

**MINUTES
KANSAS POSTSECONDARY
TECHNICAL EDUCATION AUTHORITY
MEETING
Wednesday, January 27, 2010**

The January 27, 2010 meeting of the Kansas Postsecondary Technical Education Authority was called to order by Chairman Joe Glassman at 8:30 a.m. The meeting was held in the Kansas Board of Regents Boardroom located in the Curtis State Office Building, 1000 S.W. Jackson, Suite 520, Topeka, Kansas.

Members Present:

Joseph Glassman, Chairman
Clark Coco
Eddie Estes
Sheila Frahm
Jim Grier

Robin Harris (for Diane DeBacker)
William Thornton
William Quattlebaum, Vice Chairman
Jack Wempe

Members Absent:

Wayne Carter
Jim Garner
Kathy Howell

APPROVAL OF MINUTES

Motion: Member Frahm moved to approve the minutes of the December 18, 2009 as presented. Following the second of Vice Chairman Quattlebaum, the motion carried.

REPORTS

Chairman Report

Chairman Glassman mentioned that he recently attended the 9th Annual Kansas Workforce Summit here in Topeka, January 20-21, 2010 as did several other Authority members and invited Member Estes to share additional information regarding the summit during the Member Liaison Reports.

Chairman Glassman shared that he, Vice Chairman Quattlebaum, Member Grier and Member Wempe met with Regents Gary Sherrer, Jarold Boettcher, Christine Downey-Schmidt and Chairman Jill Docking on January 11, 2010 to discuss a proposed amendment to Section (b) of K.S.A. 72-4482 regarding the Regents 45-day veto period. The proposed amendment was later discussed during the January 20, 2010 Board of Regents meeting with a majority of the Regents voting to leave the statute as it currently stands. At the request of Member Frahm, Chairman Glassman opened the floor for questions or comments.

During the ensuing discussion, many comments were shared supporting Authority initiatives, the increased focus on technical education, and the value of the two groups working together to improve technical education in the state. Communication was seen as a key element in this effort, especially in regard to Authority processes and activities. Member Coco asked that a copy of a letter sent to the Regents from Senator Janis Lee and Representative Ann Mah be shared with the Authority members. Vice Chairman Quattlebaum suggested the possibility of a joint meeting with the Regents at some point in the future. Chairman Glassman recommended that, dependent

upon the subject matter and when possible, at least one Authority member attend future KBOR meetings as a means to improve communication between the two entities.

Chairman Glassman then asked for a moment of silence in memory of George Fahnestock, former chair of the Kansas Technical College and Technical School Commission.

Report from Vice President for Workforce Development

In the absence of Secretary Garner, Vice President Flanders shared information from the most recent report from the Kansas Department of Labor regarding the status of employment in Kansas.

Vice President Flanders reminded members of the upcoming Innovation in Career Technical Education conference on February 22-23, 2010 in Wichita. This conference is sponsored through a partnership with KBOR, KSDE and currently has 62 sessions scheduled. The keynote speakers are Christine Cashen, from Dallas, TX and Michael Brustein, from Washington, DC.

Vice President Flanders wanted members to be aware that legislation could potentially be introduced giving technical colleges taxing authority but that he has not seen a bill introduced specific to this issue to date.

Vice President Flanders shared that Dawn Ressel will present the Fall Enrollment Report during the next Authority meeting.

In response to a question from Member Frahm regarding the budget for the Authority, Vice President Flanders responded from the initial allocation last year the entire higher education system (which includes the Board office) has had about a 12% cut which is also reflected in the Governor's budget for the coming year. Internally, staff is exploring ways to more efficiently use both state and federal resources. Member Frahm requested that the budget for the Authority be shared with the members.

Member Liaison Reports

Member Wempe mentioned that he was asked, by former Commissioner of Education Alexa Posny, to serve as a member of the "Gap Analysis Group" for the Kansas Department of Education. There is a group comprised of 48 states working from a national perspective to identify common curriculum standards and Gap Analysis Group is reviewing those results as they relate to the curriculum efforts in Kansas. Member Wempe noted that a portion of the last meeting was focused on how well these standards relate to entry level requirements for higher education within the state as well as requirements for postsecondary technical education.

Member Wempe reported that in December he attended a meeting of the Educational Services and Staff Development Association for Central Kansas (ESSDACK) in Hutchinson. This meeting included people from Central Kansas who are interested in distance learning (possibly for dual credit) in technical education. Approximately 85 people were in attendance, including superintendents and counselors, and all expressed an interest in distance learning and technical education.

Member Estes gave a summary of the successful 9th Annual Kansas Workforce Summit. He shared that collaboration was a major part of the Summit and recognized Caleb Asher and Acting Secretary Thornton, who coordinated many activities and contributed to the success of the Summit. Member Estes also thanked all those who attended and encouraged participants to send

him any comments regarding the Summit. He also encouraged everyone to plan to attend next year's Summit.

Vice Chairman Quattlebaum commented that he attended the Summit and stated that he would like to see more business and industry presentations at this event in the future.

APPROVAL OF CONSENT AGENDA **PROPOSED NEW PROGRAMS**

Technical Programs and Curriculum Committee:

Vice President Quattlebaum announced that the Technical Program and Curriculum Committee met on January 12, 2010 and recommends approval of the following programs:

Fort Scott Community College requests approval for the following new program: Masonry (46.0101) at the Technical Certificate level (32 credit hours). The proposed program would serve the needs of Southeast Kansas, Oklahoma and Southwest Missouri for brick, block and stone masons. Letters of support from area employers highlighted their concern with pending retirements and the need for a program to serve this region of the state. The program would serve the needs of individuals seeking to acquire an employable skill as well as high school students in the local area seeking to explore the masonry trade. The proposed program is part of the Architecture & Construction career cluster which is one of the high growth, high demand industry clusters for Kansas. Based on surveys conducted, the college projects an annual enrollment of 40 students. Twenty-five area businesses and construction companies have pledged to support the program with donations of equipment and materials. Letters of support from area employers indicated an ongoing annual need for and willingness to hire graduates from the proposed program.

Funds set aside in the Community Based Jobs Training Grant awarded to Fort Scott Community College by the U.S. Department of Labor will be utilized to fund the start-up costs the program during the initial year of operation which are projected to be \$110,000. Tuition and fees accompanied by support from businesses and construction companies will enable the program to become self-sufficient and offset the ongoing program costs beyond year one which are estimated to be \$45,000.

The only other Masonry program in the state is located at North Central Kansas Technical College. Fort Scott Community College has collaborated with NCKTC on program design, exchanging course level materials and exploring "best practices."

Fort Scott Community College has an existing Construction Trades Program at the AAS level and some of the course work in the proposed certificate program already exists. The proposed Masonry program would adhere to the National Center for Construction Education and Research (NCCER) curriculum and would support student acquisition of NCCER credentials.

The above new certificate program has been carefully reviewed by staff utilizing the above stated standards and criteria. Copies of the detailed program proposals are available for inspection.

Motion: Vice Chairman Quattlebaum moved to approve the Masonry program submitted by Fort Scott Community College. Following a second by Member Estes, the motion carried.

CONSIDERATION OF DISCUSSION AGENDA**Technical Program and Curriculum Committee:**

Independence Community College requests approval for the following new program:

Veterinary Technology (51.0808) at the Associate of Applied Science level (81 credit hours). The proposed program would seek and maintain accreditation from the American Veterinary Medical Association (AVMA) and support the need of veterinary technicians in Southeast Kansas and Northeast Oklahoma. A state-wide survey sent to 386 veterinarians produced 122 responses, with 90 of the 122 responses stating that they would like to see Independence Community College develop the program. A survey of area high school students indicated that 47% would be interested in pursuing this program of study if it were available locally. The veterinary technician occupation is included among the top twenty growth occupations requiring an Associate's degree in Kansas. The United States Department of Labor Occupational Handbook notes that employment of veterinary technologists and technicians is expected to grow 36 % over the 2008-18 projection period, which is faster than the average for all occupations. The Occupational Outlook Handbook also states that many veterinary technicians remain in the field less than 10 years, so the need to replace workers who leave the occupation each year also will produce many job opportunities.

Total program start-up costs are estimated at \$209,000, with \$104,000 during the initial startup year designated for equipment and facility costs. Equipment and facility costs will be funded through a comprehensive review and reallocation of existing college resources and will be augmented by the fund-raising efforts of the Independence Community College Foundation Board. Annual operational costs of \$105,000 will be offset by tuition and fees and by capturing salary and benefits that result from attrition in other operational areas of the college.

Colby Community College currently offers the veterinary technician program and Johnson County Community College offers the program via a collaborative program with Metropolitan Community College in Kansas City, Missouri. Independence Community College approached Colby Community College and Kansas State University seeking collaboration and support for the proposed program. Tulsa Community College has partnered with Independence Community College sharing expertise and identifying clinical placement opportunities for students. The University of Missouri has requested completion of an articulation agreement with the proposed program.

A letter of support for the proposed program was received from Labette Community College. A letter of objection to the proposed program was received from Colby Community College.

The above new certificate program has been carefully reviewed by staff utilizing the above stated standards and criteria. Copies of the detailed program proposals are available for inspection.

Daniel Bain, President, and Peggy Forsberg, Dean of Instruction, at Independence Community College and Paula Davis, Vice President of Academic Affairs at Colby Community College responded to a series of questions from the Authority members regarding the proposed new program.

After lengthy discussion, Vice Chairman Quattlebaum requested the proposed Veterinary Technology program submitted by Independence Community College be directed back to the Technical Program and Curriculum Committee to allow time for additional data to be collected and reviewed by the committee prior to action by the Authority.

PR Marketing Committee

Acting Secretary Thornton introduced Caleb Asher, Deputy Secretary, who provided members with an update on the Kansas Career Pipeline and the coordinated promotion to the state legislature. Mr. Asher reminded members that last fall through the collaborative efforts of KBOR, KSDE, and the Department of Corrections, Commerce assumed the lead for the Kansas Career Pipeline (KCP). Initially, Commerce was especially interested in the career assessment component and how users could connect those results to the workforce system. Since that time, a workgroup has been formed to design and build a web portal to integrate and connect KCP, CareerZoomKansas and KANSASWORKS so that the end user can access the information through a single portal with a single log-in. Over the past few months a user survey was conducted to identify the extent to which the components of KCP were being utilized and the results of the survey will be used to inform the working group regarding development of a more comprehensive website. Mr. Asher also shared the project timeline with an anticipated completion date of July 1, 2010.

Chairman Glassman asked Mr. Asher to keep members apprised of the progress of this initiative and that, closer to the July timeframe, information such as the potential costs involved in maintaining the new portal, who will be able to access the information, and whether or not there will be a cost for the end user be made available to Authority members.

Mr. Asher also reported that the Marketing Committee discussed and recommended that the Authority and KBOR staff work with the executive directors of the local workforce boards, representatives from business and industry and the members of the State Workforce Board to hold a special day at the state house to emphasize the need for and benefits of technical education with our state legislators. The activity would be scheduled for late March.

Motion: Vice Chairman Quattlebaum moved that the Kansas Postsecondary Technical Education Authority, in collaboration with our workforce system partners, support an activity focused on career technical education and workforce development at the state house during the current legislative session. Following a second from Member Frahm, the motion carried.

Budget /Finance Committee**Budget Update**

Chairman Grier introduced Kelly Oliver who presented an update of the Governor's budget recommendations.

Ms. Oliver reported that the Governor's recommended appropriations from the State General Fund for higher education for FY 2011 total \$757 million, and reflect an increase of \$10 million. The increase would include \$3 million to resume base funding for the principal portion of debt service payments, leaving an estimated \$7 million in new money for enhancements. Following the Governor's State of the State address, the Board of Regents indicated that, if additional funding is received, any enhanced funding would be committed to strategically targeted investments aimed at boosting the Kansas economy.

The Governor's budget recommendations also assumed increased revenue based on identified tax increases and noted that without revenue increases, crippling cuts will need to be applied to all areas of the budget. If revenue enhancements do not go forward, new cuts will be applied in addition to those already imposed. This list included several items related to higher education:

- Reduce a net of \$15 million to the operating grants to institutions (this would take the SGF appropriation below the required maintenance of effort for the federal AAR/SFSF funding)
- Eliminate SGF transfers for the Faculty of Distinction program (\$3 million)
- Eliminate SGF transfer for debt service on bond payments for the University Research and Development Enhancement program (\$6.2 million)
- Reduce EDIF spending on National Institute for Aviation Research (\$5 million)
- Eliminate EDIF spending on equipment for technical colleges and eligible community colleges (\$2.7 million)

Together, all of the steps including the tax changes proposed in the Governor's plan to resolve the state budget gap yield and ending balance for the State General Fund of \$400,000 in FY 2010 and \$0 in FY 2011.

Furthermore, the consensus revenue forecast that underpin the Governor's budget plan are premised on a leveling off of the state's economy during the balance of FY 2010 and the resumption of slow growth in FY 2011.

Motion: Member Grier moved that in light of the current state budget, environment implementation of the technical education tiered cost model be deferred for at least one year or until FY 2012. Following a second by Chairman Glassman, the motion carried.

Chairman Grier introduced Julene Miller, General Counsel for the Kansas Board of Regents, who provided members background information and the current status of litigation regarding technical education funding. Ms. Miller reported that in August, 2006, the Board of Trustees for Dodge City Community College adopted a Resolution citing funding disparity and requesting the Board of Regents to fund the College pursuant to K.S.A. 71-1706(b) (a provision of the consolidation statutes that permits merged community colleges to access Postsecondary Aid for any "vocational education course or program not for community college credit").

Ms. Miller conveyed that following a number of communications between Dodge City Community College and the Board (with Pratt Community College and Cowley Community College joining in the conversation in June of 2007), she advised the attorney for Dodge City Community College that the college was not eligible for Postsecondary Aid funding under K.S.A. 71-1706(b) because, rather than offering any of its acquired vocational/technical education courses or programs not for college credit, the college instead requested the Kansas Department of Education (KSDE) to designate it as an "official area vocational technical school" in order to make those courses/ programs eligible for the 2X funding then available for vocational/technical education courses funded through state credit hour aid. (Pratt and Cowley Community Colleges were never directly involved in these conversations/communications, but they would not have been considered eligible for such funding both because they did not offer the courses for community college credit and because they did not consolidate pursuant to the provisions of K.S.A. 71-1706(b) et seq.)

In June of 2009, all three colleges filed a Petition in Shawnee County District Court seeking past and future damages, a declaration that they are entitled to equitable funding pursuant to K.S.A. 71-1706(b) and the Constitution, an order compelling the Board to fulfill its "clearly defined statutory duties with regard to funding" under K.S.A. 71-1706(b), injunctive relief, costs of the action including attorney fees, pre-and post judgment interest and any other relief deemed just and

equitable by the Court. In lieu of filing an answer to the Petition, the Board filed a Motion to Dismiss arguing that even taking all the plaintiff community colleges' statements as true, they do not qualify for Postsecondary Aid funding under the clear language of the statutes, that there is nothing in the Constitution that requires the State to fund all community colleges alike or even to fund them at all, and various procedural issues, including failure to join the other community colleges and technical colleges as necessary parties to the controversy. Plaintiff colleges responded by re-characterizing some of their claims, and dropping some, but continuing to argue that they were entitled to funding in accordance with K.S.A. 71-1706(b) and the Constitution.

Ms. Miller reported that oral arguments were held on November 13, 2009, at which time the Court requested that the Board provide additional information about the history and evolution of the funding statutes. The Board filed a timeline with supporting documentation last week and Ms. Miller expects the Court will allow the plaintiff colleges to respond to that filing, and hopefully rule in February. If the Court rules in favor of the Board, current practices will continue to be an option for continued funding. If the Court rules against the Board, the funding may have to be revised in some way, but it will not be clear what the Board's options are until the Board sees exactly what the Court's findings are and how those findings may impact the system.

OTHER MATTERS

Open Comment Period

Ed Berger, President, Hutchinson Community College, shared information as clarification regarding the funding for merged technical programs/institutions. At the time of the merger, all technical programs at the technical school were eligible for postsecondary funding and those programs have been kept intact and separate from any technical programs at the community college, which at one time received 2X funding. In essence, the mergers created two schools in one. He then referred to an article from the HCC Now entitled, "Merged Programs: *Unique Partnership Allows for Efficient Use of Resources*," which was shared with members.

Legislative Interaction Update`

Vice President Flanders shared a document with Authority members summarizing the status of technical education initiatives to assist members when visiting with state legislators. He asked that members review the document and forward any comments or suggestions to him. The handout focused primarily on three of the Authority's strategic priorities: (1) Aligning education with the needs of business & industry, (2) Enhancing system participation, and (3) Funding technical education strategically.

Process Management Committee

Ed Berger, President of Hutchinson Community College, updated members on the progress being made by the Process Management Committee. Dr. Berger noted that the group is nearing completion of the discussions regarding program alignment process and that the process has been modified to include additional opportunities for college presidents to make comments as well as increased participation of business & industry representatives throughout the process.

ADJOURNMENT

Chairman Glassman adjourned the meeting at 1:05 p.m. The next meeting of the Kansas Postsecondary Technical Education Authority will be Wednesday, February 24, 2010 at the Kansas Board of Regents in the Boardroom.

Respectfully Submitted by Janice Haberman, Executive Assistant