

Approved: 4-27-94  
Date

## MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Duane Goossen at 11:45 a.m. on March 31, 1994 in Room 313-S of the Capitol.

All members were present except: Representative Lori Majure  
Representative Jim Morrison  
Representative Ellen Samuelson  
Representative Marvin Smith  
Representative Steve Wiard  
Representative Kenny Wilk

Committee staff present: Ben Barrett, Legislative Research Department  
Dale Dennis, Deputy Commissioner, Department of Education  
Avis Swartzman, Revisor of Statutes  
Lois Thompson, Committee Secretary

Conferees appearing before the committee: Ad hoc Committee:  
Representative Cindy Empson  
Representative Jo Ann Pottorff  
Representative Patricia Pettey  
Representative Ed McKechnie

Others attending: See attached list

Representative Pottorff moved and Representative Lane seconded motion to approve the minutes of March 21 and 22, 1994 as printed. Motion carried.

The chair announced this meeting was called to give several members of the House Education Committee who have been working on higher education governance an opportunity to present their ideas.

Representative Cindy Empson presented an overview of a higher education delivery system. Initially, Representative Ed McKechnie put together a skeleton proposal. Then a bi-partisan group of Representatives with the help of Ben Barrett, Carolyn Rampey and Avis Swartzman began meeting on an informal basis. The results of these discussions are the proposed piece to restructure postsecondary education. It is a beginning point for a higher education delivery system. (Attachment 1) All realize it is not perfect, but a starting point which they hope will be studied during the interim.

Representative JoAnn Pottorff addressed the impact of proposal on existing Board of Regents Universities and Washburn University.

Representative Pat Pettey discussed the impact of the proposal on Community Colleges. (Attachment 2)

Representative Ed McKechnie explained the impact of the proposal on Area Vocational Technical Schools and the process of all schools state affiliation.

The floor was open to questions by the committee.

Representative McKechnie moved and Representative Pottorff seconded a motion to recommend this higher education governance proposal for interim study. Motion carried.

Meeting adjourned at 12:35 p.m. This is the last scheduled meeting of the House Education Committee for the 1994 Regular Session.

## GUEST LIST

**Committee: Education**

Date: 3-31-94

[illegible]

# MEMORANDUM

## Kansas Legislative Research Department

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March 31, 1994

**To:** House Committee on Education  
**From:** Ad Hoc Postsecondary Education Restructuring Group  
**Re:** Discussion Piece: A Proposal to Restructure Postsecondary Education

It is proposed that Washburn University, community colleges, and area vocational schools be given the option of coming under the supervision of the Kansas Board of Regents. That option involves certain changes in governance, funding, and powers and duties of both the Board of Regents and the institutions that come under its supervision. In addition, changes in funding are proposed for community colleges that remain under the supervision of the State Board of Education. These changes are outlined in the material that follows.

The proposal has the following major components.

### Kansas Board of Regents and Existing Regents Institutions

The jurisdiction of the Board of Regents would be expanded statutorily to include any institutions (community colleges, area vocational schools, and Washburn University) that opt to come under its supervision. The Board would be responsible for ensuring that coordination and cooperation is ongoing between the Board of Regents and the State Board of Education and the private colleges and universities. No change affecting existing Regents institutions is proposed, except to the extent that they would be affected by affiliations they voluntarily enter into with other postsecondary institutions.

### Washburn University

Washburn University would be given the option to become a freestanding Regents institution, upon petition of the Washburn University Board of Regents to the State Board of Regents and subject to approval by the State Board. Conditions of the University entering the state system would be patterned after 1994 S.B. 779 and include the continuation of City of Topeka mill levies for capital improvements and operating expenses. The mill levy for capital improvements would be limited to 3.0 mills and the rate for University operations would be set at 13.5 mills.

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Attachment 1

Major provisions of S.B. 779 include the following:

1. Upon the effective date of the transfer, all rights and liabilities of Washburn University would be transferred to the Board of Regents, with the exception of endowment property, outstanding general obligation bonds, and other contractual obligations of the University.
2. Washburn employees would transfer into either the classified or unclassified components of the Kansas civil service system. Classified employees would be eligible as provided by statute for membership or participation in the Kansas Public Employees Retirement System and unclassified employees would be eligible for participation in the Regents retirement annuity plan under K.S.A 74-4925.
3. A Regents Graduate Center would be located on the campus of Washburn University on the effective date of the transfer, to be administered by the State Board of Regents. All graduate courses and programs made available in Shawnee County by existing Regents institutions and by Washburn University, except for courses and programs offered through the Washburn University School of Law, would be offered through the Regents Graduate Center at Washburn University.
4. One year preceding the effective date of the transfer, the State Board of Regents shall implement a review process to determine the graduate courses and programs to be offered through the Regents Graduate Center at Washburn. Each graduate program at Washburn that is not approved to be offered through the Regents Graduate Center or through the Washburn University School of Law will be phased out of operation.
5. On the effective date of the transfer, Washburn University will transfer to the state balances of its funds in an amount to be determined by the Washburn University Board of Regents and the State Board of Regents, of which one-fourth of the amount transferred will be spent on University operations in each of the four succeeding fiscal years.
6. For the academic year following the effective date of the transfer and for each academic year thereafter, until such time as the State Board of Regents determines that the rates of Kansas resident undergraduate tuition for other Regents institutions are comparable to the rate of the tuition at Washburn, the State Board shall submit budget requests for Washburn which presume that the percentage of any tuition increase for Washburn shall not exceed the percentage increase in the CPI-U.

### **Community Colleges**

Implementation of this proposal would bifurcate state supervision of community colleges. Those institutions that do not choose to affiliate with the Board of Regents would be unaffected with regard to governance or supervision by the State Board of Education. (Unaffiliated community colleges, however, would be affected by funding and other changes, which are described elsewhere in this memorandum.) Those community colleges that wish to affiliate with a Regents institution would become Regents colleges and would come under the supervision of the Board of Regents.

Attachment 1-2

**Governance, Supervision, and Local Boards.** For those community colleges that remain under the supervision of the State Board of Education, no change would be made in their relationship with the State Board or with their boards of trustees. Those institutions that become Regents colleges would be required to affiliate with a Regents institution and would be subject to the control and supervision of the Board of Regents. The head of the Regents institution with which the college affiliates would have authority to review and approve or disapprove courses and programs offered by the affiliating institution, including off-campus offerings, subject to final approval by the Board.

Local governing boards for institutions that become Regents colleges would continue. Among their powers and duties would be the following:

1. Authority to levy property taxes and to issue bonds.
2. Authority to conduct a search and to recommend to the head of the affiliating Regents institution the name of a person and that person's salary to be considered for the position of chief administrative officer of the college. The authority to hire and fire the chief administrative officer would reside with the head of the Regents institution, subject to the approval of the Board of Regents. The chief administrative officer of the Regents college would report both to the board of trustees and to the head of the affiliating Regents institution.
3. Upon the recommendation of the chief administrative officer of the college, authority to appoint and to fix the salaries of school employees, including the head of any affiliating technical college.
4. Authority to determine the educational program of the college, including the development of institutional mission statements and approval of programs and courses to be offered, subject to the approval of the head of the affiliating Regents institution and final approval of the Board of Regents.
5. Authority to set student tuition for the college and any affiliating technical college, subject to applicable statutory ranges.
6. Authority to enter into contracts.
7. Authority to purchase, receive, dispose of, and to enter into lease agreements involving property owned or controlled by the college or affiliating technical college.
8. Authority to serve in an advisory capacity to the head of the affiliating Regents institution in matters affecting the college.

**Funding.** The major components of community college and Regents college funding are listed below:

1. State and county out-district tuition would be eliminated. Each county would be required to impose a uniform property tax levy of 1.5 mills. In those counties in which there is a community college, Regents college, or Washburn University, the proceeds from the levy would be credited to the college district. (In the case of Washburn University, proceeds from the levy on City of Topeka property would be credited to the University.) Remaining proceeds from the levy would be

credited to a state fund to be used to support community colleges and Regents colleges.

2. Mill levies in support of Regents colleges would be capped at 25 mills, except that those institutions that presently are levying more than 25 mills would be prevented from increasing their levies over the current rates. (Community colleges that remain under the supervision of the State Board of Education would be unaffected by this provision.)
3. Student tuition for community colleges and Regents colleges would be set by the college's board of trustees, subject to a statutory range of \$28 to \$40 per hour for Kansas residents.
4. State credit hour aid would be \$50 for academic hours offered by a Regents college and \$40 for academic hours offered by a community college. Reimbursement for vocational hours would be 1.5 times the applicable rate for academic hours, or \$75 per hour for Regents colleges and \$60 per hour for community colleges.
5. General state aid to community colleges and Regents colleges would be increased. (The recommendation is that the general state aid program be increased from \$2.6 million to \$15.0 million.)
6. State aid programs for community colleges would be administered by the State Board of Education and state aid programs for Regents colleges would be administered by the Board of Regents. However, there would be no change in the distribution of certain federal funds currently allocated by the State Board of Education that are required to be administered by a single board.

#### **Area Vocational Schools and Technical Colleges**

There would be no change in area vocational schools that remain under the State Board of Education. Any area vocational school that wants to offer a degree must become a technical college and must affiliate with an existing Regents institution or a Regents college. Area vocational schools under the State Board of Education could not grant degrees. Technical colleges would have the authority to contract with school districts to offer programs to secondary students.

Technical colleges that affiliate with a Regents college would be under the control of the college board of trustees and would become a unit of the Regents college. The head of the technical college would be appointed by the board of trustees upon the recommendation of the chief administrative officer of the college and would report to the chief administrative officer. Technical colleges that affiliate with an existing Regents institution would become a unit of the Regents institution. The head of the technical college would be appointed by and report to the head of the Regents institution. Associate degrees, as approved by the Board of Regents, would be conferred by the technical college.

No postsecondary area vocational school state aid would be provided for technical colleges. State funding would be on a credit hour basis and would be the same rate per hour as vocational hours offered by Regents colleges (\$75).

## State Affiliation

State affiliation would be triggered by action of the local governing board. Notification would be made to the Board of Regents of intent to apply. The Board would be responsible for providing technical assistance to the affected institutions during the time an application for affiliation is being prepared.

By rule and regulation, the Board would establish the affiliation process and identify conditions of application that must be met. It is assumed that affiliating institutions would enter into a negotiating process and would develop an affiliation agreement. Any item considered relevant to the affiliation could be addressed in the agreement, but by statute the Board would be required to ensure that the following issues have been considered:

1. Uniform curriculum and articulation guidelines that ensure transferability of courses, including the conversion of clock hours to credit hours for technical colleges.
2. Evidence of a plan to share programs and resources, such as student services, remedial courses, facilities, telecommunications systems, and personnel.
3. Evidence of a plan to provide programs and services to the service areas of the affiliated institutions, including a description of the service area of the affiliated institutions and evidence that the provision of programs and courses by institutions under the State Board of Education and private colleges and universities have been taken into account.

Affiliated institutions would be permitted to renegotiate an agreement by notifying the Board of Regents and submitting a proposed revised agreement to the Board for its approval. In the case of the termination of an affiliation, the Board of Regents would initiate a process whereby the affected institutions would develop a termination agreement that addresses issues such as how shared or joint programs, services, equipment, and facilities would continue to be provided or divided. Any proposal to terminate an affiliation would be approved by the Board of Regents when the Board is satisfied that the institutions have met conditions established by the Board to ensure the orderly termination of an agreement. In the case of a Regents institution, the notification to terminate would be made by the head of the institution. In the case of an affiliating institution, the notification would be made by the governing board. In the case of Washburn University, it would not be possible for the institution to remove itself from the Board's supervision except by act of the Legislature.

## Powers and Duties of the Board of Regents

Powers and duties of the Board of Regents would include the following:

1. Authority to approve degrees offered for all institutions under its supervision.
2. Authority to approve or disapprove off-campus programs for all institutions under its supervision.

3. Authority to review and to make budget recommendations to the Legislature for all institutions under its supervision.
4. Authority to review and approve applications for affiliation with a Regents institution, to approve altered applications, and to approve applications for termination of affiliation.



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TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 MEMBER EDUCATION  
 LOCAL GOVERNMENT  
 JOINT COMMITTEE ON CHILDREN  
 AND FAMILIES

## A Piece of the Restructuring Post Secondary Education Puzzle

### Community Colleges

The jurisdiction of the Board of Regents would be expanded statutorily to include any institution that opt to come under its supervision.

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Local governing boards for institutions that become Regents colleges would continue. Among their powers and duties would be the following:

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2. Authority to conduct a search and to recommend to the head of the

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*Attachment 2*

affiliating Regents institution the name of a person and that person's salary to be considered for the position of chief administrative officer of the college. The authority to hire and fire the chief administrative officer would reside with the head of the Regents institution, subject to the approval of the Board of Regents. The chief administrative officer of the Regents college would report both to the board of trustees and to the head of the affiliating Regents institution.

3. Upon the recommendation of the chief administrative officer of the college, authority to appoint and to fix the salaries of school employees, including the head of any affiliating technical institute.

4. Authority to determine the educational program of the college, including the development of institutional mission statements and approval of programs and courses to be offered, subject to the approval of the head of the affiliating Regents institution and final approval of the Board of Regents.

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University, the proceeds from the levy would be credited to the college district. Remaining proceeds from the levy would be credited to a state fund to be used to support community colleges and Regents colleges.

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3. Student tuition for community colleges and Regents colleges would be set by the college's board of trustees, subject to a statutory range of \$28 to \$40 per hour for Kansas residents.

4. State credit hour aid would be \$50 for academic hours offered by a Regents college and \$40 for academic hours offered by a community college. Reimbursement for vocational hours would be \$90 for community colleges and Regents colleges.

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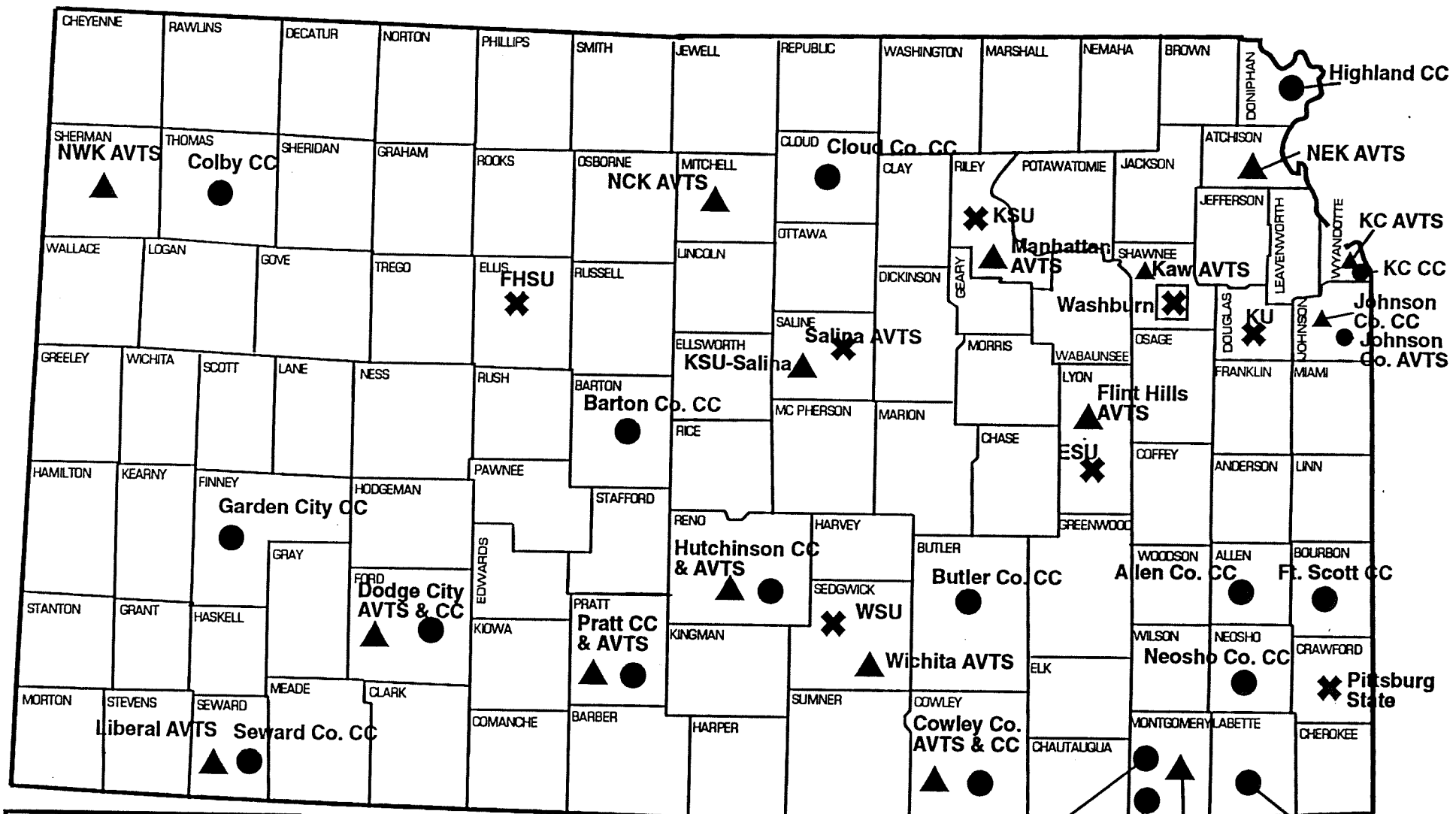
2. Authority to approve or disapprove programs for institutions under its supervision.

3. Authority to review and to make budget recommendations to the

Legislature for all institutions under its supervision.

4. Authority to review and approve applications for affiliation with a Regents institution, to approve altered applications, and to approve applications for termination of affiliation.

7-2



- Community College
- ▲ AVTS
- ✕ Regents U.
- ✕ Washburn

Independence

Coffeyville CC

Coffeyville AVTS

Labette CC