



KANSAS BOARD OF REGENTS

Geographic Jurisdiction

The Board of Regents last undertook a comprehensive review of geographic jurisdiction areas (also known as service areas) in 2003. Board staff has been asked to develop a white paper that will provide the basis for Board discussion of geographic jurisdiction policy and practice in the Kansas public postsecondary system. This paper outlines the service area policies, statutes and regulations for public universities, community colleges and technical colleges.¹

State University and Washburn University Geographic Jurisdiction Areas

Geographic jurisdiction areas for state universities and Washburn University are detailed in Appendix F of the Board's Policy and Procedures Manual. One president suggests that Appendix F originated to address concerns legislators or others raised about all areas of the state being equally serviced by state universities. 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."

Appendix F defines geographic jurisdiction areas for the universities. It 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. K.S.A. 19-5005.

Geographic Jurisdiction Areas for Public Universities

Geographic jurisdiction areas for public universities are comprised of three geographic areas, 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.

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

¹ Service area policies and statutes are not applicable to distance education courses.

the Kansas City metropolitan area. The Board has defined the Kansas City metropolitan area as Johnson and Wyandotte counties.

If ESU, FHSU, K-State, WU and/or WSU desire to offer courses/programs in the Kansas City metropolitan area, the institution must obtain Board approval before doing so. By state statute, Kansas State University has limited exceptions to this policy (see below). 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.

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.

Academic Extension Specialty Programs

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

Community College Service Areas

Before discussing community college service areas, it is important to note that the Board has adopted K.A.R. 88-26-14, 88-26-15 and 88-26-16, which regulate “out-district course” approvals.² K.A.R. 88-26-14 requires Board staff approval for any community college to offer an out-district course. K.A.R. 88-26-15 outlines the appeal process if a community college does not receive Board staff approval to offer an out-district course (or if a community college program is not approved under the provisions of K.A.R. 88-26-6). K.A.R. 88-26-16 disallows operating grant funding for out-district courses offered to provide recreation if they are not part of an instructional program.

Community college service areas

While the Board of Regents has never formally adopted a policy establishing or defining specific services areas for community colleges, it has recognized the practice which was originally developed by the Board of Education. 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.

² “Out-district course” is defined to mean any class offered by a community college for credit at a location outside the community college district in which the community college is located. K.A.R. 88-26-1(d). “Community college district” generally means the taxing district of a community college. K.S.A. 71-701(c). The taxing district of each community college is the county in which it is located, with the exception of Independence and Coffeyville Community Colleges, which split the county in which they are located.

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.” K.S.A. 2010 Supp. 71-201(d). This legislation required the Board to include the service area map in the Board’s policy manual.

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 of Regents. Under this statute, community colleges may otherwise offer courses outside the county of the main campus by foregoing state aid for the courses. *But see* K.A.R. 88-26-14 *et seq.*

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 university³ 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. *But see* K.A.R. 88-26-14 *et seq.*

Technical College Territories

Technical colleges have defined territories from which they draw their boards of trustees, but they have no defined service areas. Technical colleges may offer courses anywhere in the state. If a technical college would seek to offer a course outside its defined territory, Board staff would advise the technical college to consult with the community college/public university/other technical college responsible for the area in question before proceeding.

³ K.S.A. 71-609 uses the term “state educational institution,” which is defined as the six state universities for the purpose of this statute. For clarity, the term “state university” was substituted for “state educational institution.”