

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on February 7, 2011, in Room 152-S of the Capitol.

All members were present.

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Laura Younker, Kansas Legislative Research Department
Jason Long, Office of the Revisor of Statutes
Eunice Peters, Office of the Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas Department of Education
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the Committee:

Dr. Andy Tompkins, President & CEO, Kansas Board of Regents
Sherry C. Diel, Executive Director, Kansas Real Estate Commission (written only)

Others attending:

See attached list.

Introduction of Legislation

Julene Miller, Kansas Board of Regents, appeared before the committee to request legislation providing for a new technical education tiered funding distribution. A brief committee discussion followed. It was moved by Senator Ruth Teichman, seconded by Senator John Vratil that legislation providing for a new technical education tiered funding formula be introduced. Motion carried on a voice vote.

Senator Mike Petersen provided a written request for legislation that relates to students residing within the 2.5 mile radius of their school. It will provide a method for parents or guardians to petition the school board for transportation due to a serious safety hazard. If granted, it requires the review of these conditions biennially. The bill also requires notification of KDOT officials for consideration in the Safe Routes to School Program. It was moved by Senator Ruth Teichman, seconded by Senator John Vratil that legislation providing this be introduced. Motion carried on a voice vote.

Hearing continued on SB 8 - Defining information technology project for state universities under the control of the state board of regents

Discussion continued with reiteration of Senator Abrams' question of how this would change the bidding process. The Senator stated that following the hearing he was told this legislation would not affect the bidding process. This legislation raises the amount where the on-site project coordinator has the ability to make the determination of how things are actually implemented.

There being no further discussion, the hearing on **SB 8** was closed.

It was moved by Senator Abrams and seconded by Senator King that the committee recommend **SB 8** favorable for passage. Motion carried on a voice vote.

Hearing on SB 41 - Private and out of state postsecondary educational institution act; fees

Jason Long, Office of the Revisor of Statutes, presented a summary of the provisions of the proposed legislation. SB 41 would make permanent the new categories and fee levels established for FY 2011 by the 2010 Legislature that the Board of Regents may charge private and out-of-state postsecondary educational institutions in order to carry out the Board's statutory and regulatory responsibilities. The fees listed in the bill would be the maximum allowable amounts.

The budget for the Board of Regents recommended by the Governor for FY 2012 assumes continuation of the current fee structure. If the bill is not enacted, fees would revert back to the 2003 fee structure and

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revenues and expenditures would decline by approximately by \$500,000. Given the current and increasing demands by this industry, the Board would not be able to keep up with the new institutions seeking approval or the current approved institutions seeking to add new programs.

Dr. Andy Tompkins, President and CEO, Kansas Board of Regents appeared with testimony in support of the proposed legislation (Attachment 1). He stated **SB 41** would make the statutory fee structure permanent, grant the Board of Regents rule and regulation authority to set fees within the statutory limits, and lower the minimum fees charged to smaller schools in Kansas so they are better able to thrive. He pointed out that between January, 2007 and December, 2010, the number of approved institutions in Kansas increased 39.2%. In that same period, the number of approved academic programs increased 337% with this growth expected to continue for several years.

He emphasized that implementation of the proposed changes will enable the Division to operate on a business model, tracking all costs to operate, and setting fees at a level that will cover those costs and eliminate any reliance on State General Funds to cover both direct and indirect costs.

Written testimony in support of the proposed legislation was provided by Sherry Diel, Executive Director, Kansas Real Estate Commission (Attachment 2).

There being no further testimony, the hearing on **SB 41** was closed.

The next meeting is scheduled for February 8, 2011.

The meeting was adjourned at 01:55 p.m.