

## HOUSE BILL No. 2710

By Committee on Education

Requested by Representative Steele on behalf of Linda Highland

2-5

1 AN ACT concerning education; relating to school districts; enacting the  
2 affirming parental rights act; requiring the state department of  
3 education and school districts to provide a link to an affirming parental  
4 rights webpage that describes parental rights established pursuant to  
5 federal and state laws; establishing the standard form of such affirming  
6 parental rights document; requiring the attorney general to provide a  
7 description of parental rights that shall be referenced on such webpage;  
8 requiring the state department of education to receive and investigate  
9 reported violations of parental rights; establishing remedies for parents  
10 who are aggrieved by such violations or by decisions of school districts  
11 regarding complaints of such violations.  
12

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

14 Section 1. (a) This act shall be known and may be cited as the  
15 affirming parental rights act.

16 (b) As used in this act, "parent" means a parent or person acting as  
17 parent as such terms are defined in K.S.A. 72-3127, and amendments  
18 thereto.

19 Sec. 2. (a) In each school year, each school district shall provide to  
20 each parent of a student who attends a school of the school district a link to  
21 the affirming parental rights webpage, which shall be made available at a  
22 prominent location on each school district's website homepage and on the  
23 state department of education's website. The state department of education  
24 shall establish the standard form of such affirming parental rights  
25 webpage, which shall be used by all school districts, and update such  
26 standard form as may be necessary pursuant to subsection (b). Such  
27 affirming parental rights webpage shall include the affirming parental  
28 rights document established pursuant to section 2, and amendments  
29 thereto, and a listing and description of inalienable parental rights  
30 protected by federal and state laws and any additional information on  
31 parental rights as determined by the attorney general pursuant to  
32 subsection (b).

33 (b) On or before August 1, 2026, and on or before each August 1  
34 thereafter, the attorney general shall provide a listing and description of  
35 inalienable parental rights protected by federal and state laws, including

1 relevant United States supreme court interpretations of inalienable parental  
2 rights protected by federal law. The attorney general may also provide  
3 additional information, attachments and links that the attorney general  
4 deems appropriate regarding parental rights, including, but not limited to,  
5 links to relevant federal and state laws, court opinions or other legal  
6 proceedings concerning parental rights. The attorney general shall update  
7 such information as may be necessary to account for the passage of new  
8 laws and court decisions regarding parental rights. The attorney general  
9 shall notify the state department of education when any updates to such  
10 information is made by the attorney general, and the state department of  
11 education shall notify all school districts of such changes. The state  
12 department of education and each school district shall update the  
13 department or school district's website to reflect the revisions made by the  
14 attorney general. All such updates shall be completed not less than 30 days  
15 after the attorney general notifies the state department of education of such  
16 revisions.

17 (c) If a parent believes that a school district is in violation of any  
18 parental right listed on the affirming parental rights webpage, the parent  
19 may submit written notice of the violation to the superintendent of the  
20 school district alleged to be in violation. Upon receipt of such written  
21 notice, a school district shall provide a written response to such alleged  
22 violation not later than 15 days following receipt of such notice. If the  
23 school district fails to remedy the violation to the satisfaction of the  
24 aggrieved parent within 15 days, the parent may file a complaint with the  
25 state department of education for an investigation of the alleged violation  
26 pursuant to subsection (c).

27 (d) The state department of education shall oversee, investigate  
28 complaints and conduct compliance reviews of any school district  
29 regarding violations of parental rights listed on the affirming parental  
30 rights webpage established pursuant to section 1, and amendments thereto.  
31 Upon receipt of a complaint submitted to the department pursuant to  
32 section 1, and amendments thereto, the department shall investigate and  
33 determine whether the school district violated any parental right listed on  
34 the affirming parental rights webpage. The department shall report the  
35 department's findings and resolution to the parent and the school district  
36 not less than 40 days following receipt of the complaint.

37 (e) Any parent aggrieved by a violation of any parental right listed on  
38 the affirming parental rights webpage may bring a civil action for  
39 declaratory and injunctive relief, damages and reasonable attorney fees  
40 and costs. In any action brought by a parent under this subsection, the  
41 burden shall rest upon the school district or school official to demonstrate  
42 compliance with such parental rights.

43 (f) To verify that the department is fulfilling the department's duties

1 described in this section, the department shall submit an annual report to  
2 the state board of education, the attorney general and the legislature that  
3 includes a summary of the complaints submitted, the violations reported  
4 and the department's findings and resolutions to such complaints. All  
5 records of reported violations pursuant to this section shall be disclosed  
6 and made available for public inspection after such records are redacted of  
7 any personally identifiable information.

8 (g) (1) If any school district or employee or agent thereof violates the  
9 provisions of a parental right described on the affirming parental rights  
10 webpage, the school district shall be liable for payment of a civil penalty  
11 in an amount of \$5,000 for each violation. Such civil penalty shall be  
12 recoverable in an action brought by the attorney general or county or  
13 district attorney.

14 (2) Any civil penalty recovered by the attorney general shall be  
15 remitted to the state treasurer in accordance with the provisions of K.S.A.  
16 75-4215, and amendments thereto. Upon receipt of each such remittance,  
17 the treasurer shall deposit the entire amount in the state treasury to the  
18 credit of the state general fund.

19 (3) Any civil penalty recovered by a county or district attorney shall  
20 be remitted to the county treasurer and deposited in the general fund of the  
21 county where the proceedings occurred.

22 Sec. 3. (a) Each school district shall provide the affirming parental  
23 rights document established pursuant to this section on the school district's  
24 affirming parental rights webpage and shall refer each parent to such  
25 website location during enrollment for signature.

26 (b) The affirming parental rights document shall appear as follows:

27 **AFFIRMING PARENTAL RIGHTS DOCUMENT**

28 After reviewing your inalienable parental rights listed on the affirming  
29 parental rights link on the website homepage of the school district and  
30 reading and signing this document, a copy of such rights and this  
31 document will be available for viewing and downloading for your records.  
32 Should you inform the school district that you believe a directive protected  
33 by law was not followed, you should first file a written complaint to the  
34 school district superintendent. If the school district fails to satisfactorily  
35 resolve the complaint within 15 days, you may file a complaint with the  
36 Kansas state department of education. The department will have 40 days to  
37 bring a resolution. Additional legal remedies may be available to you.

38 I affirm my inalienable rights protected by the law:

39  
40 Sec. 4. Notwithstanding any other provision of law, rules and  
41 regulations, guidance, policy, contract or memorandum of understanding  
42 to the contrary, the provisions of this act shall govern and control.

43 Sec. 5. This act shall take effect and be in force from and after its

- 1 publication in the statute book.