As Amended by Senate Committee

Session of 2025

SENATE BILL No. 263

By Committee on Federal and State Affairs

2-11

AN ACT concerning schools; relating to crisis drills; establishing standards and requirements for active shooter drills conducted by public and accredited nonpublic elementary and secondary schools; amending K.S.A. 31-133 and repealing the existing section.

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

New Section 1. (a) Sections 1 through 5, and amendments thereto, shall be known and may be cited as the students safe at school act.

(b) As used in the students safe at school act:

(1) "Active shooter drill" means an emergency preparedness drill designed to inform and instruct students, teachers, school personnel and other school staff on how to respond in the event that an armed intruder is on the school campus or an armed assailant is in the immediate vicinity of the school. "Active shooter drill" includes practice active shooter drills. "Active shooter drill" does not include any sensory components, activities or elements that mimic a real-life shooting. "Active shooter drill" is not an active shooter simulation.

(2) "Active shooter simulation" means an emergency exercise, including full-scale or functional exercises, designed to inform and instruct adult teachers, school personnel and other school staff on how to respond in the event of an armed intruder on the school campus or an armed assailant in the immediate vicinity of the school. "Active shooter simulation" includes activities or elements mimicking a real-life shooting, including, but not limited to, simulation of tactical response by law enforcement. "Active shooter simulation" does not include active shooter drills.

(3) "Department" means the state department of education.

(4) "Evidenced-based" means a program or practice that demonstrates:

(A) A statistically significant effect on relevant outcomes based on:

(i) Strong evidence from not fewer than one well-designed and well-implemented experimental study;

(ii) moderate evidence from not fewer than one well-designed and well-implemented quasi-experimental study; or

(iii) promising evidence from not fewer than one well-designed and well-implemented correlational study with statistical controls for selective

bias; or

(B) a rationale based on high-quality research findings or positive evaluations that the program or practice is likely to improve relevant outcomes and includes ongoing efforts to examine the effects of the program or practice.

(5) "Parent" and "person acting as parent" mean the same as defined in K.S.A. 72-3127, and amendments thereto.

(6) "School" means any elementary or secondary public school maintained and operated by a school district and any accredited nonpublic school that provides any of the grades kindergarten through 12.

(7) "Vendor" includes not-for-profit entities, for-profit entities and public agencies.

New Sec. 2. (a) (1) Each active shooter drill undertaken at a school shall meet the following standards:

(A) Accessible;

(B) developmentally appropriate and age appropriate, including appropriate safety vocabulary and verbiage;

(C) culturally aware;

(D) trauma-informed; and

(E) inclusive of accommodations for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs and auditory or visual limitations.

(2) No student shall be required to participate in an active shooter drill if such drill does not meet the standards set forth in paragraph (1).

(b) An active shooter drill shall not be conducted consecutively or concurrently with another crisis or emergency preparedness drill.

(c) (1) The school shall notify each parent or person acting as parent at least 24 hours prior to an active shooter drill. The notice shall provide that a parent may opt a student out of participation in such drill. Any student who is opted out shall have the opportunity to participate in alternative safety education and shall not receive any negative or punitive treatment for not participating in such drill.

(2) If notice cannot be provided at least 24 hours prior to an active shooter drill, notice shall be provided within 24 hours of the conclusion of the active shooter drill.

(3) The department shall establish criteria for alternative safety education for students who do not participate in active shooter drills. Such criteria shall include essential safety instruction and training that is appropriate for students with mobility restrictions, sensory needs, developmental or physical disabilities, mental health needs and auditory or visual limitations.

(d) Active shooter drill protocols shall include a reasonable amount of time immediately following the drill for teachers to debrief with students.

The debriefing shall be provided to students before regular classroom activity resumes. Students who participate in an active shooter drill shall have access to on site mental health services, including, but not limited to, access to school counselors, psychologists or social workers.

(e) Active shooter drills shall be announced as a practice prior to the commencement of the practice active shooter drill in a manner that is concise and age appropriate and informs students that there is no immediate danger to life and safety.

(f) Once per year, each board of education or governing body of a nonpublic school shall review the:

(1) Efficacy and effect of active shooter drills and practice active shooter drills; and

(2) impact of active shooter drills on the safety and mental health of students, teachers and other school personnel and staff.

(g) The department shall publish on its website a list of vendors who teach school personnel and staff, including school safety officers, on how to conduct active shooter drills. Such list shall include the name and website of the vendor. The department shall update such list at least once every two years.

(h) The department shall partner with the department of health and environment to create guidelines for measuring the effectiveness of active shooter drills. Such guidelines shall be provided to every school that conducts an active shooter drill and made available to the public for review.

New Sec. 3. (a) No student***, teacher, school personnel or other school staff*** shall be required to participate in an active shooter simulation. No active shooter simulation shall occur during regular school hours while students are present or expected to be present at the school.

(b) Parents of students in grades nine through 12 may opt their student into participation in active shooter simulations by providing written notice to the school on a form and in a manner determined by the school. Any such notice shall, at a minimum, clearly state that the student has parental permission to participate in active shooter simulations.

New Sec. 4. (a) Every school shall provide students in grades six through 12 at least one hour or one standard class period of evidence-based violence prevention training annually. Such training shall teach students:

(1) How to identify observable warning signs and signals of an individual who may be at risk of harming themselves or others;

(2) the importance of taking threats seriously and seeking help; and

(3) the steps students can take to report dangerous, violent, threatening, harmful or potentially harmful activity.

(b) On or before October 1, 2026, the department shall develop and

publish on its website a list of evidence-based training options schools may use to fulfill the requirements of this section. Such list shall include any available no-cost programming. The department shall update such list at least once every two years.

(c) Schools may use any evidence-based violence prevention training regardless of whether such training is not on the list developed pursuant to subsection (b) if such training otherwise meets the requirements of this section.

New Sec. 5. Each board of education and governing body of a nonpublic school shall ensure that students have the opportunity to contribute to such students' school's safety and violence-prevention planning. Such opportunities shall incorporate the recommendations of the federal emergency management agency's multi-hazard planning for schools, including providing:

(a) Student opportunities for prevention safety leadership roles;

(b) encouragement and support to students in establishing clubs and programs focused on safety; and

(c) the opportunity for students to learn about and seek help from adults regarding prevention for bullying, sexual harassment, sexual assault and suicide.

Sec. 6. K.S.A. 31-133 is hereby amended to read as follows: 31-133. (a) The state fire marshal shall adopt reasonable rules and regulations, consistent with the provisions of this act, for the safeguarding of life and property from fire, explosion and hazardous materials. Such rules and regulations shall include, but not be limited to, the following:

(1) The keeping, storage, use, sale, handling, transportation or other disposition of highly flammable materials, including crude petroleum or any of its products, natural gas for use in motor vehicles, and of explosives, including gunpowder, dynamite, fireworks and firecrackers. Any such rules and regulations may prescribe the materials and construction of receptacles and buildings to be used for any of such purposes;

(2) the transportation of liquid fuel over public highways in order to provide for the public safety in connection therewith;

(3) the construction, maintenance and regulation of exits and fire escapes from buildings and all other places in which people work, live or congregate from time to time for any purpose, including apartment houses, as defined by K.S.A. 31-132a, and amendments thereto. Such rules and regulations shall not apply to buildings used wholly as dwelling houses containing no more than two families;

(4) the installation and maintenance of equipment intended for fire control, detection and extinguishment in all buildings and other places in which persons work, live or congregate from time to time for any purpose,

including apartment houses as defined by K.S.A. 31-132a, and amendments thereto. Such rules and regulations shall not apply to buildings used wholly as dwelling houses containing no more than two families;

(5) requiring administrators of public and private schools and educational institutions, except community colleges, colleges and universities, to conduct at least four fire drills each school year at some time during school hours, aside from the regular dismissal at the close of the day's session, and prescribing the manner in which such fire drills are to be conducted;

(6) procedures for the reporting of fires and explosions occurring within the state and for the investigation thereof;

(7) procedures for reporting by healthcare providers of treatment of second and third degree burn wounds involving 20% or more of the victim's body and requiring hospitalization of the victim~~, which~~. *Such* reporting is hereby authorized notwithstanding any provision of K.S.A. 60-427, and amendments thereto, to the contrary;

(8) requiring administrators of public and private schools and educational institutions, except community colleges, colleges and universities, to establish tornado procedures. Such procedures shall:

(A) Provide for at least two tornado drills to be conducted each school year, of which one shall be conducted in September and one shall be conducted in March, at some time during school hours, aside from the regular dismissal at the close of the day's session;

(B) describe the manner in which such tornado drills are to be conducted; and

(C) shall be subject to approval by the state fire marshal;

(9) requiring administrators of community colleges, colleges and universities to establish tornado procedures~~, which~~. *Such* procedures shall be subject to approval by the director of the disaster agency of the county;

(10) the development and implementation of a statewide system of hazardous materials assessment and response;

(11) the use of pyrotechnics, pyrotechnic devices and pyrotechnic materials;

(12) requiring administrators of public and private schools and educational institutions, except community colleges, colleges and universities, to conduct at least three crisis drills each school year at some time during school hours, aside from the regular dismissal at the close of the day's session. The manner in which such crisis drills are conducted may be subject to approval by the safe and secure schools unit of the Kansas department of education; and

(13) other safeguards, protective measures or means adapted to render inherently safe from the hazards of fire or the loss of life by fire any

building or other place in which people work, live or congregate from time to time for any purpose, except buildings used wholly as dwelling houses containing no more than two families.

(b) Any rules and regulations of the state fire marshal adopted pursuant to this section may incorporate by reference specific editions, or portions thereof, of nationally recognized fire prevention codes.

(c) The rules and regulations adopted pursuant to this section shall allow facilities in service prior to the effective date of such rules and regulations, and not in strict conformity therewith, to continue in service, so long as such facilities are not determined by the state fire marshal to constitute a distinct hazard to life or property. Any such determination shall be subject to the appeal provisions contained in K.S.A. 31-140, and amendments thereto.

(d) The state fire marshal may grant an exemption pursuant to K.S.A. 31-136, and amendments thereto, that authorizes a variance for the number or manner of drills conducted pursuant to subsection (a)(5), (8) or (12) for students receiving special education or related services.

(e) (1) As used in this section, "crisis drills" includes intruder response drills, lockdown drills and active shooter drills, as defined in section 1, and amendments thereto.

(2) Any public or private school that conducts an active shooter drill shall conduct such drill in accordance with section 1 et seq., and amendments thereto.

Sec. 7. K.S.A. 31-133 is hereby repealed.

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