

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 32

As Amended by House Committee on Education

Brief*

SB 32, as amended, would amend the Kansas Challenge to Secondary School Students Act (Act). Specifically, the bill would amend law related to concurrent and dual enrollment of high school students at postsecondary educational institutions.

Authority of School Districts

The bill would allow school districts, at the discretion of the local board of education, to pay tuition, fees, books, materials, and equipment for any high school student who is concurrently or dually enrolled at a postsecondary educational institution (postsecondary institution). The bill would authorize a local board of education to pay all or a portion of those costs. The bill would require any such payment to be paid directly to the postsecondary institution by the school district. Students or their families would be required to pay any portion of the costs not covered by the school district. School districts would also be authorized to provide transportation for concurrently or dually enrolled students.

The bill would require school districts to grant high school credit to concurrently or dually enrolled students who satisfactorily complete course work at a postsecondary institution.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill would prohibit school districts from paying for technical education courses that are part of the Excel in Career Technical Education program (also known as SB 155 courses) administered by the Kansas Board of Regents (Board).

Student Eligibility and Requirements

The bill would amend the definition of “student” in the Act to require a student to have an individualized plan of study or an individualized education program. The new definition of student would be a person:

- Enrolled in grade 10, 11, or 12 in a school district, or a gifted student enrolled in grade 9, 10, 11, or 12;
- With an individualized plan of study or an individualized education program;
- Who has demonstrated the ability to benefit from participation in the regular curricula of a postsecondary institution;
- Who has been authorized by their principal to apply for enrollment at a postsecondary institution; and
- Is acceptable or has been accepted for enrollment at a postsecondary educational institution.

In order to remain eligible for participation, the bill would require students to remain in good standing at the postsecondary institution in which they are enrolled or show satisfactory progress as determined by their school district.

Requirements on Postsecondary Educational Institutions

The bill would require, upon acceptance for dual or concurrent enrollment, students to be notified that such dual

or concurrent enrollment courses may or may not be eligible for a systemwide transfer of college credit to another in-state postsecondary educational institution, as approved by the Board. The bill would require such notification to:

- Refer students to the Board's website that provides information on systemwide transfer courses;
- Encourage students to consult with their high school counselor or postsecondary academic advisor regarding course planning and future plans before enrolling in dual or concurrent enrollment courses; and
- Encourage students who are considering postsecondary enrollment at an institution that is not included on the Board's systemwide transfer website to refer to such institution's website for transfer of credit information.

Tuition Waiver for Foster Care Students

The bill would expand the Kansas Foster Child Educational Assistance program to provide a tuition waiver for foster care students who are concurrently or dually enrolled in a postsecondary institution. In addition, school districts would be authorized to pay for any costs that are not waived, including for fees, books, materials, and equipment.

The definition of "eligible foster child" would be amended to add a student, as defined by provisions of this bill, who has been in the custody of the Secretary for Children and Families and in foster care placement at any time the child was enrolled in grades 9 through 12.

Reporting Requirements

The bill would require each postsecondary institution that accepts students for concurrent or dual enrollment to

submit a report to the Board. The report would include, but not be limited to, the following:

- The number of students from each school district enrolled in the postsecondary institution, including the number of students in foster care;
- The number of students who successfully complete the courses in which they are enrolled;
- The tuition rate charged for concurrently or dually enrolled students compared to the tuition rate charged regularly enrolled students; and
- The portion of costs for concurrent and dual enrollment being paid by school districts.

The Board would be required to compile and prepare a summary report of the reports submitted by postsecondary institutions. The bill would require this summary report to be submitted to the House Committee on Education and Senate Committee on Education on or before February 15 of each year.

Other Amendments

The bill would amend the definition of “accredited independent institution” in the Act to include only not-for-profit postsecondary institutions and to specify the institution must be accredited by a nationally recognized accrediting agency.

The bill would also make technical amendments.

Background

The bill was introduced by the Senate Committee on Education at the request of the Board.

[*Note*: SB 32 contains provisions similar to those of 2020 Sub. for SB 335, as passed by the Senate.]

Senate Committee on Education

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Association of Community College Trustees, the Kansas Association of School Boards, the Kansas Board of Regents, Unified School District (USD) 259 (Wichita), and the Wichita Regional Chamber of Commerce. Written-only **proponent** testimony was provided by representatives of the Kansas Chamber, the Kansas Independent College Association, and the Kansas State Board of Education.

Neutral written-only testimony was provided by a representative of the Kansas Department for Children and Families.

No **opponent** testimony was provided.

The Committee amended the bill to clarify that notification must only be made to students and parents of course credits not transferring if the failure to transfer would occur at an in-state institution.

The Committee also amended the bill to expressly exempt courses that receive funding or financial assistance pursuant to KSA 72-3810 (career and technical education).

House Committee on Education

In the House Committee hearing, **proponent** testimony was provided by representatives of the Kansas Board of Regents, the Kansas Independent College Association, the Kansas Community College, the Wichita Public Schools, the Kansas Association of School Boards, and the Wichita Regional Chamber of Commerce. Written-only **proponent**

testimony was provided by representatives of the Kansas State Board of Education, and the Kansas Chamber.

Neutral written-only testimony was provided by a representative of the Kansas Department for Children and Families.

No **opponent** testimony was provided.

On March 25, 2021, the House Committee amended the bill to remove provisions requiring postsecondary institutions to notify students upon enrollment that they may not receive credit if such course is not a systemwide transfer course and to include provisions requiring the Board to notify accepted students in dual or concurrent enrolled courses that such courses may or may not be systemwide transfer courses approved by the Board for transfer of credit to other in-state public postsecondary educational institutions. The House Committee amended the bill to require that the Board:

- Refer the accepted student to the Board's website for additional information;
- Encourage the accepted student to speak with a high school or postsecondary academic advisor; and
- Refer accepted students considering postsecondary enrollment not listed on the Board's website to such institution's website for transfer credit information.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Board states the tuition waiver for foster care students would decrease tuition revenue at postsecondary institutions. However, it cannot

estimate either the tuition revenue decrease or the fiscal effect of the estimated increase in dual enrollment courses.

The Kansas State Department of Education reports enactment of the bill would have no impact of state aid to school districts. All fiscal impact would occur at the local level based upon the district decisions. Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Education; postsecondary institutions; concurrent credit; dual enrollment; school districts; tuition and fees; foster care; legislative report