



**PROPONENT Testimony on SB 354
For the Senate Education Committee
February 11, 2020**

**Matt Lindsey
President, Kansas Independent College Association**

Chair Baumgardner and members of the committee, thank you for the opportunity to come before you to provide written proponent testimony related to Senate Bill 354.

Kansas' Independent Colleges:

KICA represents the twenty independent colleges of Kansas, all of which are not-for-profit institutions of higher education, all of which offer undergraduate degrees, all of which have their principal campus in Kansas, all of whom are regionally accredited by the Higher Learning Commission, and all of whom maintain an open enrollment policy consistent with Kansas statutes.

The state of Kansas, via the Kansas Board of Regents, has specific obligations governing “private and out-of-state” educational institutions, per the Private and Out-of-State Post-Secondary Educational Institutions Act. All twenty KICA institutions are exempt from that statute. Thus, for the independent members of KICA, KBOR has no governing role (as it does for the six 4-year Regents universities), coordinating role (as it does for the community colleges, technical colleges, and Washburn University) nor regulatory role (as it does for any for-profit college or college based outside of Kansas that wishes to operate here). Furthermore, KICA institutions do not receive any direct institution funding from the state of Kansas, as befits our independent status.

Comments on SB 354:

As noted above, KICA institutions have traditionally be exempt from the Private and Out-of-State Post-Secondary Educational Institutions Act (via K.S.A. 74-32,164 For the majority of KICA members, we were exempt *en masse* by part (j) of the existing statute. In layman’s terms, we were grandfathered into the state’s approval because of our existence prior to the formation of the Board of Regents and prior approval to offer degrees. In one additional special case, which you learned about earlier in this session, Cleveland University-Kansas City was explicitly exempted in part (i) of the existing statute.

We support the changes proposed in SB 354. In particular, we are glad to see each KICA institution individually exempted by name (rather than *en masse*). Being identified by name as explicitly exempt from this law assists in demonstrating to the United States Department of Education that our institutions satisfy various regulatory requirements for being “authorized” in the state in which we are based.

However, we do note two critical improvements to SB 354 that we respectfully request the committee remedy. These are likely inadvertent errors in drafting, and focus solely on Section 7, subsection (i) of the bill. In two cases, KICA institutions are misidentified either by name or by location (or both). Thus, we request the following changes:

Line 16 should read “(7) **Central Christian college of Kansas, McPherson**”

Line 17 should read “(8) **Cleveland University-Kansas City, Overland Park**”

Thank you for the opportunity to request the minor corrections to a bill we otherwise support. I am happy to answer any questions you may have or provide additional data as you request.