

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on January 29, 2008, in Room 123-S of the Capitol.

Committee members absent: Barbara Allen  
Anthony Hensley

Committee staff present: Sharon Wenger, Kansas Legislative Research Department  
Carol Toland, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Matt Todd, Revisor of Statutes Office  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Captain Adam Johnson, Kansas Army National Guard  
Captain Jason Nelson, Pittsburg State University Army ROTC  
Representative Mario Goico  
Sheila Frahm, Kansas Association of Community College Trustees (KACCT)

**Introduction of bill**

Senator Steineger requested the introduction of a conceptual bill which he referred to as “the early childhood deregulation and local control act.” He explained that the bill related to state statutes and regulations which he believes tie the hands of local schools on early childhood spending issues.

Senator Steineger moved to introduce the proposed bill, seconded by Senator Lee. The motion carried.

**SB 437 – ROTC service scholarship; community colleges**

Theresa Kiernan, Revisor of Statutes Office, noted that **SB 437** amends a provision in the ROTC service scholarship law. Currently, students who qualify for the ROTC service scholarship are students enrolled state educational institutions and Washburn University. The amendment expands the definition of a ROTC institution to include community colleges. Ms. Kiernan also distributed copies of a proposed conforming amendment. (Attachment 1)

Captain Adam Johnson, Education Services Officer, Kansas Army National Guard, testified in support of **SB 437**. He explained the bill would enhance the Kansas National Guard’s officer recruiting base, and it would help address the need to replace field grade officers who will reach their mandatory retirement date over the next five to ten years. He noted that Kansas has not met the standards determined by the National Guard Bureau (NGB) for a number of years, and the Kansas National Guard would like to improve upon the status quo by recruiting future Army officers from Kansas community colleges. He called attention to the data on three graphs attached to his written testimony regarding the total Kansas officer strength vs. the standards determined by NGB. (Attachment 2)

Captain Jason Nelson, Assistant Professor of Military Science, Pittsburg State University (PSU) Army ROTC, continued with testimony in support of **SB 437**, referring to page two of the written testimony he and Captain Johnson jointly prepared. He explained that he began teaching a military science class at Fort Scott Community College (FSCC) in the 2007 fall semester. As PSU staff began talking to the FSCC students about continuing in ROTC and becoming Army officers, it was discovered that many of them would benefit from the Kansas Board of Regents ROTC service scholarship. He noted that the intent of the bill was not to “steal” students from any community college but simply to provide an opportunity for students who complete two years at a community college prior to transferring to a Regents university.

Senator Schodorf read the following paragraph from written testimony on **SB 437** submitted by Diane Lindeman, Director of Student Financial Assistance, Kansas Board of Regents: “The current ROTC Scholarship program has \$186,401 appropriated for scholarships. So far, during Fiscal Year 2008, 19 students

## CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on January 29, 2008, in Room 123-S of the Capitol.

have been awarded for a total of \$108,440. In a recent survey of community colleges it was estimated that 110 interested students may potentially be added to this scholarship program if community colleges students were included. The average scholarship award during Fiscal Year 2008 has been \$4,500. If the majority of returning students were to be awarded, in addition to new students, it is estimated that \$495,000 would be needed to fully award students through this program for Fiscal Year 2009.” (Attachment 3)

Representative Mario Goico testified in support of **SB 437**. He emphasized that expanding ROTC service scholarships throughout the state would give more incentive for junior ROTC members to continue onward to postsecondary educational institutions. (Attachment 4) Representative Goico went on to remind the Committee that he introduced a bill in the 2007 legislative session which would have provided an incentive for high school students to go on to college and become officers. Senator Schodorf noted that the bill, which passed the House, would allow veterans of Iraq and Afghanistan free tuition when they returned home. The bill was heard by a Senate committee, but no action was taken due to concern about the cost. However, a proviso in the budget allowed \$250,000 for tuition for returning soldiers.

Sheila Frahm, Executive Director, Kansas Association of Community College Trustees (KACCT), informed the Committee that PSU and FSCC have a memorandum of agreement allowing Fort Scott’s students to participate with the PSU ROTC program and access their scholarships, and this agreement gives FSCC students access to a federal program. She said that there is every indication that this long-standing agreement has been very successful. She noted that none of the other 18 Kansas community colleges have this ROTC agreement. When community college leaders were asked how many students would be interested in a ROTC program, they responded that perhaps a total of 80 to 100 students could be interested. In conclusion, Ms. Frahm stated that KACCT looked forward to working with the Legislature on the program when there are further details available regarding the actual program options, methods of classroom and military exercise training, and the locations for such programs. (Attachment 5)

There being no others wishing to testify, the hearing on **SB 437** was closed.

The meeting was adjourned at 2:20 p.m.

The next meeting is scheduled for January 30, 2008.



## Proposed Amendment for Senate Bill 437

**74-3256. Same; administration; rules and regulations; service scholarships, award, amount, limitations on number, alternate award.** (a) The state board of regents shall:

- (1) Adopt rules and regulations for the administration of this act;
- (2) provide for the award of ROTC service scholarships to eligible students who qualify therefor, as determined by the selection committee, not to exceed in any academic year a total of 40 eligible students at each ROTC institution. This provision is subject to the provisions of subsection (c);
- (3) provide information regarding application procedures;
- (4) require any ROTC institution to promptly furnish upon request any information which relates to the administration or effect of this act.

(b) If the ROTC institution at which an eligible student who qualifies for an ROTC service scholarship is enrolled is a state educational institution **or a community college**, the scholarship shall provide to the student an amount not to exceed 70% of the cost of attendance at the institution for an academic year. If the ROTC institution at which an eligible student who qualifies for an ROTC service scholarship is enrolled is a municipal university, the scholarship shall provide to the student an amount not to exceed 70% of the average amount of the cost of attendance at the state educational institutions for an academic year. Payments of ROTC service scholarships shall be made pursuant to vouchers approved by the state board of regents and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each ROTC institution at which one or more eligible students are enrolled for the total amount of scholarships for all eligible students enrolled at that institution. The director of accounts and reports shall cause such warrant to be delivered to the ROTC institution at which such eligible student or students are enrolled. If an eligible student discontinues attendance before the end of any academic year, after the ROTC institution has received payment under this subsection, the institution shall pay to the state the entire amount which such eligible student would otherwise qualify to have refunded, not to exceed the amount of the payment made under the ROTC service scholarship for the academic year. All amounts paid to the state by ROTC institutions under this subsection shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ROTC service scholarship program fund.

(c) If all ROTC service scholarships authorized to be awarded to eligible students at each ROTC institution have not been awarded by a date established by the state board of regents, the scholarships that have not been awarded by that date may be awarded to eligible students at any ROTC institution if such students are qualified for such scholarships as determined by the appropriate selection committee. The determination to award ROTC service scholarships under this subsection to eligible students who are qualified for such scholarships shall be made by the state board of regents after consultation with the adjutant general.

# Testimony on Senate Bill 437

To the Legislative Education Planning Committee

**Captain Adam Johnson**

Education Services Officer  
Kansas Army National Guard

**Captain Jason Nelson**

Assistant Professor of Military Science,  
Pittsburg State University Army ROTC

Tuesday, January 29, 2008

Madam Chairperson and Committee Members:

Thank you for the opportunity to present the Kansas Army National Guard's request to amend Kansas Statute 74-3255. Your consent will enable the Kansas Army National Guard to overcome a historical shortfall in officer numbers: The standards for each state are determined by National Guard Bureau (NGB).

Enclosed is historical data to support our request. In short, Kansas has not met the NGB standard for a number of years. Data illustrates that since 2001, on average, we have been 158 officers short of meeting NGB's goal. In 2007, we lost 55 officers and gained only three. In relation to the other 54 states and territories, the Kansas Army National Guard (KSARNG) is ranked 50<sup>th</sup> in overall officer strength, 52<sup>nd</sup> in officer gains, and 23<sup>rd</sup> in officer losses. Over the next five to ten years, 117 Field Grade Officers (Major – Lieutenant Colonel) and Senior Officers (Colonel) will reach their Mandatory Retirement Date. That is currently 50% of our current senior level officers and 23% of our overall officers!

The strategic impact from the loss of these senior level officers is that our Company Grade (Lieutenant – Captain) Officers must fill that void resulting in the possibility that the KSARNG may not have a sufficient number of officers to fill vacancies for Lieutenant – Captain. This poses a great challenge because these vacant positions are the very people that oversee our enlisted soldiers who need to be trained to fight, supervised, and managed on a daily basis. A shortcoming in having enough of these Lieutenants through Captains is absolutely vital to the success of the KSARNG. Without them we will be stretching our personnel to their breaking point; which will reduce the retention of all soldiers.

To circumvent this possibility, our proposal is to draw from a larger pool of civilians, and current soldiers. In order for us to proceed with this initiative we need legislative permission to recruit from a wider array of college bound graduates. For example, we hope to improve upon the status quo by recruiting future Army Officers from Kansas community colleges. This action will propel us forward for the foreseeable future as we continue our mission to meet the NGB strength standard. Your consent will help us close the gap that we have historically not been able to consistently attain.

*Senate Education Committee  
1-29-08  
Attachment 2*

This process began when the Pittsburg State University (PSU) Army Reserve Officer Training Corps (ROTC) Department first investigated teaching Military Science courses to those students at Fort Scott Community College (FSCC), with the intent that they will matriculate to a Regents University upon completion of their two years at a community college. We decided to initially utilize FSCC as the test school due to its proximity to Pittsburg State University. After our initial meetings with PSU and FSCC Administrations, it was decided to try our initial offering of the class during the fall 2007 semester. Last semester, we had an enrollment of 14 students, with several of those students being current members of the KSARNG. As we began to talk to those students about continuing in ROTC and becoming Army Officers for the KSARNG, we discovered that many of them would benefit from the Kansas Board Of Regents Service Scholarship. These conversations are what drove us to begin investigating the current Statutes, and understanding the limitations of the scholarship.

Per K.S.A. 74-3255, an "ROTC Institution" means a state educational institution or municipal university that provides a reserve officer' training corps program. This definition excludes the community colleges, as they are defined as a "Kansas educational institution", which means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, technical colleges, and accredited independent institutions.", per K.S.A. 74-32,146.

In no way do we wish to violate, or alter, the integrity of the Kansas Board of Regents, we simply wish to change the wording of the Statute to allow all three Army ROTC schools, University of Kansas, Kansas State University, and Pittsburg State University, to utilize this great scholarship opportunity for those students who initially attend a community college. We also do not wish to "steal" students from any community college and immediately transfer them to a Regents University. We seek approval of this bill as an opportunity for students to initially attend a community college prior to transferring to a Regents University. In addition it is as an opportunity for any community college to assist themselves in the recruitment of talented young men and women, both academically and athletically.

I appreciate your time and consideration on this bill, as well as your overall support of the KSARNG. I would be glad to answer any questions that you may have.

Respectfully Submitted,

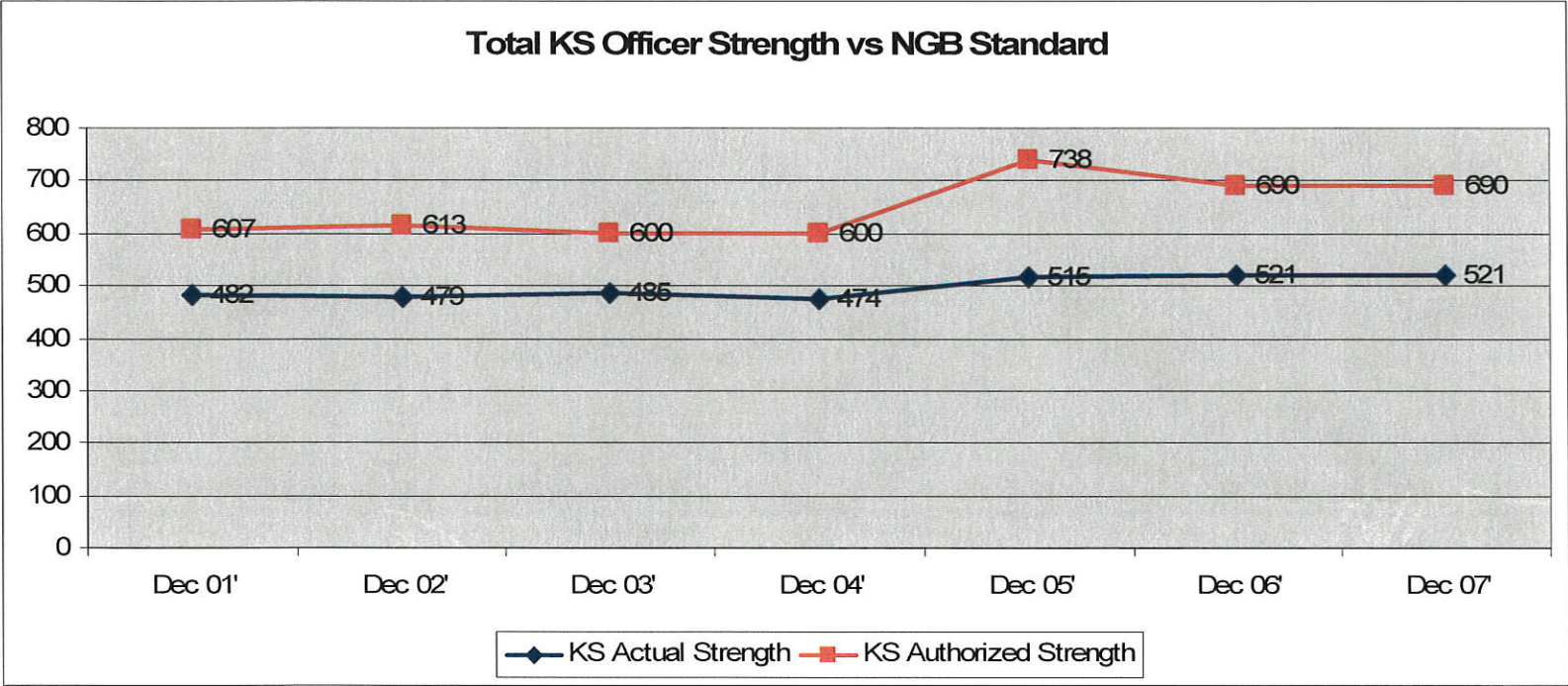


ADAM L. JOHNSON  
CPT, IN  
Education Services Officer

Encl:  
Officer Strength Historical Data

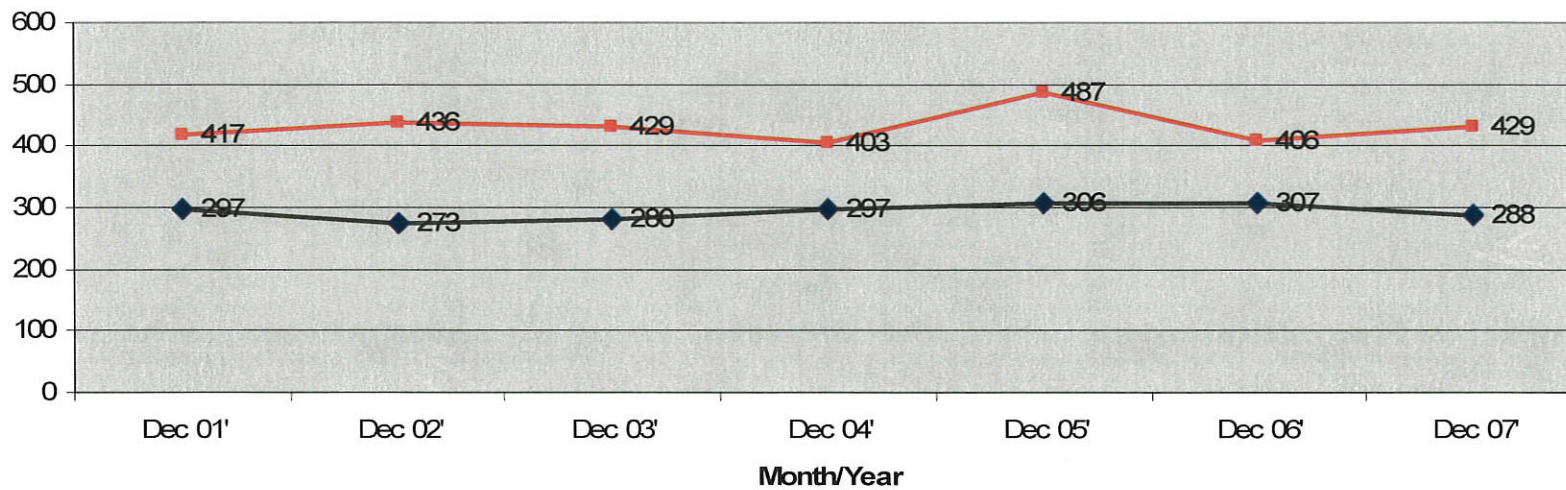


JASON P. NELSON  
CPT, AR, KSARNG  
Assistant Professor of Military Science  
Pittsburg State University ROTC



2-4

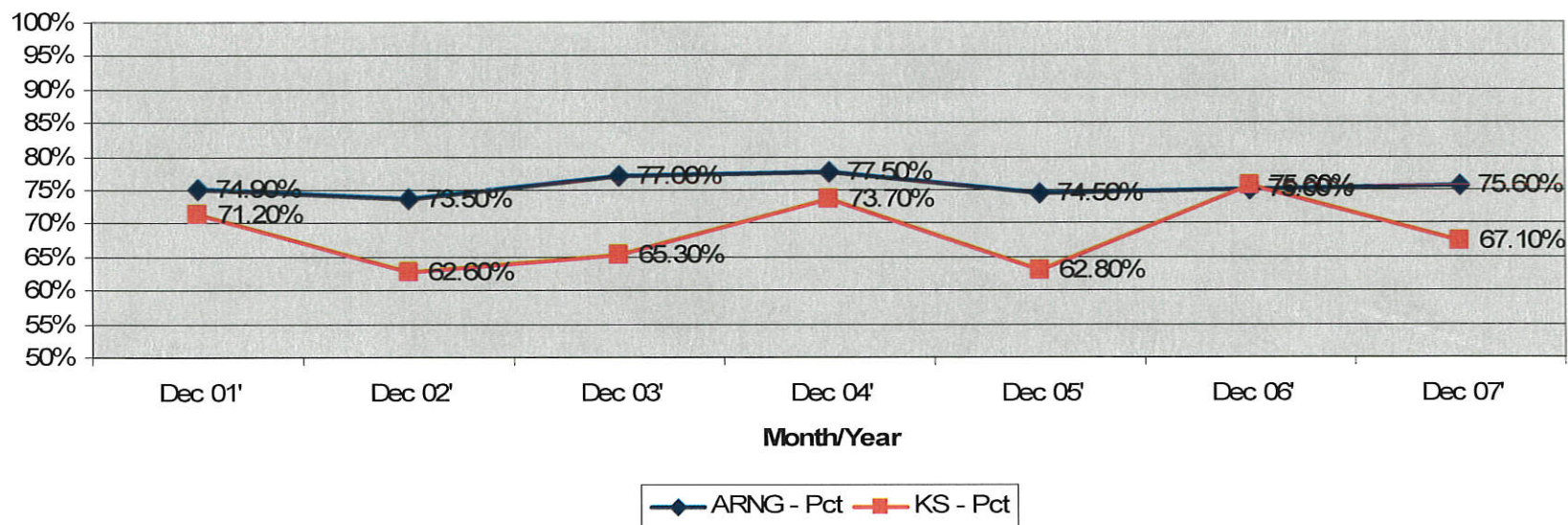
**Kansas Company Grade Officer Strength (Lieutenant - Captain) vs NGB Standard**



◆ KS Actual Strength    ■ KS Authorized Strength



**KS Company Grade Officer Strength vs NGB Average of all 54 States/Territories**





# KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-3421  
FAX – 785-296-0983  
www.kansasregents.org

January 29, 2008

Senator Jean Schodorf, Chair  
Senate Education Committee  
Statehouse, Room 241-E  
Topeka, KS 66612

Senator Janis Lee, Ranking Member  
Senate Education Committee  
Statehouse, Room 162-E  
Topeka, KS 66612

Dear Chairwoman Schodorf and Ranking Member Lee:

On behalf of the Kansas Board of Regents, I write to you regarding Senate Bill 437, legislation that would amend the current ROTC Service Scholarship program by adding community colleges to the definition of eligible schools that students may be enrolled in order to receive the scholarship. Currently, only the six state universities and Washburn University are statutorily defined as eligible schools.

The ROTC Scholarship is available to Kansas residents who are enrolled in good standing and are qualified for participation in the ROTC program at that institution. Currently, ROTC programs in Kansas are located at Kansas State University, Pittsburg State University, and the University of Kansas. The current amount of the scholarship shall not exceed 70% of the average amount of the cost of attendance at the state educational institutions for an academic year. Students must be enrolled full-time in at least 12 credit hours each semester, participate in the campus ROTC program, and immediately upon graduation accept a commission as a second lieutenant and serve for not less than four years as a commissioned officer in the Kansas National Guard. If the student fails to become a commissioned officer for the required four-year period, they must repay to the state the amount of the scholarship assistance that they have received plus interest.

The current ROTC Scholarship program has \$186,401 appropriated for scholarships. So far, during Fiscal Year 2008, 19 students have been awarded for a total of \$108,440. In a recent survey of community colleges it was estimated that 110 interested students may potentially be added to this scholarship program if community colleges students were to be included. The average scholarship award during Fiscal Year 2008 has been \$4,500. If the majority of returning students were to be awarded, in addition to new students, it is estimated that \$495,000 would be needed to fully award students through this program for Fiscal Year 2009.

Thank you for the opportunity to comment on Senate Bill 437.

Sincerely,

Diane Lindeman  
Director of Student Financial Assistance

*Senate Education Committee  
1-29-08  
Attachment 3*

STATE OF KANSAS



TOPEKA

HOUSE OF  
REPRESENTATIVES

MARIO GOICO  
REPRESENTATIVE, 100TH DISTRICT  
SEDGWICK COUNTY  
1254 N. PINE GROVE CT.  
WICHITA, KS 67212  
316-721-3682

STATE CAPITOL—143-N  
TOPEKA, KS 66612  
785-296-7667

TOLL FREE (DURING SESSION) 1-800-432-3924

FAX: 785-368-6385

E-MAIL: goico@house.state.ks.us

COMMITTEE ASSIGNMENTS

CHAIRMAN: JOINT COMMITTEE ON KANSAS  
SECURITY  
VICE CHAIRMAN: VETERANS, MILITARY AND  
HOMELAND SECURITY  
MEMBER: INSURANCE AND FINANCIAL  
INSTITUTIONS  
COMMERCE AND LABOR

**Testimony on Senate Bill 437**

Chairman Schodorf and honorable members of the Education Committee, it is my pleasure to appear in front of you to testify on SB 437. The bill amends K.S.A 74-3255 which expands the current statute to community colleges and repeals the existing section as follows.

This bill would expand the current ROTC service scholarships to community colleges in Kansas instead of only allowing municipal universities to offer the program. Currently two universities have ROTC programs in place, the University of Kansas and Kansas State University. By amending this bill it would increase the number of ROTC programs by expanding K.S.A 74-3255 to community colleges. This would give more incentive for junior ROTC members to continue onward to postsecondary educational institutions.

SB 437 will expand ROTC service scholarships throughout the state of Kansas allowing people who could not have necessarily afforded college to pursue their interests at a community college

I request that you will give Senate Bill 437 consideration and pass it favorably.

Representative Mario Goico,  
District 100

A handwritten signature in black ink, appearing to read "Mario Goico". The signature is fluid and cursive, written over a horizontal line.

Senate Education Committee  
1-29-08  
Attachment 4



## KANSAS ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

700 SW Jackson, Suite 1000 • Topeka, KS 66603-3757 • Phone: 785-357-5156 • Fax: 785-357-5157  
Sheila Frahm, Executive Director • E-mail: frahm@kacct.org • Website: www.kacct.org

**TO: Senator Jean Schodorf, Chair, Senate Education Committee**

From: Sheila Frahm, Executive Director

Date: January 29, 2008

Regarding: **SB 437**

Madam Chair and Members of the Committee:

Thank you for the opportunity to react to SB 437. The issue of community college students' access to ROTC scholarships first came to my attention earlier this fall, following a meeting called by Pittsburg State University ROTC leadership with Fort Scott Community College President, Clayton Tatro. I now understand PSU and FSCC have a memorandum of agreement allowing Fort Scott's students to participate with the PSU ROTC program and access their scholarships. I believe this gives the FSCC students access to a federal program—under the provisions of Public Law 88-647, and Title 10, United States Code, Section 2102. This is a long standing agreement and authorizes the cross-enrollment of students between host SROTC and non-host institutions. There is every indication that this arrangement has been very successful.

Following the PSU/FSCC meeting I was asked to inquire regarding the interest in a ROTC program in connection with each community college. The first thing I learned is none of the other 18 Kansas community colleges have such a ROTC agreement. ROTC programs are stipulated for four year institutions and again, this is by provisions of the Federal Government.

While there was nothing specific to respond to, when asked if there would be an interest in an ROTC program for their students, further reflection by the community college leaders indicated:

4 colleges said, "Yes, we believe we would be interested if it's possible"

3 colleges said, "Yes, we are interested, but have no plans"

1 college said, "Maybe, if there is a funding opportunity for such a program"

In response to how many students could be interested, the colleges indicated perhaps a total of 80 to 100 students. For purposes of the fiscal note, I discussed these numbers with the KBOR staff and we allowed for an unscientific estimate to include a few additional students to reflect the strong interest shown by community college leaders.

SB 437 provides for community college students to access the existing State of Kansas ROTC Scholarship Program. This opportunity raises these, and likely other issues for consideration:

**\*\*How would a community college provide an opportunity for their students to access an existing ROTC Program?**

**\*\*For those community colleges that are not geographically close to an existing ROTC program, how would their students have an opportunity to access a ROTC Program?**

**\*\*Could the military classes be offered on community college campuses or even by interactive television options?**

When there are further details available, the Kansas Community Colleges will be happy to investigate actual program options, methods of classroom and military exercise training and locations for such programs. This will help determine an actual student enrollment potential and even future growth.

Again, Madam Chairman and members of the Committee ---- Thank you for considering this potentially important opportunity for Kansas Community Colleges and future ROTC students. We look forward to working with you on this project.

*Senate Education Committee  
1-29-08  
Attachment 5*