

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2080

As Amended by House Committee on Education

Brief*

HB 2080, as amended, would enact law supplemental to the Virtual School Act to allow students enrolled full-time in a Kansas virtual school to take statewide assessments, required by state law, in a virtual setting.

The bill would require the administration of any virtual statewide assessment to meet the following conditions:

- The assessment must be administered to the student at an assigned date and time;
- The assessment must be administered during a synchronous session that is started and managed by an employee of the virtual school;
- The assessment administered in the virtual setting must be the same assessment administered to students enrolled in a virtual school but taking the assessment in an in-person setting;
- The student must be monitored by the assessment proctor via a camera for the length of the assessment;
 - If the assessment's platform does not allow for integrated camera proctoring, the bill would require the student to use two devices during the assessment;

*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 device on which the student will be taking the test is equipped with browser lockdown software which is in operation for the length of the assessment;
- A proctor cannot monitor more than 10 students during the administration of the assessment;
- The student cannot exit the assessment platform until instructed to by the proctor; and
- The completed assessment must be verified by the assessment administrator.

The bill would stipulate that the State Department of Education would implement the provisions of the bill within the Department's funds for the administration of all statewide assessments.

Background

The bill was introduced by the House Committee on Education at the request of Representative Thomas.

House Committee on Education

In the House Committee hearing, **proponent** testimony was provided by a representative of Insight School and the Kansas Virtual Academy. The proponent stated the bill was necessary because the current process of requiring virtual students to take state assessments at in-person testing centers was both an unnecessary burden on the families of the virtual students and negatively impacted assessment scores. The proponent noted that this current assessment process for their students removes students from their normal school environment, requires students to complete multiple assessments on one day, and creates costs for families providing transportation and other support for students at the testing sites.

Written-only proponent testimony was provided by a private citizen.

In the House Committee hearing, representatives of the State Department of Education (Department) provided information regarding the current assessments, the timeline for implementation of the bill, and discussed the fiscal note. A Department representative stated that all state assessments are currently provided to students digitally but that students had to be in person to have the proctored assessments administered. At the recommendation of the University of Kansas, who prepares the state assessments, implementation of the bill would not occur until the 2025-2026 school year in order to allow a parallel form of the state assessment to be created and tested to help ensure that any security breach which might occur amongst virtual school students testing virtually would not invalidate or impact assessment results from traditional students at brick and mortar schools. The Department representative indicated the fiscal note on the bill, as introduced, may not have captured all of the statewide assessments that could fall under the bill.

The House Committee amended the bill to state that virtual students must be given the same assessment provided to virtual students taking the assessment in an in-person setting. The Committee also amended the bill to require all costs incurred by the Department in implementation of the bill be paid for by the Department's funds for administering statewide assessments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department stated the bill would increase expenditures by \$5.4 million from the State General Fund in FY 2024. The Department stated that for FY 2024, \$5.0 million would be to develop a parallel test form for virtual students, \$276,600 would be for test administration monitoring and storage of audio and video

recordings, \$30,000 for information technology security required for monitoring, and \$125,000 for comparability studies for virtual assessments. Of these initial costs, the Department estimates \$3.1 million would be needed in subsequent fiscal years to cover ongoing costs of the bill.

Any fiscal effect from enactment of the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Education; virtual schools; standardized test; Virtual School Act; students