

**The Open Government Training Advisory Group
Report to the Attorney General
December 2021**

On December 6, 2016, Attorney General Derek Schmidt established the Kansas Attorney General's Open Government Training Advisory Group to carry out the provisions of K.S.A. 75-761(a). The group consists of 14 members representing a diverse constituency appointed by the Attorney General.

2021 Open Government Training Advisory Group Membership

Office of the Attorney General

Sarah Shipman, Deputy Attorney General – Chair

Philip Michael, Assistant Attorney General – Vice Chair

Lisa Mendoza, Assistant Attorney General, Director of Open Government Enforcement

Kansas Association of Broadcasters

Kim Wilhelm, News Director, KWCH12

Kansas Press Association

Sarah Kessinger, Publisher, Marysville Advocate

Kansas Association of Counties

F. Lawrence McAulay, Jr. Assistant Johnson County Counselor

League of Kansas Municipalities

Nicole Proulx Aiken, Attorney, City of Shawnee

Kansas Association of School Boards

Shannon Kimball, U.S.D. No. 497 (Lawrence) School Board Member

Kansas County and District Attorneys Association

Darrin Devinney, Butler County Attorney

Shawn Minihan, Assistant District Attorney, Johnson County District Attorney's Office

Kansas Department of Administration

Cheryl Whelan, Director, Office of Administrative Hearings

At-Large

Kris Marple, Wilson County Coordinator

Ron Keefover, Kansas Sunshine Coalition for Open Government

Stacia Boden, General Counsel, Wichita State University

ADVISORY GROUP DISCUSSION

The Advisory Group met five times: February 19, 2021; May 21, 2021, July 23, 2021, October 29, 2021, and December 6, 2021.

February 19, 2021, Meeting

The first meeting of the Kansas Attorney General's Open Government Training Advisory Group (Advisory Group) for 2021 was conducted on February 19, 2021. The Advisory Group discussed the 2020 Annual Report submitted to the Attorney General, open government computerized training scripts, open government training presentations, and open government legislation.

2020 Annual Report Review

General Schmidt approved the 2020 Open Government Training Advisory Group's Annual Report recommendations.

Open Government Training

The Advisory Group received an update on training conducted or planned by the Office of the Attorney General from AAG Philip Michael. Training on both the KOMA and the KORA was planned for the following dates and times:

Conducted

- February 10, 2021 – Kansas County Treasurer's Association Annual Conference – Virtual

Upcoming

- March 11, 2021 – Kansas Law Enforcement Training Center (KLETC) New Sheriff's School – Hutchinson
- March 17, 2021 – City Clerks and Municipal Finance Officers Association – Virtual
- May 25, 2021 – Northwest Kansas Library System – Virtual
- June 4, 2021 – Topeka Bar Association - Virtual

Pending Legislation

The Advisory Group received a briefing on open government related legislation from Philip Michael, Vice Chair and Assistant Attorney General (AAG). AAG Michael reviewed the following bills:

- **2021 Senate Bill 17** would have prohibited any public agency from charging a fee to the Legislative Division of Post Audit for access to or copies of records for the

purpose of conducting an official audit amending K.S.A. 2020 Supp. 45-219 and repealing the existing section.

- **2021 Senate Bill 83 and 2021 House Bill 2062** would have amended the entities/persons to whom information acquired by, and records of, the state child death review board may be disclosed as follows:

(1) Any member of the legislature or legislative committee that has legislative responsibility of the enabling or appropriating legislation, if such member or committee is carrying out its official functions, and if such committee recesses into a closed or executive meeting pursuant to K.S.A. 75-4319(a), and amendments thereto, and has taken appropriate steps to preserve its privacy;

(2) any person or entity contracting with the state review board, if the board has determined that disclosure of such information and records is essential for completion of the contract and the board has taken appropriate steps to preserve confidentiality;

(3) any person or entity, if the information and records being disclosed are statistics or conclusions of the state review board of the same type included in its annual report pursuant to subsection (i);

(4) any law enforcement agency of the state or any political subdivision thereof if the board determines:

(A) The information and records being disclosed were not previously available to such law enforcement agency for the investigation of the cause of the child's death; and

(B) the cause of the child's death was from abuse or neglect;

(5) any county or district attorney if the board determines:

(A) The information and records being disclosed were not previously available to such county or district attorney for the prosecution of any crimes related to the cause of the child's death; and

(A) the cause of the child's death was from abuse or neglect;

(6) any licensing body as defined by K.S.A. 74-146, and amendments thereto, if the information and records being disclosed are related to a disciplinary complaint against a person licensed by such licensing body, or if any member of the board is under a professional obligation to make such complaint; and

(7) a governmental agency or an organization that has a federal wide assurance (FWA) for the protection of human subjects in good standing with the United States

department of health and human services officer for human research protections, if:

(A) The agency or organization provides documentation that an institutional review board designated in the FWA has reviewed the organization's research proposal;

(B) personally identifiable information is redacted from the disclosure;

(C) the disclosure is only for the purpose of health or education; and

(D) the agency or organization requires all persons granted access to the disclosed information and records to sign a confidentiality agreement prior to receipt of the disclosed information and records

**** The content of these bills was added to House Bill 2158. House Bill 2158 was approved by the Governor on May 21, 2021.** HB2158 amends law regarding the State Child Death Review Board, the Advisory Committee on Trauma, the Kansas Code for Care of Children concerning investigations for child abuse or neglect, family foster home licensing, and eligibility for child care assistance and establishes the Joint Committee on Child Welfare System Oversight.

- **2021 Senate Bill 198** would have added requirements related to the use and retention of body camera records by law enforcement agencies.
- **2021 House Bill 2013** would have made changes to the attorney registration process and supreme court nominating and district judicial nominating commissions. It is the same as HB 2020 from last session.
 - Section 1 would have amended K.S.A. 7-127 by removing the requirement that applicants for admission to practice law in Kansas and others changing addresses submit the information required in K.S.A. 25-2309(b)(1) through (5) (name, place of residence, date of birth, sex, last 4 of ssn or full driver's license number or nondriver's id card number) and removing the requirement that the clerk of the supreme court notify applicants they are required submit such information.
 - Section 2 would have allowed the clerk of the Supreme Court to use the roster of attorneys licensed to practice in Kansas in the clerk's office for finding the names and addresses of those attorneys entitled to receive ballots instead of the certified roster provided by the secretary of state. It also would have removed the requirement that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request. This essentially removes the

KSOS from the loop, allowing the courts to protect the personal information of judges and attorneys.

- Section 3 would have removed the Supreme Court Nominating Committee from the definition of public body for the purposes of KOMA --- Reversing 2016 legislation that specifically made the committee subject to KOMA.
- Section 4 would have replaced the secretary of state as a canvasser at an election for the Supreme Court nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the Supreme Court.
- Section 5 would have provided that lawyer members of the district judicial nominating commission shall be elected by the lawyers who are qualified electors of the judicial district and who are registered with the clerk of the Supreme Court pursuant to Supreme Court rule. It also removes the same requirement removed from section 2 that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request. This section also replaces the secretary of state as a canvasser at an election for the district judicial nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the Supreme Court.
- Section 6 would have removed the district court judicial nominating commission from the provisions of the KOMA.
- This bill also proposed to repeal K.S.A. 20-170, requiring the clerk to maintain a roster of attorneys and allowing only attorneys who reside in Kansas to cast ballots in selections; 20-171, the severability clause for 2016 SB 128; and 20-2917, allowing only attorneys who reside in the judicial district to cast ballots in district judicial nominating selections.
- **2021 House Bill 2049** would have amended the Kansas Open Records Act (KORA) to prohibit a public agency from charging a fee for access to or copies of records if the request for access or copies is made by the Post Auditor or a Legislative Post Audit employee for the purpose of conducting an audit under the Legislative Post Audit Act or any other law.

****Substitute for House Bill 2049 was approved by the Governor on March 11, 2021.** Substitute for House Bill 2049 amends K.S.A. 46-1114 and prohibits

public agencies subject to an audit from charging the Post Auditor a fee for access to or copies of records. The bill does not amend the KORA statutes**

- **2021 House Bill 2096** would have amended a KORA provision requiring public agencies to restrict certain persons' identifying information from public access on a public website that is searchable by a keyword search and identifies the home address or home ownership of such persons, upon request by such persons. Specifically, the bill would have added Kansas Department of Corrections employees, local correctional officers, local detention officers, Judicial Branch employees, presiding officers who conduct hearings pursuant to the Kansas Administrative Procedure Act, members of the State Board of Tax Appeals, administrative law judges who conduct hearings pursuant to the Workers' Compensation Act, administrative law judges employed by the Office of Administrative Hearings, members of the Workers' Compensation Appeals Board, and municipal court employees to the list of persons whose identifying information may be so restricted. The bill also would make technical changes to consolidate similar provisions and ensure consistency in statutory references and phrasing.

See 2021 House Bill 2390

- **2021 House Bill 2127** as amended, would have modified the law governing access to confidential information regarding children alleged or adjudicated to be in need of care, by requiring the Secretary for Children and Families (Secretary) to release certain information to the public, in response to an open records request and within seven business days of receipt of such request, if criminal charges related to a child fatality involving an allegation of child abuse or neglect are filed against a person.

2021 House Bill 2127 was stricken from the Calendar by Rule 1507 on March 5, 2021

- **2021 House Bill 2235** would have required each lobbyist to wear a body camera when in the capitol and requires each lobbyist to record all conversations with legislators. The recordings are considered open record and required to be filed with the Kansas Secretary of state.
- **2021 House Bill 2292** would have amended an exception to the KORA by adding provisions related to cybersecurity at public agencies. Current law does not require an agency to disclose records of emergency or security information or procedures of a public agency if disclosure would jeopardize security of the public agency, building, or facility. The bill would not require a public agency to disclose records of emergency or security information or procedures if disclosure would jeopardize public safety, including records of or procedures related to cybersecurity plans,

cybersecurity assessments, and cybersecurity vulnerabilities. The bill would define three terms for KORA purposes: “Cybersecurity plan” means information about a person’s information systems, network security, encryption, network mapping, access control, passwords, authentication practices, computer hardware or software, or response to cybersecurity incidents; “Cybersecurity assessment” means an investigation undertaken by a person, governmental body, or other entity to identify vulnerabilities in cybersecurity plans; “Cybersecurity vulnerability” to mean a deficiency within computer hardware or software, or within a computer network or information system, that could be exploited by unauthorized parties for use against an individual computer user or a computer network or information system.

See 2021 House Bill 2390

- **2021 House Bill 2390** would have continued in existence the following exceptions to the KORA: K.S.A. 9-513c, 9-2209, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-4913, 45-254, 75-5664, and 75-5665.

****2021 House Bill 2390 as amended was approved by the Governor on April 21, 2021.** The following statutes were added to the listing of continued exceptions to KORA: K.S.A. 22-2302, 22-2502, 65-6111. The bill amended an exception in KORA (K.S.A. 45-221(a)(12)) related to records of emergency or security information or procedures of a public agency to not require a public agency to disclose records of or procedures related to cybersecurity plans, assessments, and vulnerabilities if disclosure would jeopardize public safety. The bill defines “cybersecurity assessment,” “cybersecurity plan,” and “cybersecurity vulnerability.” The bill also amended a KORA provision (K.S.A. 45-221(a)(51)) requiring public agencies to restrict certain persons’ identifying information from public access on a public website that is searchable by a keyword search and identifies the home address or home ownership of such persons, upon request by such persons. Specifically, the bill added local correctional officers, local detention officers, presiding officers who conduct hearings pursuant to the Kansas Administrative Procedure Act, members of the State Board of Tax Appeals, administrative law judges who conduct hearings pursuant to the Workers’ Compensation Act, administrative law judges employed by the Office of Administrative Hearings, and members of the Workers’ Compensation Appeals Board to the list of persons whose identifying information may be so restricted. In addition, the provisions of K.S.A. 45-221(a)(52) were combined into K.S.A. 45-221(a)(51) and the remaining sections were renumbered accordingly.**

Open Government Training Draft Scripts

The Advisory Group reviewed and discussed draft scripts for the following training video topics:

- KORA 101
- Public Agency Responsibilities
- Exceptions
- Three Business Days and Fees
- Records versus Information

The Advisory Group provided guidance and recommendations on the draft scripts to the Computerized Training Subcommittee.

May 21, 2021, Meeting

The second meeting of the Advisory Group for 2021 was conducted on May 21, 2021. The Advisory Group received an update on open government training and open government legislation.

Open Government Training

The Advisory Group received an update on trainings conducted by the Office of the Attorney General and the Kansas Sunshine Coalition for Open Government from AAG Philip Michael. Training on both the KOMA and the KORA was planned on the following dates:

Conducted

- March 11, 2021 – Kansas Law Enforcement Training Center (KLETC) New Sheriff's School – Hutchinson
- March 17, 2021 – City Clerks and Municipal Finance Officers Association – Virtual
- March 26, 2021 – Junior League of Topeka Advocacy Day – Virtual
- April 13, 2021 – Bourbon County Commission KOMA training - Virtual
- May 5, 2021 – Kansas County Clerks and Election Officials Association Annual Conference - Lenexa

Upcoming

- May 25, 2021 – Northwest Kansas Library System – Virtual
- June 4, 2021 – Topeka Bar Association - Virtual
- July 9, 2021 – Law Enforcement Records Association (LERA) - Shawnee

Legislation

The Advisory Group received a briefing on open government related legislation from Philip Michael, Vice Chair and Assistant Attorney General (AAG). AAG Michael reviewed the following bills:

- **2021 Senate Bill 17** would have prohibited any public agency from charging a fee to the Legislative Division of Post Audit for access to or copies of records for the purpose of conducting an official audit; amending K.S.A. 2020 Supp. 45-219 and repealing the existing section.
- **2021 Senate Bill 83 and 2021 House Bill 2062** would have amended the entities/persons to whom information acquired by, and records of, the state child death review board may be disclosed as follows:

(1) Any member of the legislature or legislative committee that has legislative responsibility of the enabling or appropriating legislation, if such member or committee is carrying out its official functions, and if such committee recesses into a closed or executive meeting pursuant to K.S.A. 75-4319(a), and amendments thereto, and has taken appropriate steps to preserve its privacy;

(2) any person or entity contracting with the state review board, if the board has determined that disclosure of such information and records is essential for completion of the contract and the board has taken appropriate steps to preserve confidentiality;

(3) any person or entity, if the information and records being disclosed are statistics or conclusions of the state review board of the same type included in its annual report pursuant to subsection (i);

(4) any law enforcement agency of the state or any political subdivision thereof if the board determines:

(A) The information and records being disclosed were not previously available to such law enforcement agency for the investigation of the cause of the child's death; and

(B) the cause of the child's death was from abuse or neglect;

(5) any county or district attorney if the board determines:

(A) The information and records being disclosed were not previously available to such county or district attorney for the prosecution of any crimes related to the cause of the child's death; and

(B) the cause of the child's death was from abuse or neglect;

(6) any licensing body as defined by K.S.A. 74-146, and amendments thereto, if the information and records being disclosed are related to a disciplinary complaint against a person licensed by such licensing body, or if any member of the board is under a professional obligation to make such complaint; and

(7) a governmental agency or an organization that has a federal wide assurance (FWA) for the protection of human subjects in good standing with the United States department of health and human services officer for human research protections, if:

(A) The agency or organization provides documentation that an institutional review board designated in the FWA has reviewed the organization's research proposal;

(B) personally identifiable information is redacted from the disclosure;

(C) the disclosure is only for the purpose of health or education; and

(D) the agency or organization requires all persons granted access to the disclosed information and records to sign a confidentiality agreement prior to receipt of the disclosed information and records.

**** The content of these bills was added to House Bill 2158. House Bill 2158 was approved by the Governor on May 21, 2021.** HB2158 amends law regarding the State Child Death Review Board, the Advisory Committee on Trauma, the Kansas Code for Care of Children concerning investigations for child abuse or neglect, family foster home licensing, and eligibility for child care assistance and establishes the Joint Committee on Child Welfare System Oversight.

- **2021 Senate Bill 198** would have added requirements related to the use and retention of body camera records by law enforcement agencies.
- **2021 Senate Bill 270** would have prohibited the hiring of certain officers with a history of serious misconduct or use of excessive force and made certain law enforcement employment and disciplinary records subject to the open records act; amending K.S.A. 2020 Supp. 45-221 and repealing the existing section.
- **2021 Senate Bill 301** would have established the office of the child advocate within the office of the attorney general and prescribed certain powers, duties and functions therefor. Records obtained or maintained by the office would have been considered confidential and disclosed only at the discretion of the child advocate; amending K.S.A. 2020 Supp. 38-2211, 38-2212, 38-2213, 38-2309 and 38-2310 and repealing the existing sections.

- **2021 Senate Bill 304** would have required that contact tracing data shall be confidential and shall not be disclosed pursuant to a KORA request or made public, unless the disclosure was necessary to conduct contact tracing and was safely and securely destroyed when no longer necessary to conduct contact tracing; amending K.S.A. 2020 Supp. 48-961 and repealing the existing section.
- **2021 Senate Bill 305** would have allowed law enforcement agencies to collect captured license plate data and would have required the data be stored immediately and accessed only for a legitimate law enforcement purpose. The bill would have prohibited the distribution of license plate data for commercial purposes and would have allowed law enforcement agencies to exchange data. The bill would have allowed law enforcement agencies to contract for license plate data storage and would have required law enforcement agencies to adopt and maintain certain policies and procedures. Captured license plate data would have been kept confidential.
- **2021 House Bill 2013** would have made changes to the attorney registration process and supreme court nominating and district judicial nominating commissions. It is the same as HB 2020 from last session.
 - Section 1 would have amended K.S.A. 7-127 by removing the requirement that applicants for admission to practice law in Kansas and others changing addresses submit the information required in K.S.A. 25-2309(b)(1) through (5) (name, place of residence, date of birth, sex, last 4 of ssn or full driver's license number or nondriver's id card number) and removing the requirement that the clerk of the supreme court notify applicants they are required submit such information.
 - Section 2 would have allowed the clerk of the Supreme Court to use the roster of attorneys licensed to practice in Kansas in the clerk's office for finding the names and addresses of those attorneys entitled to receive ballots instead of the certified roster provided by the secretary of state. It also would have removed the requirement that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request. This essentially removes the KSOS from the loop, allowing the courts to protect the personal information of judges and attorneys.
 - Section 3 would have removed the Supreme Court Nominating Committee from the definition of public body for the purposes of KOMA --- Reversing 2016 legislation that specifically made the committee subject to KOMA.

- Section 4 would have replaced the secretary of state as a canvasser at an election for the Supreme Court nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the Supreme Court.
- Section 5 would have provided that lawyer members of the district judicial nominating commission shall be elected by the lawyers who are qualified electors of the judicial district and who are registered with the clerk of the Supreme Court pursuant to Supreme Court rule. It also removes the same requirement removed from section 2 that the clerk of the supreme court create a list containing the names and addresses of every attorney who submitted a ballot, which would be provided to the secretary of state and subject to an open records request. This section also replaces the secretary of state as a canvasser at an election for the district judicial nominating commission with two or more members of the bar who reside in Kansas and are either practicing lawyers or judges designated by the chief justice of the Supreme Court.
- Section 6 would have removed the district court judicial nominating commission from the provisions of the KOMA.
- This bill also proposed to repeal K.S.A. 20-170, requiring the clerk to maintain a roster of attorneys and allowing only attorneys who reside in Kansas to cast ballots in selections; 20-171, the severability clause for 2016 SB 128; and 20-2917, allowing only attorneys who reside in the judicial district to cast ballots in district judicial nominating selections.
- **2021 Substitute for House Bill 2049** would have amended the KORA to prohibit a public agency from charging a fee for access to or copies of records if the request for access or copies is made by the Post Auditor or a Legislative Post Audit employee for the purpose of conducting an audit under the Legislative Post Audit Act or any other law; amending K.S.A. 2020 Supp. 45-219 and repealing the existing section.

****Substitute for House Bill 2049 was approved by the Governor on March 11, 2021.** Substitute for House Bill 2049 amended K.S.A. 46-1114 and prohibits public agencies subject to an audit from charging the Post Auditor a fee for access to or copies of records. The bill does not amend the KORA statutes**

- **2021 House Bill 2096** would have amended a KORA provision requiring public agencies to restrict certain persons' identifying information from public access on a public website that is searchable by a keyword search and identifies the home

address or home ownership of such persons, upon request by such persons. Specifically, the bill would have added Kansas Department of Corrections employees, local correctional officers, local detention officers, Judicial Branch employees, presiding officers who conduct hearings pursuant to the Kansas Administrative Procedure Act, members of the State Board of Tax Appeals, administrative law judges who conduct hearings pursuant to the Workers' Compensation Act, administrative law judges employed by the Office of Administrative Hearings, members of the Workers' Compensation Appeals Board, and municipal court employees to the list of persons whose identifying information may be so restricted. The bill also would make technical changes to consolidate similar provisions and ensure consistency in statutory references and phrasing.

See 2021 House Bill 2390

- **2021 House Bill 2127** as amended, would have modified the law governing access to confidential information regarding children alleged or adjudicated to be in need of care, by requiring the Secretary for Children and Families (Secretary) to release certain information to the public, in response to an open records request and within seven business days of receipt of such request, if criminal charges related to a child fatality involving an allegation of child abuse or neglect are filed against a person.

Stricken from the Calendar by Rule 1507 on March 5, 2021

- **2021 House Bill 2235** would have required each lobbyist to wear a body camera when in the capitol and requires each lobbyist to record all conversations with legislators. The recordings are considered open record and required to be filed with the Kansas Secretary of state.
- **2021 House Bill 2245** would have required the Division of Vehicles of the Kansas Department of Revenue to maintain emergency contact information for holders of valid Kansas driver's licenses, instruction permits, or non-driver's identification cards beginning no later than July 1, 2022. The bill would have required the Division to maintain in its files a record of the name, address, and telephone number of each individual the holder authorized to be contacted if the holder is injured or dies in a vehicular accident or another emergency situation. The bill would have required the contact information to be kept confidential. The bill would have exempted these records from provisions of the KORA.

****2021 House Bill 2245 as amended was approved by the Governor on May 3, 2021.** This bill was amended to specifically include an exemption under the KORA instead of the original statement of confidentiality. **

- **2021 House Bill 2292** would have amended an exception to the KORA by adding provisions related to cybersecurity at public agencies. Current law does not require an agency to disclose records of emergency or security information or procedures of a public agency if disclosure would jeopardize security of the public agency, building, or facility. The bill would not require a public agency to disclose records of emergency or security information or procedures if disclosure would jeopardize public safety, including records of or procedures related to cybersecurity plans, cybersecurity assessments, and cybersecurity vulnerabilities. The bill would define three terms for KORA purposes: “Cybersecurity plan” means information about a person’s information systems, network security, encryption, network mapping, access control, passwords, authentication practices, computer hardware or software, or response to cybersecurity incidents; “Cybersecurity assessment” means an investigation undertaken by a person, governmental body, or other entity to identify vulnerabilities in cybersecurity plans; “Cybersecurity vulnerability” to mean a deficiency within computer hardware or software, or within a computer network or information system, that could be exploited by unauthorized parties for use against an individual computer user or a computer network or information system.

See 2021 House Bill 2390

- **2021 House Bill 2390** would have continued in existence the following exceptions to the KORA: K.S.A. 9-513c, 9-2209, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-4913, 45-254, 75-5664, and 75-5665.

****2021 House Bill 2390 as amended was approved by the Governor on April 21, 2021.** The following statutes were added to the listing of continued exceptions to KORA: K.S.A. 22-2302, 22-2502, and 65-6111. The bill amended an exception in KORA (K.S.A. 45-221(a)(12)) related to records of emergency or security information or procedures of a public agency to not require a public agency to disclose records of or procedures related to cybersecurity plans, assessments, and vulnerabilities if disclosure would jeopardize public safety. The bill defines “cybersecurity assessment,” “cybersecurity plan,” and “cybersecurity vulnerability.” The bill also amended a KORA provision (K.S.A. 45-221(a)(51)) requiring public agencies to restrict certain persons’ identifying information from public access on a public website that is searchable by a keyword search and identifies the home address or home ownership of such persons, upon request by such persons. Specifically, the bill added local correctional officers, local detention officers, presiding officers who conduct hearings pursuant to the Kansas Administrative Procedure Act, members of the State Board of Tax Appeals, administrative law judges who conduct hearings pursuant to the Workers’ Compensation Act, administrative law judges employed by the Office of Administrative Hearings,

and members of the Workers' Compensation Appeals Board to the list of persons whose identifying information may be so restricted. In addition, the provisions of K.S.A. 45-221(a)(52) were combined into K.S.A. 45-221(a)(51) and the remaining sections were renumbered accordingly.**

July 23, 2021, Meeting

The third meeting of the Advisory Group for 2021 was conducted on July 23, 2021. The Advisory Group received a report from the Computerized Training Subcommittee and an update on open government training.

Report from the Computerized Training Subcommittee

The Computerized Training Subcommittee presented five draft video scripts for review by the full group. The Subcommittee met on June 10, 2021, to discuss and amend the KORA training scripts in accordance with the instructions provided by the Advisory Group on May 21, 2021. The following scripts were reviewed by the Advisory Group:

- KORA 101
- Exceptions
- Public Agency Responsibilities
- Three Business Days and Fees
- Records versus Information

The Advisory Group approved the draft scripts and authorized the Subcommittee to proceed with a draft video recorded by KWCH (Subcommittee member Kim Wilhelm and KWCH staff created, recorded and edited the video) of the KORA 101 script for group review at the October 29, 2021, Advisory Group meeting.

Open Government Training

The Advisory Group received an update on trainings conducted by the Office of the Attorney General and the Kansas Sunshine Coalition for Open Government from AAG Philip Michael. Training on both the KOMA and the KORA was planned on the following dates:

Conducted

- June 4, 2021 – Topeka Bar Association – KORA/KOMA training CLE - Virtual
- June 14, 2021 – Labette County Commission – KOMA training - Oswego
- July 9, 2021 – Law Enforcement Records Association (LERA) – KORA - Shawnee Police Department

Upcoming

- August 2, 2021 – Marshall County Commission – KOMA training - Marysville, Marshall County Courthouse
- August 10, 2021 – Kansas Corporation Commission – KORA/KOMA training – Topeka
- August 19, 2021 – Johnson County Fire District #1 – KORA/KOMA training – Virtual
- August 25, 2021 (rescheduled from May 25, 2021) – Northwest Kansas Library System Annual Conference – KORA/KOMA training - Oakley

October 29, 2021, Meeting

The fourth meeting of the Advisory Group for 2021 was conducted on October 29, 2021. The Advisory Group received a report from the Computerized Training Subcommittee and an update on open government training.

Open Government Training

The Advisory Group received an update on trainings conducted by the Office of the Attorney General and the Kansas Sunshine Coalition for Open Government from AAG Philip Michael. Training on both the KOMA and the KORA was planned on the following dates:

Conducted

- August 2, 2021 – Marshall County Commission – KOMA training - Marysville, Marshall County Courthouse
- August 10, 2021 – Kansas Corporation Commission – KORA/KOMA training – Topeka
- August 19, 2021 – Johnson County Fire District #1 – KORA/KOMA training – Virtual
- August 19, 2021 – Kansas Treasurer’s Office - KORA/KOMA training – Virtual
- August 25, 2021 – Northwest Kansas Library System Annual Conference – Oakley
- October 16, 2021 – Lawrence Public Schools – KOMA training - Lawrence
- October 25, 2021 – City of Harper – KOMA training – Harper

Upcoming

- November 18, 2021 – Kansas Fire and Rescue Training Institute – KOMA training – Virtual

December 6, 2021, Meeting

The fifth and final meeting for the Advisory Group was conducted on December 6, 2021. The Advisory Group received an update on open government training, received a report from the Computerized Training Subcommittee and discussed the draft 2021 Open Government Training Advisory Group report to the Attorney General.

Open Government Training

The Advisory Group received an update on trainings conducted by the Office of the Attorney General and the Kansas Sunshine Coalition for Open Government from AAG Philip Michael. Training on both the KOMA and the KORA was planned on the following dates:

Conducted

- November 12, 2021 – McCune City Council – KOMA training - McCune, McCune City Building
- November 18, 2021 – Kansas Fire and Rescue Training Institute – KOMA training – Virtual

Upcoming

- Date TBD – Prairie Village Police Department Advisory Group – KORA/KOMA training, Prairie Village Police Department

Report from the Computerized Training Subcommittee

The Group received an update on Open Government training videos. The Group reviewed and approved a draft video for the Three Business Days and Fees training script.

2021 Annual Report Review

The Advisory Group reviewed and approved the Draft Open Government Training Advisory Group annual report.

RECOMMENDATIONS

The Advisory Group developed two recommendations.

1. Continue the Open Government Training Advisory Group, which was established on December 7, 2016.
2. Continue to develop computerized training. The Advisory Group recommends continuing the development of a series of short informational videos directed to the following audiences: the general public; members of governing bodies; public employees;

and attorneys. These videos would be housed on the Kansas Attorney General Website, and the webpage would include a separate introductory video by the Kansas Attorney General. The subcommittee intends that all videos be available to all audiences although specific videos would provide more detailed information that may be of interest to specific audiences.

3. Approve and post the completed informational training videos (appended to this report for review) and approve and post each additional informational training video when completed to the Kansas Attorney General's website. The Advisory Group recommends forming a subcommittee for the purposes of exploring marketing and partnership opportunities for disseminating the training videos and providing greater access to the public.