

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Chairperson Al Ramirez at 1:30 p.m. on February 24, 1994 in Room 531-N of the Capitol.

All members were present except: Senator Feleciano - Excused
Senator Harris - Excused
Senator Papay - Excused
Senator Vidricksen -Excused

Committee staff present: Julian Efird, Legislative Research Department
Fred Carman, Revisor of Statutes
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Senator Petty
Judy Smith, State Employee
Nancy Echols, Division of Personnel Services

Others attending: See attached list

The Chairman called the meeting to order and asked staff to make a few comments on the Attorney General's opinion with regard to **SB 780**--real estate brokers and salespersons license act. Mr. Carman, Revisor, stated that the opinion that it is not legal.

The Chairman entertained a motion on **SB 780**.

Representative Reynolds moved to report **SB 780** adversely. Senator Lee seconded the motion. The motion carried.

The committee turned to **SB 734**--state agency recognition of academic degrees. Senator Petty acknowledged Judy Smith, employee with the State of Kansas, who brought this situation to the Senator's attention. Ms. Smith is just one example of the situation that concerns graduate degrees. Many mature individuals are getting their graduate degrees and many universities are responding in innovative ways to assist some of these mature individuals who cannot travel or be on campus for a certain curriculum. Many universities are offering nonresidential degree programs for masters levels. Currently there is a body that recognizes this group. It has a designation as approved colleges; not accredited, but approved colleges. Kansas State University offers one of these programs. It is Senator Petty's understanding that there are rules and regulations within various departments that have chosen to recognize only accredited programs and not the approved programs.

In response to a question about the bill applying to the private sector, the Chairman read lines 12 and 13 of the bill that showed the bill dealt only with state employment or promotion.

Judy Smith, state employee, was present to speak to the committee and brought her testimony (Attachment 1) as well as the testimony of two other state employees; Margie Eklund (Attachment 2) and Patty Rodriguez (Attachment 3). Ms. Smith is applying for a promotion that just basically is a request that personnel acknowledge her degree from a bona fide program. In checking with the state personnel office, Ms. Smith stated they told her they don't look into the degrees to see if, in fact, they are valid. She stated that from her experience the Department of Transportation does. She told of the years it took to get her degree only to learn that it was not accepted because it did not come from a four-year accredited university. She asked how this was determined. There is a book that contains a listing of accredited universities. If the university was not an accredited one, it was not listed in the book. The State of California recognizes the degree program and the university. The reason cited for nonrecognition is that it does not require on campus study. This is the only reason it is not accredited. What Ms. Smith is requesting is that universities that are approved by the state in which they reside as a good university be accepted by the State of Kansas.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, Room 531-N
Statehouse, at 1:30 p.m. on February 24, 1994.

In response to a question from one of the committee, Ms. Smith responded her correspondence course was through Kensington University in California.

Nancy Echols, Division of Personnel Services, Department of Administration, appeared next on the bill. (Attachment 4) Ms. Echols stated that she was unclear as to the intent of the bill. Last fall the Division received inquiries as to the accreditation or non-accreditation status of educational institutions as it applies for meeting minimum qualifications for a class. In researching this it was found that there is no standard interpretation for the term "accredited". A memorandum was sent to all agencies instructing them not to use the term "accredited" when reviewing qualifications; determination should be made only on the basis of a transcript. The specifications will be revised in the future to include this change as they are updated or developed. What would not be accepted are degrees from diploma mills.

Ms. Echols commented that the way the bill reads to her is that it applies to all employees-classified service, unclassified service, judicial, legislative and unclassified faculty at the regents. She is dealing only with the classified, not the unclassified. She said that if they change the specifications to show the proper language change, the problem should be resolved.

It was suggested that staff take Ms. Echols' testimony and work it into the bill. The Revisor was asked to work with Bobbi Mariani of Personnel and research staff to work on the bill. It will be scheduled on the agenda for Monday, February 28.

The committee was instructed to turn to **SB 672**--Kansas productivity teams program. Staff distributed a section of SB 536 that Senator Tiahrt indicated might be acceptable to be incorporated into the bill. Bobbi Mariani stated she had worked with Senator Tiahrt on this, as well as Jim Wilson, Revisor.

Senator Bogina moved to conceptually amend the awards provisions of Section 2 of **SB 536** into **SB 672** and have the Revisor draft a Substitute for **SB 672**. Senator Reynolds gave a second to the motion. The motion carried.

Senator Reynolds moved to recommend Substitute for **SB 672** favorable for passage as amended. Senator Bogina seconded the motion. The motion carried.

The committee took up **SB 655**--Kansas Information Resources Council.
Senator Lee moved to recommend **SB655** favorable for passage. Senator Reynolds seconded the motion. The motion carried.

The meeting was adjourned.

The next meeting is scheduled for February 28, 1994.

GUEST LIST

COMMITTEE: SENATE GOVERNMENTAL ORGANIZATION

DATE: Feb. 24, 1994

[illegible]

HELLO,

My name is Judy Smith. I am a state employee. I am very sorry that I am not able to be here today.

Four years ago I decided to further my education by working on a Master's Degree. I was single at the time and couldn't afford a sitter for my son nor did I want to spend the time away from him in order to attend school in the evenings since I was already gone all day to work. It would have also been very difficult to keep up my household duties and be gone three nights a week.

I therefore, signed up for a correspondence course through a very good and highly recommended university in California, Kensington University.

After two and a half years of the hardest work I have ever done, and after much blood, sweat and tears, I finally received my Master's of Business Administration. I was thrilled with my accomplishment and reported it to my Personnel Director only to learn to my horror that the state wouldn't recognize my degree because it wasn't from an "accredited" University.

After some investigation I learned that the only difference between an "accredited" university and a good quality "approved" one is that an "accredited" university requires "on campus study." In fact, I also learned that many universities were self accredited and are in no way superior or even as good as some approved ones.

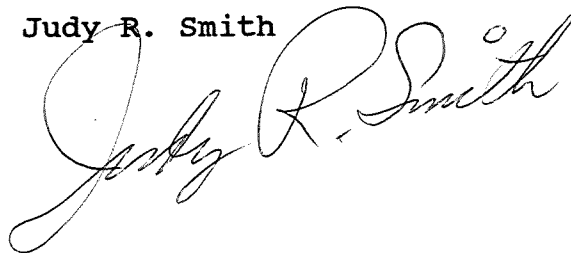
If any of you have ever worked on a correspondence course, you know how very difficult it is. In light of the fact that many state employees desire to further their education and yet hundreds cannot because of financial and time restraints, I would strongly

*Senate Gov. Org.
Attachment 1
2/24/94*

encourage this committee to support SB 734 to recognize degrees from "approved" universities as well as "accredited" universities. This would allow state employees to work on their degrees on their own time schedules without a campus requirement. It would provide a great service for state employees at a VERY minimal cost.

Thank you very much for your help in helping state employees.

Judy R. Smith

A handwritten signature in cursive script that reads "Judy R. Smith". The signature is written in dark ink and is positioned below the printed name.

February 24, 1994

My name is Margie Eklund and I have been a state employee for the past 30 years.

I went to work out of necessity right out of high school and I have never had the time nor the money to go back to school and work on a degree. I have applied for many positions over the years, but without a degree, I have been turned down for many of them. I cannot advance any further in my present position without a degree.

I support SB 734 because it would allow me to go to school on my own time and as I could afford it. I realize it would take a great deal of self discipline, but I feel that that is probably the only way I will ever do it.

I ask for your support for this bill because I feel it will really help other state employees such as myself.

Thank you.

Margie Eklund

Deputy Gov. Arz.
Attachment 2
2/24/94

January 24, 1994

TO WHOM IT MAY CONCERN:

I am a state employee who has been going to school part-time for the last two years, trying to get my degree finished. The passing of this bill would make this much easier. As I have small children and going on campus is extremely difficult at times when the children are sick, finding daycare, etc. Being able to work at home would solve many problems and I would be able to realize my dream of finally completing my degree. Most college students are nontraditional students such as myself. For state employees particularly, this would allow us the flexibility we need to further our education.

I have worked for the state for many years, I started out as a teen mother, and could not afford the opportunity of college right out of highschool. The only reason I am not on welfare like several of my young friends that were in my similar situation is because of my determination and my desire to succeed. Young women like myself need this opportunity. And it will open doors for others.

Please support this bill on behalf of many state employees such as myself. I am not able to attend today in person, I am working on a project for my boss.

Patty Rodriguez

*Senate Gov. Org.
Attachment 3*

2/24/93

Testimony To The
Senate Governmental Organization Committee

By
Nancy M. Echols, Director
Division of Personnel Services
Department of Administration

Thursday, February 24, 1994
RE: Senate Bill 734

Mr. Chairperson, members of the committee, I am here to testify on SB 734 which relates to qualifications for employment or promotion to any state office or employment.

I am unclear as to the intent of this bill. If the intent of the bill is to allow acceptance of degrees from schools not listed as accredited in recognized publications of accredited institutions, but are approved or accredited by the state in which the school is located, then I believe the Division of Personnel Services is already complying with this intent. We believe we have addressed the problem associated with accreditation or non-accreditation status of educational institutions.

Last fall, the Division of Personnel Services received inquiries from applicants and agencies inquiring as to the accreditation or non-accreditation status of educational institutions as it applies for meeting minimum qualifications for a class. In researching this issue, we found that there is no standard interpretation for the term "accredited" and no publication with an all-inclusive, comprehensive list of institutions which are "accredited."

A memorandum was sent by the Division to all agencies with examination authority on December 9, 1993, instructing agencies not to use the term "accredited" when evaluating minimum qualifications which require graduation from any type of accredited post secondary educational institution. An applicant's qualifications should be determined based on a valid transcript. Although all of the class specifications which include the term "accredited" in the minimum qualifications cannot be revised at this time to reflect this change in policy, they will be revised to include this change as class specifications are updated or developed.

We believe a technical clarification needs to be made to the bill. Agencies do not set qualification requirements for employment or promotion to classified positions. Requirements for classes of positions in the classified state service are minimum qualifications written into class specifications that are determined by the Division in coordination with the agencies. However, if we are interpreting this bill correctly, it seems that it would also cover all unclassified positions including those in the judicial and legislative branches, and the unclassified faculty in the regents institutions where the agency could set the requirements. Perhaps a distinction needs to be made.

Thank you for allowing me this time. I would be happy to answer any questions you may have.

Senate Gov. Org.
Attachment 4
2/24/94