

SENATE BILL No. 393

By Senators Tyson, Claeys, Kerschen, Kloos, Peck, Steffen and Thompson

1-26

1 AN ACT concerning education; relating to school districts; requiring
2 internet publication of student learning materials and activities used in
3 student instruction; providing penalties for noncompliance therewith.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) (1) On or before July 1 of each year, each school
7 district in this state shall make the following lists and procedures available
8 to the public on the school district's website:

9 (A) A list organized by grade level and area of instruction that
10 includes learning materials and activities used for student instruction at
11 each school of the school district in the preceding school year. Such list
12 shall include the title, author, organization and website address, if
13 applicable, that is associated with each material and activity that was
14 assigned, distributed or otherwise presented to students in a course for
15 which students received academic credit or at an educational event in
16 which participation of the student body was required; and

17 (B) the school district or school's procedures for documentation,
18 review or approval of any such learning materials or activities.

19 (2) The list of learning materials and activities published pursuant to
20 paragraph (1) shall be maintained on the school district's website for at
21 least one year following the school year in which such materials and
22 activities were used.

23 (3) If a school district makes the information published pursuant to
24 paragraph (1) available for the current school year, such school district
25 shall update the lists and procedures on the school district's website on an
26 ongoing basis during the school year. Such lists and procedures shall be
27 completed by the last day of such school year.

28 (b) School districts may utilize collaborative online document or
29 spreadsheet software that allows multiple users to update or make
30 additions to posted content on an ongoing basis if a link to the list is
31 publicly accessible on the school district website.

32 (c) Nothing in this section shall be construed to require the digital
33 reproduction of the materials themselves or the separate reporting of
34 individual components of materials produced as a single volume. For
35 digital volumes that contain works by multiple authors, the school district
36 shall provide either a table of contents or a website address that includes

1 the works and authors contained in the digital volume.

2 (d) (1) Any school district that does not comply with the requirements
3 of this section shall have payment of state funds scheduled to be
4 distributed withheld by the state department of education in accordance
5 with paragraph (2) until the school district meets the requirements of this
6 section.

7 (2) The amount of state funds to be withheld until the requirements of
8 this section are met is as follows:

9 (A) For a first determination of a knowing violation during the school
10 year, 2% of state foundation aid or \$1 million, whichever is less, shall be
11 withheld for the succeeding school year;

12 (B) for a second determination of a knowing violation during the
13 school year, 4% of state foundation aid or \$2 million, whichever is less,
14 shall be withheld for the succeeding school year;

15 (C) for a third determination of a knowing violation during the school
16 year, 6% of state foundation aid or \$3 million, whichever is less, shall be
17 withheld for the succeeding school year;

18 (D) for a fourth determination of a knowing violation during the
19 school year, 8% of state foundation aid or \$4 million, whichever is less,
20 shall be withheld for the succeeding school year; and

21 (E) for a fifth determination and any subsequent determination of a
22 knowing violation during the school year, 10% of state foundation aid or
23 \$5 million, whichever is less, shall be withheld for the succeeding school
24 year.

25 (e) As used in this section:

26 (1) "Activities" includes a presentation, assembly, lecture or other
27 event facilitated by a school or school district. "Activities" does not
28 include student presentations.

29 (2) "Learning materials" includes, but is not limited to, textbooks,
30 reading materials, videos, digital materials, websites and other online
31 applications and any other material given to a student for student
32 instruction.

33 Sec. 2. This act shall take effect and be in force from and after its
34 publication in the statute book.