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MEMORANDUM

To: Committee on K-12 Education Budget
From: Nick Myers, Office of Revisor of Statutes
Date: January 25, 2024
Subject: Bill Brief – House Bill 2514

House Bill 2514 would amend the school district open enrollment statutes to require school districts to:

1. Prioritize students who reside in Kansas over students who reside in another state;
2. Authorize nonresident students to remain enrolled in a school district that the student attended in school year 2023-2024;
3. Authorize school districts to deem nonresident students as not in good standing prior to enrollment; and
4. Require each school district to publish the district’s open enrollment policy on the district’s website.

Priority for Kansas Residents

HB 2514 would require school districts to prioritize students who reside in Kansas over students who reside in another state through two substantive revisions to the open enrollment statutes. First, HB 2514 would amend the definition of “nonresident student” in K.S.A. 72-3127 to make such term only apply to students who reside in Kansas who are seeking to enroll in a school district of nonresidence. Therefore, the open enrollment process requirements would only be applicable to students who are residents of Kansas and not to students who reside in another state.

Second, HB 2514 would enact a new section of law to require school districts to generally give priority to students who reside in Kansas over students who reside in another state by requiring districts to consider out-of-state student applications only if open seats remain after completion of the nonresident student open enrollment process established in K.S.A. 72-3123.

Notwithstanding such provisions, HB 2514 would authorize any school district to permit a student who resides in another state to attend the school district if such student has a parent who is employed by the school district.

Authorizing Continued Enrollment for Certain Students

HB 2514 would clarify that a nonresident student who was enrolled in a school district of nonresidence during the 2023-2024 school year shall be permitted to continue such enrollment in such school district until the student graduates from high school. Similarly, any nonresident student accepted for enrollment at a school district of nonresidence on or after June 1, 2024, shall also be permitted to continue such enrollment until the student graduates from high school.

Authority to Deem Students as Not in Good Standing

HB 2514 would authorize any school district to refuse to enroll a nonresident student if the district deems such student as not in good standing pursuant the school district's open enrollment policies even if such student has not yet attended the school district. School districts may also deem a current student as not in good standing and deny such student's continued enrollment in the school district.

Website Publication of Open Enrollment Policies

HB 2514 would require each school district to publish the school district's open enrollment policy and any revisions to such policy on the school district's website through a link on the district's website homepage titled "Open Enrollment Information."