

REVISED
SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 387

As Amended by Senate Committee on
Education

Brief*

SB 387, as amended, would modify a provision governing open enrollment in the Kansas School Equity and Enhancement Act to provide for the continued enrollment of nonresident students in a school district until the student graduates from high school.

The bill would clarify that any student enrolled as a nonresident in a school district during the school year 2023-2024 will be permitted to continue their enrollment and attendance in that school district as long as the student is deemed in good standing. Such students would not be required to go through the lottery process to remain enrolled at the school district in the 2024-2025 school year.

The bill would also specify that no school district shall be required to provide transportation to nonresident students unless otherwise required by applicable law. The bill would add a deadline of July 30 of each year to a current notification requirement of school districts to notify the parent of the student's denied enrollment and creates the ability for the parent to appeal the denial to the school district's board of education. If the appeal is unsuccessful, the parent would be permitted to appeal to the Commissioner of Education, who will be required to conduct a hearing in accordance with the Kansas Administrative Procedure Act.

*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>

Background

The bill was introduced by the Senate Committee on Education at the request of a representative of Katie Whisman Consulting, LLC.

Senate Committee on Education

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Americans for Prosperity – Kansas and Nemaha Central Schools (USD 115). The proponents generally indicated support of the bill because it would ensure currently enrolled nonresident students can continue their attendance.

Written-only proponent testimony was provided by representatives of North Jackson Heights (USD 335) and the Reason Foundation.

Neutral testimony was provided by representatives of the Kansas Association of School Boards and the United School Administrators of Kansas.

No other testimony was provided.

The Senate Committee amended the bill to:

- Specify that a resident school district shall not be required to provide transportation for nonresident students unless otherwise required by applicable law; and
- Add a deadline of July 30 of each year to a notice requirement to parents of a student's denied enrollment and create the ability for the parent to appeal the denial to the school district board of education, and if unsuccessful, to the Commissioner of Education.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department of Education indicates enactment of the bill would not affect state aid to school districts and would have no fiscal effect for the agency.

Education; Kansas School Equity and Enhancement Act, open enrollment; nonresident student; good standing; school districts