

SESSION OF 2020

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 335**

As Recommended by Senate Committee on
Education

Brief*

Sub. for SB 335 would amend the Kansas Challenge to Secondary School Students Act (Act). Specifically, the bill would amend law related to concurrent and dual enrollment of high school students at postsecondary educational institutions.

Authority of School Districts

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 such 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.

*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 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 (Board).

Student Eligibility and Requirements

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:

- Enrolled in grades 10, 11, or 12 in a school district, or a gifted student enrolled in grades 9, 10, 11, or 12;
- Who has demonstrated the ability to benefit from participation in the regular curricula of a postsecondary institution;
- With an individualized plan of study or an individualized education program;
- Who has been authorized by their principal to apply for enrollment at a postsecondary institution; and
- 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.

Requirements on Postsecondary Educational Institutions

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.

Tuition Waiver for Foster Care Students

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.

Reporting Requirements

The bill would require each postsecondary institution that accepts students for concurrent or dual enrollment to submit a report to the Board. The report would include, but not be limited to, the following:

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

The Board 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.

Other Amendments

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.

Background

The bill was introduced by the Senate Committee on Education at the request of a representative of Unified School District (USD) 259 (Wichita).

In the Senate Committee hearing, proponent testimony was provided by representatives of the Kansas Association of Community College Trustees, Kansas Association of School Boards, Kansas Board of Regents, Kansas Independent College Association, and USD 259 (Wichita). Proponents generally favored increasing the opportunity for students to earn postsecondary credits while in high school, noting Kansans with postsecondary education have higher incomes than those with no postsecondary education. Written-only proponent testimony was provided by Senator Petersen and representatives of Friends University and the Wichita Regional Chamber of Commerce.

No neutral or opponent testimony was provided.

The Senate Committee amended the bill to:

- Require a student to have an individualized plan of study or an individualized education plan;
- Clarify the school districts could not pay for technical education courses that are part of the Excel in Career Technical Education program administered by the Board;

- Remove current law which does not require school districts to award high school credit for course work completed at a postsecondary institution. The bill would require school districts to award high school credit;
- Clarify the bill would apply to concurrent and dual enrollment;
- Require the postsecondary institution in which a student is concurrently or dually enrolled to notify the student or the student's parent or guardian if a course is not a systemwide transfer course approved by the Board;
- Provide a tuition waiver for foster care students who are concurrently or dually enrolled at a postsecondary institution;
- Limit concurrent and dual enrollment to not-for-profit postsecondary institutions;
- Require postsecondary institutions to submit a report to the Board of concurrent and dual enrollment;
- Require students to remain in good standing at the postsecondary institution in which they are enrolled or show satisfactory progress, as determined by the school district; and
- Clarify the postsecondary institutions must be accredited by a nationally recognized accrediting agency.

The Senate Committee recommended the amended contents be placed into a substitute bill.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the Board indicates the

bill could increase the number of secondary students who would choose dual enrollment if school districts choose to pay for a portion or all of the tuition and related costs; however, the Board indicates a fiscal effect cannot be estimated because the number of school districts that would pay for tuition and related costs is not known. The Kansas State Department of Education states enactment of the bill would have no effect on state aid to school districts. If a school district chose to pay for tuition and related costs for dual enrollment, those costs would be borne by the school district. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.