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MEMORANDUM

To: Senate Committee on Education
From: Office of Revisor of Statutes
Date: February 2, 2026
Subject: SB 361—Excluding Certain Foreign Exchange Students from the Open Enrollment Open-Seat Lottery

Senate Bill 361 would authorize foreign exchange students who reside with a host family to enroll in and attend the resident school district of the host family as if the students were residents of the school district and excluding such students from the open-seat lottery process.

Currently, the open enrollment law requires school districts to permit nonresident students to enroll in and attend schools of the school district if there are open seats. Such law also authorizes school districts to treat certain students as if they were residents of the school district and such students are not subject to the open enrollment open-seat lottery. This provision of law does not explicitly address foreign exchange students.

SB 361 would amend K.S.A. 72-3123 to provide that a foreign exchange student who resides, or will reside, with a host family is permitted to enroll in and attend the host family's resident school district as if the student were a resident of the school district and the student would not be subject to the open seat lottery.

SB 361 also includes minor technical amendments and would take effect on July 1, 2026, upon publication in the statute book.