

February 1, 2021

The Honorable Molly Baumgardner, Chairperson  
Senate Committee on Education  
Statehouse, Room 445B-S  
Topeka, Kansas 66612

Dear Senator Baumgardner:

**SUBJECT:** Fiscal Note for SB 63 by Senate Committee on Education

In accordance with KSA 75-3715a, the following fiscal note concerning SB 63 is respectfully submitted to your committee.

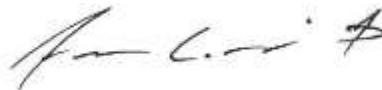
Under current law, the State Board of Education is required to provide the ACT college entrance exam and the three ACT WorkKeys assessments that are required to earn a national career readiness certificate to each student enrolled in grades 11 and 12, and the pre-ACT college entrance exam to each student enrolled in grade nine. No student shall be required to pay any fees or costs to take any such exam or assessments. The state board shall not be required to provide more than one exam and three assessments for each student.

SB 63 would define “student” to mean any person who is regularly enrolled in any public school, accredited nonpublic school or nonaccredited private secondary school in Kansas. The bill would also require the Department of Education to annually notify the official custodian of every nonaccredited private secondary school that is registered with the Department of the times, dates and locations of the pre-ACT college entrance exam, the ACT college entrance exam, and the ACT WorkKeys assessments that are offered in Kansas. In addition, on or before the first day of each regular legislative session, the State Board of Education would be required to prepare and submit a report to the various education committees of the Legislature that includes the aggregate exam and assessment data for all students who were provided the exams.

Because SB 63 would define a student to include those students attending nonpublic and private secondary schools, the bill would increase the number of Kansas students that would be able to take the various ACT exams free of charge. However, the Department does not have data on the number of students in nonpublic schools. The Department notes that it is currently in the process of negotiating a new contract with ACT for the 2021-2022 school year. For reference, the

Governor has included \$2.8 million from the State General Fund in the budget recommendation for the Department in FY 2022 for costs associated with the three ACT exams. This amount was based upon the contract costs in FY 2021 and does not include any additional costs from the current contract negotiations. The Department estimates the enactment of SB 63 could add \$300,000 to the annual cost of the current contract. Any fiscal effect associated with SB 63 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Craig Neuenswander, Education