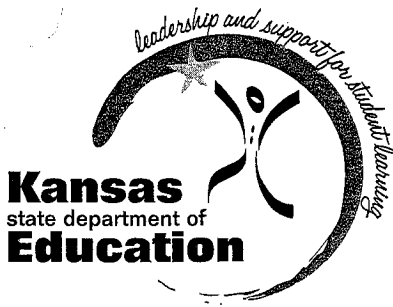
KANSAS STATE BOARD OF EDUCATION

FUND CURRENT LAW

- General State Aid – Fund Base State Aid Per Pupil (BSAPP) at \$4,492 at a cost of \$254,955,476. (Of this amount, \$78.8 million is required to maintain the BSAPP at \$4,218 due to overall enrollment increases, increases in the number of students eligible for free lunch, and reduced assessed property valuations.)
- Supplemental General State Aid – Compute utilizing a Base State Aid Per Pupil Amount of \$4,492 at a cost of \$33,900,000.
- Special Education – Fund 92 percent of excess costs at a cost of \$34,931,223.
- Capital Outlay - Restore funding at a cost of \$27 million.
- Professional Development – Fully fund program at a cost of \$8.5 million.
- Mentor Teacher – Fully fund program at a cost of \$1.8 million.
- School Food Assistance – Fully fund school lunch program at a cost of \$904,000.
- Parents As Teachers – Address waiting list of families to be served at a cost of \$460,000.
- Juvenile Detention Facilities – Fund formula utilizing a Base State Aid Per Pupil Amount of \$4,492 at a cost of \$416,480.
- Governor’s Teaching Excellence Awards (National Board Certification) – Fully fund program at a cost of \$295,000.

OTHER REQUESTS

- Kansas Career Pipeline – Fund at the level approved by the Legislature for FY 2010 at a cost of \$91,965.
- Discretionary Grants: Environmental Education – Restore funding at a cost of \$35,000.
- Discretionary Grants: Develop Kansas History Teaching Materials – Partially restore funding at a cost of \$35,000.
- State Operations – Restore shrinkage rate to 5.6 percent at a cost of \$209,027 (increased by the Legislature to 8 percent beginning in FY 2010).



Division of Fiscal & Administrative Services

785-296-3872
785-296-0459 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • (785) 296-6338 (TTY) • www.ksde.org

October 12, 2009

TO: Legislative Educational Planning Committee

FROM: Dale M. Dennis, Deputy
Commissioner of Education

SUBJECT: Assessed Valuation

Attached is a computer printout which provides the 2008-09 assessed valuation and assessed valuation per pupil (AVPP).

This information has been provided in county order and low to high on AVPP.

Listed below is a summary of the information provided.

| | |
|---|------------|
| Lowest AVPP (excluding Ft. Leavenworth) | \$ 18,499 |
| Median AVPP | \$ 58,990 |
| 75 th percentile | \$ 92,367 |
| 81 st percentile | \$ 107,548 |
| Highest AVPP | \$ 602,536 |

LEPC
10-12-09
Attachment 4

| | | | | | |
|-------------------------|-------------|----------------------|-----------------|-------------|-----------|
| 5/12/2009 | | | | | |
| updated USD 382 6/24/09 | | | | | |
| | | | 2008-09 Audited | 2008-09 | 2008-09 |
| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0256 | Allen | Marmaton Valley | 321.0 | 14,558,636 | 45,354 |
| D0257 | Allen | Iola | 1,392.5 | 51,049,901 | 36,661 |
| D0258 | Allen | Humboldt | 493.0 | 25,172,670 | 51,060 |
| D0365 | Anderson | Garnett | 1,107.2 | 59,718,201 | 53,936 |
| D0479 | Anderson | Crest | 221.0 | 14,077,432 | 63,699 |
| D0377 | Atchison | Atchison County | 683.6 | 38,790,659 | 56,745 |
| D0409 | Atchison | Atchison | 1,580.0 | 80,448,766 | 50,917 |
| D0254 | Barber | Barber Co. | 500.5 | 74,918,158 | 149,687 |
| D0255 | Barber | South Barber Co. | 220.5 | 40,739,079 | 184,758 |
| D0354 | Barton | Clafin | 222.1 | 26,759,083 | 120,482 |
| D0355 | Barton | Ellinwood | 425.7 | 32,960,519 | 77,427 |
| D0428 | Barton | Great Bend | 2,972.8 | 139,803,463 | 47,028 |
| D0431 | Barton | Hoisington | 607.5 | 41,330,320 | 68,033 |
| D0234 | Bourbon | Ft. Scott | 1,947.5 | 77,395,135 | 39,741 |
| D0235 | Bourbon | Uniontown | 433.4 | 13,850,992 | 31,959 |
| D0415 | Brown | Hiawatha | 841.8 | 65,142,895 | 77,385 |
| D0430 | Brown | Brown County | 635.5 | 20,324,947 | 31,983 |
| D0205 | Butler | Bluestem | 582.9 | 29,745,029 | 51,029 |
| D0206 | Butler | Remington-Whitewater | 511.8 | 34,565,657 | 67,537 |
| D0375 | Butler | Circle | 1,593.8 | 156,975,677 | 98,491 |
| D0385 | Butler | Andover | 4,538.3 | 245,610,131 | 54,119 |
| D0394 | Butler | Rose Hill | 1,660.4 | 56,029,302 | 33,744 |
| D0396 | Butler | Douglass | 776.5 | 24,487,942 | 31,536 |
| D0402 | Butler | Augusta | 2,141.1 | 78,847,666 | 36,826 |
| D0490 | Butler | El Dorado | 1,992.9 | 177,260,687 | 88,946 |
| D0492 | Butler | Flinthills | 294.8 | 15,388,866 | 52,201 |
| D0284 | Chase | Chase County | 417.5 | 40,056,979 | 95,945 |
| D0285 | Chautauqua | Cedar Vale | 139.5 | 7,445,268 | 53,371 |
| D0286 | Chautauqua | Chautauqua | 364.0 | 18,382,905 | 50,502 |
| D0404 | Cherokee | Riverton | 827.5 | 28,954,882 | 34,991 |
| D0493 | Cherokee | Columbus | 1,152.6 | 57,475,085 | 49,866 |
| D0499 | Cherokee | Galena | 728.0 | 13,467,183 | 18,499 |
| D0508 | Cherokee | Baxter Springs | 926.5 | 25,763,982 | 27,808 |
| D0103 | Cheyenne | Cheylin | 130.5 | 17,238,258 | 132,094 |
| D0297 | Cheyenne | St. Francis | 297.5 | 31,052,135 | 104,377 |
| D0219 | Clark | Minneola | 271.0 | 21,279,706 | 78,523 |
| D0220 | Clark | Ashland | 217.2 | 32,645,434 | 150,301 |
| D0379 | Clay | Clay Center | 1,358.4 | 67,530,850 | 49,714 |
| D0333 | Cloud | Concordia | 1,062.1 | 46,322,518 | 43,614 |
| D0334 | Cloud | Southern Cloud | 231.5 | 18,279,972 | 78,963 |
| D0243 | Coffey | Lebo-Waverly | 547.0 | 24,830,420 | 45,394 |
| D0244 | Coffey | Burlington | 820.4 | 365,156,854 | 445,096 |
| D0245 | Coffey | LeRoy-Gridley | 259.5 | 20,801,458 | 80,160 |
| D0300 | Comanche | Comanche County | 307.0 | 51,350,804 | 167,266 |
| D0462 | Cowley | Central | 336.5 | 12,121,155 | 36,021 |
| D0463 | Cowley | Udall | 391.2 | 15,133,880 | 38,686 |
| D0465 | Cowley | Winfield | 2,430.7 | 98,102,834 | 40,360 |
| D0470 | Cowley | Arkansas City | 2,709.3 | 80,113,899 | 29,570 |
| D0471 | Cowley | Dexter | 173.0 | 6,302,531 | 36,431 |
| D0246 | Crawford | Northeast | 527.5 | 16,291,094 | 30,884 |
| D0247 | Crawford | Cherokee | 706.5 | 26,678,835 | 37,762 |
| D0248 | Crawford | Girard | 996.5 | 34,504,810 | 34,626 |
| D0249 | Crawford | Frontenac | 827.5 | 23,597,467 | 28,517 |
| D0250 | Crawford | Pittsburg | 2,638.1 | 150,219,482 | 56,942 |
| D0294 | Decatur | Oberlin | 366.2 | 36,803,050 | 100,500 |
| D0393 | Dickinson | Solomon | 389.6 | 20,649,222 | 53,001 |
| D0435 | Dickinson | Abilene | 1,495.5 | 76,288,858 | 51,012 |
| D0473 | Dickinson | Chapman | 973.0 | 60,139,892 | 61,809 |
| D0481 | Dickinson | Rural Vista | 416.0 | 22,901,252 | 55,051 |
| D0487 | Dickinson | Herington | 516.4 | 18,391,205 | 35,614 |
| D0406 | Doniphan | Wathena | 401.0 | 17,751,811 | 44,269 |
| D0425 | Doniphan | Highland | 220.5 | 12,280,210 | 55,693 |
| D0429 | Doniphan | Troy | 337.5 | 15,542,083 | 46,051 |

| | | | | | |
|-------------------------|-------------|------------------|-----------------|---------------|-----------|
| 5/12/2009 | | | | | |
| updated USD 382 6/24/09 | | | | | |
| | | | 2008-09 Audited | 2008-09 | 2008-09 |
| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0433 | Doniphan | Midway | 156.9 | 22,782,928 | 145,207 |
| D0486 | Doniphan | Elwood | 309.9 | 12,604,169 | 40,672 |
| D0348 | Douglas | Baldwin City | 1,359.4 | 74,516,190 | 54,815 |
| D0491 | Douglas | Eudora | 1,396.3 | 57,259,533 | 41,008 |
| D0497 | Douglas | Lawrence | 10,418.4 | 975,462,934 | 93,629 |
| D0347 | Edwards | Kinsely-Offerle | 302.6 | 28,003,283 | 92,542 |
| D0502 | Edwards | Lewis | 101.6 | 16,957,420 | 166,904 |
| D0282 | Elk | West Elk | 355.2 | 19,470,188 | 54,815 |
| D0283 | Elk | Elk Valley | 185.0 | 12,100,292 | 65,407 |
| D0388 | Ellis | Ellis | 367.6 | 43,502,600 | 118,342 |
| D0432 | Ellis | Victoria | 257.5 | 36,252,699 | 140,787 |
| D0489 | Ellis | Hays | 2,758.2 | 244,246,454 | 88,553 |
| D0327 | Ellsworth | Ellsworth | 639.6 | 32,370,848 | 50,611 |
| D0328 | Ellsworth | Lorraine | 453.0 | 63,117,651 | 139,333 |
| D0363 | Finney | Holcomb | 865.0 | 167,453,708 | 193,588 |
| D0457 | Finney | Garden City | 6,751.5 | 316,978,739 | 46,949 |
| D0381 | Ford | Spearville | 352.0 | 16,558,466 | 47,041 |
| D0443 | Ford | Dodge City | 5,550.7 | 179,966,575 | 32,422 |
| D0459 | Ford | Bucklin | 232.9 | 25,913,725 | 111,265 |
| D0287 | Franklin | West Franklin | 699.0 | 38,368,131 | 54,890 |
| D0288 | Franklin | Central Heights | 543.0 | 22,858,041 | 42,096 |
| D0289 | Franklin | Wellsville | 836.0 | 45,154,145 | 54,012 |
| D0290 | Franklin | Ottawa | 2,411.9 | 119,905,545 | 49,714 |
| D0475 | Geary | Junction City | 7,242.9 | 198,921,573 | 27,464 |
| D0291 | Gove | Grinnell | 81.5 | 17,055,666 | 209,272 |
| D0292 | Gove | Wheatland | 112.5 | 12,870,786 | 114,407 |
| D0293 | Gove | Quinter | 261.0 | 20,106,518 | 77,036 |
| D0281 | Graham | Graham County | 365.6 | 56,556,574 | 154,695 |
| D0214 | Grant | Ulysses | 1,591.0 | 324,322,457 | 203,848 |
| D0102 | Gray | Cimarron-Ensign | 650.0 | 33,421,511 | 51,418 |
| D0371 | Gray | Montezuma | 214.9 | 15,038,231 | 69,978 |
| D0476 | Gray | Copeland | 112.5 | 11,087,127 | 98,552 |
| D0477 | Gray | Ingalls | 228.5 | 17,494,580 | 76,563 |
| D0200 | Greeley | Greeley County | 211.0 | 35,329,455 | 167,438 |
| D0386 | Greenwood | Madison-Virgil | 226.5 | 13,417,242 | 59,237 |
| D0389 | Greenwood | Eureka | 598.5 | 28,452,279 | 47,539 |
| D0390 | Greenwood | Hamilton | 99.5 | 7,642,018 | 76,804 |
| D0494 | Hamilton | Syracuse | 469.5 | 59,439,772 | 126,602 |
| D0361 | Harper | Anthony-Harper | 818.2 | 51,355,764 | 62,767 |
| D0511 | Harper | Attica | 138.5 | 18,721,712 | 135,175 |
| D0369 | Harvey | Burrton | 244.7 | 17,532,716 | 71,650 |
| D0373 | Harvey | Newton | 3,383.4 | 144,353,437 | 42,665 |
| D0439 | Harvey | Sedgwick | 532.0 | 14,103,913 | 26,511 |
| D0440 | Harvey | Halstead | 789.6 | 34,024,179 | 43,090 |
| D0460 | Harvey | Hesston | 820.0 | 36,229,000 | 44,182 |
| D0374 | Haskell | Sublette | 461.4 | 110,433,932 | 239,345 |
| D0507 | Haskell | Satanta | 343.0 | 206,669,815 | 602,536 |
| D0227 | Hodgeman | Jetmore | 251.5 | 24,762,060 | 98,457 |
| D0228 | Hodgeman | Hanston | 72.5 | 9,259,176 | 127,713 |
| D0335 | Jackson | North Jackson | 360.0 | 14,750,420 | 40,973 |
| D0336 | Jackson | Holton | 1,052.3 | 40,274,496 | 38,273 |
| D0337 | Jackson | Mayetta | 912.8 | 25,547,827 | 27,988 |
| D0338 | Jefferson | Valley Falls | 409.3 | 14,792,156 | 36,140 |
| D0339 | Jefferson | Jefferson County | 488.0 | 15,519,055 | 31,801 |
| D0340 | Jefferson | Jefferson West | 916.0 | 37,841,336 | 41,312 |
| D0341 | Jefferson | Oskaloosa | 523.6 | 26,158,734 | 49,959 |
| D0342 | Jefferson | McLouth | 516.7 | 29,045,763 | 56,214 |
| D0343 | Jefferson | Perry | 929.2 | 55,888,568 | 60,147 |
| D0107 | Jewell | Rock Hills | 265.0 | 22,927,301 | 86,518 |
| D0279 | Jewell | Jewell | 90.5 | 9,921,624 | 109,631 |
| D0229 | Johnson | Blue Valley | 19,939.4 | 2,391,961,375 | 119,962 |
| D0230 | Johnson | Spring Hill | 2,224.7 | 128,811,934 | 57,901 |
| D0231 | Johnson | Gardner-Edgerton | 4,332.4 | 254,747,365 | 58,801 |

| | | | | | |
|-------------------------|-------------|--------------------|-----------------|---------------|-----------|
| 5/12/2009 | | | | | |
| updated USD 382 6/24/09 | | | | | |
| | | | 2008-09 Audited | 2008-09 | 2008-09 |
| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0232 | Johnson | DeSoto | 6,070.0 | 397,390,671 | 65,468 |
| D0233 | Johnson | Olathe | 25,190.1 | 1,879,157,332 | 74,599 |
| D0512 | Johnson | Shawnee Mission | 26,579.0 | 3,216,389,440 | 121,012 |
| D0215 | Kearny | Lakin | 637.0 | 204,267,503 | 320,671 |
| D0216 | Kearny | Deerfield | 278.0 | 65,984,612 | 237,355 |
| D0331 | Kingman | Kingman | 1,033.3 | 73,261,333 | 70,900 |
| D0332 | Kingman | Cunningham | 176.5 | 65,538,140 | 371,321 |
| D0422 | Kiowa | Greensburg | 210.5 | 31,457,014 | 149,439 |
| D0424 | Kiowa | Mullinville | 226.6 | 28,585,945 | 126,152 |
| D0474 | Kiowa | Haviland | 139.0 | 22,743,217 | 163,620 |
| D0503 | Labette | Parsons | 1,343.4 | 53,306,369 | 39,680 |
| D0504 | Labette | Oswego | 473.6 | 11,083,685 | 23,403 |
| D0505 | Labette | Chetopa - St. Paul | 502.4 | 13,190,228 | 26,254 |
| D0506 | Labette | Labette County | 1,580.6 | 49,708,026 | 31,449 |
| D0468 | Lane | Healy | 73.5 | 11,883,632 | 161,682 |
| D0482 | Lane | Dighton | 253.0 | 41,819,403 | 165,294 |
| D0207 | Leavenworth | Ft. Leavenworth | 1,859.4 | 2,346,014 | 1,262 |
| D0449 | Leavenworth | Easton | 671.1 | 31,552,237 | 47,016 |
| D0453 | Leavenworth | Leavenworth | 3,857.2 | 197,188,750 | 51,122 |
| D0458 | Leavenworth | Basehor-Linwood | 2,139.1 | 125,937,990 | 58,874 |
| D0464 | Leavenworth | Tonganoxie | 1,772.4 | 90,035,909 | 50,799 |
| D0469 | Leavenworth | Lansing | 2,402.8 | 110,521,452 | 45,997 |
| D0298 | Lincoln | Lincoln | 337.0 | 24,017,270 | 71,268 |
| D0299 | Lincoln | Sylvan Grove | 144.6 | 13,280,141 | 91,841 |
| D0344 | Linn | Pleasanton | 359.0 | 13,855,849 | 38,596 |
| D0346 | Linn | Jayhawk | 525.9 | 28,856,249 | 54,870 |
| D0362 | Linn | Prairie View | 933.5 | 132,455,535 | 141,891 |
| D0274 | Logan | Oakley | 411.7 | 40,833,361 | 99,182 |
| D0275 | Logan | Triplains | 86.5 | 15,000,068 | 173,411 |
| D0251 | Lyon | North Lyon Co. | 513.0 | 28,880,176 | 56,297 |
| D0252 | Lyon | Southern Lyon Co. | 511.3 | 33,751,867 | 66,012 |
| D0253 | Lyon | Emporia | 4,307.1 | 177,360,704 | 41,179 |
| D0397 | Marion | Centre | 229.2 | 18,441,865 | 80,462 |
| D0398 | Marion | Peabody-Burns | 335.0 | 22,142,301 | 66,096 |
| D0408 | Marion | Marion | 597.8 | 28,512,625 | 47,696 |
| D0410 | Marion | Durham-Hills | 590.8 | 31,776,498 | 53,786 |
| D0411 | Marion | Goessel | 245.3 | 11,756,284 | 47,926 |
| D0364 | Marshall | Marysville | 740.0 | 58,495,659 | 79,048 |
| D0380 | Marshall | Vermillion | 525.0 | 22,278,327 | 42,435 |
| D0488 | Marshall | Axtell | 296.7 | 22,061,915 | 74,358 |
| D0498 | Marshall | Valley Heights | 363.0 | 15,730,926 | 43,336 |
| D0400 | McPherson | Smoky Valley | 1,016.4 | 53,930,955 | 53,061 |
| D0418 | McPherson | McPherson | 2,259.8 | 167,163,479 | 73,973 |
| D0419 | McPherson | Canton-Galva | 367.8 | 28,024,572 | 76,195 |
| D0423 | McPherson | Moundridge | 434.5 | 41,041,198 | 94,456 |
| D0448 | McPherson | Inman | 445.3 | 25,938,287 | 58,249 |
| D0225 | Meade | Fowler | 162.0 | 13,472,701 | 83,165 |
| D0226 | Meade | Meade | 458.9 | 66,932,397 | 145,854 |
| D0367 | Miami | Osawatomie | 1,121.0 | 45,148,557 | 40,275 |
| D0368 | Miami | Paola | 2,027.9 | 133,424,390 | 65,794 |
| D0416 | Miami | Louisburg | 1,644.7 | 121,003,653 | 73,572 |
| D0272 | Mitchell | Waconda | 357.4 | 21,218,690 | 59,370 |
| D0273 | Mitchell | Beloit | 713.9 | 39,627,990 | 55,509 |
| D0436 | Montgomery | Caney | 807.0 | 31,508,992 | 39,045 |
| D0445 | Montgomery | Coffeyville | 1,800.2 | 176,829,834 | 98,228 |
| D0446 | Montgomery | Independence | 1,832.0 | 100,626,942 | 54,927 |
| D0447 | Montgomery | Cherryvale | 878.2 | 24,734,124 | 28,165 |
| D0417 | Morris | Morris County | 764.4 | 55,045,144 | 72,011 |
| D0217 | Morton | Rolla | 200.0 | 83,943,107 | 419,716 |
| D0218 | Morton | Elkhart | 676.3 | 92,980,093 | 137,484 |
| D0441 | Nemaha | Sabetha | 935.5 | 44,397,264 | 47,458 |
| D0442 | Nemaha | Nemaha Valley | 439.0 | 32,688,009 | 74,460 |
| D0451 | Nemaha | B & B | 192.5 | 12,292,030 | 63,855 |

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| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0101 | Neosho | Erie | 547.3 | 45,584,337 | 83,289 |
| D0413 | Neosho | Chanute | 1,773.0 | 64,017,456 | 36,107 |
| D0106 | Ness | Western Plains | 160.2 | 37,828,932 | 236,136 |
| D0303 | Ness | Ness City | 274.5 | 40,280,767 | 146,742 |
| D0211 | Norton | Norton | 684.0 | 24,747,155 | 36,180 |
| D0212 | Norton | Northern Valley | 206.5 | 9,632,895 | 46,648 |
| D0213 | Norton | West Solomon | 37.7 | 10,917,279 | 289,583 |
| D0420 | Osage | Osage City | 644.1 | 27,041,333 | 41,983 |
| D0421 | Osage | Lyndon | 432.0 | 20,773,718 | 48,087 |
| D0434 | Osage | Santa Fe | 1,115.2 | 46,071,685 | 41,312 |
| D0454 | Osage | Burlingame | 329.3 | 11,547,999 | 35,068 |
| D0456 | Osage | Marais Des Cygnes | 267.0 | 14,800,610 | 55,433 |
| D0392 | Osborne | Osborne | 335.3 | 17,088,341 | 50,964 |
| D0239 | Ottawa | North Ottawa Co. | 602.9 | 31,520,880 | 52,282 |
| D0240 | Ottawa | Twin Valley | 610.5 | 27,219,014 | 44,585 |
| D0495 | Pawnee | Ft. Larned | 862.0 | 44,742,507 | 51,905 |
| D0496 | Pawnee | Pawnee Heights | 147.1 | 10,789,979 | 73,351 |
| D0110 | Phillips | Thunder Ridge | 235.0 | 14,875,494 | 63,300 |
| D0325 | Phillips | Phillipsburg | 655.0 | 27,392,276 | 41,820 |
| D0326 | Phillips | Logan | 167.5 | 15,172,705 | 90,583 |
| D0320 | Pottawatomie | Wamego | 1,292.0 | 69,092,270 | 53,477 |
| D0321 | Pottawatomie | Kaw Valley | 1,122.0 | 226,214,636 | 201,617 |
| D0322 | Pottawatomie | Onaga | 317.5 | 17,491,273 | 55,091 |
| D0323 | Pottawatomie | Westmoreland | 813.7 | 37,395,558 | 45,957 |
| D0382 | Pratt | Pratt | 1,089.4 | 68,959,430 | 63,300 |
| D0438 | Pratt | Skyline | 358.0 | 28,450,381 | 79,470 |
| D0105 | Rawlins | Rawlins County | 317.5 | 24,468,897 | 77,067 |
| D0308 | Reno | Hutchinson | 4,542.4 | 200,389,873 | 44,115 |
| D0309 | Reno | Nickerson | 1,139.4 | 62,945,389 | 55,244 |
| D0310 | Reno | Fairfield | 303.7 | 32,757,756 | 107,862 |
| D0311 | Reno | Pretty Prairie | 269.4 | 15,016,778 | 55,742 |
| D0312 | Reno | Haven | 992.5 | 57,123,761 | 57,555 |
| D0313 | Reno | Buhler | 2,145.5 | 120,159,461 | 56,005 |
| D0109 | Republic | Republic County | 480.0 | 34,974,258 | 72,863 |
| D0426 | Republic | Pike Valley | 253.5 | 12,459,075 | 49,148 |
| D0376 | Rice | Sterling | 523.6 | 22,430,149 | 42,838 |
| D0401 | Rice | Chase | 140.5 | 20,723,633 | 147,499 |
| D0405 | Rice | Lyons | 737.1 | 33,210,688 | 45,056 |
| D0444 | Rice | Little River | 299.3 | 29,228,077 | 97,655 |
| D0378 | Riley | Riley County | 646.3 | 33,890,463 | 52,438 |
| D0383 | Riley | Manhattan | 5,840.7 | 515,950,924 | 88,337 |
| D0384 | Riley | Blue Valley | 198.9 | 16,223,074 | 81,564 |
| D0269 | Rooks | Palco | 164.0 | 46,847,053 | 285,653 |
| D0270 | Rooks | Plainville | 381.9 | 61,293,474 | 160,496 |
| D0271 | Rooks | Stockton | 297.1 | 30,203,303 | 101,660 |
| D0395 | Rush | LaCrosse | 299.5 | 23,700,496 | 79,134 |
| D0403 | Rush | Otis-Bison | 171.3 | 18,443,477 | 107,668 |
| D0399 | Russell | Paradise | 125.6 | 32,196,592 | 256,342 |
| D0407 | Russell | Russell | 923.2 | 80,180,476 | 86,851 |
| D0305 | Saline | Salina | 6,959.3 | 429,972,511 | 61,784 |
| D0306 | Saline | Southeast of Saline | 679.6 | 60,507,478 | 89,034 |
| D0307 | Saline | Ell-Saline | 451.0 | 19,360,239 | 42,927 |
| D0466 | Scott | Scott County | 855.9 | 84,428,534 | 98,643 |
| D0259 | Sedgwick | Wichita | 45,579.7 | 2,678,032,418 | 58,755 |
| D0260 | Sedgwick | Derby | 6,262.3 | 357,299,259 | 57,056 |
| D0261 | Sedgwick | Haysville | 4,647.8 | 130,821,231 | 28,147 |
| D0262 | Sedgwick | Valley Center | 2,523.3 | 105,319,209 | 41,739 |
| D0263 | Sedgwick | Mulvane | 1,817.0 | 59,716,091 | 32,865 |
| D0264 | Sedgwick | Clearwater | 1,280.7 | 58,014,386 | 45,299 |
| D0265 | Sedgwick | Goddard | 4,809.8 | 213,695,143 | 44,429 |
| D0266 | Sedgwick | Maize | 6,327.9 | 324,682,591 | 51,310 |
| D0267 | Sedgwick | Renwick | 1,927.8 | 92,966,485 | 48,224 |
| D0268 | Sedgwick | Cheney | 777.3 | 31,309,726 | 40,280 |

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| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0480 | Seward | Liberal | 4,257.7 | 195,985,413 | 46,031 |
| D0483 | Seward | Kismet-Plains | 714.5 | 91,643,594 | 128,263 |
| D0345 | Shawnee | Seaman | 3,467.7 | 214,752,364 | 61,929 |
| D0372 | Shawnee | Silver Lake | 716.4 | 28,049,716 | 39,154 |
| D0437 | Shawnee | Auburn Washburn | 5,356.4 | 443,141,054 | 82,731 |
| D0450 | Shawnee | Shawnee Heights | 3,362.4 | 172,936,491 | 51,432 |
| D0501 | Shawnee | Topeka | 12,903.4 | 633,891,888 | 49,126 |
| D0412 | Sheridan | Hoxie | 292.9 | 30,505,560 | 104,150 |
| D0352 | Sherman | Goodland | 906.4 | 63,371,234 | 69,915 |
| D0237 | Smith | Smith Center | 446.0 | 24,609,320 | 55,178 |
| D0349 | Stafford | Stafford | 266.7 | 17,531,867 | 65,736 |
| D0350 | Stafford | St. John-Hudson | 362.7 | 38,507,752 | 106,170 |
| D0351 | Stafford | Macksville | 301.9 | 37,258,837 | 123,414 |
| D0452 | Stanton | Stanton County | 423.2 | 107,270,357 | 253,474 |
| D0209 | Stevens | Moscow | 208.7 | 98,252,917 | 470,785 |
| D0210 | Stevens | Hugoton | 947.7 | 320,972,644 | 338,686 |
| D0353 | Sumner | Wellington | 1,642.9 | 64,772,729 | 39,426 |
| D0356 | Sumner | Conway Springs | 528.4 | 19,326,685 | 36,576 |
| D0357 | Sumner | Belle Plaine | 691.3 | 19,817,706 | 28,667 |
| D0358 | Sumner | Oxford | 340.6 | 16,904,319 | 49,631 |
| D0359 | Sumner | Argonia | 186.5 | 13,052,011 | 69,984 |
| D0360 | Sumner | Caldwell | 221.0 | 14,263,693 | 64,542 |
| D0509 | Sumner | South Haven | 225.5 | 9,760,844 | 43,285 |
| D0314 | Thomas | Brewster | 91.5 | 10,126,143 | 110,668 |
| D0315 | Thomas | Colby | 926.4 | 58,082,573 | 62,697 |
| D0316 | Thomas | Golden Plains | 189.4 | 9,203,014 | 48,590 |
| D0208 | Trego | WaKeeney | 443.0 | 38,443,798 | 86,781 |
| D0329 | Wabaunsee | Alma | 463.1 | 34,983,708 | 75,542 |
| D0330 | Wabaunsee | Wabaunsee East | 475.0 | 31,229,446 | 65,746 |
| D0241 | Wallace | Wallace | 193.5 | 18,978,708 | 98,081 |
| D0242 | Wallace | Weskan | 98.0 | 7,110,667 | 72,558 |
| D0108 | Washington | Washington Co. Schools | 400.5 | 26,508,014 | 66,187 |
| D0223 | Washington | Barnes | 336.6 | 24,782,445 | 73,626 |
| D0224 | Washington | Clifton-Clyde | 292.5 | 22,842,066 | 78,093 |
| D0467 | Wichita | Leoti | 426.1 | 29,191,010 | 68,507 |
| D0387 | Wilson | Altoona-Midway | 179.5 | 25,879,188 | 144,174 |
| D0461 | Wilson | Neodesha | 716.4 | 31,427,795 | 43,869 |
| D0484 | Wilson | Fredonia | 744.1 | 44,223,961 | 59,433 |
| D0366 | Woodson | Woodson | 399.0 | 24,682,832 | 61,862 |
| D0202 | Wyandotte | Turner | 3,853.7 | 156,616,403 | 40,641 |
| D0203 | Wyandotte | Piper | 1,581.5 | 189,557,527 | 119,859 |
| D0204 | Wyandotte | Bonner Springs | 2,279.6 | 152,221,661 | 66,776 |
| D0500 | Wyandotte | Kansas City | 18,427.1 | 797,451,227 | 43,276 |
| TOTALS | | | 447,705.6 | 30,871,915,236 | 68,956 |

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| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0207 | Leavenworth | Ft. Leavenworth | 1,859.4 | 2,346,014 | 1,262 |
| D0499 | Cherokee | Galena | 728.0 | 13,467,183 | 18,499 |
| D0504 | Labette | Oswego | 473.6 | 11,083,685 | 23,403 |
| D0505 | Labette | Chetopa - St. Paul | 502.4 | 13,190,228 | 26,254 |
| D0439 | Harvey | Sedgwick | 532.0 | 14,103,913 | 26,511 |
| D0475 | Geary | Junction City | 7,242.9 | 198,921,573 | 27,464 |
| D0508 | Cherokee | Baxter Springs | 926.5 | 25,763,982 | 27,808 |
| D0337 | Jackson | Mayetta | 912.8 | 25,547,827 | 27,988 |
| D0261 | Sedgwick | Haysville | 4,647.8 | 130,821,231 | 28,147 |
| D0447 | Montgomery | Cherryvale | 878.2 | 24,734,124 | 28,165 |
| D0249 | Crawford | Frontenac | 827.5 | 23,597,467 | 28,517 |
| D0357 | Sumner | Belle Plaine | 691.3 | 19,817,706 | 28,667 |
| D0470 | Cowley | Arkansas City | 2,709.3 | 80,113,899 | 29,570 |
| D0246 | Crawford | Northeast | 527.5 | 16,291,094 | 30,884 |
| D0506 | Labette | Labette County | 1,580.6 | 49,708,026 | 31,449 |
| D0396 | Butler | Douglass | 776.5 | 24,487,942 | 31,536 |
| D0339 | Jefferson | Jefferson County | 488.0 | 15,519,055 | 31,801 |
| D0235 | Bourbon | Uniontown | 433.4 | 13,850,992 | 31,959 |
| D0430 | Brown | Brown County | 635.5 | 20,324,947 | 31,983 |
| D0443 | Ford | Dodge City | 5,550.7 | 179,966,575 | 32,422 |
| D0263 | Sedgwick | Mulvane | 1,817.0 | 59,716,091 | 32,865 |
| D0394 | Butler | Rose Hill | 1,660.4 | 56,029,302 | 33,744 |
| D0248 | Crawford | Girard | 996.5 | 34,504,810 | 34,626 |
| D0404 | Cherokee | Riverton | 827.5 | 28,954,882 | 34,991 |
| D0454 | Osage | Burlingame | 329.3 | 11,547,999 | 35,068 |
| D0487 | Dickinson | Herington | 516.4 | 18,391,205 | 35,614 |
| D0462 | Cowley | Central | 336.5 | 12,121,155 | 36,021 |
| D0413 | Neosho | Chanute | 1,773.0 | 64,017,456 | 36,107 |
| D0338 | Jefferson | Valley Falls | 409.3 | 14,792,156 | 36,140 |
| D0211 | Norton | Norton | 684.0 | 24,747,155 | 36,180 |
| D0471 | Cowley | Dexter | 173.0 | 6,302,531 | 36,431 |
| D0356 | Sumner | Conway Springs | 528.4 | 19,326,685 | 36,576 |
| D0257 | Allen | Iola | 1,392.5 | 51,049,901 | 36,661 |
| D0402 | Butler | Augusta | 2,141.1 | 78,847,666 | 36,826 |
| D0247 | Crawford | Cherokee | 706.5 | 26,678,835 | 37,762 |
| D0336 | Jackson | Holton | 1,052.3 | 40,274,496 | 38,273 |
| D0344 | Linn | Pleasanton | 359.0 | 13,855,849 | 38,596 |
| D0463 | Cowley | Udall | 391.2 | 15,133,880 | 38,686 |
| D0436 | Montgomery | Caney | 807.0 | 31,508,992 | 39,045 |
| D0372 | Shawnee | Silver Lake | 716.4 | 28,049,716 | 39,154 |
| D0353 | Sumner | Wellington | 1,642.9 | 64,772,729 | 39,426 |
| D0503 | Labette | Parsons | 1,343.4 | 53,306,369 | 39,680 |
| D0234 | Bourbon | Ft. Scott | 1,947.5 | 77,395,135 | 39,741 |
| D0367 | Miami | Osawatomie | 1,121.0 | 45,148,557 | 40,275 |
| D0268 | Sedgwick | Cheney | 777.3 | 31,309,726 | 40,280 |
| D0465 | Cowley | Winfield | 2,430.7 | 98,102,834 | 40,360 |
| D0202 | Wyandotte | Turner | 3,853.7 | 156,616,403 | 40,641 |
| D0486 | Doniphan | Elwood | 309.9 | 12,604,169 | 40,672 |
| D0335 | Jackson | North Jackson | 360.0 | 14,750,420 | 40,973 |
| D0491 | Douglas | Eudora | 1,396.3 | 57,259,533 | 41,008 |
| D0253 | Lyon | Emporia | 4,307.1 | 177,360,704 | 41,179 |
| D0340 | Jefferson | Jefferson West | 916.0 | 37,841,336 | 41,312 |
| D0434 | Osage | Santa Fe | 1,115.2 | 46,071,685 | 41,312 |
| D0262 | Sedgwick | Valley Center | 2,523.3 | 105,319,209 | 41,739 |
| D0325 | Phillips | Phillipsburg | 655.0 | 27,392,276 | 41,820 |
| D0420 | Osage | Osage City | 644.1 | 27,041,333 | 41,983 |
| D0288 | Franklin | Central Heights | 543.0 | 22,858,041 | 42,096 |
| D0380 | Marshall | Vermillion | 525.0 | 22,278,327 | 42,435 |
| D0373 | Harvey | Newton | 3,383.4 | 144,353,437 | 42,665 |
| D0376 | Rice | Sterling | 523.6 | 22,430,149 | 42,838 |
| D0307 | Saline | Ell-Saline | 451.0 | 19,360,239 | 42,927 |
| D0440 | Harvey | Halstead | 789.6 | 34,024,179 | 43,090 |
| D0500 | Wyandotte | Kansas City | 18,427.1 | 797,451,227 | 43,276 |

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| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0509 | Sumner | South Haven | 225.5 | 9,760,844 | 43,285 |
| D0498 | Marshall | Valley Heights | 363.0 | 15,730,926 | 43,336 |
| D0333 | Cloud | Concordia | 1,062.1 | 46,322,518 | 43,614 |
| D0461 | Wilson | Neodesha | 716.4 | 31,427,795 | 43,869 |
| D0308 | Reno | Hutchinson | 4,542.4 | 200,389,873 | 44,115 |
| D0460 | Harvey | Hesston | 820.0 | 36,229,000 | 44,182 |
| D0406 | Doniphan | Wathena | 401.0 | 17,751,811 | 44,269 |
| D0265 | Sedgwick | Goddard | 4,809.8 | 213,695,143 | 44,429 |
| D0240 | Ottawa | Twin Valley | 610.5 | 27,219,014 | 44,585 |
| D0405 | Rice | Lyons | 737.1 | 33,210,688 | 45,056 |
| D0264 | Sedgwick | Clearwater | 1,280.7 | 58,014,386 | 45,299 |
| D0256 | Allen | Marmaton Valley | 321.0 | 14,558,636 | 45,354 |
| D0243 | Coffey | Lebo-Waverly | 547.0 | 24,830,420 | 45,394 |
| D0323 | Pottawatomie | Westmoreland | 813.7 | 37,395,558 | 45,957 |
| D0469 | Leavenworth | Lansing | 2,402.8 | 110,521,452 | 45,997 |
| D0480 | Seward | Liberal | 4,257.7 | 195,985,413 | 46,031 |
| D0429 | Doniphan | Troy | 337.5 | 15,542,083 | 46,051 |
| D0212 | Norton | Northern Valley | 206.5 | 9,632,895 | 46,648 |
| D0457 | Finney | Garden City | 6,751.5 | 316,978,739 | 46,949 |
| D0449 | Leavenworth | Easton | 671.1 | 31,552,237 | 47,016 |
| D0428 | Barton | Great Bend | 2,972.8 | 139,803,463 | 47,028 |
| D0381 | Ford | Spearville | 352.0 | 16,558,466 | 47,041 |
| D0441 | Nemaha | Sabetha | 935.5 | 44,397,264 | 47,458 |
| D0389 | Greenwood | Eureka | 598.5 | 28,452,279 | 47,539 |
| D0408 | Marion | Marion | 597.8 | 28,512,625 | 47,696 |
| D0411 | Marion | Goessel | 245.3 | 11,756,284 | 47,926 |
| D0421 | Osage | Lyndon | 432.0 | 20,773,718 | 48,087 |
| D0267 | Sedgwick | Renwick | 1,927.8 | 92,966,485 | 48,224 |
| D0316 | Thomas | Golden Plains | 189.4 | 9,203,014 | 48,590 |
| D0501 | Shawnee | Topeka | 12,903.4 | 633,891,888 | 49,126 |
| D0426 | Republic | Pike Valley | 253.5 | 12,459,075 | 49,148 |
| D0358 | Sumner | Oxford | 340.6 | 16,904,319 | 49,631 |
| D0379 | Clay | Clay Center | 1,358.4 | 67,530,850 | 49,714 |
| D0290 | Franklin | Ottawa | 2,411.9 | 119,905,545 | 49,714 |
| D0493 | Cherokee | Columbus | 1,152.6 | 57,475,085 | 49,866 |
| D0341 | Jefferson | Oskaloosa | 523.6 | 26,158,734 | 49,959 |
| D0286 | Chautauqua | Chautauqua | 364.0 | 18,382,905 | 50,502 |
| D0327 | Ellsworth | Ellsworth | 639.6 | 32,370,848 | 50,611 |
| D0464 | Leavenworth | Tonganoxie | 1,772.4 | 90,035,909 | 50,799 |
| D0409 | Atchison | Atchison | 1,580.0 | 80,448,766 | 50,917 |
| D0392 | Osborne | Osborne | 335.3 | 17,088,341 | 50,964 |
| D0435 | Dickinson | Abilene | 1,495.5 | 76,288,858 | 51,012 |
| D0205 | Butler | Bluestem | 582.9 | 29,745,029 | 51,029 |
| D0258 | Allen | Humboldt | 493.0 | 25,172,670 | 51,060 |
| D0453 | Leavenworth | Leavenworth | 3,857.2 | 197,188,750 | 51,122 |
| D0266 | Sedgwick | Maize | 6,327.9 | 324,682,591 | 51,310 |
| D0102 | Gray | Cimarron-Ensign | 650.0 | 33,421,511 | 51,418 |
| D0450 | Shawnee | Shawnee Heights | 3,362.4 | 172,936,491 | 51,432 |
| D0495 | Pawnee | Ft. Larned | 862.0 | 44,742,507 | 51,905 |
| D0492 | Butler | Flinthills | 294.8 | 15,388,866 | 52,201 |
| D0239 | Ottawa | North Ottawa Co. | 602.9 | 31,520,880 | 52,282 |
| D0378 | Riley | Riley County | 646.3 | 33,890,463 | 52,438 |
| D0393 | Dickinson | Solomon | 389.6 | 20,649,222 | 53,001 |
| D0400 | McPherson | Smoky Valley | 1,016.4 | 53,930,955 | 53,061 |
| D0285 | Chautauqua | Cedar Vale | 139.5 | 7,445,268 | 53,371 |
| D0320 | Pottawatomie | Wamego | 1,292.0 | 69,092,270 | 53,477 |
| D0410 | Marion | Durham-Hills | 590.8 | 31,776,498 | 53,786 |
| D0365 | Anderson | Garnett | 1,107.2 | 59,718,201 | 53,936 |
| D0289 | Franklin | Wellsville | 836.0 | 45,154,145 | 54,012 |
| D0385 | Butler | Andover | 4,538.3 | 245,610,131 | 54,119 |
| D0282 | Elk | West Elk | 355.2 | 19,470,188 | 54,815 |
| D0348 | Douglas | Baldwin City | 1,359.4 | 74,516,190 | 54,815 |
| D0346 | Linn | Jayhawk | 525.9 | 28,856,249 | 54,870 |

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| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0287 | Franklin | West Franklin | 699.0 | 38,368,131 | 54,890 |
| D0446 | Montgomery | Independence | 1,832.0 | 100,626,942 | 54,927 |
| D0481 | Dickinson | Rural Vista | 416.0 | 22,901,252 | 55,051 |
| D0322 | Pottawatomie | Onaga | 317.5 | 17,491,273 | 55,091 |
| D0237 | Smith | Smith Center | 446.0 | 24,609,320 | 55,178 |
| D0309 | Reno | Nickerson | 1,139.4 | 62,945,389 | 55,244 |
| D0456 | Osage | Marais Des Cygnes | 267.0 | 14,800,610 | 55,433 |
| D0273 | Mitchell | Beloit | 713.9 | 39,627,990 | 55,509 |
| D0425 | Doniphan | Highland | 220.5 | 12,280,210 | 55,693 |
| D0311 | Reno | Pretty Prairie | 269.4 | 15,016,778 | 55,742 |
| D0313 | Reno | Buhler | 2,145.5 | 120,159,461 | 56,005 |
| D0342 | Jefferson | McLouth | 516.7 | 29,045,763 | 56,214 |
| D0251 | Lyon | North Lyon Co. | 513.0 | 28,880,176 | 56,297 |
| D0377 | Atchison | Atchison County | 683.6 | 38,790,659 | 56,745 |
| D0250 | Crawford | Pittsburg | 2,638.1 | 150,219,482 | 56,942 |
| D0260 | Sedgwick | Derby | 6,262.3 | 357,299,259 | 57,056 |
| D0312 | Reno | Haven | 992.5 | 57,123,761 | 57,555 |
| D0230 | Johnson | Spring Hill | 2,224.7 | 128,811,934 | 57,901 |
| D0448 | McPherson | Inman | 445.3 | 25,938,287 | 58,249 |
| D0259 | Sedgwick | Wichita | 45,579.7 | 2,678,032,418 | 58,755 |
| D0231 | Johnson | Gardner-Edgerton | 4,332.4 | 254,747,365 | 58,801 |
| D0458 | Leavenworth | Basehor-Linwood | 2,139.1 | 125,937,990 | 58,874 |
| D0386 | Greenwood | Madison-Virgil | 226.5 | 13,417,242 | 59,237 |
| D0272 | Mitchell | Waconda | 357.4 | 21,218,690 | 59,370 |
| D0484 | Wilson | Fredonia | 744.1 | 44,223,961 | 59,433 |
| D0343 | Jefferson | Perry | 929.2 | 55,888,568 | 60,147 |
| D0305 | Saline | Salina | 6,959.3 | 429,972,511 | 61,784 |
| D0473 | Dickinson | Chapman | 973.0 | 60,139,892 | 61,809 |
| D0366 | Woodson | Woodson | 399.0 | 24,682,832 | 61,862 |
| D0345 | Shawnee | Seaman | 3,467.7 | 214,752,364 | 61,929 |
| D0315 | Thomas | Colby | 926.4 | 58,082,573 | 62,697 |
| D0361 | Harper | Anthony-Harper | 818.2 | 51,355,764 | 62,767 |
| D0110 | Phillips | Thunder Ridge | 235.0 | 14,875,494 | 63,300 |
| D0382 | Pratt | Pratt | 1,089.4 | 68,959,430 | 63,300 |
| D0479 | Anderson | Crest | 221.0 | 14,077,432 | 63,699 |
| D0451 | Nemaha | B & B | 192.5 | 12,292,030 | 63,855 |
| D0360 | Sumner | Caldwell | 221.0 | 14,263,693 | 64,542 |
| D0283 | Elk | Elk Valley | 185.0 | 12,100,292 | 65,407 |
| D0232 | Johnson | DeSoto | 6,070.0 | 397,390,671 | 65,468 |
| D0349 | Stafford | Stafford | 266.7 | 17,531,867 | 65,736 |
| D0330 | Wabaunsee | Wabaunsee East | 475.0 | 31,229,446 | 65,746 |
| D0368 | Miami | Paola | 2,027.9 | 133,424,390 | 65,794 |
| D0252 | Lyon | Southern Lyon Co. | 511.3 | 33,751,867 | 66,012 |
| D0398 | Marion | Peabody-Burns | 335.0 | 22,142,301 | 66,096 |
| D0108 | Washington | Washington Co. Schools | 400.5 | 26,508,014 | 66,187 |
| D0204 | Wyandotte | Bonner Springs | 2,279.6 | 152,221,661 | 66,776 |
| D0206 | Butler | Remington-Whitewater | 511.8 | 34,565,657 | 67,537 |
| D0431 | Barton | Hoisington | 607.5 | 41,330,320 | 68,033 |
| D0467 | Wichita | Leoti | 426.1 | 29,191,010 | 68,507 |
| D0352 | Sherman | Goodland | 906.4 | 63,371,234 | 69,915 |
| D0371 | Gray | Montezuma | 214.9 | 15,038,231 | 69,978 |
| D0359 | Sumner | Argonia | 186.5 | 13,052,011 | 69,984 |
| D0331 | Kingman | Kingman | 1,033.3 | 73,261,333 | 70,900 |
| D0298 | Lincoln | Lincoln | 337.0 | 24,017,270 | 71,268 |
| D0369 | Harvey | Burrton | 244.7 | 17,532,716 | 71,650 |
| D0417 | Morris | Morris County | 764.4 | 55,045,144 | 72,011 |
| D0242 | Wallace | Weskan | 98.0 | 7,110,667 | 72,558 |
| D0109 | Republic | Republic County | 480.0 | 34,974,258 | 72,863 |
| D0496 | Pawnee | Pawnee Heights | 147.1 | 10,789,979 | 73,351 |
| D0416 | Miami | Louisburg | 1,644.7 | 121,003,653 | 73,572 |
| D0223 | Washington | Barnes | 336.6 | 24,782,445 | 73,626 |
| D0418 | McPherson | McPherson | 2,259.8 | 167,163,479 | 73,973 |
| D0488 | Marshall | Axtell | 296.7 | 22,061,915 | 74,358 |

| | | | | | |
|-------------------------|-------------|---------------------|-----------------|---------------|-----------|
| 5/12/2009 | | | | | |
| updated USD 382 6/24/09 | | | | | |
| | | | 2008-09 Audited | 2008-09 | 2008-09 |
| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0442 | Nemaha | Nemaha Valley | 439.0 | 32,688,009 | 74,460 |
| D0233 | Johnson | Olathe | 25,190.1 | 1,879,157,332 | 74,599 |
| D0329 | Wabaunsee | Alma | 463.1 | 34,983,708 | 75,542 |
| D0419 | McPherson | Canton-Galva | 367.8 | 28,024,572 | 76,195 |
| D0477 | Gray | Ingalls | 228.5 | 17,494,580 | 76,563 |
| D0390 | Greenwood | Hamilton | 99.5 | 7,642,018 | 76,804 |
| D0293 | Gove | Quinter | 261.0 | 20,106,518 | 77,036 |
| D0105 | Rawlins | Rawlins County | 317.5 | 24,468,897 | 77,067 |
| D0415 | Brown | Hiawatha | 841.8 | 65,142,895 | 77,385 |
| D0355 | Barton | Ellinwood | 425.7 | 32,960,519 | 77,427 |
| D0224 | Washington | Clifton-Clyde | 292.5 | 22,842,066 | 78,093 |
| D0219 | Clark | Minneola | 271.0 | 21,279,706 | 78,523 |
| D0334 | Cloud | Southern Cloud | 231.5 | 18,279,972 | 78,963 |
| D0364 | Marshall | Marysville | 740.0 | 58,495,659 | 79,048 |
| D0395 | Rush | LaCrosse | 299.5 | 23,700,496 | 79,134 |
| D0438 | Pratt | Skyline | 358.0 | 28,450,381 | 79,470 |
| D0245 | Coffey | LeRoy-Gridley | 259.5 | 20,801,458 | 80,160 |
| D0397 | Marion | Centre | 229.2 | 18,441,865 | 80,462 |
| D0384 | Riley | Blue Valley | 198.9 | 16,223,074 | 81,564 |
| D0437 | Shawnee | Auburn Washburn | 5,356.4 | 443,141,054 | 82,731 |
| D0225 | Meade | Fowler | 162.0 | 13,472,701 | 83,165 |
| D0101 | Neosho | Erie | 547.3 | 45,584,337 | 83,289 |
| D0107 | Jewell | Rock Hills | 265.0 | 22,927,301 | 86,518 |
| D0208 | Trego | WaKeeney | 443.0 | 38,443,798 | 86,781 |
| D0407 | Russell | Russell | 923.2 | 80,180,476 | 86,851 |
| D0383 | Riley | Manhattan | 5,840.7 | 515,950,924 | 88,337 |
| D0489 | Ellis | Hays | 2,758.2 | 244,246,454 | 88,553 |
| D0490 | Butler | El Dorado | 1,992.9 | 177,260,687 | 88,946 |
| D0306 | Saline | Southeast of Saline | 679.6 | 60,507,478 | 89,034 |
| D0326 | Phillips | Logan | 167.5 | 15,172,705 | 90,583 |
| D0299 | Lincoln | Sylvan Grove | 144.6 | 13,280,141 | 91,841 |
| D0347 | Edwards | Kinsely-Offerle | 302.6 | 28,003,283 | 92,542 |
| D0497 | Douglas | Lawrence | 10,418.4 | 975,462,934 | 93,629 |
| D0423 | McPherson | Moundridge | 434.5 | 41,041,198 | 94,456 |
| D0284 | Chase | Chase County | 417.5 | 40,056,979 | 95,945 |
| D0444 | Rice | Little River | 299.3 | 29,228,077 | 97,655 |
| D0241 | Wallace | Wallace | 193.5 | 18,978,708 | 98,081 |
| D0445 | Montgomery | Coffeyville | 1,800.2 | 176,829,834 | 98,228 |
| D0227 | Hodgeman | Jetmore | 251.5 | 24,762,060 | 98,457 |
| D0375 | Butler | Circle | 1,593.8 | 156,975,677 | 98,491 |
| D0476 | Gray | Copeland | 112.5 | 11,087,127 | 98,552 |
| D0466 | Scott | Scott County | 855.9 | 84,428,534 | 98,643 |
| D0274 | Logan | Oakley | 411.7 | 40,833,361 | 99,182 |
| D0294 | Decatur | Oberlin | 366.2 | 36,803,050 | 100,500 |
| D0271 | Rooks | Stockton | 297.1 | 30,203,303 | 101,660 |
| D0412 | Sheridan | Hoxie | 292.9 | 30,505,560 | 104,150 |
| D0297 | Cheyenne | St. Francis | 297.5 | 31,052,135 | 104,377 |
| D0350 | Stafford | St. John-Hudson | 362.7 | 38,507,752 | 106,170 |
| D0403 | Rush | Otis-Bison | 171.3 | 18,443,477 | 107,668 |
| D0310 | Reno | Fairfield | 303.7 | 32,757,756 | 107,862 |
| D0279 | Jewell | Jewell | 90.5 | 9,921,624 | 109,631 |
| D0314 | Thomas | Brewster | 91.5 | 10,126,143 | 110,668 |
| D0459 | Ford | Bucklin | 232.9 | 25,913,725 | 111,265 |
| D0292 | Gove | Wheatland | 112.5 | 12,870,786 | 114,407 |
| D0388 | Ellis | Ellis | 367.6 | 43,502,600 | 118,342 |
| D0203 | Wyandotte | Piper | 1,581.5 | 189,557,527 | 119,859 |
| D0229 | Johnson | Blue Valley | 19,939.4 | 2,391,961,375 | 119,962 |
| D0354 | Barton | Clafin | 222.1 | 26,759,083 | 120,482 |
| D0512 | Johnson | Shawnee Mission | 26,579.0 | 3,216,389,440 | 121,012 |
| D0351 | Stafford | Macksville | 301.9 | 37,258,837 | 123,414 |
| D0424 | Kiowa | Mullinville | 226.6 | 28,585,945 | 126,152 |
| D0494 | Hamilton | Syracuse | 469.5 | 59,439,772 | 126,602 |
| D0228 | Hodgeman | Hanston | 72.5 | 9,259,176 | 127,713 |

| 5/12/2009 | | | | | |
|-------------------------|--------------|------------------|-----------------|----------------|-----------|
| updated USD 382 6/24/09 | | | | | |
| | | | 2008-09 Audited | 2008-09 | 2008-09 |
| | | | FTE Enrollment | LOB | LOB Val |
| USD# | County Name | USD Name | (includes MILT) | Valuation | Per Pupil |
| D0483 | Seward | Kismet-Plains | 714.5 | 91,643,594 | 128,263 |
| D0103 | Cheyenne | Cheylin | 130.5 | 17,238,258 | 132,094 |
| D0511 | Harper | Attica | 138.5 | 18,721,712 | 135,175 |
| D0218 | Morton | Elkhart | 676.3 | 92,980,093 | 137,484 |
| D0328 | Ellsworth | Lorraine | 453.0 | 63,117,651 | 139,333 |
| D0432 | Ellis | Victoria | 257.5 | 36,252,699 | 140,787 |
| D0362 | Linn | Prairie View | 933.5 | 132,455,535 | 141,891 |
| D0387 | Wilson | Altoona-Midway | 179.5 | 25,879,188 | 144,174 |
| D0433 | Doniphan | Midway | 156.9 | 22,782,928 | 145,207 |
| D0226 | Meade | Meade | 458.9 | 66,932,397 | 145,854 |
| D0303 | Ness | Ness City | 274.5 | 40,280,767 | 146,742 |
| D0401 | Rice | Chase | 140.5 | 20,723,633 | 147,499 |
| D0422 | Kiowa | Greensburg | 210.5 | 31,457,014 | 149,439 |
| D0254 | Barber | Barber Co. | 500.5 | 74,918,158 | 149,687 |
| D0220 | Clark | Ashland | 217.2 | 32,645,434 | 150,301 |
| D0281 | Graham | Graham County | 365.6 | 56,556,574 | 154,695 |
| D0270 | Rooks | Plainville | 381.9 | 61,293,474 | 160,496 |
| D0468 | Lane | Healy | 73.5 | 11,883,632 | 161,682 |
| D0474 | Kiowa | Haviland | 139.0 | 22,743,217 | 163,620 |
| D0482 | Lane | Dighton | 253.0 | 41,819,403 | 165,294 |
| D0502 | Edwards | Lewis | 101.6 | 16,957,420 | 166,904 |
| D0300 | Comanche | Comanche County | 307.0 | 51,350,804 | 167,266 |
| D0200 | Greeley | Greeley County | 211.0 | 35,329,455 | 167,438 |
| D0275 | Logan | Triplains | 86.5 | 15,000,068 | 173,411 |
| D0255 | Barber | South Barber Co. | 220.5 | 40,739,079 | 184,758 |
| D0363 | Finney | Holcomb | 865.0 | 167,453,708 | 193,588 |
| D0321 | Pottawatomie | Kaw Valley | 1,122.0 | 226,214,636 | 201,617 |
| D0214 | Grant | Ulysses | 1,591.0 | 324,322,457 | 203,848 |
| D0291 | Gove | Grinnell | 81.5 | 17,055,666 | 209,272 |
| D0106 | Ness | Western Plains | 160.2 | 37,828,932 | 236,136 |
| D0216 | Kearny | Deerfield | 278.0 | 65,984,612 | 237,355 |
| D0374 | Haskell | Sublette | 461.4 | 110,433,932 | 239,345 |
| D0452 | Stanton | Stanton County | 423.2 | 107,270,357 | 253,474 |
| D0399 | Russell | Paradise | 125.6 | 32,196,592 | 256,342 |
| D0269 | Rooks | Palco | 164.0 | 46,847,053 | 285,653 |
| D0213 | Norton | West Solomon | 37.7 | 10,917,279 | 289,583 |
| D0215 | Kearny | Lakin | 637.0 | 204,267,503 | 320,671 |
| D0210 | Stevens | Hugoton | 947.7 | 320,972,644 | 338,686 |
| D0332 | Kingman | Cunningham | 176.5 | 65,538,140 | 371,321 |
| D0217 | Morton | Rolla | 200.0 | 83,943,107 | 419,716 |
| D0244 | Coffey | Burlington | 820.4 | 365,156,854 | 445,096 |
| D0209 | Stevens | Moscow | 208.7 | 98,252,917 | 470,785 |
| D0507 | Haskell | Satanta | 343.0 | 206,669,815 | 602,536 |
| TOTALS | | | 447,705.6 | 30,871,915,236 | 68,956 |



Division of Special Education/Support Services
Tom Racunas, Director of Categorical and Transition Services
316-973-4482; FAX: 973-4492

Alvin E Morris Administrative Center
201 N. Water - Second Floor
Wichita, Kansas 67202

**An Overview of Autism Spectrum Disorders
Presented to
Legislative Educational Planning Committee
Senator Jean Schodorf, Chairperson
October 12, 2009**

Definition: Autism is a complex developmental disability that typically appears during the first three years of life. Autism is the result of a neurological disorder that affects the functioning of the brain. Autism is manifested in three primary characteristics: communication deficits, social interaction deficits, and odd/ritualistic/repetitive behavior.

Types of Autism:

- Classic Autism
- Rett's Syndrome
- Childhood Disintegrative Disorder
- Pervasive Development Disorder—Not Otherwise Specified (Atypical Autism)
- Asperger Syndrome

Autism Spectrum Disorder (ASD): This is a term that means that the symptoms and characteristics of autism can present themselves in a wide variety of combinations, from mild to severe. Although autism is defined by a certain set of behaviors, children (and adults) can exhibit any combination of the behaviors in any degree of severity.

Incidence: According to a recent report (2009) of survey findings on children's health conducted by the U. S. Department of Health and Human Services, 1 out of every 91 children—1% of American youth—have an autism spectrum disorder. 2007 data reported 1 in every 150 children.


USD 259: According to December 1, 2008 IDEA Part B Count, 198 students ages (0-21) has a *primary* diagnosis of autism. The December 1, 2003 count was 130. This is a 35% increase in 5 years. (All other categories of disability but one has decreased over 5 years). 252 students ages 3 and 4 years old were identified as developmentally disabled on the December 1, 2008 count. These students are served through contracted community agency services. Based on the incidence rate, we would expect about 20 of these children to have an autism diagnosis by age 6. USD 259 has 10 elementary classrooms (Pre-K through 5), 3 middle school classrooms, and 2 high school classrooms for students with severe autism. We will need to add, at least, two middle and one high school classroom in 2010-2011 and up to 7 new classrooms over the next four years.

Services: First, the diagnosis of an autism spectrum disorder can be reliably made at increasingly younger ages (even the first year of life). Early intervention services are a vital part of the often lifelong attempt to decrease the functional impact of ASD. Services from birth to age 21 must emphasize appropriate instructional methodologies that can address the unique topography of each child. It is imperative that language therapy, occupational therapy, physical therapy, adaptive physical education, speech therapy, augmentative and assistive technology, parent training and support and transportation services are dynamic components of a comprehensive and intensive program delivered in a collaborative and integrated milieu.

LEPC
10-12-09
Attachment 7

Kansas Instructional Support Network (KISN)

SARAH HOFFMEIER, MSW
FAMILY SERVICE AND TRAINING COORDINATOR
WWW.KANSASASD.COM



Overview of KISN

- **Kansas State Department of Education (KSDE)**
 - **KSTARS**
 - Kansas Statewide Technical Assistance Resource System
 - One of multiple KSDE interventions intended to build the capacity of local districts, support evidence-based research practices and create self-sustaining efforts at the district and building levels for support to students with disabilities and their families

KISN

- **Kansas Instructional Support Network (KISN)**
 - Formerly known as Neurological Disabilities Support Project (NDSP)
 - **Mission**
 - To assist Kansas school districts in building local capacity to serve students with autism through results based on professional development and technical assistance

Who is our Target Population?

- **Children Birth to 21 years of age who are on or show characteristics of an autism spectrum disorder**
- **Professionals**
 - Birth-Three Programs (Tiny-K)
 - School District Teachers and Professionals
 - Administrators
 - Related Service Providers
 - Mental Health Providers
- **Families**

*LEPC
10-12-09
Attachment 8*

KISN Services

- Professional Development Trainings:
 - Autism Interdisciplinary Teams (AIT)
 - Autism Diagnostic Teams (ADT)
 - Transition Assessment
 - Transition Planning
 - Evidence-Based Practices
- On-Site Technical Assistance
- Intensive Support Teams
- Mentoring
- On-going collaboration among national and statewide leaders in the field of autism

KISN Services for Children Ages 0-3

- Professional Development Trainings:
 - Autism Diagnostic Team (ADT)
 - History
 - Collaborative Statewide Partners:
 - Parents and families
 - The University of Kansas Medical Center's Center for Child Health and Development (CCHD)
 - Kansas Department of Health and Environment (KDHE)
 - Kansas Inservice Training System (KITS)
 - Dr. Valarie Kerschen, Wesley Medical Center, Wichita, KS
 - Association of Community Health Centers of Kansas
 - Local Education Agencies (LEA)
 - Part C teams trained and serve 51 out of 105 counties statewide

KISN Services for Children Ages 0-3

- Professional Development Trainings:
 - Upcoming Training Series
 - Collaboration among the Kansas Department of Health and Environment and the Part C networks
 - Preliminary plans have been made to provide training and support on evidence-based practices to providers within the Part C networks
 - Utilizing Kansas ITV Network in an effort to provide training in an economical manner

Contact Information

• Sarah Hoffmeier
University of Kansas Medical Center
Mail Stop 3055
3901 Rainbow Blvd.
Kansas City, KS 66160
913-588-5943
www.kansasasd.com

kits

Kansas Inservice Training System

University of Kansas
Life Span Institute at Parsons

kits

What is KITS?

- This project is designed to meet the need for professional development and technical assistance for early intervention and early childhood special education professionals, paraprofessionals, related services professionals and parents.
- The framework supporting this system is composed of collaboration /linkages, information services, training, and technical assistance.
- Professional development is addressed at three levels of training - Proactive/General Issues Staff Development, Focused Staff Development, and Intensive Staff Development.

kits

Goals

- Sustain collaborative partnerships between State Agencies, Institutions of Higher Education, Local Education Agencies, and Professional Organizations working in the area of early childhood.
- Develop and disseminate evidence and research-based materials.
- Increase the knowledge, skills, and capacity of individuals and/or organizations across the state through results-based training and technical assistance.
- Contribute to the development of state level guidance documents, processes, and training materials.

kits

System Components

- ◆ Collaboration/Linkages
- ◆ Information Services
- ◆ Training
- ◆ Technical Assistance

kits

KITS Model

KITS Professional Development Model

kits

Collaboration/Linkages

- ◆ Collaboration with State Organizations
- ◆ Involved in Providing Training Central to Early Childhood Services
- ◆ Co-Sponsor Training Events
- ◆ Collaboration with other State Agency Programs Central to Early Childhood Services
- ◆ Co-Sponsor Conferences

LEPC
10-12-09
Attachment 9

Information Services kifs

- Web Site - [kskits.org](http://www.kskits.org)
- List Services- register at: kskits.org/html/listserv/listservices
- eUpdate - <http://www.kskits.org/listserv/kitseUpdate.shtml>
- Online Collaborative Training Calendar - kskits.org/ktc
- Early Childhood Resource Center - kskits.org/ecrc
- ECO Resources - kskits.org/html/eco/outcomes.html
- Best Practices Community Profiles - kskits.org/html/bestpractice/ep.html
- Quarterly Newsletter - www.kskits.org/newsletter/newsletter.html
- TA Packets- kskits.org/html/ta/packets

KITS Web Site: www.kskits.org kifs

List Services kifs

KITS List Services

How can you quickly inform your colleagues about job openings, special events and professional development opportunities? KITS List Services have several hundred Preschool and Infant/Toddler newsletters from a wide variety of providers. There is no better way to quickly reach the early childhood special education community in Kansas than through the KITS list services.

All members have the opportunity to submit information they find pertinent to the lists. This is a moderated list, which helps keep members informed while keeping the amount of clutter being your e-mail box to a minimum.

Join the Infant/Toddler Network List Serv
Join the Preschool Program List Serv

For technical information about joining the list services, contact:


Helen Givens
hgivens@ku.edu

Infant/Toddler Network
Preschool Programs
See website

Collaborative Calendar kifs

Early Childhood Resource Center kifs

Searchable Catalog kifs

KS Early Learning Document 

Kansas Inservice Training System (KITS)

Home

Links to Resources

Technical Assistance

Publications


Training and Calendar

ECRC

About Us

Let Services

Kansas Early Learning Document

TA Packets 

Kansas Inservice Training System (KITS)

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Training and Calendar

ECRC


About Us

Let Services


What is Technical Assistance?

TA Packets 


- ◆ Are They Ready for Kindergarten? The Pros and Cons of Redshirting Young Children
- ◆ Asking the Right Questions, Getting the Right Answers: Evaluating Young Children for Special Education
- ◆ Brain Research in Early Childhood: A Primer for Caregivers and Administrators
- ◆ Creating Meaningful and Measurable Early Childhood IEP Goals and Objectives

TA Packets 


- ◆ Developing Local Planning Councils
- ◆ Enhancing Family Participation in the IFSP/IEP Process
- ◆ Positive Behavior Support in Early Childhood Settings
- ◆ Serving Children Prenatally Exposed to Substances
- ◆ Supporting Curriculum through Assessment
- ◆ Transition: From Part C to Part B

TA Packets 

- ◆ Environmental Supports for Positive Behavior Management
- ◆ Establishing Effective Early Childhood Teams
- ◆ Family Service Coordination
- ◆ Functional Behavioral Assessment
- ◆ Literacy and Young Children
- ◆ Part C Eligibility and Data Based Assessment Decisions

TA Packets 


- ◆ What Do You Do When You Get There? Providing Itinerant Services in Inclusive Settings
- ◆ Writing Family-Guided IFSP Outcomes
- ◆ Developmentally Appropriate Practices Using Primary Service Providers and Coaching in Early Intervention Programs
- ◆ Physicians, Health Care Providers and Early Intervention
- ◆ The Role of Curriculum in Early Childhood Special Education

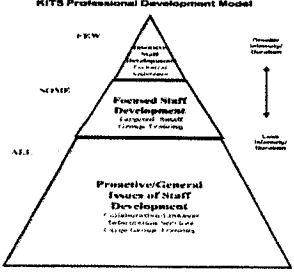
2009 TA Packets 

- ◆ Talking With Parents About Autism Spectrum Disorders
- ◆ Transition: From Part C to Part B Services
- ◆ Progress Monitoring: Another Link in the Chain

Coming Soon... 

Virtual Kits 

KITS Model 




KITS Professional Development Model

PKW
Advanced Professional Development
Specialized Training


SCMIE
Focused Staff Development
Targeted Training

ALL
Proactive/General Issues of Staff Development
General Training

Cross-Component Collaboration


Training 

- ◆ Summer Institute
- ◆ Statewide Workshops
- ◆ Regional Workshops
- ◆ Collaboration with Professional Conferences
- ◆ Head Start/Early Head Start Collaboration Conference
- ◆ KSDE Conferences

KITS Summer Institute 

Recent Topics in Evidence-based Practices:

- ◆ 2009: Effective Collaboration with Families
- ◆ 2008: Children with Autism Spectrum Disorders (ASD)
- ◆ 2007: Collaborative Transitions From Birth Through Kindergarten
- ◆ 2006: Supporting Social Emotional Development in Young Children
- ◆ 2005: Curriculum as the Basis for Quality IEPs/IFSPs

Recent Training for Part C 

- ◆ Part C Coordinators Quarterly Meetings
- ◆ Part C Quarterly Regional Meetings
- ◆ Administering, Scoring, and Interpreting the Autism Diagnostic Observation Schedule (ADOS) with KISN Project
- ◆ Part C Procedural Manual Updates
- ◆ Intervention in Natural Environments

Recent Training for Part C

- ◆ Evidence Based Practices in Early Intervention/Teaming
- ◆ Family Service Coordination
- ◆ Home Visiting
- ◆ Using Curriculum Based Assessments
- ◆ Developing IFSPs
- ◆ Talking With Parents About Autism

Recent Training for Part B

- ◆ How to Use KS Early Learning Document (KSELD) Standards: Curriculum Alignment
- ◆ Early Childhood Outcomes (ECO): Don't Forget the Lyrics
- ◆ Using Curriculum Based Assessment to Improve Our Practices
- ◆ Talking with Parents About Autism

Recent Training for Part B

- ◆ Effective Instructional Practices for Children with ASD
- ◆ Program Wide Positive Behavior Supports in EC, with *PBS-KS*
- ◆ Curriculum Planning and Reflection on Universal Design
- ◆ Providing A Continuum of Effective Placements and Services for Preschoolers with Disabilities

Upcoming Collaborative Training Activities

Conferences

- ◆ Autism Across the Life Span (KCARD) – November 6-7, 2009 (Wichita)
- ◆ Kansas Division for Early Childhood (KDEC) – February 25-26, 2010 (Wichita)

KITS Summer Institute

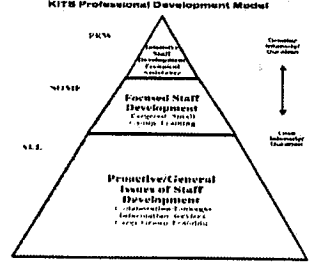
- ◆ Young English Language Learners with Disabilities – June 2010 (TBA)

Upcoming Collaborative Training Activities

Regional/Statewide Training

- ◆ Evidence Based Practices/Teaming – November 16-19, 2009 (Kansas City, KS)
- ◆ Topics in Early Intervention with Infants & Toddlers with Characteristics of ASD, with *KISV*
- ◆ ECO training
- ◆ KSELD: Scope & Sequence and Alignment
- ◆ Early Intervention/Part C Training Modules
- ◆ Young Children with Hearing Impairments, with *Sound Start*
- ◆ Family Supports and Services

KITS Model



KITS Professional Development Model

The diagram is a pyramid divided into three horizontal sections. The top section is labeled 'PKVA' and contains 'Program Quality Assessment' and 'Formal Evaluation'. The middle section is labeled 'FOCUS' and contains 'Focused Staff Development' and 'Regional/Statewide Training'. The bottom section is labeled 'ALL' and contains 'Preventive/General Issues of Staff Development', 'Language Intervention', 'Social Interaction', and 'Early Childhood Practices'. To the right of the pyramid is a vertical double-headed arrow labeled 'Ongoing Professional Development'.

Technical Assistance

- ◆ Individual and Program TA Plans
- ◆ Information Packets on Specific Topics - many available at kskifs.org/html/ta/tapackets
- ◆ New Teacher/Interventionist Support
 - Information packets
- ◆ New Administrator/Service Coordinator Support
 - Information packets
- ◆ Consultation/Cross Program Visitation


How TA Plan Works

1. Make initial contact and arrange visit to develop a TA plan for individual or program
2. Together a TA plan is constructed
3. Specific activities are planned to achieve the goals and objectives identified by the participant
4. Training provided on site or arranged in conjunction with other training activities in the state

TA Plan (Continued)

- Activities may include but are not limited to:
 - > presentation
 - > demonstration
 - > coaching
 - > feedback
 - > networking
 - > access to current literature
 - > data drill down
- Once the activities are completed data is collected and analyzed as identified on the evaluation plan

TA Plan

Kansas Inservice Training System

Technical Assistance Plan

| | |
|------------------------------|---|
| Name | Provider |
| Agency | Phone number |
| Address | Address |
| City of residence | Other (Mailstop, ATM, Stop) |
| Time(s) of week contact | TA Consultant |
| Time of completion | Intervenor or program TA |
| Number reported by this date | <input type="checkbox"/> Admin/Intervenor <input type="checkbox"/> Teacher/Intervenor <input type="checkbox"/> Intervenor/TA |
| Other activity provided | <input type="checkbox"/> SPP/APR <input type="checkbox"/> SPDG <input type="checkbox"/> KSBOE Goal <input type="checkbox"/> MTSS |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

Current Links Guiding TA

- ◆ SPP/APR: State Performance Plan/ Annual Performance Report
- ◆ SPDG: State Personnel Development Grant
- ◆ KSBOE Goal: Kansas State Board of Education
- ◆ MTSS: Multi-Tier System of Supports

TA Plan (continued)

Description of technical assistance plan interest (need to be addressed):

Current status: (Where are you now?)

Proposed status: (Where do you want to be in ___ month(s))

What are the anticipated outcomes of the technical assistance?

Short term results:

Long term results:

TA Plan (continued) kifs

Action Plan:

| Activities | Timelines |
|------------|-----------|
| | |
| | |
| | |

Resources:

Evaluation Plan:

| Overviews | Measures | Persons responsible | Timeline | Status |
|-----------|----------|---------------------|----------|--------|
| | | | | |
| | | | | |
| | | | | |

The TA Consultant and the Program contact have reviewed this form jointly.

Recent TA Plan Topics kifs

Part C

- ◆ **Assessment**
- ◆ **Child Find**
- ◆ **Early Literacy**
- ◆ **Evidence Based Practices in Working with Families/Teaming**
- ◆ **IFSPs**
- ◆ **Natural Environments**
- ◆ **Routines Based Intervention**
- ◆ **New Coordinator/New Network Support**

Recent TA Plan Topics kifs

Part B

- ◆ **Least Restrictive Environments (LRE) in EC**
- ◆ **Using Curriculum Based Assessment to Improve Practices**
- ◆ **KSELD: Developing and Aligning Scope & Sequence**
- ◆ **Increasing Parent Involvement Using a Primary Provider Approach to Teaming/Coaching**
- ◆ **Transition from Part C to Part B Services**
- ◆ **Qualified Teachers for Preschoolers with ASD**
- ◆ **Improving Early Childhood Outcomes Data**

What's Next? Keeping Up With Kansas Initiatives! kifs

- ◆ **KSDE Early Learning Services Team**
- ◆ **ECO: Setting Targets for Improvement**
- ◆ **Kansas Early Learning Document Alignment**
- ◆ **Autism Waiver Program**
- ◆ **Kansas Preschool Program**
- ◆ **MTSS**
- ◆ **Kansas Infant-Early Childhood Mental Health Strategic Plan and Endorsement System**
- ◆ **Early Childhood Block Grants**
- ◆ **Expanded Newborn Screening**
- ◆ **APA/KanBeHealthy Autism Screening Recommendations**
- ◆ **Kansas Early Childhood Comprehensive Plan**
- ◆ **Kansas Statewide Early Childhood Professional Development Council**

KITS Team kifs

- ◆ **David Lindeman, Project Director** lindeman@ku.edu
- ◆ **Misty Goosen, Project Coordinator** misty@ku.edu
- ◆ **Phoebe Rinkel, Preschool TA Coordinator** prinkel@ku.edu
- ◆ **Peggy Miksch, Infant-Toddler TA Specialist** pmiksch@ku.edu
- ◆ **Margy Hornback, Early Childhood Leadership Project** margyh@ku.edu
- ◆ **Kim Page, ECRC Coordinator** kpagg@ku.edu
- ◆ **Robin Bayless, Project Assistant** rbayless@ku.edu

KU LIFE SPAN INSTITUTE kifs The University of Kansas

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Opinions expressed by KITS staff do not necessarily reflect those of the University or State Agencies and no official endorsement should be inferred.

TO: KASEA Membership
FROM: Bruce Givens, KASEA Legislative Chair
RE: Revisions to KSA 72-983

As you know, several members of KASEA have been working on revisions to the "catastrophic aid" formula. A group of special education administrators met on August 13 and again on August 31, 2009. Emails and phone conversations have been passed around the state. At our meeting on Monday, one director traveled 300 miles to be a part of the discussion.

This group discussed catastrophic aid in ways it has never been discussed. Even at the creation of catastrophic aid, the complexity of the issues with this concept, were never discussed. The immediate charge for KASEA was to look at this issue and develop a recommendation. It is important to note that the proposal from these meetings were not unanimous. I recommend that KASEA continue to look at the special education distribution formula, but that is for another day. Coleen Riley has offered to assist us with a facilitator if we choose to continue.

It is imperative that each KASEA Region vote on the proposal attached. I ask the each Region Representative to report to Gay Younkin (gyounkin@usd263.com) the results of your region's decisions. After KASEA regions act (assuming KASEA endorses the proposal) information will be given to Dale Dennis. He will work with KSDE's "revisor of statutes" to create language that will be considered into law. Hearings will be held for individuals to present their support or differences to the bill.

The next page of this file is the current law. Please note that the word catastrophic is not in this bill. The third page is a list of the proposed revisions to the statute.

If you have any questions feel free to call me 316-788-8460 or email bgivens@usd260.com.

LEPC
10-12-09
Attachment 10

K.S.A. 72-983 (Commonly referred to as "catastrophic aid")

Chapter: 72

Schools

Article: 9

Special Education

Title: Special education; provision of excess cost services; grants of state moneys, application and disposition; duties of state board.

Text: (a) In each school year, to the extent that appropriations are available, each school district which has provided special education or related services for an exceptional child whose IEP provides for services which cost in excess of \$25,000 for the school year is eligible to receive a grant of state moneys in an amount equal to 75% of that portion of the costs, incurred by the district in the provision of special education or related services for the child, that is in excess of \$25,000. (b) In order to be eligible for a grant of state moneys provided for by subsection (a), a school district shall submit to the state board of education an application for a grant, a description of the special education or related services provided, and the name or names of the child or children for whom provided. The application and description shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of applications for grants of state moneys is prerequisite to the award of grants. (c) Each school district which is awarded a grant under this section shall make such periodic and special reports of statistical and financial information to the state board as it may request. (d) All moneys received by a school district under authority of this section shall be deposited in the general fund of the school district and transferred to its special education fund. (e) The state board of education shall: (1) Prescribe and adopt criteria for identification and determination of excessive costs attributable to the provision of special education and related services for which an application for a grant of state moneys may be made under this section; (2) approve applications of school districts for grants; (3) determine the amount of grants and be responsible for payment of such grants to school districts; and (4) prescribe all forms necessary for reporting under this section. (f) If the amount of appropriations for the payment of grants under this section is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive grants of state moneys in proportion to the amount each school district is determined to be eligible to receive.

History: L. 1994, ch. 307, § 10; L. 1999, ch. 116, § 29; L. 2001, ch. 215, § 13; July 1.

PROPOSAL TO REVISE KSA 72-983

1. Everywhere the phrase "in excess of \$25,000" replace with "**two times the average cost of a full-time special education student** of the preceding year."
2. Add language that would require the district to **subtract any state revenue** tied specifically to the resources provided in the application (excluding any revenues associated with Medicaid).
3. Add a limit to the amount of appropriations that districts can receive via this statute that would be one-half of one percent of the state's total special education expenditures of the previous year.
4. Add language that any funds left unapplied for shall be applied to the state's special education fund for all schools.
5. Refer to this type of funding as Extraordinary Cost rather than "catastrophic."
6. The revisions to KSA 72-983 should be enacted for the 2009-2010 school year.

Notes:

1. While it is only an estimate by KSDE, the average cost of a full time special education student is \$29,755.
2. Right now the estimate of the total special education expenditures is \$816,700,000. One half of one percent of this would be \$4,083,500. Therefore the "cap" on the availability of funds for "extraordinary costs" would be just over 4 million.
3. After applying the proposed formula to the nearly 790 "catastrophic aid" claims from last year, Last year's catastrophic aid would total just over 3.1 million dollars. This "run" was made without backing out categorical aid.

EXAMPLE:

PROPOSAL

| | |
|--|----------|
| COST OF SPECIAL ED SERVICES TO STUDENT | \$75,000 |
| LESS SPECIAL ED STATE AID (teachers, paras, transportation) | \$0 |
| NET COST TO USD/INTERLOCAL/COOP | \$75,000 |
| LESS TWO TIMES PRIOR Years Average Cost per SP. Ed. Student YEAR: 2 29775 | \$59,550 |
| DIFFERENCE | \$15,450 |
| PERCENTAGE DETERMINED BY STATE LAW | 0.75 |
| ADDITIONAL STATE AID - CATASTROPHIC: | \$11,588 |

REGION 1

Kansas Association of Special Education Administrators

TO: Gay Younkin, KASEA President
CC: Bruce Givens
FROM: Wynne Begun, Region 1 Representative
DATE: September 21, 2009
RE: Catastrophic Aid Proposal

On Friday, September 18, 2009, Region 1 voted on the proposed changes to the catastrophic aid formula. Region 1 commends the efforts that have been taken by Bruce Givens and the other members who attended meetings to try to resolve the problems with the catastrophic aid formula. After a lengthy discussion, Region 1 voted unanimously (31 votes) to oppose the proposal. The opposition to these proposed changes is based on the following factors:

- a. Region 1 membership believes that the catastrophic aid formula has serious shortcomings and needs to be modified but it is only one variable in a flawed special education funding system. The distribution of special education funding in Kansas is not equitable. According to a study published by the Legislative Post Audit, the percentage of excess costs that is reimbursed to districts ranges from a low of 45% to 207%. Region 1 membership cannot support a modification to catastrophic aid without a serious attempt to remedy other major inequities in special education funding. Region 1 proposes that the discussion of the catastrophic aid formula continue in the context of overall special education funding.
- b. The proposal as presented was incomplete. The example that was included did not back out categorical aid and other state revenue. The catastrophic aid total that was included in the example was not accurate and would result with a significantly less disbursement than shown on the document.
- c. The catastrophic aid proposal was hastily constructed with very little rational basis. The formula as written would for all practical purposes do away with funding to support very high cost students and is still unpredictable.

The members of Region 1 acknowledge that this has become a potentially divisive issue for KASEA. We urge KASEA members to keep in mind that we are all trying to serve our students with limited resources. We would appreciate additional opportunities to come together as an organization to further the understanding of the concerns we face in our respective districts and to reach consensus on special education funding.

Respectfully Submitted,

Wynne Begun
KASEA Region 1 Representative

LEPC
10-12-09

Attachment 11