

Public School Open Enrollment in Kentucky: Policy Issues Regarding Non-Resident and Transfer Students

Bluegrass Institute for Public Policy Solutions Report

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by

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Executive Summary

- ▶ Open enrollment enables K-12 students to attend any public school, both within and across school districts.
- ▶ Since about 85% of students attend public schools, this potentially can open many opportunities for families to find the best educational fit for their children.
- ▶ Kentucky does allow some open enrollment (termed non-resident enrollment), but its policies are rated poorly by a Reason Foundation study, where 35 states ranked above Kentucky.
- ▶ The Commonwealth allows districts to have strict limitations on their open enrollment, their policies and procedures are not clearly articulated and publicized, tuition may be charged, and little data is collected and published regarding their programs.
- ▶ HB 563 required districts to establish non-resident enrollment policies and report it to the Kentucky Department of Education, taking effect in the 2022-2023 school year. Since that time, non-resident enrollment increased from 4.11% of all students to 4.48% (not counting one outlier data point),
- ▶ The total number of non-resident students in Kentucky rose by over 2,500; about a 10% increase.
- ▶ In 2024, independent school districts have the largest percentages of non-resident enrollees. The highest range from over 25% to nearly 80%.
- ▶ The 20 highest districts for non-resident enrollment percentage accounted for over 38% of all non-resident students in the state, but just 3.3% of total students.
- ▶ For 22 districts, less than 1% of their students were non-resident in 2024. The two largest districts, Jefferson County and Fayette County, are among these.

- ▶ Districts with the largest increases in non-resident enrollment since the passage of HB 563 are mostly independent districts.
- ▶ Comprehensive data is not available for other aspects of districts' non-resident enrollment policies. However, our investigations find that some districts charge tuition, screen non-residents on ability-related measures, and strictly limit non-resident enrollment.
- ▶ Online programs have a substantial presence in Kentucky and have numerous non-resident enrollees. This is especially true with the recent opening of a new online program by a district that attracted many students.
- ▶ The Kentucky Board of Education introduced a rule, however, that would have limited districts' online enrollment. If implemented, this would have forced about 3,000 students out of their non-resident online program.

Introduction

Open enrollment for K-12 enables students to transfer to public schools other than the one they are assigned to based on their residence as long as space is available. Finding the right fit for children is important in their educational development and the best fit may not be with the local public school. Since most students in the U.S. are enrolled in public schools – about 85% – open enrollment potentially affects a very large number of students by opening a lot of options for them. Naturally, this will not provide every possible option for every child, but it does expand the set of possibilities.

Such expanded opportunities for children are often (in other states) created by charter schools and private school choice programs. Choice among traditional public schools is another way to open similar options. There are numerous studies of the former types of programs, and they generally show strong, positive effects for students.¹ As far as we are aware, there are few studies that specifically focus on public school open enrollment. One of these is the study of a voluntary transfer program from Boston Public Schools to other area schools.² The findings indicate very strong and positive effects on student participants, including better academic test scores, better attendance, lower suspension rates, improved high school graduation rates and college attendance rates, and improved post-graduation employment outcomes.

Naturally, improved outcomes for school children is the essential goal of reform efforts. Open enrollment policy is a means to reach that goal. Below, we consider Kentucky's open enrollment policies relative to other states, the extent of non-resident enrollment in Kentucky and how it has changed, as well as other related policy issues and online programs.

¹ For a short summary, see the relevant section of <https://www.bipps.org/amendment-2-faq>.

² See Elizabeth Setren, "Research Findings: The Impact of the METCO," January 2024, <https://met-coinc.org/research/>.

Aspects of Open Enrollment Policy and Its Status in Kentucky

Open enrollment policies enable students to transfer to a different public school with minimal limitations, both across and within school districts. The former are often referred to as non-resident students since they do not reside in the school district they attend. The Reason Foundation published a study in 2024 detailing its view of important aspects of open enrollment policy.³

These aspects (with paraphrasing) are:

1. Whether all school districts are required to have a non-resident (cross-district) enrollment policy and are only permitted to reject non-resident transfer students for limited reasons, such as school capacity.
2. Whether all school districts are required to have a within-district enrollment policy that allows students to transfer schools within the district and are only permitted to reject transfer requests for limited reasons, such as school capacity.
3. Whether all children have free access to all public schools, i.e., no public-school tuition is charged to families.
4. Whether public schools (including transfers students) are open to all students regardless of ability or disability.
5. Whether there is transparency and clarity regarding a host of matters such as school capacity, transfer procedures and appeals, as well as reporting on items such as data on transfers granted, denied, and reasons for the latter.
6. To which we would add: whether there is clarity in transportation policies.

³ Jude Schwalbach, "Public Schools Without Boundaries 2024," Reason Foundation, October 2024, <https://reason.org/open-enrollment/2024-public-schools-without-boundaries/>.

Table 1 below summarizes information about Kentucky policy in this respect. In 2021, HB 563 amended non-resident student transfer policies, going into effect in 2022. In 2024, SB 210 proposed further changes, though did not pass into law.⁴ Transfer policy aspects of these are displayed in the table.

Table 1
Summary of Kentucky Public School Transfer Policy

Provision	Pre-HB 563	Post-HB 563	2024 bill (SB 210)
Districts are required to have open enrollment across districts.	Not required but allowed.	Not required but allowed, with enrollment capacity a possible criterion for admission.	Required, with restrictions only regarding capacity as determined by state standards.
Districts are required to have open enrollment within districts.	Not required but allowed.	Not required but allowed.	Required with equal treatment of all district residents.
No tuition for students	Districts may charge “reasonable” tuition that the student/family might have to pay.	Districts may charge “reasonable” tuition that the student/family might have to pay.	No tuition charged to the student/family.
Nondiscrimination with respect to disability or ability.	No specific legislation.	No mention of (dis)ability. (But no discrimination among nonresidents is allowed.)	Nondiscrimination is required.
Clarity/transparency of policy	No specific legislation.	Districts “shall adopt” a policy and file it with Ky. Dept. of Education.	Capacities and vacancies must be posted on the district’s website.
Clarity/transparency of process	No specific legislation.	No specific legislation.	Process and timing of application, decision, and appeal are established.
Reporting	No specific legislation.	No specific legislation.	Districts required to report non-resident enrollment, withdrawals, applicants, denials, and reason for denial to the Ky. Dept. of Education.

⁴ In the table, we consider the revised version of SB 210 at <https://apps.legislature.ky.gov/recorddocuments/bill/24RS/SB210/SCS1.pdf>.

Comparison to Other States: How Does Kentucky Fare?

In addition to detailing its recommendations for public school open enrollment policies, the Reason Foundation’s 2024 study (noted above) provides a rating for states regarding how well these policies are implemented.

Open enrollment policies have become increasingly common. The Reason Foundation study reports that during the 2024 legislative sessions, “policymakers in 21 states introduced at least 40 bills that aimed to improve open enrollment laws.” Kentucky was one of those states, though the proposed bill (SB 210) was not enacted.

Under HB 563, Kentucky law currently enables some open enrollment, though the Reason Foundation rates it very poorly – an “F” grade. Kentucky is substantially lacking in important aspects that states that lead the nation have. Some particulars of the Reason study are:

- ▶ 34 states rank above Kentucky in the Reason Foundation study.
- ▶ Kentucky school districts have little if any transparency about transfer procedures, school capacity, and reporting. The Kentucky Department of Education reports only the total number of nonresident transfers and there seems to be no reporting on denied applications and the reasons for denials. Kentucky districts also file their policy with the state.
- ▶ 13 states have a substantial degree of transparency and reporting requirements, but Kentucky is not one of them.
- ▶ 17 states enable all public-school students to transfer to any district with minimal limitations. Kentucky is one of 27 states that allow non-resident transfers, but districts may significantly restrict it.
- ▶ 16 states enable intra-district transfers with minimal limitation. Kentucky is one of 28 states where such transfers are allowed but can be substantially limited by districts.
- ▶ In 27 states, public school students do not pay tuition regardless of which school they attend. Kentucky allows districts to charge tuition to non-resident students and some do charge tuition.
- ▶ 17 states have policies that prohibit school districts from using disability and/or ability as criteria for admission of non-resident students. Kentucky is not among them. Some districts in Kentucky use ability-related criteria in admission of non-residents.

Passage of a bill similar to 2024’s SB 210 would push Kentucky to be among the nation’s leading states in this policy.



**KENTUCKY SCHOOL DISTRICTS HAVE LITTLE IF ANY TRANSPARENCY ABOUT
TRANSFER PROCEDURES, SCHOOL CAPACITY, AND REPORTING.**



Some Data and Related Information on Kentucky's Non-Resident Students

Table 2 below graphs the number of non-resident students in Kentucky attending regular district schools, in total and as a percentage of enrollment in those schools from 2022 through 2024⁵ Note that we refer to school years by the year in which they end. The year 2022 was the last year prior to HB 563 taking effect, so we compare the following two years to 2022.

In the table, we present two values for 2024. The reason is that one district, Cloverport Independent, started a very large online program that year, attracting a lot of students from across the state. Nearly all are non-resident. So that this unusually large uptick for one district does not distort our analysis, we consider the data both with and without this district's increase.

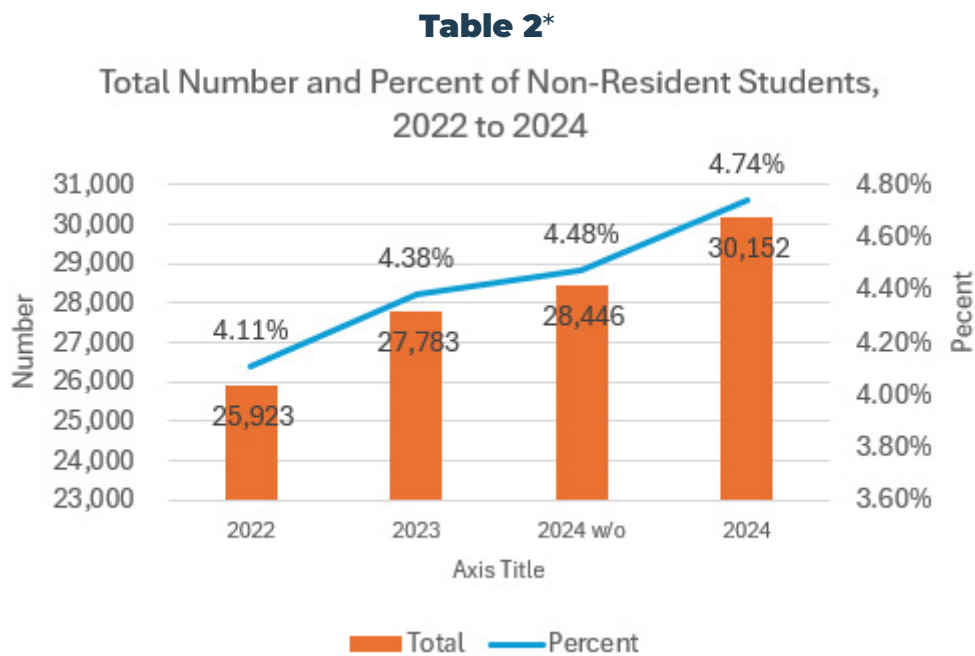


Table 2 shows substantial gains in the number and percentage of non-resident students. The total number is shown by the orange bars and the percentage by the blue line. Total non-residents rose each year, from 25,923 in 2022 to 28,446 in 2024 if Cloverport is not counted; an increase of 2,523. Counting Cloverport the increase is 4,229. Thus, over 2,500 Kentucky students found alternative public schools.

⁵ We obtained non-resident enrollment data from current and past downloads from <https://www.education.ky.gov/districts/enrol/Pages/Nonresident-Student-Policy.aspx>. Our analysis excludes special schools including those for the blind and deaf, the Craft Academy, the Gatton Academy, Model Laboratories, and the Kentucky National Guard Youth Challenge Academy. These schools attract mostly non-residents and including them does not help in assessing effects on traditional students and their local districts. Enrollment data is year-end enrollment ("membership") obtained from <https://www.education.ky.gov/Open-House/data/Pages/Historical-SRC-Datasets.aspx>.

As a percent of total Kentucky public school enrollment, non-resident students increased from 4.11% to 4.48% if Cloverport is not counted and to 4.74% if it is.

Table 3 presents related data in a different way. It shows the year-over-year percentage increase in non-resident students from 2022 to 2024 as well as the two-year percentage increase.

Table 3*
One-Year and Two-Year Increases in Non-Resident and Total Students

<u>Time Frame</u>	<u>One-Year Pct. Changes</u>		<u>Time Frame</u>	<u>Two-Year Pct. Changes</u>	
	<u>Chg. In Non-Residents</u>	<u>Chg. In Enrollment</u>		<u>Chg. In Non-Residents</u>	<u>Chg. In Enrollment</u>
2022 to 2023	7.18%	0.41%	2022 to 2024(w/o)	9.73%	0.70%
2023 to 2024 (w/o)	2.39%	0.29%	2022 to 2024	16.31%	0.70%
2023 to 2024	8.53%	0.29%			

*As above 2024 w/o refers to values without Cloverport Independent.

The first set of columns of Table 3 shows a 7.18% increase in non-resident students in the first year after HB 563 took effect and a 2.39% increase in the second year if Cloverport is not counted and an 8.53% increase if it is. The second set of columns shows the two-year increase. It is 9.73% without Cloverport and 16.31% with.

Table 4 presents the set of school districts with the 20 highest percentages of non-resident enrollment in 2024, as well as the percent for 2022. Cloverport Independent is the highest by far. As noted, this is due to its new online program. The other districts on this list all have at least one-fourth of their enrollments as non-residents.

Note that all these districts are independent. Indeed, there are 48 school districts with at least 10% of non-resident students in 2024 and 38 of them are independent districts. Given that there are 51 independent districts in the entire state, this is a remarkable over-representation.

Table 4

Districts with the 20 Highest Percentages of Non-Resident Enrollment, 2024

<u>District Name</u>	<u>2022 Pct.</u> <u>Non-Residents</u>	<u>2024 Pct.</u> <u>Non-Residents</u>	<u>2024 Rank</u>
Cloverport Independent	16.5	107.4	1
East Bernstadt Independent	77.7	79.2	2
Jackson Independent	56.8	56.8	3
Harlan Independent	47.8	50.9	4
Pineville Independent	51.5	50.3	5
Williamsburg Independent	16.6	49.6	6
Barbourville Independent	40.5	47.3	7
Dawson Springs Independent	35.2	46.4	8
Raceland-Worthington Independent	36.8	43.1	9
Science Hill Independent	17.9	40.9	10
Paintsville Independent	35.7	39.2	11
Murray Independent	39.3	37.8	12
Pikeville Independent	38.9	37.6	13
Eminence Independent	35.6	36.8	14
Fairview Independent	33.3	36.7	15
Williamstown Independent	34.4	35.9	16
Augusta Independent	24.0	35.4	17
Corbin Independent	30.7	34.8	18
Bardstown Independent	30.7	31.9	19
Glasgow Independent	26.5	26.3	20

Table 5 displays the districts with the ten lowest percentages of non-resident enrollment, ranked 162nd to 171st. Their 2024 and 2022 percentages are shown. These districts have very small percentages of non-resident enrollment; all are well less than 1%. Note that Kentucky's two largest districts, Jefferson County and Fayette County, are included in this list. Overall, 22 districts had non-resident enrollments of less than 1% in 2024 and another 24 had less than 2%.

Table 5

Districts with the 10 Lowest Percentages of Non-Resident Enrollment, 2024

<u>District Name</u>	<u>2022 Pct.</u> <u>Non-Residents</u>	<u>2024 Pct.</u> <u>Non-Residents</u>	<u>2024 Rank</u>
Muhlenberg County	0.43	0.53	162
Laurel County	0.73	0.51	163
Casey County	0.72	0.42	164
Fayette County	0.59	0.40	165
Elliott County	1.12	0.34	166
Christian County	0.44	0.31	167
McCreary County	0.62	0.19	168
Campbell County	0.20	0.08	169
Jefferson County	0.01	0.04	170
Anchorage Independent	0.00	0.00	171

Table 6 draws further comparisons between the highest and lowest non-resident enrollment districts. The first row shows the percentage of non-residents in the district grouping. In the highest-percent group, 43.9% of students were non-residents if Cloverport is counted and 38.6% if not. For the lowest group, 0.19% of their students were non-residents.

The second row indicates the percentage of total state non-resident students accounted for by each grouping. The high grouping accounted for 30.8% of all statewide non-resident students counting Cloverport and 26.6% if not. The low grouping accounted for 1.04%. This is despite the fact that total enrollment of all students in the high grouping was only 3.3% of total state enrollment while it was 26.6% for the low grouping. This is shown in the third row of Table 6.

Table 6

Some Comparisons of High and Low Non-Resident Districts, 2024

	Highest 20 Non-Resident Districts (with Cloverport)	Highest 20 Non-Resident Districts (w/o Cloverport)	Lowest 10 Non-Resident Districts
Pct. of district students who are non-resident	43.9%	38.6%	0.19%
Pct. of total state non-resident students	30.8%	26.6%	1.04%
Pct. of total state enrollment	3.3%	3.3%	26.6%

Consider the changes in non-resident enrollment from 2022 to 2024. A perusal of Table 4 indicates that for the high non-resident districts, the general pattern is that the top 20 districts were high in both years. Regarding the low non-resident districts, non-resident enrollment was low in both years. However, the former group still experienced a substantial increase in their non-resident enrollment while the latter did not.

Not counting Cloverport, the former group's percentage of non-resident student enrollees rose from 34.7% to 38.6%. With Cloverport, it rose to 43.9%. This vastly exceeded the entire state's increase in non-resident enrollment of 4.11% to 4.48% (without) or 4.74% (with). With respect to the latter group, non-resident enrollment was 0.25% of their total enrollment in 2022 and 0.19% in 2024; a decline. Thus, the former group's non-resident enrollment is both at a higher level and growing faster.

Note, though, that many of the high group districts were not among the districts with the largest increases in their percentage of non-resident enrollees. This is perhaps not surprising since this group of districts already had high levels in 2022.

Table 7 shows the 20 districts with the largest percentage increases in non-resident enrollment from 2022 to 2024. The percent of non-residents in each district are shown for both 2022 and 2024 (the first two columns of data), followed by the increase in the percent, and the rank of the top 20. The final column shows the rank in 2024 alone, not the increase.

“ FINDING THE RIGHT FIT FOR CHILDREN IS IMPORTANT IN THEIR EDUCATIONAL DEVELOPMENT AND THE BEST FIT MAY NOT BE WITH THE LOCAL PUBLIC SCHOOL. ”

Cloverport is at the top of the ranking for reasons discussed above. Most of the districts in Table 7 are independent, though not all, i.e., Robertson County, Bell County, Henry County, Carlisle County, and Boyle County. Also, many were in the top 20 ranking for the level of 2024 non-residents, but there are a number of exceptions. For example, Danville Independent and Carlisle County were ranked only 63rd and 64th, respectively, in the level of non-residents in 2024, but had substantial growth from 2022.

Several of the increases are quite striking (even aside from Cloverport). For example, Williamsburg Independent and Science Hill Independent increased their percentage of non-residents from in the teens in 2022 to over 40% in 2024.

In 2022, this group of schools had 17.0% of their students as non-residents. By 2024, this increased to 30.2% with Cloverport and to 24.6% without. This far outstrips the state's increase as a whole of less than 1%.

Collectively, this group accounted for 14.7% of all statewide non-resident students and only 3.6% of total state enrollment in 2022. By 2024, their share of all statewide non-resident students rose to 19.3% without – and 24.3% with – Cloverport, while their share of total statewide enrollment remained about the same.

Table 7

Twenty Districts with the Highest Growth in Their Percentage of Non-Resident Enrollment

District Name	2022 Pct. Non-Residents	2024 Pct. Non-Residents	Change in Pct. Non-Residents	Rank, Change from 2022 to 2024	Rank, 2024 Percent
Cloverport Independent	16.5	107.4	90.9	1	1
Williamsburg Independent	16.6	49.6	33.0	2	6
Science Hill Independent	17.9	40.9	23.0	3	10
Bellevue Independent	5.0	24.4	19.4	4	23
Newport Independent	0.2	11.7	11.6	5	45
Augusta Independent	24.0	35.4	11.3	6	17
Dawson Springs Independent	35.2	46.4	11.2	7	8
Robertson County	3.1	12.1	9.0	8	43
Jenkins Independent	10.8	19.0	8.2	9	30
Elizabethtown Independent	16.0	24.1	8.1	10	24
Barbourville Independent	40.5	47.3	6.9	11	7
Raceland-Worthington Independent	36.8	43.1	6.2	12	9
Bell County	20.0	25.6	5.6	13	21
Henry County	9.3	13.9	4.6	14	39
Danville Independent	1.7	6.2	4.4	15	63
Corbin Independent	30.7	34.8	4.1	16	18
Paintsville Independent	35.7	39.2	3.5	17	11
Carlisle County	2.6	6.1	3.5	18	64
Fairview Independent	33.3	36.7	3.4	19	15
Boyle County	8.6	12.0	3.4	20	44

Other Information: Tuition, Procedures, and Reporting

Our investigations indicate that there is no centralized collection of many aspects of non-resident students and district transfers. From what we can discern, this applies to tuition charges, specific procedures and policies for admission, and the provision of appeals or reasons for admissions decisions. The exception is the collection of districts' statements of what their transfer policies are. However, our sampling of these indicates that they are mostly restatements of state law in this regard, e.g., that districts must file their policy with the state, that they may allow transfers, and that they may consider their capacity.⁶

“OUR INVESTIGATIONS INDICATE THAT THERE IS NO CENTRALIZED COLLECTION OF MANY ASPECTS OF NON-RESIDENT STUDENTS AND DISTRICT TRANSFERS.”

To gain some insight into these issues, we contacted a handful of school districts to determine more details of their policies. Table 8 summarizes what we found. As can be seen from the first column, the districts we sampled are highly varied regarding the percentage of non-resident students, ranging from under 1% to over one-third.

⁶ See <https://www.education.ky.gov/districts/enrol/Pages/Nonresident-Student-Policy.aspx>.

Table 8

Summary Information Regarding Selected School Policies

Enrolled District Name	Percent Non-Resident Enrollment, 2023-24	Tuition Charged?	Check Behavior, Grades Attendance for Admission?	Other Comments
Bowling Green Independent	18.86%	\$500/Year	Yes	
Murray Independent	37.75%	\$500/Year	Yes	
Barren County	20.92%	No	Yes	
Corbin Independent	34.79%	No	Yes	
Bardstown Independent	31.86%	No	Usually collected	
Owensboro Independent	13.57%	No	Yes	Principal Decides if Student Can transfer in
Boone County	0.80%	No	Yes	
Oldham County	0.64%	No	?	Only Transfers Accepted Are Children of Employees
Adair County	1.19%	No	Yes	
Jefferson County	0.04%	N/A	?	Only Transfers Accepted Are Children of Employees

Of the ten school districts contacted, two charge tuition to the non-resident family. However, the amount is only \$500 per year.

Eight of the school districts do investigate non-resident students regarding matters such as past behavior, attendance, and grades before allowing admittance. Thus, they are not open to all students.

Regarding admission procedures, we found some details only for three of the ten districts. Of these, two districts allow non-resident students only if they are children of district employees. For the third, the relevant school principal decides if the non-resident can transfer in.

Though this sampling is only suggestive, it is clear that details of district policies are not easy to obtain. Moreover, there is no central repository of district policies and no widely practiced publicizing by districts of their non-resident and transfer policies. Furthermore, we find that some districts do charge tuition, though nominal, and some districts do screen transfers on ability-related measures, as well as have strict limits on transfers.

Online Programs

Kentucky allows school districts to offer full-time online learning options to students, as long as attendance, student testing, teacher certification, curriculum requirements, and other rules that govern most in-person learning are followed (see [KAR 704 3:535](#)). According to the Kentucky Department of Education, 67 virtual schooling programs are currently offered by districts or a cooperative of districts.

Most of these programs serve students within the district where they reside. Virtual programs cater both to students who have a demonstrated need for an alternative learning environment and students who are there based on parent request, and who qualify based on policies established by each board of education.

However, 10 virtual programs serve students from partnering or other regional districts and two serve students from all Kentucky districts. The [Barren County Academy of Virtual and Expanded Learning](#) (BAVEL), operated by the Barren County Schools, is the state's longest-running online program serving students from throughout the Commonwealth. In 2023-2024, Barren County served 979 students from other districts, most of who attended BAVEL.



**THE TOTAL NUMBER OF NON-RESIDENT STUDENTS IN KENTUCKY
ROSE BY OVER 2,500; ABOUT A 10% INCREASE.**



Prior to 2023, BAVEL was likely the state's largest online program for students across the state. However, in that year Cloverport Independent Schools, which normally serves less than 400 students, opened the Kentucky Virtual Academy (KYVA). KYVA partnered with the for-profit company K12, which provided the school's online learning platform, and began serving students in kindergarten through 12th grade. KYVA enrollment exploded. In 2023-2024, Cloverport had 1,750 non-resident students, including 322 from Jefferson County Public Schools, Kentucky's largest district. More recently, Cloverport Superintendent Keith Haynes reports that the school now serves approximately 2,800 students, including about 800 from Jefferson County Public Schools.

However, in December 2024, in a move that seems triggered by activity of the Cloverport virtual school, the Kentucky Board of Education adopted a new regulation limiting any virtual school's non-resident enrollment to no more than the equivalent of 10% of the district's residential enrollment. For a small independent district the size of Cloverport, this would effectively eliminate the Kentucky Virtual Academy, forcing nearly 3,000 students back to their home districts.

This measure apparently is favored by most school district superintendents who would lose the state education dollars that travel with KYVA's virtual students from their home district to Cloverport. Sadly, instead of offering programs that might better appeal to the parents of these students, apparently districts favor barring the door to keep students from leaving. As long as Cloverport's virtual academy meets appropriate standards, allowing parents throughout the state to freely choose its services will provide them with an important option.

Lawmakers rejected the KBE's proposed regulation designed to limit virtual learning in this respect, prevent an undermining of parental choice, and induce other districts to compete with Cloverport in the market for online schooling. In a compromise move, lawmakers passed HB 241, that ensures the online academy will be allowed to operate

until at least 2028, but will limit enrollment of non-resident students in virtual programs to 1% of all public school enrollment in Kentucky.

Conclusions

Though open enrollment has the potential to widen educational opportunities for a large number of public-school students, Kentucky has failed to embrace the broad use of this policy and lags well behind the nationwide leaders in this respect. In one study, 35 states are rated better than Kentucky.

Though HB 563 of 2021 required school districts to adopt a non-resident transfer and enrollment policy and file it with the state, the commonwealth allows districts to have strict limitations on their open enrollment, their policies and procedures are not clearly articulated and publicized, tuition may be charged and little data is collected and published regarding their programs.

Though districts may severely limit non-resident enrollment, not all do so. Indeed, in many independent school districts, over one-fourth of their students are non-resident.

In 2024, the 20 districts with the highest percentage of non-resident students were all independent. These districts accounted for only 3.3% of all statewide enrollment, but over 25% of statewide non-resident students. Less than 1% of enrollments in the state's largest districts, Jefferson and Fayette counties, are non-resident.

“THOUGH OPEN ENROLLMENT HAS THE POTENTIAL TO WIDEN EDUCATIONAL OPPORTUNITIES FOR A LARGE NUMBER OF PUBLIC-SCHOOL STUDENTS, KENTUCKY HAS FAILED TO EMBRACE THE BROAD USE OF THIS POLICY AND LAGS WELL BEHIND THE NATIONWIDE LEADERS IN THIS RESPECT.”

Following passage of HB 563, the number of non-resident students rose substantially. Independent districts were generally the leaders in nonresident enrollment growth.

Online programs have a substantial presence in Kentucky, and some attract many nonresident students, providing another option to parents for their children's education. However, the Kentucky Board of Education has attempted to put limits on this alternative.

Though HB 563 was a small step in the direction of open enrollment, Kentucky still falls far short of embracing this policy.

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