



**PROPONENT Testimony on SB 55
For the House Education Committee
March 11, 2021**

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

Chair Huebert and members of the committee, thank you for the opportunity to provide written-only proponent testimony related to Senate Bill 55.

SB 55 is a mirror of a House bill (HB 2124) already heard and passed by this committee this session. HB 2124 was passed by this committee and unanimously by the House on 2/18. That House vehicle has been referred to committee on the Senate side.

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.

Cleveland University-Kansas City is a KICA member institution and is the institution most directly affected by the issue that HB 2124 seeks to address.

Section 1:

CUKC was chartered in Missouri, however since 2007 it wholly operates in the state Kansas, with its only educational facilities in Overland Park, KS.

That unusual status – a nonprofit college that was chartered in Missouri but moved entirely to Kansas – placed CUKC in an unusual position vis-à-vis the Private and Out-of-State Post -Secondary Educational Institutions Act (K.S.A. 74-32,162 et seq). Until 2017, CUKC was regulated by the Board of Regents and forced to comply with regulations and procedures that are designed to safeguard against unscrupulous educational institutions located outside of the state or Kansas or operating as for-profit institutions. CUKC was neither. However, by dint of its Missouri charter, CUKC was forced to go through the Board of Regents’ costly and time-consuming process. Thus, at our request, in 2017 the Kansas Legislature explicitly exempted CUKC from the Private and Out-of-State Post -Secondary Educational Institutions Act (see K.S.A. 74-32,164(i)). KICA and CUKC were grateful for this exemption.

Unfortunately, in exempting CUKC’s educational activities from regulatory approval by the Board of Regents, this action had an unintentional consequence of putting CUKC in conflict with Board of



Healing Arts statutes regulating operation of educational clinics in the state. HB 2124 seeks to reconcile this conflict and affirmatively state that an institution of higher education may operate such clinics (as part of their educational efforts) provided they are either subject to Board of Regents oversight or statutorily exempt from Board of Regents oversight. CUKC would meet the latter condition.

Section 2:

Building from the change in Section 1, Section 2 of HB 2124 provides clarity to current law regarding off-campus clinical sites. The changes proposed in Section 2 would provide the ability for CUKC to expand its student training at off-campus community clinics. CUKC graduate student interns in its chiropractic program would be able to provide patient care throughout Johnson and Wyandotte counties, improving both the educational outcomes for CUKC's already nationally recognized program and improving access to chiropractic care for many communities in Northeast Kansas.

Conclusion:

In CUKC, Kansas is blessed with one of the best higher education institutions focused on chiropractic medicine in the United States. Passage of HB 2124 would provide additional support for their efforts to educate and serve Kansans. On behalf of KICA and our member institution Cleveland University-Kansas City, we strongly support the passage of HB 2124 and appreciate the committee's attention to this issue.