

SESSION OF 2025

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2102**

As Amended by House Committee on Education

Brief*

Sub. for HB 2102, as amended, would require school districts to permit the advance enrollment of any military student if the student provides evidence that their parent or guardian will be stationed at a military installation in Kansas during the current or immediately succeeding school year.

The bill would dictate that no proof of address be required at the time of enrollment, but residency may be required for attendance if the school district does not have open seats, as determined by Open Enrollment law.

The bill would apply to kindergarten through grade 12 as well as school districts with preexisting pre-kindergarten (pre-K) programs. School districts with preexisting pre-K programs would be required to permit the advance enrollment of any military student if the student is eligible for the particular program. [*Note:* Public schools are only required to provide certain pre-K programs, such as programs for special education and at-risk students, but some schools provide additional programs.] If the school district has no open seats for the pre-K program, the student would be placed on a waiting list for enrollment. The bill would specify that no school district would be required to offer a pre-K program that is not already required or currently offered.

If the enrolling military student has a special education plan, such as an individualized education program (IEP) or a 504 plan, the bill would require school districts to take

*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 <https://klrd.gov/>

measures to ensure the student receives the required education and related service upon attendance.

The bill would define “military student” as it is defined in School District State Aid law.

The bill would also make technical amendments within the Interstate Compact on Educational Opportunity for Military Children.

Background

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

House Committee on Education

In the House Committee hearing, **proponent** testimony was provided by Representative Poskin; representatives of the Adjutant General’s Department, Military Officers Association of America, and U.S. Department of Defense; and a private citizen. The proponents generally discussed how the bill would ease the transition for military students moving between schools. Conferees stated the current process precludes military students whose parents have orders in Kansas from signing up for classes until they can demonstrate residency. Conferees also recommended a clarifying amendment for special education students.

Written-only proponent testimony was provided by a representative of the Kansas Association of School Boards.

No other testimony was provided.

The House Committee amended the bill to:

- Reorganize provisions to create a new section of law instead of amending Open Enrollment law to allow advance enrollment of military students;
- Clarify that no proof of address would be required at the time of enrollment;
 - [Note: The bill would dictate that military students who do not demonstrate residency would be subject to the provisions of continuing Open Enrollment law. Under continuing law, military students who participate in Open Enrollment are not subject to the lottery process. They are granted seats if seats are available.]
- Clarify that residency could be required for attendance if the school district does not have open seats at the time of enrollment;
- Add a provision for students with IEPs or 504 plans, clarifying that school districts would be required to ensure such students would receive the required education and related services upon attendance; and
- Make technical amendments to the Interstate Compact on Educational Opportunity for Military Children.

The House Committee recommended a substitute bill be passed to incorporate the amendments.

House Committee of the Whole

The bill was withdrawn from the Calendar and rereferred to the House Committee on Education.

House Committee on Education

The House Committee amended the substitute bill to expand advance enrollment of military students to include pre-K programs.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Department of Education indicates enactment of the bill would have no fiscal effect on its operations. The bill would allow a change to current law to change the way that military students would be allowed to enroll in school districts; however, any fiscal effect on state aid payments for this change would be negligible. Any fiscal effect associated with the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Education; enrollment; advance enrollment; open enrollment; military student; nonresident student