

HOUSE BILL No. 2631

By Committee on Appropriations

2-8

1 AN ACT concerning education; relating to ~~career technical education~~
2 **{college and career readiness}**; enacting the career technical education
3 credential and transition incentive for employment success act;
4 providing state aid to school districts for students obtaining a
5 credential; ~~establishing the career technical education credential and~~
6 ~~transition incentive fund~~ **{exempting national assessment providers**
7 **from the student online personal protection act; amending K.S.A.**
8 **72-6332 and repealing the existing section}**.
9

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

11 **{New}** Section 1. (a) This section shall be known and may be cited as
12 the career technical education credential and transition incentive for
13 employment success act.

14 (b) Subject to the availability of appropriations and within the limits
15 of any such appropriations, a school district that offers career technical
16 education and has students who obtain ~~a~~ **an approved** career technical
17 education credential shall receive payments pursuant to this section. Each
18 school year, the state board of education shall determine the amount of
19 such payment to each school district as follows:

20 (1) Determine the number of students enrolled in the school district
21 who obtained ~~an industry-recognized~~ **either an approved high-value**
22 **career technical education credential or an approved standard career**
23 **technical education credential** during the immediately preceding school
24 year;

25 (2) determine the total cost of assessment for each such credential
26 obtained by such students in such school year; ~~and~~

27 (3) multiply the amount calculated under paragraph (2) **for high-**
28 **value credentials** by 1.2; ~~and~~

29 **(4) add the product determined under paragraph (3) to the**
30 **amount calculated under paragraph (2) for standard credentials.** The
31 resulting ~~product sum~~ is the amount of payment the school district is to
32 receive ~~from the career technical education credential and transition~~
33 ~~incentive fund~~ in the school year.

34 (c) ~~There is hereby established in the state treasury the career~~

1 ~~technical education credential and transition incentive fund. The career~~
2 ~~technical education credential and transition incentive fund shall be~~
3 ~~administered by the state board of education and shall consist of all~~
4 ~~moneys transferred thereto under the provisions of subsection (d).~~

5 ~~(d) The state board shall certify to the director of accounts and reports~~
6 ~~the aggregate amount of payments determined under the provisions of~~
7 ~~subsection (b), and an amount equal thereto shall be transferred by the~~
8 ~~director from the state general fund to the career technical education~~
9 ~~credential and transition incentive fund for distribution to school districts.~~
10 ~~All transfers made in accordance with the provisions of this subsection~~
11 ~~shall be considered to be demand transfers from the state general fund (1)~~
12 **On or before July 31, 2022, and each July 31 thereafter, the state**
13 **board of education, after consultation with the secretary of labor, the**
14 **secretary of commerce and representatives of industries that recognize**
15 **career technical education credentials, shall approve a list of high-**
16 **value industry-recognized credentials and a list of standard industry-**
17 **recognized credentials.**

18 **(2) For purposes of determining state aid under subsection (b), a**
19 **standard career technical education credential shall only be included**
20 **if the credential is obtained by a student who:**

21 **(A) Has an individualized education program (IEP) or a 504 plan**
22 **at the time the credential is obtained; or**

23 **(B) is otherwise identified as a student who has obtained such**
24 **credential in the discretion of the school district.**

25 ~~(e)(d) Payments from the career technical education credential and~~
26 ~~transition incentive fund shall be distributed to school districts at times~~
27 ~~determined by the state board of education. The state board of education~~
28 ~~shall certify to the director of accounts and reports the amount due each~~
29 ~~school district, and the director of accounts and reports shall draw a~~
30 ~~warrant on the state treasury payable to the treasurer of the school district.~~
31 ~~Upon receipt of the warrant, the treasurer of the school district shall credit~~
32 ~~the amount thereof to the career technical education fund of the school~~
33 ~~district to be used for the purposes of such fund, except that, of the~~
34 ~~amount credited to such fund, the school district shall expend such~~
35 ~~moneys first for the cost of assessments for those credentials described~~
36 ~~in subsection (c).~~

37 **(e) As used in this section, the term "school district" means:**
38 **Abilene school district (U.S.D. no. 435); Attica school district (U.S.D.**
39 **no. 511); Burrton school district (U.S.D. no. 369); Chaparral school**
40 **district (U.S.D. no. 361); Cheney school district (U.S.D. no. 268);**
41 **Circle school district (U.S.D. no. 375); Clearwater school district**
42 **(U.S.D. no. 264); Deerfield school district (U.S.D. no. 216); DeSoto**
43 **school district (U.S.D. no. 232); Dodge City school district (U.S.D. no.**

1 443); El Dorado school district (U.S.D. no. 490); Eureka school district
2 (U.S.D. no. 389); Goodland school district (U.S.D. no. 352); Great
3 Bend school district (U.S.D. no. 428); Haysville school district (U.S.D.
4 no. 261); Hesston school district (U.S.D. no. 460); Hugoton school
5 district (U.S.D. no. 210); Humboldt school district (U.S.D. no. 258);
6 Iola school district (U.S.D. no. 257); Kansas City school district
7 (U.S.D. no. 500); Kingman-Norwich school district (U.S.D. no. 331);
8 Kinsley-Offerle school district (U.S.D. no. 347); Lyons school district
9 (U.S.D. no. 405); Maize school district (U.S.D. no. 266); Manhattan
10 school district (U.S.D. no. 383); Medicine Lodge school district (U.S.D.
11 no. 254); Salina school district (U.S.D. no. 305); Seaman school district
12 (U.S.D. no. 345); Southern Lyon county school district (U.S.D. no.
13 252); Spring Hill school district (U.S.D. no. 230); Stafford school
14 district (U.S.D. no. 349); St. Francis school district (U.S.D. no. 297);
15 St. John-Hudson school district (U.S.D. no. 350); Uniontown school
16 district (U.S.D. no. 235); Waconda school district (U.S.D. no. 272);
17 Wamego school district (U.S.D. no. 320); Wellington school district
18 (U.S.D. no. 353); Western Plains school district (U.S.D. no. 106); and
19 Yates center school district (U.S.D. no. 366).

20 {Sec. 2. K.S.A. 72-6332 is hereby amended to read as follows: 72-
21 6332. As used in K.S.A. 72-6331 through 72-6334, and amendments
22 thereto:

23 (a) "Educational purposes" means purposes that are directed by
24 an employee or agent of a school district, that customarily take place
25 at an attendance center operated by a school district or that aid in the
26 administration of school activities, including, but not limited to,
27 instruction in the classroom or at home, administrative activities and
28 collaboration between students, school personnel or parents, or which
29 are otherwise for the use and benefit of the school district.

30 (b) "Interactive computer service" means any service, system or
31 software provider that provides or enables multiple users access to a
32 computer server, including a service or system that provides access to
33 the internet and systems or services offered by libraries or educational
34 institutions.

35 (c) "Educational online product" means an internet website,
36 online service, online application or mobile application that is used
37 primarily, and was designed and marketed for, educational purposes.

38 (d) (1) "Operator" means, to the extent it is operating in this
39 capacity, the operator of an educational online product with actual
40 knowledge that the educational online product is used primarily for
41 educational purposes and was designed and marketed for educational
42 purposes. For the purposes of this act,

43 (2) The term "operator" shall not be construed to *does not include*:

1 (A) **Any school district or school district employee acting on**
2 **behalf of a school district employer; or**

3 (B) *any national assessment provider that is administering a college*
4 *and career readiness assessment.*

5 (e) **"Personally identifiable information" means information that**
6 **personally identifies an individual student or that is linked to**
7 **information that personally identifies an individual student, including,**
8 **but not limited to: (1) Information in the student's educational record**
9 **or electronic mail; (2) first and last name; (3) home address; (4)**
10 **telephone number; (5) electronic mail address; (6) any other**
11 **information that allows physical or online contact with the student; (7)**
12 **discipline records; (8) test results; (9) data that is a part of or related**
13 **to any individualized education program for such student; (10)**
14 **juvenile dependency records; (11) grades; (12) evaluations; (13)**
15 **criminal records; (14) medical records; (15) health records; (16) social**
16 **security number; (17) biometric information; (18) disabilities; (19)**
17 **socioeconomic information; (20) food purchases; (21) political**
18 **affiliations; (22) religious information; (23) text messages; (24)**
19 **documents; (25) student identifiers; (26) search activity; (27) photos;**
20 **(28) voice recordings; or (29) geolocation information.**

21 (f) **"School district" means any unified school district organized**
22 **and operating under the laws of this state.**

23 (g) **"Service provider" means a person or entity that provides a**
24 **service to an operator, or provides a service that enables users to**
25 **access content, information, electronic mail or other services offered**
26 **over the internet or a computer network.**

27 (h) **"Student information" means personally identifiable**
28 **information or material in any media or format that is not otherwise**
29 **available to the public and was:**

30 (1) **Created by an operator in the course of the use of the**
31 **operator's educational online product for educational purposes;**

32 (2) **provided to an operator by a student, or the student's parent**
33 **or legal guardian, in the course of the use of the operator's educational**
34 **online product for educational purposes;**

35 (3) **created by an operator as a result of the activities of an**
36 **employee or agent of a school district;**

37 (4) **provided to an operator by an employee or agent of a school**
38 **district for educational purposes; or**

39 (5) **gathered by an operator through the operation of such**
40 **operator's educational online product for educational purposes.**

41 (i) **"Targeted advertising" means presenting an advertisement to**
42 **a student where the advertisement is selected based on information**
43 **obtained or inferred over time from that student's online behavior,**

1 **usage of online applications or student information. Targeted**
2 **advertising does not include advertising to a student at an online**
3 **location based upon that student's current visit to that location, or in**
4 **response to that student's request for information or feedback,**
5 **without the retention of that student's online activities or requests over**
6 **time for the purpose of targeting subsequent ads.**

7 **Sec. 3. K.S.A. 72-6332 is hereby repealed.}**

8 ~~Sec. 2. {4.}~~ This act shall take effect and be in force from and after its
9 publication in the statute book.