

MINUTES OF THE HOUSE COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Lisa Benlon at 3:30 p.m. on February 7, 2001 in Room 231-N of the Capitol.

All members were present.

Committee staff present: Carol Rampey, Kansas Legislative Research Department
Paul West, Kansas Legislative Research Department
Avis Swartzman, Office of the Revisor of Statutes
Dee Woodson, Committee Secretary

Conferees appearing before the committee: Dr. Jerry Farley, President, Washburn University
Mary Prewitt, General Counsel, Kansas Board of Regents
J. B. Webster, President, Kansas Association of Community
College Trustees and Chairman of Barton County
Community Board of Trustees
Dr. Patrick McAtee, President, Cowley County Community
College
Dr. Jacqueline Vietti, President, Butler County Community
College and Chair, Community College Council of
Presidents
Representative Ward Lloyd

Others attending: See attached list.

Chairperson Benlon introduced Dr. Jerry Farley, President of Washburn University in Topeka. Dr. Farley gave a presentation on Washburn University sharing with the Committee not only the history and development of Washburn, but the background of its financial support through the years. Dr. Farley told the Committee that Washburn offers five major schools of study which include the College of Arts and Sciences which is the Liberal Arts area and was the major premier program for Washburn; School of Nursing, School of Business, School of Applied Studies, and the School of Law. He said they offer 90 undergraduate majors and six Master's degree programs.

Dr. Farley stated that Washburn has a 16 to 1 students to teacher ratio, and most class sizes range between 15 to 40 students with less than 1% of their classes having more than 50 people in them. He said that 96% of their faculty members have the highest degree in their field which most of those are PHD's, and 95% of the students come from within Kansas. Dr. Farley told the Committee that Washburn competes in Division II athletics. He referred the Committee to the handouts he had furnished each member, and explained the information they furnish prospective students and others interested in what Washburn has to offer. (Attachment 1) He said that Washburn is governed by a nine member board, and then gave an overview of the funding Washburn receives and its endowment program. Dr. Farley also explained tuition and qualification requirements for admission to Washburn.

Dr. Farley shared with the Committee the Leadership Institute Program Washburn recently created, and that it is a multi-disciplinary program which is not housed within any particular academic department. He said the program involved bringing in some of the best students on campus, and giving them intensive leadership training throughout their entire four years at Washburn. He added that eventually this program will be offered to all students on campus, and he stressed that ethics is strongly emphasized in all the leadership classes.

Dr. Farley told the Committee about Washburn's "Partnership for Learning and Networking" (PLAN) programs, and is a collaborative effort with community colleges across the state through the internet. He said they now have 13 community colleges that are a part of the program. He said the PLAN programs allow students to complete an associate degree in two years at any of the 13 partner community colleges and then a bachelor's degree from Washburn University in another two years without traveling to Topeka for classes. Dr. Farley explained that the

classes are taught by regular full-time Washburn faculty, and the program reflects two goals of the Kansas Board of Regents' Plan for the Coordination of Kansas

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Postsecondary Education. He said that through internet classes, students in under-served areas can complete approximately two-thirds of the bachelor's degree at the partner community college or from any of the Regents' universities. Dr. Farley told the Committee that the PLAN programs are cost-effective for both the students and the University, and avoids unnecessary duplication of course offerings between the University and the community colleges.

The Chair opened the floor for questions and comments for Dr. Farley.

General questions included concerns of internet costs to the university, student or the taxpayer; workforce development training programs; comparison of faculty costs with the other Regents universities; and further clarification on admission qualifications for Washburn.

HB 2188 - Community colleges, scholarships, student fees

Chairperson Benlon opened the hearings on **HB 2188**. Mary Prewitt, General Counsel for the Kansas Board of Regents, was the first conferee, speaking in support of the bill. She testified that this bill had been approved by the Board of Regents, and was included in the Board's legislative request for the 2001 Session. She said that there were several conferees from the community colleges who would be testifying later regarding issues with the proposed bill, and will be available for questions from the Committee. Ms. Prewitt explained the language they wish to add to K.S.A. 71-301 in Section 2 of the bill, which would basically clarify that community colleges have the authority to collect student fees. She noted that the other changes specify that student fees and money received from private donors are not to be considered public funds for the purposes of this section, and therefore, may be used for athletic scholarships, and that athletic scholarships may be granted to non-residents of the state. (Attachment 2)

Trustee, J. B. Webster, Barton County Community College, Board Chair and KACCT Board President, was the second conferee to testify in favor of **HB 2188**. He said the 19 Kansas Community Colleges were represented at today's hearing by Dr. Patrick McAtee, President of Cowley County Community College at Arkansas City; Dr. Jacqueline Vietti, President, Butler County Community College at El Dorado; and also in attendance was Dr. Ron Fundis, President of Labette County Community College at Parsons. Mr. Webster stated that the bill was researched and requested by their trustees and administrators. (Attachment 3)

Dr. McAtee spoke as the third conferee in favor of this legislation. He testified that there was a need to clarify the wording in the law, and it was critical for their colleges' use in helping students obtain scholarships.

The fourth proponent on this bill was Dr. Vietti, President of Butler County Community College and Chair of the Community College Council of Presidents. She testified about the need for clarification in the language of the law. She said that 50.4% of the students come from across the state to community colleges; and that as a state-wide mission collectively, community colleges do provide a great service to the citizens of Kansas.

There were no opponents appearing before the Committee. The Chair called for any questions or comments. Representative Horst asked how the students fees were currently being used. Dr. Vietti explained what Butler County Community College does, and she broke down the various charges that make up the fees, i.e. student publications, parking, technology, and continuing education to provide support services for off-campus sites, etc. Mr. Webster also broke down the fees paid at Barton County Community College to show the various activities that are covered by the fees. Dr. McAtee said they use the fees to help pay for the upgrades in technology and other things.

Clarification was requested by Representative Horst as to whether the change was to allow the fees to fund scholarships for student athletes. Dr. Vietti and Dr. McAtee both responded that the fees help pay for several items such as academic and vocational scholarships, and only \$2.00 of the fees go towards out of county athletic scholarships. Dr. McAtee said that out of state athletic scholarships are paid for by Booster Clubs. Dr. Vietti stated that this was not an athletic scholarship issue exclusively, but they are just trying to clarify the law to match the practice over the last 30 years.

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Discussion and questions continued regarding the athletic scholarship issue, and Mary Prewitt clarified what the current law allowed public funds only to be spent on in-district scholarships. She said that this bill actually did two things: (1) it allows the student activity fees to be spent on scholarships of any type for students who are outside of the community college district, and (2) it allows those funds to be spent on athletic scholarships in particular. Ms. Prewitt stated that it really does go beyond just athletic scholarships and addresses change. She said that in the past there was a prohibition on the expenditure of public funds for scholarships period and the part of the law that KACCT is really interested in clarifying, is that whether or not those student fees are public funds. Ms. Prewitt explained they would now through these changes be allowed to spend these fees on scholarships both for students outside the district and for athletic scholarships, both which were previously prohibited.

Dr. Vietti further tried to clarify this issue and submitted that the issue has been the definition of student fees, and the community colleges have defined them as non-public funds. She referred the Committee to lines 16, 17 and 18 of the bill that speaks to this issue. The Revisor said the bill would make it grammatically correct.

Representative Ward Lloyd appeared before the Committee to testify as a proponent, and stated that he had practiced law in excess of 30 years in the area of educational law and specifically representing community colleges. He clarified what the bill does and explained the requested change. He stated this change only deals with community colleges and does not relate to the other universities under the Board of Regents.

Representative Krehbiel went over the interpretation again for the Committee in order to simplify its meaning. Dr. Ron Fundis, President of Labette County Community College at Parsons, contributed that they had a big Allied Health Program of Nursing, Respiratory Care and Radiology, and they have agreements with 16 county hospitals. He said that 15 of those are outside of their district, and they do not have the ability to award scholarships to nurses in those hospitals because of the current statute. Mr. Fundis added that this bill would allow them to give scholarships to the nurses, respiratory therapists, radiographers, and others; and they have far more people in their Allied Health Program than they do in their entire athletic program.

Sheila Frahm, Executive Director for the Kansas Association of Community College Trustees, clarified the terminology being used of "district" which is the county or part of the county in which the school is located, and the service area which can be outside of the district but it is the area that the school needs to support or service.

The Chair closed the hearings on **HB 2188**.

Representative Kuether made a motion to pass **HB 2188** out favorably. The motion was seconded by Representative McLeland. Discussion on the bill followed with some concern expressed that some students are having money taken away from their scholarship fund to give to other students' scholarships. The Chair called for a vote, and the motion carried.

Chairperson Benlon adjourned the meeting at 5:10 p.m. The next meeting of the House Higher Education Committee will be Monday, February 12, Room 231-N at the Capitol.