

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2320

As Amended by House Committee on K-12
Education Budget

Brief*

HB 2320, as amended, would amend law regarding best interest determinations, public school enrollment, and the creation of transportation plans for children in the custody of the Secretary for Children and Families (foster student). The bill also would change transfer of records requirements between public schools for children in the custody of the Secretary for Children and Families, Secretary of Corrections, or Commissioner of Juvenile Justice. The bill would also make technical and conforming changes.

Public School Enrollment

Best Interest Determination

The bill would require that the Secretary for Children and Families make a best interest determination before any planned placement change or within two business days following an unplanned placement disruption for a foster student. The bill would require that any such determination would follow federal and state law as well as the procedure set forth in the Department for Children and Families (DCF) manual.

*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/>

Foster Student Public School Choice

The bill would allow foster students to either attend any school district within the state or to remain in their school of origin, if it is determined to be in the best interests of the child.

The bill would also permit foster students whose placement is changed such that they cross a school boundary within the same school district to choose to either remain at their school of origin or attend the school of the school district where they are placed.

Transportation Plan

Should a foster student's placement change and it be determined that they should remain at their school of origin, the bill would require the affected school district and the Secretary for Children and Families to coordinate the development of a transportation plan to get the foster student to and from the school of origin.

The bill would require that any plan address the availability and cost of transportation, including whether the costs would be reimbursed by the Secretary for Children and Families, paid by the school district, or shared by both. Additionally, the bill would require that when a plan is being developed that consideration be given to:

- Age, maturity, and behavioral capacity of the child;
- Type of transportation available;
- Flexibility in the school schedule;
- The effect of extracurricular activities on transportation options;
- Traffic routes and patterns; and

- Individualized needs of the child.

Transfer of School Records

The bill would require the Secretary for Children and Families, Secretary of Corrections, and Commissioner of Juvenile Justice to notify the affected school district that a student's placement has changed. The school district would then be required to transfer the student's school records within two business days following the day the school district received notification.

[*Note:* Current law requires the Secretary for Children and Families, Secretary of Corrections, and Commissioner of Juvenile Justice to be responsible for the transfer of records for a student whose placement has changed.]

For the purposes of the bill, a "business day" would be defined as a weekday in which the school district or school's administrative office is open and would not include any federal or state holiday, any weekday that the school district or administrative office is closed, or any weekday where the school day has been canceled due to inclement weather or other unforeseen circumstance.

The bill would stipulate that a school which receives a foster student would not be able to deny or delay enrollment of said student due to not yet having the school records.

Background

The bill was introduced by the Committee on K-12 Education Budget at the request of Representative Goetz.

House Committee on K-12 Education Budget

In the House Committee hearing on February 13, 2025, **proponent** testimony was provided by representatives of the

Children's Alliance of Kansas and KVC Kansas. The proponents generally stated that some youth in foster care continue to face challenges to academic success due to instability and frequent school changes. They stated that the bill would provide stability for those students by allowing them to remain in their school of origin, regardless of their placement location; align with federal law; and ensure timely transfer of records from one school district to another.

Written-only proponent testimony was provided by representatives of Cornerstones of Care, the Department for Families and Children, the Office of the Child Advocate, Saint Francis Ministries, TFI Family Services, and a private citizen.

Neutral testimony was provided by a representative of the Kansas Association of School Boards (KASB). The conferee stated that this bill largely duplicates federal law.

No other testimony was provided at the first hearing.

In the second House Committee hearing on February 11, 2026, **proponent** testimony was provided by a representatives of the Children's Alliance of Kansas and DCF. The proponents general stated that the bill would help eliminate barriers and challenges for providing stabilization for children within their daily lives and their placements and would ensure students are enrolled in schools in a timely manner.

Written-only proponent testimony was provided by representatives from Aligned, Kansas National Education Association, KVC Kansas, and the Office of the Child Advocate.

Neutral testimony was provided by a representative of KASB. The conferee generally stated that KASB supports the idea of strengthening collaboration among agencies but is concerned about unfunded mandates. The conferee also discussed their concerns with the bill, including whether schools could always be in compliance with the timeline of

two days to transfer records, the uncertainty about the funding of transportation for these students, and what would happen if a school district and DCF disagree as to the correct path for the student.

No other testimony was provided.

Following the conclusion of testimony, a representative of the Kansas Department of Education (KSDE) addressed questions from committee members about the transfer of school records between school districts.

The House Committee amended the bill to:

- Add that DCF would complete the best interest determination before a planned placement change or within two business days of an unplanned placement disruption;
- Add language defining “business day”;
- Add clarification that the date a school district receives notification does not count towards the two-business-day deadline; and
- Make technical amendments to update statutory references in the bill.

Fiscal Information

According to the fiscal note prepared by the Division of Budget on the bill, as introduced, DCF and KSDE indicate that enactment of the bill would have no fiscal impact on the operations of either agency. KSDE does indicate a potential fiscal impact on school districts if additional administrative staff are required to meet the requirements of the bill but is unable to provide an estimate of such effect.

Education; foster children; school records; department for children and families;
department of education