

Substitute for HOUSE BILL No. 2354

By Committee on Commerce, Labor and Economic Development

2-25

1 AN ACT concerning labor and employment; relating to high school work-
2 based learning programs; liability for students and employers;
3 amending K.S.A. 72-18,101 and 72-18,102 and repealing the existing
4 sections.

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

7 Section 1. K.S.A. 72-18,101 is hereby amended to read as follows:
8 72-18,101. The board of education of any school district may purchase
9 insurance contracts to insure against loss resulting from sickness or bodily
10 injury or death by accident, on the part of students who are injured on
11 school premises, or during school sponsored activities. *For purposes of*
12 *this section, school-sponsored activity shall include travel to and from or*
13 *participation in a work-based learning program involving training or*
14 *work activities conducted at the premises of or under the direction of an*
15 *employer participating in the program. For purposes of this section,*
16 *"work-based learning program" has the meaning as provided in section 3,*
17 *and amendments thereto.*

18 Sec. 2. K.S.A. 72-18,102 is hereby amended to read as follows: 72-
19 18,102. The board of education of any school district may purchase
20 insurance contracts for the benefit of students, to insure against loss
21 resulting from loss, theft of, or damage to, the personal property of
22 students while on school premises, or during school sponsored activities.
23 *For purposes of this section, school-sponsored activity shall include*
24 *participation in a work-based learning program involving training or*
25 *work activities conducted at the premises of or under the direction of an*
26 *employer participating in the program. For purposes of this section,*
27 *"work-based learning program" has the meaning as provided in section 3,*
28 *and amendments thereto.*

29 New Sec. 3. (a) An employer who accepts a secondary student in a
30 work-based learning program shall not be subject to civil liability for any
31 claim arising from the student's negligent act or omission.

32 (b) An employer who accepts a secondary student in a work-based
33 learning program shall not be subject to civil liability for any claim arising
34 from the employer's negligent act or omission.

35 (c) Nothing in this section shall provide immunity for gross
36 negligence or willful misconduct.

1 (d) As used in this section, "work-based learning program" means a
2 learning program in a secondary curriculum that:

3 (1) Includes, but is not limited to, work study, on-the-job training, job
4 shadowing, internships, clinicals, practicums, apprenticeships, co-ops and
5 industry-led service-learning projects;

6 (2) is incorporated into coursework or related to a specific field of
7 study;

8 (3) integrates knowledge and theory learned in the classroom with the
9 practical application and development of technical skills and proficiencies
10 in a professional work setting; and

11 (4) may or may not include wages, salary or other compensation to
12 the secondary student.

13 Sec. 4. K.S.A. 72-18,101 and 72-18,102 are hereby repealed.

14 Sec. 5. This act shall take effect and be in force from and after its
15 publication in the statute book.