

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on February 12, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:

Theresa Kiernan, Office of the Revisor of Statutes  
Sharon Wenger, Kansas Legislative Research Department  
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the committee:

Senator Mary Pilcher-Cook ,  
Chevis Rebstock, Wichita State University  
Bryan Little, Kansas State University  
Joseph Boeckner, Fort Hays State University  
Eric Stein, University of Kansas  
Calli J. D. McCarter, Washburn Law School (written only)  
DeeDra' R. Branson, Washburn Law School (written only)  
Derek L. Miller, University of Kansas (written only)  
Jacob Mitchem, KSU Salina (written only)  
Joshua H. Bagby, Washburn University (written only)  
Marc Ramsey, Garden City Community College (written only)  
Olivia C. Alexander, Johnson County Community College (written only)  
Donna Shank, Chair, Board of Regents  
Adam McGonigle, University of Kansas

Others attending:

See attached list.

**SB 176 - State board of regents; elected**

Theresa Kiernan, Office of the Revisor of Statutes, provided a brief summary of the bill. This legislation would change the State board of regents from an appointed board to an elected board. There would be nine members, two from each Congressional district and one from the state at large. This would begin with the November 2010 election; and would be a partisan election. The bill is patterned after the state board of education law with the same filing fees, subject to the same filing deadlines, same reporting requirements regarding campaign finance and have staggered terms.

Senator Mary Pilcher-Cook, ([Attachment 1](#)), presented testimony in support of the proposed bill. Based on research presented, it is her feeling that an electoral process would help keep our colleges more accountable regarding academic freedom through public participation in elections, and would also help keep them accountable when it comes to affordability to the taxpayer. In addition, students would have a vested interest in becoming involved in protecting their liberty when they can see the direct impact an election would have on their concerns.

Senator Vratil and Senator Hensley inquired as to why this was not introduced as a concurrent resolution as Article 6, Section 3 of the Kansas Constitution provides that the regents be appointed. Senator Pilcher-Cook stated at this time she was only attempting to get this idea out for discussion.

Chevis Rebstock, Wichita State University ([Attachment 2](#)), Bryan Little, Kansas State University ([Attachment 3](#)), Joseph Boeckner, Fort Hays State University ([Attachment 4](#)), and Eric Stein, University of Kansas ([Attachment 5](#)) all provided testimony in support of the proposed legislation on the basis of accountability to the citizens of Kansas.

Calli J. D. McCarter, Washburn Law School (written only) ([Attachment 6](#)), DeeDra' R. Branson, Washburn Law School (written only) ([Attachment 7](#)), Derek L. Miller, University of Kansas (written only) ([Attachment 8](#)), Jacob Mitchem, KSU Salina (written only) ([Attachment 9](#)), Joshua H. Bagby, Washburn University (written only) ([Attachment 10](#)), Marc Ramsey, Garden City Community College (written only) ([Attachment](#)

## CONTINUATION SHEET

Minutes of the Senate Education Committee at 1:30 p.m. on February 12, 2009, in Room 545-N of the Capitol.

11), Olivia C. Alexander, Johnson County Community College (written only)(Attachment 12), all provided written testimony in support.

Donna Shank, Chair, Board of Regents (Attachment 13) appeared before the committee in opposition to **SB 176**. The five arguments she presented included the opinion of the board that political considerations would be injected into the state's public higher education system; appropriate oversight over Regents' appointments is already provided by the Senate through the confirmation process; costs associated with holding an election which would amount to an estimated statewide cost of \$2.2 million every other year; only one state in the Union currently elects their governing/coordinating board; and lastly, the proposed legislation is unconstitutional.

Adam Mcgonigle, Student Body President, University of Kansas also spoke in opposition to the proposed legislation.

The hearing on **SB 176** was closed.

The next meeting is scheduled for February 16, 2009.

The meeting was adjourned at 2:30 p.m.