

Approved: 4/6/00  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Representative Ralph Tanner at 9:00 a.m. on March 14, 2000 in Room 313-S of the Capitol.

All members were present except: A quorum was present

Committee staff present: Avis Swartzman, Revisor of Statutes  
Ben Barrett, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Renaë Jefferies, Revisor of Statutes  
Linda Taylor, Committee Secretary

Conferees appearing before the committee: Bill Milliken  
Representative Henry Helgerson  
Mark Tallman, KASB  
Scott Hill, State Department of Education

Others attending: See Attached List

The House Education Committee met in a joint session with the Senate Education Committee to hear a presentation by Bill Milliken, founder of Communities in Schools, Inc. Mr. Milliken spoke to the committees on the importance of reaching out to those students who have already dropped out of school and also to those students who are at risk of doing so.

After the presentation, the Senate Education Committee adjourned to their standing committee room.

Hearings on **HB 3013 - Kansas board of regents legacy tuition program** were opened.

Representative Henry Helgerson presented an explanation of the bill and introduced further information about it. (Attachments 1 and 2) He urged the committee to pass the bill. Representative Helgerson also presented to the committee written testimony from Dr. Kim Wilcox, Executive Director of the Kansas Board of Regents. (Attachment 3)

Hearings on **HB 3013** were closed.

Hearings on **HB 2714 - State board of education, nonpartisan election; when election held** were opened.

Mark Tallman, representing KASB, appeared before the committee as a proponent of the bill. (Attachment 4) He stated that he believes that electing board members in nonpartisan elections will help maintain the nonpartisan view of education in our state.

Scott Hill, Legislative Coordinator of the State Board of Education, appeared before the committee in opposition to the bill. (Attachment 5) He stated that the SBOE has gained statewide visibility and taking away partisanship would destroy that.

Hearings on **HB 2714** were closed.

**HB 2934 - School district finance, local option budgets, state prescribed percentage**

Representative Crow moved to remove the contents of HB 2934 and replace it with all of HB 2901 - School district finance, increasing base state aid per pupil, affecting low enrollment and correlation weightings, revising general fund levy except Sections 2b and 3e of that bill. Representative Horst seconded the motion. Representative Ballou offered a substitute motion to pass out 2934 favorably.

Representative Morrison seconded the substitute motion. Chairman Tanner ruled the substitute motion out of order. The question was called. The motion failed.

Representative Benlon moved to amend **HB 2934** to allow school districts to have full day kindgarten. Representative Kline seconded the motion. The motion passed.

Representative Lightner moved to pass **HB 2934** as amended. Representative Benlon seconded the motion. The motion failed.

The next meeting is scheduled for March 15, 2000.

The meeting was adjourned at 10:45 a.m.

**HOUSE EDUCATION COMMITTEE**

**GUEST LIST**

**DATE: March 14, 2000**

NAME	REPRESENTING
Janis McMillan	League of Women Voters of Kansas
Dustin Weaver	Rose Hill Middle School
MARK DESETTI	KNET
Mark Tallman	KAE
Mr. Vaneman	Blue Valley USD 229
Jacque Oakes	SQE
Bill Brady	Schools for Fair Funding
Jim Caemery	The People
Joe Rossillon	ESU
Debra Frickeaux	FHSEU
Jon Josseland	KU
Sue Peterson	K-State
Bill Waquon	Ks BOE
Val DeFera	Ks Sp. Bd. of Ed.
Jim Zavalley	USD #512
Greg Gardner	Adjutant General
Diane Gjerstad	USD 259
<del>_____</del>	
<del>_____</del>	

HENRY M. HELGERSON, JR.  
 REPRESENTATIVE, EIGHTY-SIXTH DISTRICT  
 4009 HAMMOND DRIVE  
 WICHITA, KANSAS 67218-1221  
 WICHITA 316-683-7628  
 TOPEKA 1-800-432-3924  
 785-296-7691  
 (WHEN IN SESSION)



TOPEKA  
 HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 RANKING DEMOCRAT EDUCATION  
 MEMBER ENVIRONMENT  
 FINANCIAL INSTITUTION

Kansas Board of Regents Legacy Scholarship Program  
 HB 3013

Although Admissions Offices at Kansas Board of Regents schools frequently receive inquiries on the matter, there is currently no scholarship program to encourage out-of-state students hoping to carry on their family's academic tradition and return to a Kansas Board of Regents Institution. The difference between in-state and out-of state tuition is so great that many of these students are unable to attend our Universities unless they receive sufficient scholarships and/or financial aid.

The Kansas Board of Regents Legacy Scholarship Program is a program that will grant financial assistance in the form of scholarships that are awarded by this state to Kansas Legacy Scholars. The amount of this financial assistance would be an average of that Universities' current in-state and out-of-state tuition rates. In order to qualify such a legacy student would have to meet a number of requirements.

1. They must meet the admissions requirements at that University.
2. At least one biological or adoptive parent or grandparent must have received a baccalaureate or higher degree from the University.
3. Maintains a 3.25 grade point average on a 4.0 scale while enrolled in at least 12 hours each semester in a specified degree program at the University.

The creation of such a program would compete with other Universities in the region offering similar programs and be used as a recruitment tool to draw a wider base of prospective students wishing to return to Kansas and attend a Board of Regents School.

While providing a service to alumni and their siblings, the program will provide a means of bringing back these former residents by way of their children, while also serving as a means to bring 'home' future employees for companies doing business in Kansas.

The amount of out-of-state tuition loss would be absorbed by the increase of prospective students that such a program would recruit. The requirements for participation in this program

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will ensure that these students are living up to their academic obligations and will in the future, be in a position to give back to their alma mater.

Three of our neighboring states have the following programs.

***The University of Oklahoma 'Generations II Scholarship'***

The Generations II Scholarship is a non-resident tuition waiver that serves undergraduate non-resident children of grandchildren of OU graduates. The waiver of non-resident tuition goes up to \$3000 and is automatic if the student is admissible at OU, has at least one parent or grandparent that has received a baccalaureate or higher degree from OU and are first time undergraduate non-resident students beginning academic studies at OU.

**University of Missouri 'Alumni Excellence Award'**

Sons or daughters of biological or adoptive parents who graduated from Missouri are eligible. They must also enroll at Missouri their first semester after high school, be in the top 15% of their high school graduating class, scored a 27 on their ACT or 1200 on their SAT and be a non-resident of Missouri. Students receive \$1500 per year plus a out-of-state tuition waiver. They are automatically considered once they are admitted to MU and their scholarship is renewable with the completion of 24 credit hours each academic year with a 3.25 cumulative g.p.a.

**The University of Nebraska**

Last year, their Alumni Association committed to scholarship increases for the legacies of NU alumni. Only out-of-state students are eligible and they must score at least a 24 on their ACT and rank in the top third of their graduating class. The 'legacy scholarship bump' ranges from \$1-2,000 more than they would otherwise qualify for in out-of-state scholarships.

In Kansas the typical in-state undergraduate state tuition is \$1,000 per semester for KU, KSU, and WSU and the out-of-state undergraduate tuition is \$4,350. For ESU, PSU and FHSU the typical in-state undergraduate tuition is \$800 and \$3,100 for out of state tuition.

I appreciate the opportunity to address the committee and urge you to support HB 3013.

## TUITION RATES APPROVED FOR FY 1980 THROUGH FY 2000 (Fulltime, Per Semester)

Fiscal Year	KU, KSU/ WSU* Undergraduate		Research Univ		ESU, PSU, FHSU Undergraduate		Regional Univ		KSU-Salina		KUMC School of Medicine		KSUVMC	
	Resident	Non-Resident	% Res Incr	% Non-Res Incr	Resident	Non-Resident	% Res Incr	% Non-Res Incr	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
1980	\$255	\$750			\$200	\$500			\$150	\$450	\$1,500	\$3,000	\$305	\$825
1981	\$280	\$820	9.8%	9.3%	\$220	\$545	10.0%	9.0%	\$150	\$450	\$1,500	\$3,000	\$410	\$1,105
1982	\$342	\$1,000	22.1%	22.0%	\$268	\$665	21.8%	22.0%	\$183	\$549	\$1,830	\$3,660	\$500	\$1,350
1983	\$342	\$1,000	0.0%	0.0%	\$268	\$665	0.0%	0.0%	\$183	\$549	\$1,830	\$3,660	\$500	\$1,350
1984	\$410	\$1,200	19.9%	20.0%	\$322	\$798	20.1%	20.0%	\$220	\$659	\$2,196	\$4,392	\$600	\$1,620
1985	\$450	\$1,290	9.8%	7.5%	\$355	\$865	10.2%	8.4%	\$245	\$734	\$2,415	\$4,815	\$660	\$1,780
1986	\$495	\$1,397	10.0%	8.3%	\$415	\$1,003	16.9%	16.0%	\$311	\$884	\$2,610	\$5,220	\$712	\$2,136
1987	\$520	\$1,475	5.1%	5.6%	\$440	\$1,065	6.0%	6.2%	\$330	\$940	\$2,800	\$5,600	\$900	\$2,700
1988	\$535	\$1,620	2.9%	9.8%	\$455	\$1,200	3.4%	12.7%	\$340	\$1,000	\$2,885	\$5,870	\$1,125	\$3,375
1989	\$550	\$1,765	2.8%	9.0%	\$470	\$1,310	3.3%	9.2%	\$400	\$1,200	\$2,885	\$5,958	\$1,275	\$3,825
1990	\$578	\$1,977	5.1%	12.0%	\$494	\$1,441	5.1%	10.0%	\$420	\$1,320	\$2,885	\$5,958	\$1,424	\$4,272
1991	\$613	\$2,175	6.1%	10.0%	\$524	\$1,585	6.1%	10.0%	\$445	\$1,452	\$3,058	\$6,318	\$1,509	\$4,528
1992	\$662	\$2,501	8.0%	15.0%	\$566	\$1,823	8.0%	15.0%	\$481	\$1,670	\$3,303	\$7,266	\$1,630	\$5,207
1993	\$728	\$2,814	10.0%	12.5%	\$611	\$2,051	8.0%	12.5%	\$529	\$1,879	\$3,633	\$8,174	\$1,793	\$5,858
1994	\$786	\$3,095	8.0%	10.0%	\$648	\$2,215	6.1%	8.0%	\$571	\$2,067	\$3,815	\$8,583	\$1,936	\$6,327
1995	\$825	\$3,497	5.0%	13.0%	\$667	\$2,503	2.9%	13.0%	\$650	\$2,522	\$4,006	\$9,699	\$2,033	\$7,150
1996	\$883/\$866	\$3,742	7.0%	7.0%	\$687	\$2,678	3.0%	7.0%	\$696	\$2,699	\$4,286	\$10,378	\$2,175	\$7,651
1997	\$945/\$892	\$3,975/\$3,854	7.0%	6.2%	\$708	\$2,758	3.1%	3.0%	\$717	\$2,780	\$4,415	\$10,689	\$2,240	\$7,881
1998	\$983/\$928	\$4,135/\$4,008	4.0%	4.0%	\$736	\$2,868	4.0%	4.0%	\$746	\$2,891	\$4,592	\$11,117	\$2,330	\$8,196
1999	\$1,021/\$965	\$4,245/\$4,116	3.9%	2.7%	\$768	\$2,950	4.3%	2.9%	\$776	\$2,973	\$4,713	\$11,388	\$2,399	\$8,400
2000	\$1,045/\$988	\$4,346/\$4,214	2.3%	2.4%	\$787	\$3,020	2.5%	2.4%	\$794	\$3,044	\$4,826	\$11,661	\$2,456	\$8,601
2001 (June)	\$1086/\$1028	\$4,470/\$4,334	3.9%	2.9%	\$821	\$3,110	4.3%	3.0%	\$827	\$3,133	\$4,961	\$11,967	\$2,532	\$8,831
2001 (Dec)	\$1,133/\$1075	\$4,517/\$4,382	8.4%	3.9%	\$846	\$3,207	7.5%	6.2%	\$868	\$3,174	\$5,040	\$12,046	\$2,580	\$8,879
<b>FY 1980-2000</b>	<b>7.3%</b>	<b>9.2%</b>			<b>7.1%</b>	<b>9.4%</b>			<b>8.7%</b>	<b>10.0%</b>	<b>6.0%</b>	<b>7.0%</b>	<b>11.0%</b>	<b>12.4%</b>
<b>FY 1980-1990</b>	<b>8.5%</b>	<b>10.2%</b>			<b>9.5%</b>	<b>11.2%</b>			<b>10.8%</b>	<b>11.4%</b>	<b>6.8%</b>	<b>7.1%</b>	<b>16.7%</b>	<b>17.9%</b>
<b>FY 1990-2000</b>	<b>6.1%</b>	<b>8.2%</b>			<b>4.8%</b>	<b>7.7%</b>			<b>6.6%</b>	<b>8.7%</b>	<b>5.3%</b>	<b>6.9%</b>	<b>5.6%</b>	<b>7.2%</b>
<b>FY 1995-2000</b>	<b>4.8%</b>	<b>4.4%</b>			<b>3.4%</b>	<b>3.8%</b>			<b>4.1%</b>	<b>3.8%</b>	<b>3.8%</b>	<b>3.8%</b>	<b>3.9%</b>	<b>3.8%</b>
<b>AVERAGE ANNUAL INCREASE</b>														

\* separate rate established for WSU, beginning FY 1996.

Beginning FY 1997, KU, KSU, and WSU students charged by the credit hour for all hours taken; amount above based on 15 hours.

Amounts rounded to nearest dollar.

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## Kansas Board of Regents Legacy Scholarship Program

- Attached is correspondence that I received in regards to this program

Dear Anthony,

I forwarded your email to all of our Student Affairs staff, the Office of Development and Alumni Relations. You should be receiving additional emails from Pittsburg State in support of this bill. Please let Representative Helgerson know that the Office of Admission receives weekly requests for just such a program from our alumni that are all over the US. It is always pointed out that Missouri and Oklahoma schools have such a program and why don't we? With Kansas losing population from traditional sources and gaining in the area of migrant workers we need to address ties back to Kansas that are focused on bringing some of our former residents by way of their children back to Kansas. This is a very positive piece of legislation. ( I would hope you would address the gpa requirement and lower it in keeping with average gpa's on campuses. Some campuses are not experiencing the grade inflation as indicated in the high schools and a 2.8 or 2.9 is still an above average gpa.)However, if this is the only way this legislation could be passed please disregard the gpa request. Let us know if we need to do anything else to push for this legislated program. Thank you for keeping us informed and updated.

Ange Peterson, Director of Admission and Retention

Dear Anthony McClain:

Thank you very much for sending us the information on HB 3013. As former K-State students (and graduates) we appreciate the fact that a Kansas Legislator is sponsoring this bill. Obviously, we personally would love to see a section in the bill where 3rd generation K-Staters could pay in-state tuition (since our children would qualify) but we're just glad to see the program get off the ground! Thank you again for your research, your time and your efforts. We will be unable to attend the hearing for this Bill, but wish you all the best in the hearings. Please let us know how it turns out.

Sincerely, Ann and Tracy Caine

Oklahoma City

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Kansas Board of Regents Legacy Scholarship Program

Dear Mr. Anthony McClain,

I am a 3rd generation K-Stater and the first to pay out-of-state tuition. Yes, you could say I was born with purple blood and that is why I was willing to forfeit a \$6500 scholarship to the University of Nebraska and pay out-of-state tuition to KSU. After the fact, financially would probably not do it again. But to be able to carry on the tradition and to gain the educational excellence of KSU I would not hesitate. As for any children I have or nieces and nephews, I would love to see them attend KSU, but would probably not realistically see it happen because of the high cost of tuition today. With people becoming increasingly mobile, tradition could become lost - a shame for all Kansas schools. This is why I urge the house and Representative Helgerson to pass HB3013!

Sincerely, Ann Railsback '92 253 Benedict Ct. Athens, GA 30605

We are very interested in anything we can do to help with the k-state heritage program. I am a third generation k-stater, and my husband graduated from KSU. We are also active in our local alumni club (Northwest Arkansas Kansas State Alumni) and could spread the word to other local members. Do you have email addresses of legislators (or anyone else) that we could contact before the hearing on the 14th?

Thanks for all the work you are doing to make the k-state heritage program possible.

Chris & Jacque Leonard

Dear Mr. McClain,

As an alum from Kansas State University, I want to thank you for the work you are currently attempting with Mr. Helgerson. This will be a great help to all alumni that are living outside the state, for whatever reason. I am a great supporter of the University. I conduct college fairs for the alumni association in Virginia. We have received great response from students wishing to attend what I consider one of the best academic universities in the United States. I occasionally meet former K-Staters who have children getting ready to attend college and they would love to have them return to Manhattan to attend KSU. What an incredible incentive this would be if they could receive instate tuition. My son, Chris, graduated from KSU this past

Kansas Board of Regents Legacy Scholarship Program

December. We paid out of state tuition for 4 1/2 years. I know that it would have been a tremendous help to us if we could have saved the difference between instate and out of state tuition, but I'm grateful for the experience that he received. If there is anything that I can do to be of assistance, please let me know.

Always a Wild Cat, Bonnie Mayne                      1712 Quietwood Court                      Richmond,  
VA 23233

Mr. McClain:

Wanted you to know that we investigated the existence of some kind of out of state heritage program when our two oldest children reached college age. Finding nothing available DID influence the decision for them, and for our other children to follow, not to attend A Kansas university. Three of our five children have since attained degrees at colleges in Oklahoma, and our fourth will be enrolling at an Oklahoma college next fall. Three of those four graduated as valedictorians of their high school class and scored 28 to 33 on their ACT Tests. They might have added something to higher education in Kansas as they did here at their respective schools. We are quite satisfied with our children's choices, however, as Kansas out-of-state tuition wavier would have definitely affected those choices. Thank you for your interest

Robert A. Briggs D.V.M. KSU '67 & '69                      Pamela K Briggs, KSU '67

Dear Mr. McClain:

My wife (Emporia State '92) and I (Kansas State '93) currently live in Sugar Land Texas and would love the opportunity for our kid and future kids to attend a Kansas university at a reasonable cost. I heard about your bill today via e-mail from the K-State Houston Alumni Association and I understand that a hearing for the bill will be held on 3/14/2000. Although I would love to be there in support of such a measure I can not. I offer the following digital photograph of our little girl Rylie Ann (born Jan. 30, 2000) as additional support for the bill. As you can see, at just 5 minutes old (when the photograph was taken), she is already in support of the Wildcats! Best of luck with the bill and I will make sure that all of our relatives in Kansas will support the bill as well.

Kansas Board of Regents Legacy Scholarship Program  
Brian D. Peterson

Tony,

Our local alumni group for Kansas State has forwarded your email to me. I graduated from Kansas State University in December 1987 after being moved to Kansas by Uncle Sam near the end of my military obligation. We currently reside in Richmond, Virginia where we are raising four (yes four) children. It would be wonderful to be able to send one or more of our kids (two of whom were born there) back to Kansas for college and this bill could make that much more likely. If there is any way we can help to make this a reality, please let us know. Sincerely,

Louis I Stewart III    KSU Class of 87

Anthony:

There are no legacy tuition plans at K-State. A legacy proposal has come before the state legislature in years past, but has failed to pass. Since tuition and residency requirements at the state institutions in Kansas are controlled by the state legislature, its not possible for K-State by itself to reduce tuition charges for a select groups such as students who had parents attend K-State. I should also let you know that we receive lots of legacy inquiries from students and parents.

Larry Moeder KSU Admissions

I am interested and will ask our people to estimate the cost of such a bill to the state. By my rough calculation for KU the average of the in-state and out of state tuition would be somewhere around 6300-6500 dollars. On all KU campuses we have somewhere around 9300 out of state students (I don't have our data file in front of me since I am at home; this figure is based on 1994 figures, but current enrollment has not changed too much). I don't know how many of these might be the offspring of KU grads. The cost of such a scholarship program would be basically \$3500 per student, since that is the amount of out of state tuition, which would be lost. If there were 100such students the cost would \$350,000. If it were 500 such students, the cost would 1,750,000. I would love to have some way to encourage the sons and daughters of KU grads to attend KU, and would be glad to explore such ways that this could happen.

Kansas Board of Regents Legacy Scholarship Program  
Robert Hemenway, President of the University of Kansas

Anthony - We have 2 children who are graduates of KSU. My husband, his father, his 2 uncles, his aunt, my mother, my aunt and uncle, my sister, 5 nieces and nephews, cousins too numerous to mention and myself are all KSU graduates. At the time (1980/90's) that our children were attending KSU we were living in Humboldt, Nebraska which is 15 miles from the KS line. My husband, a Veterinarian, was inspecting a community sale barn in KS so he had a KS license. We owned a section of land in KS, so we paid both income and property taxes in Kansas. We had owned this land for approximately 20 years before our children entered KSU. They had to pay Out of State Tuition. This is not fair. Would you please consider situations such as this as you are looking at legislation for the KSU Legacy Program.

If you have any questions I am:

Ruth Ann Railsback

Dear Anthony,

I would like to share the following with Representative Helgerson - please pass it on.

**Bill Hollenbeck's (former legislative liaison and asst. to the President at PSU now deceased) granddaughter is visiting PSU today from Pennsylvania. She has wanted to attend PSU since she was in junior high school and the family was transferred to PA. She came every summer and spent time attending many of our outreach clinic and camps knowing that someday she would be attending college here. Her grandparents, mom, dad, step-father and aunt had all attended Pitt State. This is her first choice institution. She will not be able to attend financially if we do not have some legacy plan in place. She is an exceptional student with a very high ACT and gpa. Hopefully, she will be awarded a scholarship but those dollars are not competitive in closing the financial aid gap caused by our out-of-state tuition. She is willing to return to Kansas and Kansas will benefit from her attending one of our Kansas regent's institutions. In honor of Bill Hollenbeck who contributed much to our state, our college and our country - please consider this House bill 3013 to be of primary importance and find a way to pass this legislation.**

Kansas Board of Regents Legacy Scholarship Program

You may pass this message on to other legislators. Thank you and Rep. Helgerson for having the vision to assist the state of Kansas in returning some of the best and brightest back to Kansas through this bill.

Ange Peterson

Director of Admission and Retention, PITTSBURG STATE UNIVERSITY

Hi Anthony,

My name is Barry Evans with the Tulsa Cats here in Tulsa, Oklahoma. I'm an '81 graduate, my dad attended for a semester in 1950 before going to Korea, my uncle is a grad, and both my grandparents were alums as well. I'm very interested in seeing this pushed through the legislature, so if I can help in any way, please let me know.

Thanks, Barry Evans

Please include my name in those Kansas natives and Kansas college graduates who support a legacy program in Kansas. I am a 1990 graduate of Kansas State who ended up in Oklahoma. I would like to know that I can still send my children to one of the best schools in the nation, in my hometown, without paying out-of-state tuition. Thanks for your work on this project.

Carrie Palmer Hoisington, Attorney at Law, Holloway Dobson Bachman & Jennings  
211 N. Robinson, Suite 900 One Leadership Square Oklahoma City, OK 73102



# KANSAS BOARD OF REGENTS

700 SW HARRISON • SUITE 1410 • TOPEKA, KS 66603-3760

March 14, 2000

GENERAL ADMINISTRATION - 785-296-3421  
STUDENT FINANCIAL AID - 785-296-3517  
GED TESTING SERVICES - 785-296-3191  
FAX - 785-296-0983  
[www.kansasregents.org](http://www.kansasregents.org)

Rep. Ralph Tanner, Chair  
House Education Committee  
Room 426-South  
State Capitol  
Topeka, Kansas 66612

Dear Rep. Tanner,

Thank you for the opportunity to provide input as the House Education Committee takes up House Bill 3013. While the Kansas Board of Regents supports the concept of attracting out-of-state students to our universities, community colleges and technical schools, the Board has some concerns with this measure.

First, estimating the specific dollar impact of this proposal is a challenge. The average tuition and fees per semester for a full time student range from \$2,497 at Kansas State University to \$2,149 at Fort Hays State University, but it is impossible to estimate the number of students who would be eligible for this program at any individual institution, since the universities do not track whether a student is a dependent of an alumnus. Experience will be the best indicator of the cost of an effort such as this. In addition, the measure contains no language that limits the program to the funding appropriated, providing the potential for significant system costs down the line.

Coincidentally, the Board of Regents meets in Topeka this week, and tomorrow morning will begin the process of identifying some specific long-term systemwide goals. While it would be presumptuous of me to anticipate their moves in advance of that meeting, it is clear from recent Board discussions that the issue of student financial aid is toward the top of everyone's list.

I will take this opportunity to remind the Committee that the Board's recently established tuition/financial aid study group is currently discussing a broad range of issues related to accessibility and affordability. This issue certainly falls within the purview of that group.

Second, the Board of Regents has made it clear that its overriding legislative priority for the 2000 session is the funding promised with passage of the historic Higher Education Coordination Act. We hope you agree that commitment is critical to cementing the inter-institutional relationships on which the Board has been focusing during its fledgling existence.

While the Board does not oppose the idea of legacy scholarships, they are concerned about timing. In a year when we all agree the state dollar will be stretched thin, the Board has clearly outlined its main concern, and does not want to lose sight of its priorities.

Sincerely,

  
KIM A. WILCOX  
Executive Director

House Education  
3-14-00  
Attachment 3



TO: House Committee on Education  
FROM: Mark Tallman, Assistant Executive Director for Advocacy  
DATE: March 14, 2000

**RE: Testimony on H.B. 2714 – Election of State Board of Education**

Mr. Chairman, Members of the Committee:

We appreciate the opportunity to offer comments on H.B. 2714, which would provide for non-partisan election of State Board of Education members and change the date of the election of members to the first Tuesday in April in odd-numbered years.

As I indicated earlier this session during hearings on state governance of education, our Delegate Assembly this past December overwhelmingly voted to adopt the following resolution:

**Restructuring the State Board of Education**

WHEREAS the State Board of Education is charged with the vital constitutional responsibility for the supervision of public education in Kansas; and

WHEREAS there are serious concerns about the effectiveness of the State Board within the current structure and authority; and

WHEREAS the Kansas Association of School Boards supports efforts to improve the effectiveness of the State Board; retain the State Board as an elected body accountable to the people of Kansas; remove the Board's self-executing powers and provide more effective coordination with other parts of state government; and

WHEREAS some changes required to achieve these ends require an amendment to the Kansas Constitution and its approval by the voters of Kansas;

THEREFORE, BE IT RESOLVED that KASB supports constitutional and statutory changes to achieve the following:

FIRST, the number of board members should be changed to an odd number to prevent the recurrence of tie votes by the State Board.

SECOND, to maintain the non-partisan character of public education governance in Kansas, State Board members should be elected on non-partisan ballots.

THIRD, to increase public awareness of State Board elections and education issues, State Board members should be elected at the same time local school board members are elected, at a time different from the fall elections of even-numbered years.

Obviously, points two and three are consistent with H.B. 2714, so we support that measure. I would offer two justifications for these changes:

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- We believe that electing board members in non-partisan elections will help maintain the non-partisan view of education in our state; a view that has helped Kansas achieve one of the strongest school systems in the nation. It will also allow more meaningful public participation in the election process and help emphasize issues over party.
- We hope that changing the date of election for State Board members to the date of local board elections will increase the visibility and focus on educational issues at both the state and local level.

Thank you for your consideration of these positions. I will be happy to answer any questions.



# Kansas State Department of Education

120 S.E. 10th Avenue  
Topeka, Kansas 66612-1182

March 14, 2000

TO: House Education Committee

FROM: State Board of Education

SUBJECT: 1999 House Concurrent Resolutions 5008 and 5003 and  
House Bill 2714

My name is Scott Hill, Legislative Coordinator of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

House Concurrent Resolution 5008 amends the Education Article of the Kansas Constitution and removes the State Board of Education's self-executing powers and grants the State Board of Education authority as provided by the Kansas Legislature.

The Constitutional Amendment would change the procedures in selecting the commissioner of education. The State Board of Education would be required to submit to the Governor a list of nominees for appointment to the office of commissioner of education. The appointment of the commissioner would be made by the Governor subject to confirmation by the Kansas Senate. The commissioner would serve at the pleasure of the Governor and also serve as the chief executive officer of the State Board of Education.

The State Board of Education has major concerns with House Concurrent Resolution 5008. There are many problems that could arise with the Governor appointing the chief executive officer for another elected body. The State Board has numerous responsibilities that have been carried out as a result of their self-executing powers such as the certification of educators and accreditation of schools.

The State Board of Education has tried diligently to work cooperative with the Legislature and as a general rule this cooperation has been quite successful particularly in the areas of school improvement, state assessments, curricular standards, and accreditation of schools. Many of these provisions are also provided by law and for this cooperation and support the State Board is most appreciative.

Attached is a listing of some of the responsibilities of the State Board of Education. It would be difficult to carry out these responsibilities if the chief executive officer is appointed by another elected official.

The State Board of Education believes that education is a cooperative effort involving the Governor, Legislature, State Board of Education, higher education, local boards of education, parents, students, community, and business and industry. Every effort has been made to follow this concept.

Division of Fiscal & Administrative Services

785-296-3871 (phone)

785-296-0459 (fax)

785-296-6338 (TTY)

www.ksbe.state.ks.us

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The State Board has made every effort to obtain input through two-day monthly meetings and public hearings on any major issue being considered for implementation. We have also provided opportunities to legislators who desire to submit written or oral comments regarding various proposals.

House Concurrent Resolution 5003 adds one additional member to the State Board of Education and redistricts the current board member districts to provide for eleven (11) equal districts.

The State Board of Education members would continue to be elected including the additional board member.

This constitutional amendment would result in a modest increase in the State Board of Education budget to cover the expenses of an additional member. In addition, there would be costs associated with redistricting and a statewide election.

The Legislature needs to consider whether it is worth the effort to redistrict the State Board districts, add one additional member, and change the Constitution with the end result still being six votes to approve any board agenda item which is the same as currently required.

The removal of the State Board's constitutional authority has been presented to the voters on three occasions (1974, 1986, and 1990) and defeated each time. We believe this is a strong indication by the people for the State Board to continue under the current constitutional provisions.

The State Board of Education strongly supports an accountability system which will respond to the needs of Kansas citizens through the electoral process. The process of using lay leaders in the determination of educational policy is very important in meeting the needs of Kansas students.

The current system of the State Board of Education's accountability to the citizens of Kansas appears to work well. We believe the governance of education in the state is best supported and enhanced through an elected State Board of Education.

We sincerely hope that the Legislature will not make another effort to amend the education article of the Constitution or change the election process to nonpartisan. We need to enhance the education opportunities for all students through the cooperative leadership of the State Board of Education, the Legislature, and Governor.

The State Board of Education has adopted the following policy related to its constitutional powers and any proposed changes in governance.

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***RESPONSIBILITIES OF  
KANSAS STATE BOARD OF EDUCATION***

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- ◆ Accredit public and private elementary, middle, junior, and senior high schools.
- ◆ License all teachers and administrators.
- ◆ Take disciplinary action against teachers and administrators.
- ◆ Approve teacher education programs at colleges and universities.
- ◆ Approve special education programs.
- ◆ Monitor and enforce state and federal special education laws.
- ◆ Govern Kansas State School for the Deaf and Kansas State School for the Blind.
- ◆ Distribute approximately \$2.3 billion of which \$2.0 billion are state funds.
- ◆ Audit all unified school districts for state aid entitlement.
- ◆ Administer food service programs at state level.
- ◆ Approve all secondary vocational education programs.
- ◆ Contract for the administration of the state assessment programs.  
(mathematics, reading, writing, social studies, and science)
- ◆ License commercial driving schools.
- ◆ Coordinate school bus safety program.
- ◆ Administer approximately 15 different recognition programs for teachers, administrators, and students.
- ◆ Determine requests for school district boundary changes.

POSITION OF THE KANSAS STATE BOARD OF EDUCATION  
ON THE EDUCATION ARTICLE OF THE  
KANSAS CONSTITUTION

The supervision of education is a very important matter that has been carefully outlined in the Constitution and has worked effectively for the citizens of Kansas. The State Board of Education, in fulfilling these constitutional responsibilities, has as its primary mission the pursuit of academic excellence in meeting the needs of and providing the educational opportunities for students in Kansas.

Traditionally, the State Board of Education has served as an advocate within state government for the best interests of children and youth and for the overall educational needs of students. The State Board of Education has been dedicated and able to focus on challenging educational issues in great depth which helps them make informed decisions and adopt policies and regulations that are consistent with the needs of students in Kansas. Each member of the State Board of Education has high expectations of education and possesses leadership, decision-making, and teamwork skills.

The ten elected board members enhance citizen representation making it more likely that education proposals will be broadly accepted by the public. Thereby ensuring the State Board of Education is truly accountable to the citizens of Kansas.

The State Board of Education concentrates and spends its time solely on education issues which enables them to be better informed as they make decisions at the monthly meetings throughout the year. To keep informed, the State Board engages important stakeholders and the general public in continuous dialogue about education.

The State Board of Education supports the Kansas Constitution in its current form and will consider specific proposals based on their merit(s).

## **ACCOMPLISHMENTS**

### **(State Board of Education, Legislature, and Governor)**

- Developed and adopted a new quality performance accreditation system for public schools which improves school accountability
- Involved parents and business leaders on school site councils
- Developed and implemented high curricular standards
- Developed high performance state assessments in the core curricular areas
- Required inservice staff development to assist in continuous improvement
- Increased the state average ACT scores
- Assisted schools in implementing qualified admissions requirements
- Implemented Parents as Teachers program to assist parents in preparing children to enter school
- Improved funding equity for new school facilities
- Developed and implemented a performance report card for each school
- Increased efforts to assist at-risk students to be successful
- Provided funding and assisted school districts in development of technology plans
- Funded four-year-old at-risk program to prepare students to enter kindergarten
- Assisted schools districts in the preparation of their federal E-rate discount application
- Improved the recognition of outstanding educators and schools
- Adopted a second grade diagnostic test to assist schools in determining reading problems at an early age
- Approved an articulation agreement between the community colleges, area vocational-technical schools, and the State Board of Regents'
- Established regional postsecondary consortiums to address area needs
- Provided technology funding to assist in establishing a better employee for business and industry or transfer to high education institutions