

2023 Kansas Statutes

60-5605. Cause of action for students deprived of athletic opportunity who suffers harm or retaliation; limitations of actions; damages. (a) Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of K.S.A. 2023 Supp. 60-5603, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the public educational entity in which the student is enrolled.

(b) Any student who is subject to retaliation or other adverse action by a public educational entity or athletic association or organization as a result of reporting a violation of K.S.A. 2023 Supp. 60-5603, and amendments thereto, to an employee or representative of such public educational entity or athletic association or organization, or to any state or federal agency with oversight of public educational entities in this state, shall have a private cause of action for injunctive relief, damages and any other relief available under law against such public educational entity or athletic association or organization.

(c) Any public educational entity that suffers any direct or indirect harm as a result of a violation of K.S.A. 2023 Supp. 60-5603 or 60-5604, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the governmental entity, licensing or accrediting organization or athletic association or organization.

(d) All civil actions must be initiated within two years after the harm occurred. Persons or organizations who prevail on a claim brought pursuant to this section shall be entitled to monetary damages, including for any psychological, emotional and physical harm suffered, reasonable attorney fees and costs and any other appropriate relief.

History: L. 2023, ch. 13, § 5; July 1.