



Proponent Testimony of HB 2320
For the Senate Education Committee
March 11, 2026
Brenna Visocsky
Just Campaign Director, Kansas Appleseed Center for Law and Justice

Chair Erickson, and Members of the Senate Committee on Education,

Thank you for the opportunity to provide testimony on behalf of Kansas Appleseed in support of HB 2320. This bill strengthens educational stability for children in foster care by clarifying enrollment rights, record transfer responsibilities, and transportation coordination when placements change. HB 2320 requires a timely best interest determination before planned placement changes—or within two business days after unplanned disruptions—to determine whether a foster student should remain in their school of origin or enroll in a new district. It allows foster students to attend any Kansas school district or remain in their school of origin when that is in their best interest, requires coordination of transportation when students remain in their school of origin across district boundaries, and establishes clear timelines requiring school districts to transfer records within two business days while prohibiting enrollment delays due to missing documentation. Together, these provisions reduce administrative barriers and promote continuity in education for students in foster care.

Educational continuity is one of the strongest protective factors for children experiencing removal from their homes. Yet available data show that school instability remains a persistent challenge. According to state data, only 35.1% of children age six and older attend the same school after removal. Foster youth experience significant movement, with 6.7 moves per 1,000 days as of December 31, 2025—well above the target rate of 4.48. While 88.3% of children in out-of-home placements for 365 days or longer progress to the next grade level, only 54% of young adults exiting custody in state fiscal year 2026 are expected to have completed 12th grade.¹ These statistics highlight the disruptive impact placement changes continue to have on educational attainment.

HB 2320 directly addresses these barriers by strengthening processes that allow foster students to remain in stable educational environments whenever possible. The bill requires a best interest determination before planned placement changes or shortly after unplanned disruptions, and allows foster students either to remain in their school of origin or attend a new district if that placement better serves their needs. When remaining in the school of origin is determined to be in the student's best interest, the bill requires coordination between relevant agencies and school districts to develop a transportation plan that preserves continuity in learning and relationships.

¹ Kansas Department for Children and Families. (2026). *Foster care/adoption case management contract performance outcomes*. Kansas Department for Children and Families. Retrieved February 27, 2026, from <https://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>

The bill also establishes clear responsibility and timelines for the transfer of student records. Under HB 2320, sending districts must transfer records within two business days of receiving notification of a placement change, and receiving districts may not delay enrollment due to missing documentation. These provisions respond to documented instances of foster youth missing school entirely or attending shortened school days due to administrative delays in enrollment, record transfer, or transportation coordination.

HB 2320 aligns Kansas policy with federal expectations under the Every Student Succeeds Act, which prioritizes school stability, immediate enrollment, and interagency collaboration for transportation.² The bill also addresses gaps created after changes to the McKinney-Vento Homeless Assistance Act removed youth awaiting foster placement from the definition of homelessness, a shift that created barriers to enrollment when youth lack permanent placement documentation.³

Stakeholders working directly with foster youth consistently report that educational disruptions caused by placement changes, enrollment delays, and administrative barriers harm both academic outcomes and placement stability. Organizations including the Kansas Office of Child Advocate, Saint Francis Ministries, Cornerstones of Care, Kaw Valley Center, and the Children's Alliance of Kansas emphasize that consistent school placement serves as a stabilizing force that supports academic progress, emotional well-being, and successful transitions to adulthood.

By clarifying agency responsibilities, ensuring timely record transfer, and prioritizing educational continuity, HB 2320 reduces preventable barriers that interfere with learning. The bill strengthens collaboration among child welfare agencies, school districts, and state partners, including the Kansas Department of Corrections and the Commissioner of Juvenile Justice, to ensure that administrative processes support rather than disrupt a child's education.

Children in foster care already face extraordinary instability. Providing them with consistent access to education is not only sound policy but a fundamental investment in their long-term well-being and success. HB 2320 advances that goal by aligning state practice with evidence-based approaches that prioritize stability, timely services, and coordinated support systems.

For these reasons, we respectfully urge the Committee to support HB 2320.

Thank you for your time,

Brenna Visocsky

² The Foster Education Network. (n.d.). *Every Student Succeeds Act*. Retrieved February 27, 2026, from <https://foster-ed.org/every-student-succeeds-act/>

³ National Center for Homeless Education. (n.d.). *The McKinney-Vento definition of homeless*. Retrieved February 27, 2026, from <https://nche.ed.gov/mckinney-vento-definition/>

Notes

HB 2320: https://www.kslegislature.gov/li/b2025_26/measures/hb2320/

- Short Title: Authorizing children in the custody of the secretary of the department for children and families to attend school in any school district, requiring records for such students to be timely transferred between school districts and requiring a transportation plan if the child remains in the school of origin.
- **Public School Enrollment, Best Interest Determination**
 - Requires DCF and families to make a best interest determination before any planned placement change or within two business days following an unplanned placement disruption for a foster student, and do so in accordance with state law.
 - Allows foster students to either attend any school district within Kansas or to remain in their school of origin, if it determined to be in the best interest of the child. Also permits foster students to stay in attend their school of origin or attend the new district when a placement causes them to cross school boundaries.
 - Should a foster student's placement change and it be determined that they should remain at their school of origin, the district and DCF shall coordinate a transportation plan
- **Transfer of School Records**
 - Requires DCF, KDOC, and Commissioner of Juvenile Justice to notify the affected school district that a student's placement has changed. The district would then be required to transfer the student's school records within two business days following the day the school district received notification.
 - Current law puts this responsibility on DCF, KDOC, and CJJ, not the district. This bill would put the onus on the district.
 - The receiving district of the foster student cannot deny or delay the student's enrollment due to not yet having the school records.
 - Intent is to minimize interruptions in schooling for the foster student, who already have to change placements frequently

<https://foster-ed.org/every-student-succeeds-act/>

- The Every Student Succeeds Act provides that:
 - State plans must include assurances that foster youth be enrolled or remain in their school of origin unless there is a determination that it is not in their best interest
 - Immediate enrollment in a new school, no delays or denials because of failure to provide records
 - Record transfer must be immediate
 - Local education agencies must collaborate with state or local child welfare agencies to implement procedures for cost-effectively transporting a foster youth to and from school, even across district boundaries, and extracurricular activities.

<https://www.dcf.ks.gov/services/PPS/Pages/CaseManagementContractOutcomes.aspx>

- Only 35.1% of children age 6+ are attending the same school as prior to removal.
- 88.3% of children in out of home placements for 365 days or longer are progressing to the next grade level
- SFY 2026 young adults ending custody with DCF who will have completed 12th grade: 54%
- 6.7 moves per 1,000 days as of December 31, 2025. The target rate is 4.48 moves per 1,000 days

Testimony Notes

Proponents

Children's Alliance

- Beginning in December 2016 these youth were no longer eligible under the revised definitions in the McKinney-Vento Homeless Assistance Act. As a result, foster care providers in Kansas were required to provide proof of address to enroll youth in school (i.e., placement agreement). For youth who do not have a long-term placement provider, this causes significant disruption to their educational services and sometimes prevents them from having access to any educational services for long periods of time. HB 2320 would offer children and youth in foster care an opportunity to remain in their school of origin or enroll in a district that is well-suited to support their academic needs regardless of their placement location or status. The bill would ensure the timely transfer of records between sending and receiving districts, preventing unnecessary delays to enrollment and initiation of specialized services.

Kansas Office of Child Advocate

- Instances of children not going to school or having shortened school days because of delays in transferring their records, enrollment, and arranging transportation services.
- HB 2320 addresses those issues
- HB 2320 address three issues not covered or clearly set out in federal law: (1) school enrollment; (2) transfer of records; (3) transportation
- The McKinney-Vento Homeless Assistance Act eliminated youth awaiting foster care placement within the definition of homelessness, which made foster youth awaiting placement ineligible for enrollment in any school district. HB 2320 corrects the gap federal law created in foster youth placement and schooling.

The Family Initiative

- Under the revised definitions in the McKinney-Vento Homeless Assistance Act, these youth were no longer eligible to be enrolled in any school district, regardless of their placement status or physical location. Following these revised definitions, Case Management Providers were required to provide proof of address to enroll a youth in school. For children who do not have a long-term placement provider identified, their educational continuity and services are frequently disrupted and delayed.

Saint Francis Ministries

- Reduces Academic Disruptions: By allowing foster youth to remain in a familiar school environment, this bill helps prevent setbacks in their education.
- Supports Federal Best Practices: Aligns with Every Student Succeeds Act (ESSA), which emphasizes school stability for children in foster care.
- Enhances Placement Success: Ensuring a consistent school experience can improve placement stability and provide much-needed continuity for both youth and foster families.
- Streamlines Record Transfers: Establishing clear timelines for the transfer of student records minimizes enrollment delays and administrative challenges.

Cornerstones of Care

- A positive PK-12 education experience can serve as a powerful stabilizing force for foster children, helping to counteract the effects of abuse, neglect, separation, and instability that these vulnerable students face. Furthermore, continued engagement in and completion of a postsecondary credential can enhance their well-being, support successful transitions to adulthood, and improve their opportunities for personal fulfillment and economic independence. HB2320 recognizes the importance of a stable educational experience by making the exchange of school records simpler and faster and by opening up opportunities for youth to attend the schools that best meet their needs.

Kaw Valley Center

- Alignment with Federal Law: The Every Student Succeeds Act (ESSA) already mandates that states prioritize school stability for youth in foster care. This legislation aligns Kansas policy with federal expectations, ensuring compliance and access to potential funding opportunities.

Neutral

DCF

- The bill clarifies the time frames and duties related to the transfer of student records between school districts. Prior language place total responsibility on DCF.
- The guidance in HB 2320 regarding transportation of a student to their school of origin despite being placed in a different school district is similar to federal law.
- This bill prioritizes reducing instability, ensuring smooth transitions into new schools without disrupting the child's learning, and emphasizes keeping foster students in their school of origin if that is in their best interest, helping to maintain the positive relationships they built there.