

History of the Geographic Service Areas

AY 2018-AY 2019 Board Goal

The Board of Regents undertook a comprehensive review of geographic jurisdiction areas (also known as service areas) in 2003 and again in 2012. At its August 2018 retreat, the Board reviewed its policy on geographic jurisdiction areas and discussed studying the policy in more in depth to determine if it is still meeting the educational needs of the state. At its September 2018 meeting, the Board adopted the following goal for AY 2019:

The Board will study university and college service areas to determine if the delivery model for off-campus instruction continues to meet the educational needs of Kansans.

Geographic jurisdiction areas for all public institutions are detailed in Chapter III of the Board’s Policy and Procedures Manual. This white paper will provide the basis for Board discussion and outlines the service area policies, statutes and regulations for public universities, community colleges, and technical colleges. The stated purpose of the geographic jurisdiction areas is “to ensure that needs for off-campus face-to-face courses and programs are met without unnecessary duplication.” It is important to note distance education courses and programs are exempt from service area requirements, a distinction that was added to policy in 2013.

State University and Washburn University Geographic Jurisdiction Areas

The Board’s policy on geographic jurisdiction areas for the universities includes separate approval procedures for offering courses/programs in the Kansas City metropolitan area and separate approval procedures for academic extension specialty programs. In addition to the policy manual, a state statute governs the type of courses Kansas State University may offer at its Olathe campus using JCERT funding.

Geographic Jurisdiction Areas for Public Universities

Service areas for public universities comprise three geographic regions, each of which is served dually by the University of Kansas and Pittsburg State University, Wichita State University and Emporia State University, and Kansas State University and Fort Hays State University, respectively. KU, KSU, ESU and Washburn University all share responsibility for serving Shawnee County. Except in the Kansas City metropolitan area, for a university to offer face-to-face courses/programs outside its geographic jurisdiction service area, approvals from the universities assigned to that service area and the Board’s Vice President of Academic Affairs must be obtained. Academic Affairs staff typically receive less than five such requests in a given year.

Kansas City Metropolitan Area

In 2007, given the desire of multiple state universities to offer courses in the Kansas City area and the perceived demand for more offerings in that area of the state, the Board amended its policy and required Board approval for institutions other than KU and PSU to offer courses in the Kansas City metropolitan area. The Board has defined the Kansas City metropolitan area as Johnson and Wyandotte Counties.

If institutions other than KU and PSU desire to offer courses/programs in the Kansas City metropolitan area, the institution must obtain Board approval. There is no expiration to this approval. KSU has limited exceptions to this policy for courses in animal health, and food safety and security. Prior to the policy amendment referenced above, KU and PSU had authority to approve or deny requests from other public universities to offer courses/programs in the Kansas City metropolitan area because they share responsibility for servicing it. Below is a list of programs currently approved to be offered in the Kansas City metropolitan area:

University	Program	Location
Emporia State University	Educational Administration, M.S.	Johnson & Wyandotte Counties
	Rehabilitation Counseling, M.S.	Johnson & Wyandotte Counties
	Curriculum and Instruction, M.S.	Johnson & Wyandotte Counties

	Counselor Education, M.S.	Shawnee & Wyandotte Counties
	Master Teacher, Elementary	Wyandotte County
	Elementary Ed 2+1+1	KCKCC
	Business, B.S.	Johnson County
	Health Promotion, B.S.	Johnson County
	Business – Marketing major, B.S.	Johnson County
	Business Administration, M.S.	Johnson County
	Special Education, M.S.	Johnson County
	Second Teaching Field Math/Science	JCCC
Kansas State University	Professional Science Master’s	KSU Olathe Campus

Kansas State University Olathe Campus

Pursuant to K.S.A. 19-5001 through 19-5005, which created the Johnson County Research Triangle, Kansas State University may offer animal health, food safety and security courses at its Olathe campus. These are the only courses that may be offered using proceeds of the JCERT tax levy. However, courses and programs other than animal health, food safety and security may be offered at KSU’s Olathe campus with Board approval.

Academic Extension Specialty Programs

An academic extension specialty program is a program unique to an institution. Public universities may offer such programs at approved locations or statewide, subject to approval by the Council of Chief Academic Officers and the Vice President for Academic Affairs. The approval is valid for ten years and may be renewed. A list of programs approved academic specialty programs follows.

University	Approval Expires	Program	Location
Emporia State University	June 30, 2021	Great Plains Program	Statewide
	June 30, 2021	Master of Library Science	Statewide
Kansas State University	June 30, 2021	Adult, Occupational and Continuing Education: M.S., Ed.D., Ph.D.	Statewide
Pittsburg State University	June 30, 2021	Career and Technical Education, M.S.	Statewide
	June 30, 2021	Vocational Technical Education, B.S.	Statewide
University of Kansas	June 30, 2021	Public Administration, M.P.A.	Statewide
KU Medical Center	June 30, 2022	Doctor of Medicine	Salina and Wichita

Community College Service Areas

The Board of Education established specific service areas for community colleges in the 1970s at the request of, and in cooperation with, the community colleges. While the Board of Regents has never formally adopted a policy re-establishing or defining specific services areas for community colleges, the Board has recognized the practice that was originally developed by the Board of Education and has used those previously established service areas for certain purposes. The Legislature has recognized the practice as well, referencing these service areas in a couple of statutes.

There have been minor changes to the service area boundaries throughout the years, and in 2004 the Board adopted a recommendation from the System Council of Presidents to render the service area boundaries inapplicable for the Department of Commerce-led customized business and industry training offered as part of

its IMPACT, KIT and KIR programs. In 2009, the service area concept was introduced into the statutes when the community colleges sought legislation to allow them to acquire land anywhere within the “community college service area.”¹ This legislation required the Board to incorporate the service area map into its policy manual.

In 2013, the Board codified its practice of not requiring further Board approval for courses delivered within a college’s service area, even if outside the county in which the college’s main campus is located (which is in all cases except Independence and Coffeyville Community Colleges the equivalent of the college’s taxing district). At this same time, the Board added an appeal process into policy so that if a community college was denied approval to offer an off-campus academic course or program in the service area of another institution, the requesting institution could appeal the denial to the Board’s President and Chief Executive Officer, who has the authority to decide the issue. That same year the policy was further amended to recognize that community colleges are able to contract with the federal government to deliver face-to-face courses on military reservations, installations or enclaves outside their service areas without seeking approval from other colleges.

In AY 2019 nine community colleges have requested and received Board permission to offer courses outside their service areas.

Community colleges offering courses outside county of main campus

K.S.A. 71-609 limits the receipt of state aid for community college courses offered outside the county of the community college’s main campus to those courses approved by the Board. Under this statute, community colleges may otherwise offer courses outside the county of the main campus by foregoing state aid for the courses. As stated previously, the Board codified its approval of courses taught within a college’s service area, even if outside the county of the college’s main campus.

Community colleges offering courses in counties where state universities are located

K.S.A. 71-609 also places funding limits on community college off-campus offerings in counties where a state university is located. The statute limits the receipt of state aid for community college courses offered within the county of the main campus of a state university to those pre-approved by the university CEO. Community colleges may otherwise offer courses within the county of the main campus of a state university if they forego state aid for enrollments in those courses.

Technical College and Washburn Tech Service Areas

Technical colleges and Washburn Tech have defined territories from which they draw their boards of trustees, but prior to 2013 they had no defined service areas and could offer courses anywhere in the state without seeking prior approval from any public institution or the Board. In 2013, the Board incorporated into policy service areas for technical colleges and Washburn Tech, with each institution’s defined territory doubling as its service area and requiring any course taught outside the college’s service area to be approved by the Board for state funding of that course. In 2013, the Board also adopted for technical colleges provisions for an appeal process and provisions to continue to allow technical colleges to contract with the federal government to deliver face-to-face courses on military reservations, installations or enclaves outside their service areas without seeking approval from other colleges. In AY 2019, thus far, only one technical college has requested permission to offer courses outside its service area.

Technical colleges offering courses in counties where state universities are located

Board policy places funding limits on technical colleges and Washburn Tech off-campus offerings in counties where a state university is located. The policy limits the receipt of state aid for technical college/Washburn Tech courses offered within the county of the main campus of a state university to those pre-approved by the university CEO. Technical colleges/Washburn Tech may otherwise offer courses within the county of the main campus of

¹ K.S.A. 2010 Supp. 71-201(d).

a state university if they forego state aid for enrollments in those courses. Specific exceptions are for Flint Hills Technical College whose main campus is in Lyon County, home to ESU; Manhattan Area Technical College whose main campus is in Riley County, home to KSU's main campus; Salina Area Technical College whose main campus is in Saline County, home to K-State's Polytechnic campus; and WSU Tech which is affiliated with WSU, both of which are located in Sedgwick County.

Geographic Jurisdiction Policies in Neighboring and Select States

The Missouri Department of Higher Education does not assign service areas to any public institutions while Nebraska and Oklahoma have policies assigning service areas to community colleges, technical colleges, and universities. Arkansas only has policies assigning service areas to the two-year sector. Indiana has policies assigning service areas to the two-year sector and some universities while allowing certain universities with a "statewide" mission to offer courses anywhere in the state.

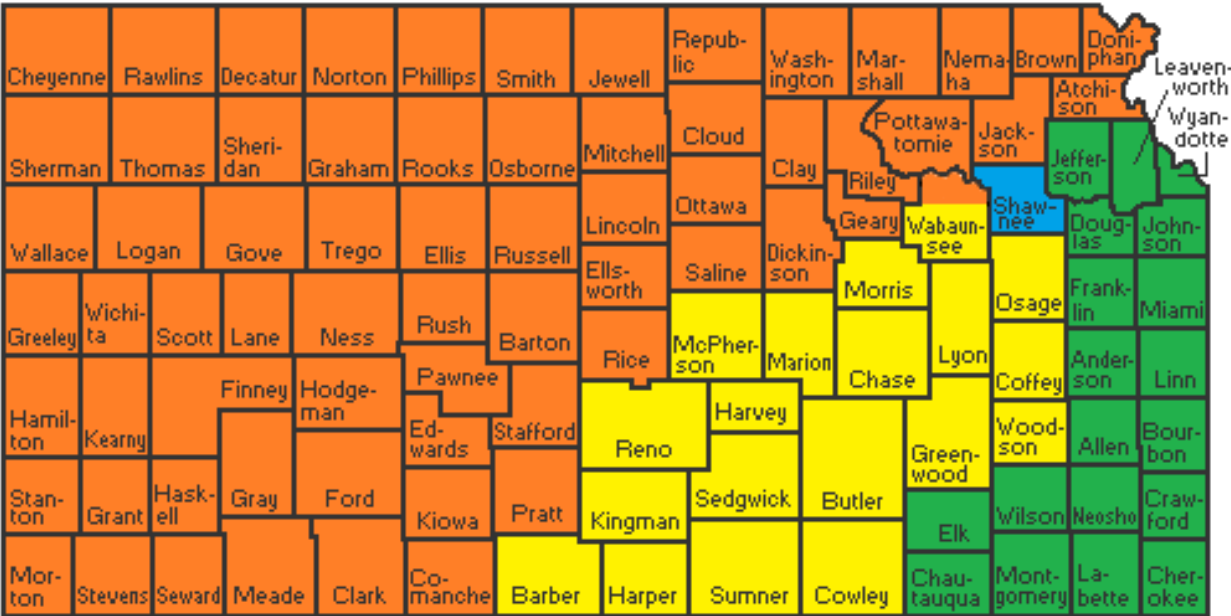
Some states choose not to divide the state into service areas, but instead impose a "30-mile rule" for universities. Under this rule, each university has exclusive territory for the 30 miles that surround its campus (or campuses), and no other university can offer courses/programs within the 30 miles without permission. Distance is often calculated using surface roads, and not a radius.

Staff Recommendation: Staff recommend referring this item to one or more councils, committees or task forces for feedback and a report to the Governance Committee at its March meeting. As part of the review, feedback should be provided on updating the Board's definition of distance education course and distance education program as follows to match the Higher Learning Commission's definition.

iv. A "distance education course" is one in which faculty and students are physically separated in place or time and in which ~~two-thirds or more~~ at least seventy-five percent of the instruction is and interaction are provided synchronously or asynchronously via some form of mediated delivery system (i.e., ~~10~~ 11.25 or more hours of instruction per credit hour are delivered via audio or video recording, live interactive video, CD-ROM, the Internet or World Wide Web, etc.).

v. A "distance education program" is one in which fifty percent or more of the required courses for the program are delivered via distance education courses.

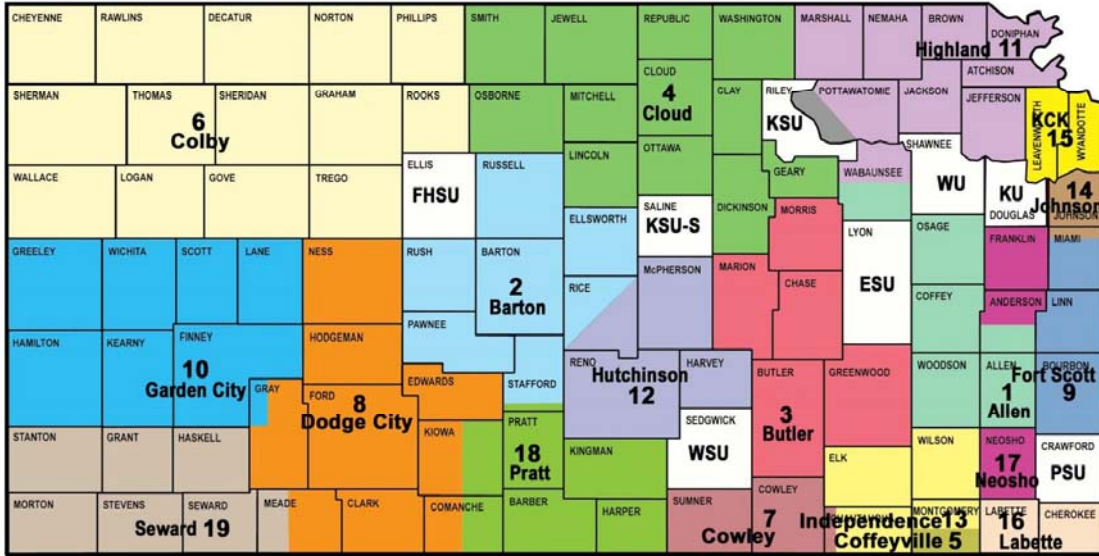
MAP OF STATE UNIVERSITY AND WASHBURN UNIVERSITY SERVICE AREAS



Service Area	University	County of Main Campus
Orange	Fort Hays State University Kansas State University	Ellis County Riley County
Yellow	Wichita State University Emporia State University	Sedgwick County Lyon County
Green	University of Kansas Pittsburg State University	Douglas County Crawford County
Blue	Washburn University	Shawnee County*

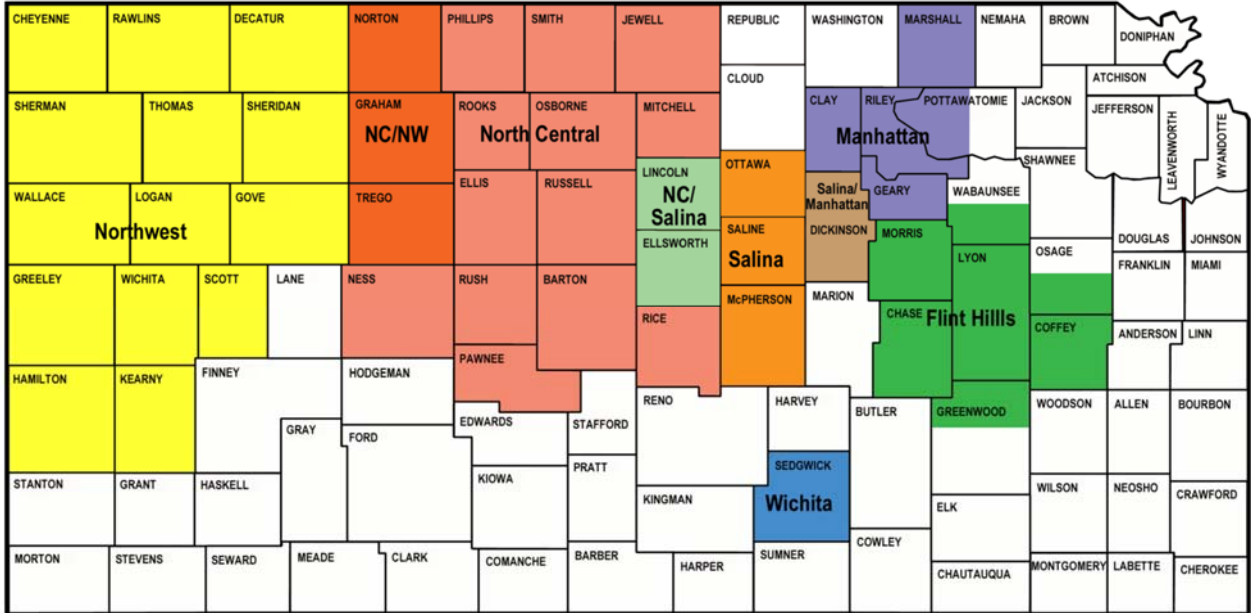
*KU, KSU, ESU, and WU share responsibility for serving Shawnee County










MAP OF SERVICE AREAS FOR KANSAS COMMUNITY COLLEGES



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| 1. Allen County Community College, Iola | 12. Hutchinson Community College, Hutchinson |
| 2. Barton County Community College, Great Bend | 13. Independence Community College, Independence |
| 3. Butler County Community College, El Dorado | 14. Johnson County Community College, Overland Park |
| 4. Cloud County Community College, Concordia | 15. Kansas City Kansas Community College, Kansas City |
| 5. Coffeyville Community College, Coffeyville | 16. Labette Community College, Parsons |
| 6. Colby Community College, Colby | 17. Neosho County Community College, Chanute |
| 7. Cowley County Community College, Arkansas City | 18. Pratt Community College, Pratt |
| 8. Dodge City Community College, Dodge City | 19. Seward County Community College/Area Technical School, Liberal |
| 9. Fort Scott Community College, Fort Scott | State Universities/Washburn |
| 10. Garden City Community College, Garden City | Unassigned |
| 11. Highland Community College, Highland | |

MAP OF SERVICE AREAS FOR KANSAS TECHNICAL COLLEGES



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|  Flint Hills Technical College
Emporia |  North Central/Northwest Shared |
|  Manhattan Area Technical College
Manhattan |  North Central/Salina Shared |
|  North Central Kansas Technical College
Beloit |  Salina Area Technical College
Salina |
|  Northwest Kansas Technical College
Goodland |  Wichita Area Technical College
Wichita |
|  Salina/Manhattan Shared | |

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