

CHAPTER 28

(HB 266)

AN ACT relating to children of military families.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 159.075 is amended to read as follows:

- (1) A child of a military family may pre-enroll or participate in preadmission in a school district if the parent or guardian of the child:
 - (a) Is transferred to or is pending transfer to a military installation *or to a reserve component* within the state while on active military duty pursuant to an official military order; *or*
 - (b) *Is returning to the state within one (1) year of being separated from the military with an honorable discharge, discharge under honorable conditions, or a general discharge under honorable conditions.*
- (2) A school district shall accept an application for enrollment and course registration by electronic means for a child who meets the requirements set forth in subsection (1) of this section, including enrollment in a specific school or program within the school district.
- (3) The parent or guardian of a child who meets the requirements set forth in subsection (1) of this section shall provide proof of residence to the school district within ten (10) days after the arrival date provided on official documentation. The parent or guardian may use, as proof of residence, the address of:
 - (a) A temporary on-post billeting facility;
 - (b) A purchased or leased home or apartment;~~{or}~~
 - (c) Any federal government housing or off-post military housing, including off-post military housing that may be provided through a public-private venture; *or*
 - (d) *A home under contract to be built.*
- (4) A child who utilizes this section shall not, until actual attendance or enrollment in the school district:
 - (a) Count for the purposes of average daily attendance as defined in KRS 157.320 or 157.350; *or*
 - (b) ~~{Be charged tuition pursuant to KRS 158.120; or~~
 - (c) ~~{Be included in the state assessment and system pursuant to KRS 158.6453 or 158.6455.~~
- (5) *To accommodate for temporary housing, if a child utilizes this section to enroll in a district, but the residence identified in subsection (3) of this section has not yet become available, then the district shall allow the child to enroll and begin attending the district regardless of the child's temporary residence and subsequently be included in the district's calculation of average daily attendance under KRS 157.320, for a period of up to one (1) year from the parent's or guardian's reporting for duty date or separation date before being considered a resident of another district.*

Signed by Governor March 24, 2020.