

2023 Kansas Statutes

72-3824. Secondary student work-based learning programs; liability protection for acts by or injuries to students. (a) (1) A business that accepts a secondary student in a work-based learning program shall not be subject to civil liability for any claim arising from the student's negligent act or omission during the student's participation in the work-based learning program at the business or worksite.

(2) A business that accepts a secondary student in a work-based learning program shall not be subject to civil liability for any claim for bodily injury to the student or sickness or death by accident of the student arising from the business' negligent act or omission during the student's participation in the work-based learning program at the business or worksite.

(b) Except as provided by subsection (c), the school district shall be solely responsible for any loss to a student resulting from bodily injury or sickness or death by accident arising from any negligent act or omission on the part of the school district or business during the student's participation in the work-based learning program at the business or worksite.

(c) Nothing in this section shall provide immunity for the student or business for civil liability arising from gross negligence or willful misconduct.

(d) "Work-based learning program" means a learning program that:

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

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

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

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

(e) "Business" means any city, county or township, including, but not limited to, a fire department or law enforcement office or department, public university, municipal university, community college, technical college or not-for-profit private postsecondary educational institution, corporation, association, partnership, proprietorship, limited liability company, limited partnership, limited liability partnership, organization or other legal entity, whether for-profit or not-for-profit, that:

(1) Has entered into an agreement with a school district for a work-based learning program; and

(2) directly supervises a student who is participating in the work-based learning program, either on the premises of the business or at another location.

History: L. 2022, ch. 59, § 1; July 1.