

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Senate Committee on Education  
From: Office of the Revisor of Statutes  
Date: February 2, 2021  
Subject: Senate Bill 63—ACT expanded to nonpublic school students

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Currently, K.S.A. 72-5179 requires the state board of education to provide the ACT college entrance exam and three ACT workkeys assessments that are required to earn a national career readiness certificate to each student enrolled in 11<sup>th</sup> and 12<sup>th</sup> grades and the pre-ACT college entrance exam to students enrolled in 9<sup>th</sup> grade. The state board of education has a contract with ACT to provide the exam and assessments at no cost to students. At this time, this provision of the exam and assessments only applies to students enrolled in public school because the applicable definition of "student" is "any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district..."<sup>1</sup>

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 located in Kansas." This change would require the state board of education to provide, at no cost to the student, the ACT college entrance exam, ACT workkeys assessments and the pre-ACT college entrance exam to students enrolled in a public school, accredited nonpublic school or homeschool registered with the Kansas department of education.

SB 63 would also require the department to annually notify the official custodian of every nonaccredited private secondary school registered with the department pursuant to K.S.A. 72-4346, and amendments thereto, 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.

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<sup>1</sup> See K.S.A. 72-5132(hh)(1).

Additionally, the bill would require the department to prepare and submit a report to the senate committee on education and the house committee that includes the aggregate exam and assessment data for all students who were provided the exams and assessments.

SB 63 would take effect upon publication in the statute book.