

January 21, 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 32 by Senate Committee on Education

In accordance with KSA 75-3715a, the following fiscal note concerning SB 32 is respectfully submitted to your committee.

SB 32 would amend the Kansas Challenge to Secondary School Students Act. 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 of these 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.

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.

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 who has:

1. Enrolled in grades ten, 11, or 12 in a school district, or a gifted student enrolled in grades nine, ten, 11, or 12;
2. Demonstrated the ability to benefit from participation in the regular curricula of a postsecondary institution;

3. An individualized plan of study or an individualized education program;
4. Has been authorized by their principal to apply for enrollment at a postsecondary institution; and
5. Is accepted for enrollment at a postsecondary institution.

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

The bill would require postsecondary institutions to notify a student or a student's parent or guardian if the course in which a student is enrolled is not eligible for a systemwide transfer of college credit, as determined by the Board of Regents.

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 bill would require each postsecondary institution that accepts students for concurrent or dual enrollment to submit a report to the Board of Regents. The report would include the following:

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

The Board of Regents 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.

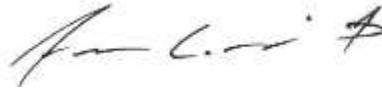
The bill would amend the definition of "accredited independent institution" in the Act to include only not-for-profit postsecondary institutions and to specify the institution must be accredited by a nationally recognized accrediting agency. The bill would also make technical amendments.

According to the Board of Regents, the enactment of SB 32 could increase the number of secondary students that would choose dual enrollment if districts would choose to pay for a portion or all of the tuition and related costs. However, a fiscal effect cannot be estimated as the number

of school districts that would approve this arrangement is not known. In addition, the Board of Regents states that the tuition waiver for foster care students would be an extension of the current program for postsecondary students and could result in reduced tuition revenue; however, a fiscal effect cannot be estimated.

The Department of Education states that the enactment of this bill would not affect state aid to school districts; any additional local district expenditures that would result from dual enrollment tuition and related costs would be borne by the local district. Any fiscal effect associated with SB 32 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  
Kelly Oliver, Board of Regents  
Kim Holter, Children & Families