

SENATE BILL No. 373

By Committee on Education

2-11

1 AN ACT concerning schools; relating to the release of student records;
2 amending K.S.A. 72-5386 and repealing the existing section.

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

5 Section 1. K.S.A. 72-5386 is hereby amended to read as follows: 72-
6 5386. (a) ~~This section shall apply to all school districts and to every pupil~~
7 ~~of any school district.~~ As used in this section, the term:

8 (1) "School" means every school district and every nonpublic school
9 operating in this state;

10 (2) "school district" means any unified school district organized and
11 operating under the laws of this state;

12 (3) "school records" means transcripts, grade cards, the results of
13 tests, assessments or evaluations, and all other personally identifiable
14 records, files and data directly related to a pupil.

15 (b) All school district property in the possession of any pupil shall be
16 returned to the proper school district authority or paid for by the pupil
17 upon transfer of the pupil from the school district. ~~The school records of~~
18 ~~any such pupil shall not be withheld for any reason.~~ A school district
19 authority, upon request, shall provide a fully itemized list of the school
20 district property in the possession of the pupil. In the event that such
21 school district authority receives an affidavit stating that the pupil's parents
22 are unable to return the school district property which is lost or missing,
23 such school district authority shall note in the school records of the pupil
24 that the pupil has complied with the provisions of this section.

25 (c) In the event that a school district authority receives an affidavit
26 from the board of education of another school district or from the
27 governing authority of a nonpublic school stating that a pupil's records are
28 being requested as proof of identity of the pupil pursuant to the provisions
29 of K.S.A. 72-53,106, and amendments thereto, such school district
30 authority shall forward a certified copy of that part of the pupil's records
31 which provides information regarding the identity of the pupil.

32 ~~(e)~~(d) The school records of each pupil are the property of the pupil
33 and shall not be withheld by any school ~~district~~ for any reason. Upon
34 request of a pupil or the parent of a pupil, the school records of the pupil
35 shall be given to such pupil or parent, or, upon admission or transfer of the
36 pupil to another school ~~district or to a nonpublic school~~, shall be forwarded

1 to such school ~~district or nonpublic school~~. A pupil's *school* records
2 forwarded to another school ~~district due to transfer will~~ *shall* include
3 original copies of all the ~~students~~ *pupil's* records, including transcripts,
4 grade cards, results of tests, assessments or evaluations, and all other
5 personally identifiable records, files and data directly related to the pupil.

6 Sec. 2. K.S.A. 72-5386 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.