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MEMORANDUM

To: Senate Committee on Education
From: Office of Revisor of Statutes
Date: January 27, 2021
Subject: Senate Bill 32—Dual and Concurrent Enrollment

Senate Bill 32 would amend the Kansas challenge to secondary school students act, which allows certain secondary students to dually or concurrently enroll at postsecondary educational institutions. Currently, the act prohibits a school district from paying for the tuition or providing transportation to students who are dually or concurrently enrolled. SB 32 would authorize school districts, at the discretion of the local board of education, to pay all or part of the tuition, fees, and related costs for any high school student who is dually or concurrently enrolled at a postsecondary educational institution.

Section 1: Report on Dually or Concurrently Enrolled Students

Section 1 of SB 32 would require each eligible postsecondary educational institution that accepts dually or concurrently enrolled students to submit an annual report to the Kansas board of regents. The board of regents would compile that information and prepare a summary report and submit that report to the Kansas legislature on or before February 15 of each year.

Sections 2 & 3: Technical Clean Up

Sections 2 and 3 would make technical changes to K.S.A. 72-3220 and 72-3221 by including section 1 as part of the act, updating the act to conform with current "student" terminology, and removing outdated provisions.

Section 4: Definitions

Section 4 would amend certain definitions in K.S.A. 72-3222. Currently, the definition of "student" means a person who: (1) Is enrolled in grades 10, 11 or 12, or a gifted child enrolled in grades 9, 10, 11 or 12; (2) has demonstrated the ability to benefit from participating in a

postsecondary curriculum; (3) has been authorized by the principal of the school to apply; and (4) is accepted for enrollment at an eligible postsecondary educational institution. The definition of "student" would add a requirement that a student have an individualized plan of study or an individualized education program.

Section 5: Cooperative Agreement and Payment of Tuition

Section 5 would amend K.S.A. 72-3223, which allows the board of education of any school district and any eligible postsecondary educational institution to enter into a cooperative agreement regarding the dual or concurrent enrollment. SB 32 would include as part of the cooperative agreement a requirement that the eligible postsecondary educational institution notify the student or the student's parent or guardian if the course the student enrolled in is not a systemwide transfer course approved by the Kansas board of regents and as a result, the student may not receive credit for such course if the student transfers to another postsecondary educational institution.

Additionally, Section 5 would authorize a board of education of a school district, in its discretion, to pay for all or a portion of the amount of tuition and related costs charged by an eligible postsecondary educational institution for a student's dual or concurrent enrollment. Any such payment shall be paid directly to the eligible postsecondary educational institution and credited to the student's account. Currently, students are responsible for any tuition or costs.

Section 6: Student Responsible for Payment of Tuition not Paid by School District

Section 6 would amend K.S.A. 72-3224. Subsection (a) would provide that students would be responsible for any tuition, fees, or related costs that are not covered by the school districts. Subsection (b) would authorize school districts to provide transportation for dually or concurrently enrolled students. Subsection (c) would require students to remain in good standing at the eligible postsecondary educational institution and or show satisfactory progress as determined by the school district in order to remain eligible for dual or concurrent enrollment. Subsection (d) also clarifies that that the provisions of this act do not apply to enrollment in career technical education courses or programs pursuant to K.S.A. 72-3810 et seq.

Section 7: Foster Child Tuition Waived

Section 7 would amend K.S.A. 75-53,112, which is the definitions section for the Kansas foster child educational assistance act. This act requires tuition waivers for eligible foster

children who enroll in a Kansas postsecondary educational institution generally after completing high school. SB 32 would amend the definition of "eligible foster child" to waive the tuition of students who are dually or concurrently enrolled as part of the Kansas challenge to secondary school students act and who were 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 of a school district.

Effective Date

SB 32 would take effect on July 1, 2021, upon publication in the Kansas statute book.