

**Senate Substitute for Substitute for HOUSE BILL No.  
2299**

By Committee on Education

3-4

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1 AN ACT concerning education; relating to school districts and accredited  
2 nonpublic schools; providing that certain statutory references to  
3 accredited nonpublic schools mean nonpublic schools accredited by the  
4 state board of education; requiring that schools accredited by a national  
5 or regional accrediting agency have the same rights as nonpublic  
6 schools accredited by the state board; prohibiting students from using  
7 personal electronic communication devices during the school day and  
8 providing certain exceptions; prohibiting school employees from  
9 communicating with students through social media platforms for  
10 official school purposes and providing certain exceptions; requiring the  
11 adoption of policies and procedures relating thereto; amending K.S.A.  
12 72-7114 and K.S.A. 2025 Supp. 72-5170 and repealing the existing  
13 sections.  
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 New Section 1. Whenever accredited nonpublic schools, accredited  
17 nonpublic elementary or secondary schools, accredited nonpublic high  
18 schools, accredited private schools, or words of like effect, are referred to  
19 or designated by a statute in chapter 72 of the Kansas Statutes Annotated,  
20 and amendments thereto, such references or designations shall be deemed  
21 to mean a nonpublic school accredited by the state board of education  
22 unless otherwise indicated in such statute.

23 New Sec. 2. (a) Each board of education of a school district and  
24 governing authority of an accredited nonpublic elementary or secondary  
25 school shall adopt policies and procedures to govern the use of personal  
26 electronic communication devices by students during the school day. Such  
27 policies and procedures shall:

28 (1) Prohibit students from using or accessing personal electronic  
29 communication devices during the school day;

30 (2) require that all personal electronic communication devices be  
31 turned off and securely stored away from the student's person in an  
32 inaccessible location during the school day;

33 (3) authorize students to not bring personal electronic communication  
34 devices to school by leaving such devices at a house or in a vehicle, even  
35 if such vehicle is located on the school premises;

1 (4) set forth enforcement procedures and disciplinary actions for  
2 violations of such policies and procedures;

3 (5) authorize any student to use a personal electronic communication  
4 device during the school day only if the use is:

5 (A) (i) Required for the implementation of a student's individualized  
6 education program or 504 plan; or

7 (ii) approved by a licensed physician as a medical necessity to  
8 support the health or well-being of the student; and

9 (B) the intervention of last resort such that there is no other  
10 reasonable alternative option available for such student; and

11 (6) authorize a student to contact the student's parent or person acting  
12 as parent through the use of a school telephone or other communications  
13 device that is designated and made available by the school for such  
14 purpose.

15 (b) The board of education of a school district and the governing  
16 authority of an accredited nonpublic elementary or secondary school may  
17 adopt policies and procedures that limit or prohibit use of personal  
18 electronic communication devices by students during school-sponsored  
19 activities or events that occur outside of the school day.

20 (c) Subsections (a) and (b) shall not apply to any time associated with  
21 a student's travel to or from a learning experience that is not located on the  
22 school premises, including any postsecondary educational course, career  
23 technical education course, work-based learning program or other  
24 alternative educational opportunity.

25 (d) As used in this section:

26 (1) "Accredited nonpublic elementary or secondary school" means a  
27 nonpublic elementary or secondary school that is accredited by the state  
28 board of education. "Accredited nonpublic elementary or secondary  
29 school" includes any nonpublic elementary or secondary school that is  
30 dually accredited by the state board and an accrediting entity other than the  
31 state board.

32 (2) "Personal electronic communication device" means any wireless  
33 electronic communication device that:

34 (A) Provides for voice, text or video communication between two or  
35 more parties, including, but not limited to, a mobile or cellular phone,  
36 tablet, computer, watch, wireless headphones or earbuds, text messaging  
37 device or personal digital assistant; and

38 (B) is not owned or issued to students by the school district or  
39 accredited nonpublic elementary or secondary school.

40 (3) "School day" means the time from the start of school until  
41 dismissal at the end of the day on the school premises, including, but not  
42 limited to, the time in any classroom, structured or unstructured learning  
43 setting, recess, lunch or passing period.

1 New Sec. 3. (a) Each board of education of a school district and  
2 governing authority of an accredited nonpublic elementary or secondary  
3 school shall adopt policies and procedures to prohibit each employee of  
4 the school district or accredited nonpublic elementary or secondary school  
5 from:

6 (1) Privately or directly communicating with any student through  
7 social media platforms except as otherwise provided in subsection (b); and

8 (2) requiring the use of social media for any assignment or  
9 extracurricular activity.

10 (b) The board of education of a school district or governing authority  
11 of an accredited nonpublic elementary or secondary school may approve a  
12 social media platform to be used for official school purposes.

13 (c) As used in this section:

14 (1) "Official school purposes" means the broadcasting or posting of  
15 public, one-way communications that pertain to school functions, activities  
16 or events. "Official school purposes" does not include private  
17 communications, direct communications or two-way communications with  
18 any student.

19 (2) "Social media platform" means an online website or application  
20 that permits a person to become a registered user, create an account or a  
21 profile for the primary purpose of creating, sharing or interacting with  
22 user-generated content that is publicly viewable by users. "Social media  
23 platform" includes, but is not limited to, snapchat, instagram, facebook, X  
24 and tiktok. "Social media platform" does not include:

25 (A) Any online website or application whose primary purpose is  
26 educational;

27 (B) any platform approved by the board of education or the governing  
28 authority of an accredited nonpublic elementary or secondary school if  
29 such platform:

30 (i) Is owned, licensed or contractually controlled by the school  
31 district or nonpublic school;

32 (ii) allows for required user accounts;

33 (iii) allows communications to be monitored, archived, retained or  
34 audited in compliance with policy or law;

35 (iv) is accessible to parents or guardians; and

36 (v) used by employees in accordance with policy;

37 (C) email;

38 (D) direct messaging services that only share messages between a  
39 sender and named recipient and does not display or post messages publicly  
40 or to users not identified as recipients by the sender of the message; and

41 (E) any online product or service that does not have school-specific  
42 features or identifiers and the predominant purpose is to post educational  
43 materials, news or resources and user comments or other interactive

1 functionality that is incidental to such predominant purpose.

2 New Sec. 4. On or before September 1, 2026, each board of  
3 education of a school district and governing authority of an accredited  
4 nonpublic elementary or secondary school shall submit to the state board  
5 of education, on a form and in the manner prescribed by the state board, a  
6 certification that the board of education of the school district or governing  
7 authority of the accredited nonpublic elementary or secondary school has  
8 adopted the policies and procedures required pursuant to sections 2 and 3,  
9 and amendments thereto.

10 New Sec. 5. No board of education of a school district, employee or  
11 agent of such school district, governing authority of an accredited  
12 nonpublic elementary or secondary school, employee or agent of such  
13 school shall be liable for any damage to or storage of personal electronic  
14 communication devices brought to school.

15 New Sec. 6. The provisions of sections 2 through 5, and amendments  
16 thereto, and any policies and procedures adopted thereunder, shall not  
17 apply to any virtual school as defined in K.S.A. 72-3712, and amendments  
18 thereto.

19 Sec. 7. K.S.A. 2025 Supp. 72-5170 is hereby amended to read as  
20 follows: 72-5170. (a) (1) In order to accomplish the mission for Kansas  
21 education, the state board shall design and adopt a school district  
22 accreditation system based upon improvement in performance that equals  
23 or exceeds the educational goal set forth in K.S.A. 72-3218(c), and  
24 amendments thereto, and is measurable. The state board shall hold all  
25 school districts accountable through the Kansas education systems  
26 accreditation rules and regulations, or any successor accreditation system  
27 and accountability plan adopted by the state board. The state board also  
28 shall ensure that all school districts and the public schools operated by  
29 such districts have programs and initiatives in place for providing those  
30 educational capacities set forth in K.S.A. 72-3218(c), and amendments  
31 thereto. On or before January 15 of each year, the state board shall prepare  
32 and submit a report on the school district accreditation system to the  
33 governor and the legislature.

34 (2) The accountability measures established pursuant to paragraph (1)  
35 shall be applied both at the district level and at the school level. Such  
36 accountability measures shall be reported by the state board for each  
37 school district and each school. All reports prepared pursuant to this  
38 section shall be published in accordance with K.S.A. 2025 Supp. 72-1181,  
39 and amendments thereto.

40 (3) If a school district is not fully accredited and a corrective action  
41 plan is required by the state board, such corrective action plan, and any  
42 subsequent reports prepared by the state board regarding the progress of  
43 such school district in implementing and executing such corrective action

1 plan, shall be published on the state department of education's internet  
2 website and such school district's internet website in accordance with  
3 K.S.A. 2025 Supp. 72-1181, and amendments thereto.

4 (4) If a school district is not accredited, the superintendent, or the  
5 superintendent's designee, shall appear before the committee on education  
6 of the house of representatives and the committee on education of the  
7 senate during the regular legislative session that occurs during the same  
8 school year when such school district is not accredited. Such school  
9 district shall provide a report to such committees on the challenges and  
10 obstacles that are preventing such school district from becoming  
11 accredited.

12 (5) *Any nonpublic school operating in Kansas may voluntarily seek*  
13 *accreditation by the state board of education. Any nonpublic school*  
14 *accredited by the state board of education may also be accredited by a*  
15 *regional or national accrediting agency. Each nonpublic school accredited*  
16 *by a regional or national accrediting agency shall be entitled to the same*  
17 *rights as nonpublic schools accredited by the state board of education.*

18 (b) The state board shall establish curriculum standards that reflect  
19 high academic standards for the core academic areas of mathematics,  
20 science, reading, writing and social studies. The curriculum standards may  
21 be reviewed at least every seven years. The state board shall not  
22 substantially revise or update the English language arts or mathematics  
23 curriculum standards that are in effect on July 1, 2024, in a manner that  
24 would necessitate the development of new statewide assessments in  
25 English language arts or mathematics until the state board's long-term goal  
26 for all students submitted to the United States department of education in  
27 the consolidated state plan is achieved such that 75% of all students score  
28 in performance levels 3 and 4 combined on the statewide assessments in  
29 English language arts and mathematics by 2030. Nothing in this subsection  
30 shall be construed in any manner so as to impinge upon any school  
31 district's authority to determine its own curriculum.

32 (c) (1) The state board shall provide for statewide assessments in the  
33 core academic areas of mathematics, science, reading, writing and social  
34 studies. The board shall ensure compatibility between the statewide  
35 assessments and the curriculum standards established pursuant to  
36 subsection (b). Such assessments shall be administered at three grade  
37 levels, as determined by the state board. The state board shall determine  
38 performance levels on the statewide assessments, the achievement of  
39 which represents high academic standards in the academic area at the  
40 grade level to which the assessment applies. The state board should specify  
41 high academic standards both for individual performance and school  
42 performance on the assessments.

43 (2) (A) On or before January 15 of each year, the state board shall

1 prepare and submit to the legislature a report on students who take the  
2 statewide assessments. Such report shall include:

3 (i) The number of students and such number expressed as a  
4 percentage of the total number of students who took the statewide  
5 assessments during the immediately preceding school year disaggregated  
6 by core academic area and by grade level; and

7 (ii) the percentage of students who took the statewide assessments in  
8 grade 10 who, two years after graduating from high school, obtained some  
9 postsecondary education disaggregated by statewide assessment  
10 achievement level.

11 (B) When such information becomes available, or as soon thereafter  
12 as practicable, the state board shall publish the information required for the  
13 report under subparagraph (A) on the website of the state department of  
14 education and incorporate such information in the performance  
15 accountability reports and longitudinal achievement reports required under  
16 K.S.A. 2025 Supp. 72-5178, and amendments thereto.

17 (C) The provisions of this paragraph shall expire on July 1, 2029.

18 (d) Each school year, on such date as specified by the state board,  
19 each school district shall submit the Kansas education system accreditation  
20 report to the state board in such form and manner as prescribed by the state  
21 board.

22 (e) Whenever the state board determines that a school district has  
23 failed either to meet the accreditation requirements established by rules  
24 and regulations or standards adopted by the state board or provide  
25 curriculum based on state standards and courses required by state law, the  
26 state board shall so notify the school district. Such notice shall specify the  
27 accreditation requirements that the school district has failed to meet and  
28 the curriculum that it has failed to provide. Upon receipt of such notice,  
29 the board of education of such school district is encouraged to reallocate  
30 the resources of the school district to remedy all deficiencies identified by  
31 the state board.

32 (f) Each school in every school district shall establish a school site  
33 council composed of the principal and representatives of teachers and  
34 other school personnel, parents of students attending the school, the  
35 business community and other community groups. School site councils  
36 shall be responsible for providing advice and counsel in evaluating state,  
37 school district, and school site performance goals and objectives and in  
38 determining the methods that should be employed at the school site to  
39 meet these goals and objectives. Site councils may make recommendations  
40 and proposals to the school board regarding budgetary items and school  
41 district matters, including, but not limited to, identifying and implementing  
42 the best practices for developing efficient and effective administrative and  
43 management functions. Site councils also may help school boards analyze

1 the unique environment of schools, enhance the efficiency and maximize  
2 limited resources, including outsourcing arrangements and cooperative  
3 opportunities as a means to address limited budgets.

4 Sec. 8. K.S.A. 72-7114 is hereby amended to read as follows: 72-  
5 7114. (a) Any association with a majority of the high schools of the state  
6 as members and the purpose of which association is the statewide  
7 regulation, supervision, promotion and development of any of the  
8 activities defined in K.S.A. 72-7117, and amendments thereto, and in  
9 which any public high school of this state may participate directly or  
10 indirectly shall:

11 (1) On or before September 1 of each year make a full report of its  
12 operation for the preceding calendar year to the state board of education.  
13 The report shall contain a complete and detailed financial statement under  
14 the certificate of a certified public accountant.

15 (2) File with the state board a copy of all reports and publications  
16 issued from time to time by such association.

17 (3) Be governed by a board of directors which shall exercise the  
18 legislative authority of the association and shall establish policy for the  
19 association.

20 (4) Submit to the state board of education, for its approval or  
21 disapproval prior to adoption, any amendments, additions, alterations or  
22 modifications of its articles of incorporation or bylaws. If any articles of  
23 incorporation, bylaws or any amendment, addition or alteration thereto is  
24 disapproved by the state board of education, the same shall not be adopted.

25 (5) Establish a system for the classification of member high schools  
26 according to student attendance.

27 (6) Be subject to the provisions of the Kansas open meetings law.

28 (7) Be subject to the provisions of the open records law.

29 (8) *Recognize and accept accreditation of a nonpublic school by a*  
30 *regional or national agency.*

31 (b) (1) The board of directors shall consist of not less than 60  
32 members as follows:

33 (A) At least eight directors shall be members of boards of education,  
34 elected by local boards of education. At least two of such directors shall be  
35 elected from each congressional district of the state;

36 (B) at least two directors shall be representatives of the state board of  
37 education, appointed by the state board;

38 (C) (i) directors who are representatives of the senior high schools  
39 which are affiliated with a league shall be elected by the league;

40 (ii) the senior high schools which are not affiliated with a league shall  
41 be represented by at least one director;

42 (D) at least four directors shall be representatives of the middle/junior  
43 high schools, elected by the middle/junior high schools;

1 (E) at least one director shall be representative of and selected by  
2 athletic administrators;

3 (F) at least one director shall be representative of and selected by  
4 coaches;

5 (G) at least one director shall be representative of and selected by  
6 speech communications educators;

7 (H) at least one director shall be representative of and selected by  
8 music educators; and

9 (I) at least one director shall be representative of and selected by  
10 scholars' bowl coaches.

11 (2) The directors appointed by the state board of education from the  
12 public at-large prior to July 1, 2014, whose terms are set to expire after  
13 July 1, 2014, may continue to serve on the board of directors until such  
14 director's term expires. Upon the expiration of the term of any such  
15 director, the governor shall appoint a successor member of the board of  
16 directors. In the event of a vacancy or the expiration of the term of any  
17 director appointed by the governor, the governor shall appoint a successor  
18 member of the board of directors. Any person appointed by the governor  
19 shall not be employed by any school affiliated with a league in the Kansas  
20 state high school activities association, nor shall such person be a member  
21 of the state board of education. The governor shall be provided a list of  
22 those directors appointed pursuant to subsection (b)(1). The governor shall  
23 make appointments pursuant to this subsection in order to attain, when  
24 necessary, and insofar as possible, representation of ethnic minority groups  
25 and both genders on the board of directors and to ensure that a resident  
26 from each congressional district is appointed to the board of directors.

27 (3) All directors are limited to six consecutive years of service.

28 (c) (1) An executive board which shall be responsible for the  
29 administration, enforcement and interpretation of policy established by the  
30 board of directors shall be elected by the board of directors from its  
31 membership, provided that a director shall serve at least one year as a  
32 member of the board of directors prior to being elected to the executive  
33 board.

34 (2) At least two members of the board of directors elected to the  
35 executive board shall be directors appointed by the governor under  
36 subsection (b)(2), provided such directors are eligible for election to the  
37 executive board under this subsection. Members of the executive board  
38 elected pursuant to this paragraph shall only be eligible to serve on the  
39 executive board during the second, fourth and sixth years of such director's  
40 term.

41 (3) Insofar as possible, membership on the executive board shall be  
42 representative of ethnic minority groups, both genders, and all  
43 geographical areas of the state.

1 (d) An appeal board which shall be responsible for conducting  
2 hearings provided for in K.S.A. 72-7118, and amendments thereto, shall be  
3 elected as provided in this subsection. The appeal board shall consist of  
4 eight members. The membership of the appeal board shall include four  
5 members who are board of education members, elected by the boards of  
6 education of the member schools of the association; and four members  
7 who are school administrators, elected by the member schools of the  
8 association. No member of the board of directors shall be eligible for  
9 election to membership on the appeal board. All members of the appeal  
10 board are limited to six consecutive years of service.

11 (e) The executive board is authorized to employ an executive director  
12 and such other personnel as may be necessary to the exercise of the powers  
13 and the performance of the functions and duties of the board of directors,  
14 the executive board, and the appeal board. The executive director and all  
15 other personnel, except custodial, clerical or maintenance personnel,  
16 employed by the executive board pursuant to this subsection, shall file  
17 written statements of substantial interests, as provided by K.S.A. 46-248  
18 through 46-252, and amendments thereto.

19 Sec. 9. K.S.A. 72-7114 and K.S.A. 2025 Supp. 72-5170 are hereby  
20 repealed.

21 Sec. 10. This act shall take effect and be in force from and after its  
22 publication in the statute book.