

1 AN ACT relating to school attendance.

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

3 ➔Section 1. KRS 159.070 is amended to read as follows:

4 **(1)** Each school district shall constitute a separate attendance district unless two (2) or  
5 more contiguous school districts, with the approval of the Kentucky Board of  
6 Education, unite to form one (1) attendance district. Controversies arising in  
7 attendance districts relating to attendance matters shall be submitted to the  
8 Kentucky Board of Education for settlement. In case an agreement suitable to all  
9 parties cannot be reached, the Kentucky Board of Education may dissolve a united  
10 district. In case of dissolution, each school district involved may unite with other  
11 contiguous school districts in forming a united attendance district or may act as a  
12 separate attendance district.

13 **(2)** Within the appropriate school district attendance area, parents or legal guardians  
14 shall be permitted to enroll **for attendance** their children in the public school  
15 nearest their home.

16 **(3) (a) Beginning with the 2019-2020 school year, within the appropriate school**  
17 **district attendance area, parents or legal guardians shall be permitted to**  
18 **enroll their child for attendance in the public school nearest their home,**  
19 **except in cases in which the school nearest their home has academic or skill**  
20 **prerequisites for attending the school, the child has been assigned to an**  
21 **alternative school or the school was designated as a traditional or magnet**  
22 **school by the local school district as of the 2016-2017 school year. If the**  
23 **number of children living in an attendance area exceeds the capacity of a**  
24 **school, the children residing the shortest travel distance from the school**  
25 **shall be given first priority in assignment to the school. Parents or legal**  
26 **guardians may enroll their child for attendance in a public school other**  
27 **than the nearest school with permission of the school district.**

1       **(b) If the number of children whose parents request for them to attend the**  
2       **school nearest their home exceeds the capacity of the school, the children**  
3       **residing the shortest travel distance from the school shall be given first**  
4       **priority in assignment to the school. No child who is currently attending the**  
5       **school shall be displaced in order to permit the attendance of another child.**

6       **(c) A child who is denied attendance at a school under paragraph (b) of this**  
7       **subsection shall be given priority in assignment to the next closest school.**

8       **(4) Parents or legal guardians may enroll their child for attendance in a public**  
9       **school other than the school nearest their home if there is capacity for attendance**  
10       **in the school and the child is granted permission by the school district to attend;**  
11       **and**

12       **(a) The child meets academic or skill prerequisites for enrollment; or**

13       **(b) The child is properly admitted to a school that was designated as a**  
14       **traditional or magnet school by the local school district as of the 2016-2017**  
15       **school year; or**

16       **(c) The child is already attending the school.**

17       **(5) Charter schools shall be exempt from the provisions of subsections (2), (3), and**  
18       **(4) of this section.**

19       ➔Section 2. The Interim Joint Committee on Education shall be presented  
20 testimony during the 2018 interim from no less than two (2) local school districts  
21 regarding implementation of subsection (3) of Section 1 of this Act.