

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2435** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 7, following line 6, by inserting:

"New Sec. 7. (a) Notwithstanding the provisions of K.S.A. 46-215 through 46-293, and amendments thereto, an employee of a state university may provide significant factual information or advice or recommendations in relation to the negotiated terms of a technology licensing agreement or other research or development agreement between the state university and a company in which the employee has a substantial interest, provided that the employee does not have the authority to negotiate the terms of such agreement, or to approve such agreement on behalf of the state university. Nothing in this section shall allow an employee of a state university, in such employee's capacity as a state university employee, to provide advice or recommendations in relation to the negotiated terms of an agreement, which would directly affect such employee's financial benefit.

(b) For the purposes of this section, the phrase "research or development" means those activities and services relating to the development, transfer or commercialization of technology or other intellectual property.

(c) This section shall be a part of and supplemental to the state governmental ethics law.

Sec. 8. K.S.A. 2011 Supp. 74-32,181 is hereby amended to read as follows: 74-32,181.

(a) The state board shall fix, charge and collect fees not to exceed the following amounts by adopting rules and regulations for such purposes:

(1) For institutions domiciled or having their principal place of business within the state of Kansas:

Initial application fees:

Non-degree granting institution.....\$2,000

Degree granting institution.....\$3,000

Initial evaluation fee (in addition to initial application fees):

Non-degree level.....\$750

Associate degree level.....\$1,000

Baccalaureate degree level.....\$2,000

Master's degree level.....\$3,000

Professional or doctoral degree level.....\$4,000

Renewal application fees:

Non-degree granting institution.....2% of gross tuition,  
but not less than \$800, nor more than \$25,000

Degree granting institution.....2% of gross tuition,  
but not less than \$1,600, nor more than \$25,000

New program submission fees, for each new program:

Non-degree program.....	\$250
Associate degree program.....	\$500
Baccalaureate degree program.....	\$750
Master's degree program.....	\$1,000
Professional or doctoral degree program.....	\$2,000
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	
Initial non-degree granting institution.....	\$1,500
Initial degree granting institution.....	\$2,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	2% of gross tuition, but not less than \$800, nor more than \$25,000
Degree granting institution.....	2% of gross tuition, but not less than \$1,600, nor more than \$25,000
On-site branch campus review fee, for each site.....	\$250
Representative fees:	
Initial registration.....	\$200
Renewal of registration.....	\$150
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50

Changes in institution profile fees:

Change of institution name.....	\$100
Change of institution location.....	\$100
Change of ownership only.....	\$100

(2) For institutions domiciled or having their principal place of business outside the state of Kansas:

Initial application fees:

Non-degree granting institution.....	\$4,000
Degree granting institution.....	\$5,500

Initial evaluation fee (in addition to initial application fees):

Non-degree level.....	\$1,500
Associate degree level.....	\$2,000
Baccalaureate degree level.....	\$3,000
Master's degree level.....	\$4,000
Professional or doctoral degree level.....	\$5,000

Renewal application fees:

Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000

New program submission fees, for each new program:

Non-degree program.....	\$500
Associate degree program.....	\$750
Baccalaureate degree program.....	\$1,000
Master's degree program.....	\$1,500
Professional or doctoral degree program.....	\$2,500
Program modification fee, for each program.....	\$100
Branch campus site fees, for each branch campus site:	
Initial non-degree granting institution.....	\$4,000
Initial degree granting institution.....	\$5,500
Renewal branch campus site fees, for each branch campus site:	
Non-degree granting institution.....	3% of gross tuition, but not less than \$2,400, nor more than \$25,000
Degree granting institution.....	3% of gross tuition, but not less than \$3,000, nor more than \$25,000
Onsite branch campus review fee, for each site.....	\$500
Representative fees:	
Initial registration.....	\$350
Renewal of registration.....	\$250
Late submission of renewal of application fee.....	\$125
Student transcript copy fee.....	\$10
Returned check fee.....	\$50

Changes in institution profile fees:

Change of institution name.....\$100

Change of institution location.....\$100

Change of ownership only.....\$100

(b) Fees shall not be refundable.

(c) If there is a change in the ownership of an institution and, if at the same time, there also are changes in the institution's programs of instruction, location, entrance requirements or other changes, the institution shall be required to submit an application for an initial certificate of approval and shall pay all applicable fees associated with an initial application.

(d) An application for renewal shall be deemed late if the applicant fails to submit a completed application for renewal, or documentation requested by the state board to complete the renewal process, before the expiration date of the current certificate of approval.

(e) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section. Prior to adoption of any such fees, the state board shall afford the advisory commission an opportunity to make recommendations on the proposed fees.

(f) Fees may be charged to conduct onsite reviews for degree granting and non-degree granting institutions or to review curriculum in content areas where the state board does not have expertise.

(g) The provisions of this section shall expire on June 30, ~~2012~~ 2017.

New Sec. 9. The state board of regents shall conduct a study regarding the retention and graduation rates of students who are accepted into state universities through the exceptions to the minimum admissions standards prescribed in K.S.A. 76-717, and amendments thereto, and report the findings of such study to the committee on education of the house of representatives and the committee on education of the senate on or before January 13, 2014.

New Sec. 10. (a) (1) Except as provided in subsection (a)(2), no funds appropriated from the state general fund for any state educational institution shall be expended for the purposes of providing remedial courses.

(2) Funds appropriated from the state general fund for any state educational institution may be expended for a student who is enrolled in a remedial course if the student is: (A) In military service; (B) 21 years of age or older; or (C) an international student enrolled in a remedial course for the purpose of learning English as a second language.

(b) Except for the costs associated with remedial education pursuant to subsection (a)(2), the board of regents, in its budget estimate filed pursuant to K.S.A. 75-3717, and amendments thereto, shall not include any appropriation requests for

expenditures related to the provision of remedial courses at state educational institutions.

(c) As used in this section:

(1) The terms "board of regents" and "state educational institution" shall have the same meanings, respectively, as such terms are defined in K.S.A. 76-711, and amendments thereto.

(2) "Remedial course" means any course offered by a state educational institution in the area of mathematics or language arts, which includes expenditures for formally organized or separately budgeted instructional activities that give students the basic knowledge and skills required by the institution before they can undertake formal academic course work leading to a postsecondary degree or certificate.

(d) The provisions of this section shall take effect and be in force from and after August 15, 2015.

(e) This section shall be part of and supplemental to the provisions of article 7 of chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 11. K.S.A. 2011 Supp. 76-717 is hereby amended to read as follows: 76-717. (a) The board of regents may adopt rules and regulations for the admission of students at the state educational institutions. Except as provided by subsection (f), the rules and regulations shall include the following:

(1) Each Kansas resident who has graduated from an accredited Kansas high school and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has achieved at least one of the following:

(A) The applicant has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.0 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of education; or

(B) the applicant has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the applicant ranks in the top  $\frac{1}{3}$  of the applicant's high school class upon completion of seven or eight semesters.

(2) Each Kansas resident who has graduated from a non-accredited private secondary school, as defined in K.S.A. 72-53,100, and amendments thereto, and who is seeking admission to a state educational institution shall be admitted if the applicant for admission has a composite American college testing program (ACT) score of not less than 21 points.

(3) Admission to all state educational institutions shall be granted to each Kansas resident under 21 years of age who has earned the general educational development (GED) certificate with an overall score of not less than 50 points.

(4) Admission to all state educational institutions shall remain open for each Kansas resident who is 21 years of age or older and who has:

(A) Graduated from an accredited Kansas high school or a non-accredited private secondary school; or

(B) earned the general educational development (GED) certificate with an overall

score of not less than 50 points.

(5) Each state educational institution shall establish and maintain a policy permitting the admission of not more than 10% of the total number of freshman class admissions to the state educational institution as exceptions to the minimum admissions standards prescribed by this section. These exceptions shall only be applied to students who are *bona fide* residents of Kansas in accordance with rules and regulations of the board of regents and which rules and regulations are substantially similar to law, rule or regulation relative to the determination of resident status for tuition purposes. Such policy shall also provide that in determining which students to admit as exceptions to the minimum admissions standards prescribed by this section, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis to policies established by the state educational institutions for the purpose of permitting freshman class admissions to the institutions as exceptions to the minimum admissions standards prescribed by this section. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of freshman class admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the annual report shall be disaggregated by institution.

(6) Each Kansas resident who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at

an accredited community college, university or other college shall be admitted as a transfer student to the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(7) Each person who is not a resident of Kansas and who has graduated from an accredited high school may be admitted as a freshman to any of the state educational institutions if the person has achieved at least one of the following:

(A) The person has completed the precollege curriculum prescribed by the board of regents with a minimum grade point average of 2.50 on a 4.0 scale or has been recognized by the board of regents as having attained a functionally equivalent level of

education; or

(B) the person has a composite American college testing program (ACT) score of not less than 21 points; or

(C) the person ranks in the top  $\frac{1}{3}$  of the person's high school class upon completion of seven or eight semesters.

(8) Each person who is not a resident of Kansas and who has graduated from a non-accredited private secondary school meeting requirements substantially equivalent to K.S.A. 72-53,100 through 72-53,102, and amendments thereto, may be admitted to any state educational institution if the person has a composite American college testing program (ACT) score of not less than 21 points.

(9) Each person who is not a resident of Kansas and who has earned at least 24 credit hours of transferable course work with a cumulative grade point average of not less than 2.0 on a 4.0 scale at an accredited community college, university or other college may be admitted as a transfer student to any of the state educational institutions. Each state educational institution may permit the admission of not more than 10% of the total number of such non-resident transfer admissions to the state educational institution as exceptions to the minimum admission standards prescribed by this paragraph. In determining which students to admit as exceptions to the minimum admissions standards prescribed by this paragraph, the state educational institution shall give preference to persons who are in military service. The board of regents shall adopt rules and regulations prescribing criteria and guidelines to be applied on a system-wide basis for the purpose of

admitting students who have earned at least 24 credit hours of transferable course work to state educational institutions as exceptions to the minimum standards prescribed by this paragraph. On or before January 31 of each year, the board of regents shall submit a report to the legislature containing the number and percentage of transfer student admissions permitted as exceptions to such standards during the preceding academic year. The information contained in the report shall be disaggregated by institution.

(10) (A) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic years 2012-2013 and 2013-2014, each state educational institution may require each such student to adopt an individual plan for success.

(B) For those students admitted under an exception to the minimum admissions standards prescribed by this subsection for academic year 2014-2015 and each academic year thereafter, each state educational institution shall require each such student to adopt an individual plan for success prior to enrollment.

(C) Any individual plan for success adopted pursuant to this paragraph shall be reviewed by the student and the student's advisor at least once during the 12-month period immediately succeeding the initial adoption of such plan. Upon completion of such review, the plan may be revised as mutually agreed to by the student and the student's advisor. Nothing in this paragraph shall be construed as prohibiting any plan from being reviewed at any other time while the student is attending such state educational institution, or from being reviewed more than once during any academic year.

(b) The board of regents may prescribe a precollege curriculum which includes, but need not be limited to, four units of English, three units of mathematics, three units of social studies and three units of natural science.

(c) When a Kansas high school is organized in a manner that provides for documentation of a student's performance in terms other than units of credit or grade point averages, or both, the board of regents shall determine for the students of such school a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale. The determination of a functionally equivalent level of education required under this subsection shall be made by the board of regents after consultation with the state board of education and the board of education or other governing authority having jurisdiction over the students of the affected school.

(d) The board of regents shall determine a level of education that is functionally equivalent to the completion of the precollege curriculum with the required grade point average on a 4.0 scale for persons who are not residents of Kansas.

(e) The board of regents may authorize the chief executive officer of each state educational institution to adopt additional rules and policies relating to admissions of students so long as such rules and policies are not in conflict with the provisions of this section.

(f) The board of regents may adopt rules and regulations establishing standards for the admission of students to state educational institutions that differ from the standards

set forth in subsection (a). Rules and regulations adopted pursuant to this subsection that are more rigorous than those set forth in subsection (a) shall not be effective prior to the first day of the fourth academic year following the year in which the rules and regulations are adopted.

(g) Information in reports required to be compiled and submitted to the legislature by this section may be compiled and submitted to the legislature in a single report.

(h) For purposes of this section:

(1) "Individual plan for success" means a written statement for each student admitted under an exception to the minimum admission standards prescribed in subsection (a) that is jointly developed by the student, the student's advisor and any other employee designated by the state educational institution for the purposes of establishing an individualized plan for such student to assist the student in achieving such student's academic goals. In addition to academic coursework, such plan may also address such student's extracurricular activities, financial needs and any other aspect of such student's life which may have a bearing on the student's academic success at the state educational institution. Any such plan may be revised after its initial adoption as mutually agreed to by the student and the student's advisor.

(2) "Military service" means: (A) Any active service in any armed service of the United States; or (B) membership in the Kansas army or air national guard.";

And by redesignating sections accordingly;

On page 7, in line 7, by striking "and" and inserting a comma; in line 8, after

"4465" by inserting ", 74-32,181 and 76-717";

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma;  
also in line 3, after "72-4465" by inserting ", 74-32,181 and 76-717";

And your committee on conference recommends the adoption of this report.

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Conferees on part of Senate

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Conferees on part of House