

MINUTES

JOINT COMMITTEE ON KANSAS SECURITY

October 27, 2009
Room 535-N—Statehouse

Members Present

Representative Mario Goico, Chairperson
Senator Jay Emler, Vice-chairperson
Senator Anthony Hensley
Senator Janis Lee
Senator Carolyn McGinn
Senator Thomas Owens
Representative Dan Johnson
Representative Julie Menghini
Representative Lee Tafanelli

Members Absent

Representative Judith Loganbill

Staff Present

Jill Shelley, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Scott Wells, Office of the Revisor of Statutes
Bruce Kinzie, Office of the Revisor of Statutes
Ann McMorris, Committee Assistant

Conferees

Tom Thornton, Kansas Bioscience Authority
Jack Taylor, Chairperson, Commission on Emergency Preparedness and Response
John Prather, Vice-chairperson, Commission on Emergency Preparedness and Response
Carmen Alldritt, Director of Vehicles, Kansas Department of Revenue
Dean Reynolds, Fraud Unit, Kansas Department of Revenue
Captain Marc J. McCune, Kansas Highway Patrol
Major General Tod Bunting, Adjutant General of Kansas
Dr. Bob Hull, Director, Kansas Center for Safe & Prepared School, Adjutant General's Office
Roger Werholtz, Secretary, Department of Corrections

Bob Blecha, Director, Kansas Bureau of Investigation
Kyle Schneeweis, Chief, Office of Governmental Affairs, Kansas Department of
Transportation
Colonel Terry Maple, Kansas Highway Patrol
Peter Carttar, Assistant Bureau Chief, Kansas Department of Transportation

Others in attendance

See attached list.

Morning Session

Chairperson Goico opened the meeting at 10:00 a.m. and reviewed information distributed to the Committee:

- Draft minutes of the October 13, 2009, Committee meeting (Attachment 1);
- *U.S. News & World Report* article on EMP (electromagnetic pulse) (Attachment 2); and
- "Congress Must Do More to Protect Grid from Cyber, Nuclear Attacks," from Nextgov, Technology and the Business of Government (Attachment 3).

National Bio and Agro Defense Facility (NBAF) Update

Tom Thornton, President and Chief Executive Officer, Kansas Bioscience Authority, briefed the Committee by providing an overview of NBAF and reviewing federal FY 2010 appropriations, project schedule, organization, status, project funding profile, land transfer, upcoming activities, design vision and concepts, and the next steps. He described the NBAF and related animal-health research as a "critical national priority" (Attachment 4).

Committee members asked about the gift of land (to the Department of Homeland Security) on the K-State campus for the NBAF facility, the value of that land, liability for accidental release of pathogens, the effect on NBAF timing of the sale of Plum Island, who would be eligible to buy Plum Island, and physical security for related pathogen-research facilities already on the K-State campus.

There was general agreement a joint resolution should be drafted calling on the Department of Homeland Security to advance the sale of Plum Island in an expeditious manner. Chairperson Goico asked the Revisor to prepare the resolution.

Briefing on the Activities of the Commission on Emergency Preparedness and Response

Jack Taylor, Emporia Fire Chief and Commission Chairperson, Commission on Emergency Preparedness and Response (CEPR), reviewed the Commission's charter, focus, statutes, membership, committee charters, and committee awards (Attachment 5). The Commission is

working on its 2009 strategy report and will provide copies to the Joint Committee on Kansas Security when the report becomes available.

John Prather, Groendyke Transport and CEPR Vice-chairperson, noted state agency heads were active in this project and discussed the involvement of private industry in public preparedness for emergencies.

Capitol Security

Captain Marc J. McCune, Troop K Commander, Kansas Highway Patrol, and Sergeant Eric Hatcher of the Highway Patrol, in a closed session discussed matters relating to security of state officers or employees, or both, or security of buildings and property under ownership or control of the State of Kansas or matters relating to security measures.

Senator Emler moved, and Representative Johnson seconded, a motion "that the open meeting of the Joint Committee on Kansas Security in Room 535-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 535-N of the Statehouse pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b)(13) of KSA 2008 Supp. 75-4319, as amended by section 14 of Chapter 132 of the 2009 Session Laws of Kansas, for the purpose of consulting with Captain Marc McCune from the Capitol Police and Jeff Russell from the Division of Legislative Administrative Services regarding matters: (1) relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas; or (2) matters relating to security measures which matters, if discussed at an open meeting would jeopardize such security measures, that the Joint Committee on Kansas Security resume the open meeting in this room, Room 535-N of the Statehouse, at 12:06 p.m. and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Kansas Security and be maintained as a part of the permanent records of the Committee." Motion carried. This was adopted at 11:35 a.m. on October 27, 2009. Designated essential personnel: Sergeant Eric Hatcher ([Attachment 6](#)).

At 12:06 p.m., the Committee returned to open meeting status, but since all reports had not been made, *Senator Emler moved, and Representative Johnson seconded, "that the open meeting of the Joint Committee on Kansas Security in Room 535-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 535-N of the Statehouse pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b)(13) of KSA 2008 Supp. 75-4319, as amended by section 14 of Chapter 132 of the 2009 Session Laws of Kansas, for the purpose of consulting with Captain Marc McCune from the Capitol Police and Jeff Russell from the Division of Legislative Administrative Services regarding matters: (1) relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas; or (2) matters relating to security measures which matters, if discussed at an open meeting would jeopardize such security measures, that the Joint Committee on Kansas Security resume the open meeting in this room, Room 535-N of the Statehouse, at 12:20 p.m. and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Kansas Security and be maintained as a part of the permanent records of the Committee." Motion carried.* The motion was adopted at 12:06 p.m. on October 27, 2009. Designated essential personnel: Sergeant Eric Hatcher ([Attachment 7](#)).

The Committee returned to open session at 12:20 p.m. Chairperson Goico appointed a subcommittee composed of Senator McGinn and Representative Tafanelli to study security plans for the Capitol Complex. Advisors to the subcommittee are Jeff Russell, Captain McCune, and Sergeant Hatcher.

The Committee recessed for lunch and reconvened at 1:45 p.m.

Afternoon Session

Crisis Intervention Manual

A copy of the *Crisis Intervention Manual* prepared for Topeka Public Schools was distributed to the Committee (Attachment 8). (This copy had been requested by the Committee at its October 13 meeting.)

Driver's License and Identification Card Security

Carmen Alldritt, Director of Vehicles, Kansas Department of Revenue, reviewed PASS ID legislation and Kansas' compliance. She further described improvements Kansas is making in its system to prevent a person from obtaining multiple driver's licenses and cooperation with emergency response systems for identification of people authorized to be present at disaster sites (Attachment 9).

Dean Reynolds, Fraud Department, Kansas Department of Revenue, briefed the Committee on the role of the Fraud Department and its current activities.

Security Agency Budget Updates

Aaron Klaassen, Legislative Research Department, provided an update on the various agencies; representatives of those agencies then provided information on their budgets and other activities.

- Adjutant General's Office, presented by General Tod Bunting (Attachment 10). As part of that presentation, Dr. Robert Hull (by conference phone) reviewed recommendations to the Committee for sustaining the Kansas Center for Safe and Prepared Schools (Attachment 11).

School districts not submitting school crisis plans (Attachment 12) – Senator Emler distributed a list of 41 school districts not submitting a school crisis plan to the Committee and expressed concern that the children in these schools are not adequately protected due to this noncompliance. He suggested the Revisor's Office be directed to draft legislation that would require these schools to comply. At the end of the meeting, Senator Emler reviewed the action and said that a strongly drafted letter to these schools with an offer to help them prepare the crisis plan would be more effective at this time. Chairperson Goico directed that staff prepare a draft of that letter, which is to go out under the signatures of the Chairperson and Vice-chairperson.

- Kansas Highway Patrol, by Colonel Terry Maple (Attachment 13).
- Kansas Bureau of Investigation, by Director Robert E. Blecha (Attachment 14).

- Department of Corrections, by Secretary Roger Werholtz (Attachment 15).
- Kansas Department of Transportation, by Kyle Schneweis, Chief, Office of Governmental Affairs, and Peter Carttar, Assistant Bureau Chief, Bureau of Construction and Maintenance (Attachment 16).

Minutes

Senator Emler moved, seconded by Senator Lee, that the minutes of the meeting of the Joint Committee on Kansas Security held on October 13, 2009, be approved. Motion carried.

The meeting adjourned at 4:00 p.m.

Prepared by Ann McMorris
Edited by Jill Shelley

Approved by Committee on:

December 11, 2009

(Date)

GUEST LIST

Joint Committee on Kansas Security

DATE: **October 27, 2009**

Name

Representing

Marsha Pappan

KBI

Robert E. BLECHA

KBI

Jimi Pappan-McCool

KDEM

Dean Reynolds

KDOR

**PRELIMINARY
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Ann McMorris, Committee Assistant

Conferees

Dr. Bob Hull, Director, Kansas Center for Safe and Prepared Schools,
Adjutant General's Department
Major General Tod Bunting, Adjutant General of Kansas
William M. Chornyak, Deputy Director, Kansas Division of Homeland Security
Patrick Woods, School Board Member, USD 501
Jerry Tenbrink, Adjutant General's Training Coordinator
Superintendent Gary French, Osawatomie
Laura Jones, Kansas State Department of Education Title IV Coordinator
Superintendent Mike Roth, Clearwater
Superintendent Deb Baeuchle, Leavenworth
Superintendent Bob Diepenbrock, Flinthills
Dr. Jason Eberhart-Phillips, Kansas State Health Officer, Kansas Department of Health
and Environment
Kent Koehler, Chairperson, Statewide Interoperability Executive Committee
Thomas V. Thornton, President and Chief Executive Officer, Kansas Bioscience Authority

Capt. John Eichkorn, Kansas Highway Patrol, Homeland Security Division
Lt. Col. Matthew Oleen, Kansas National Guard Security Specialist

Others Attending

See attached list.

Morning Session

Vice-chairperson Emler opened the meeting.

Emergency Preparedness at K-12 Schools (Attachment 1)

General Bunting spoke positively about the current collaboration and teamwork on the programs for preparedness and safety in Kansas public schools.

Dr. Bob Hull introduced school and state agency staff who would share information about the preparedness of schools. A PowerPoint presentation was reviewed by representatives of the Kansas Center for Safe and Prepared Schools (KC-SPS) and the Governor's Commission on Healthy and Prepared Schools.

Dr. Hull gave a brief review of need for an emphasis on school safety and preparedness, stating that approximately 25 percent of the population is in a school setting on a school day. Mr. Tenbrink spoke on events leading to formation of KC-SPS and its purpose, mission, and foundational duties.

Patrick Woods, Jerry Tenbrink, and Laura Jones explained the collaborative efforts of KC-SPS.

Superintendent Gary French elaborated on how disasters had taught superintendents and others many lessons which were useful in every community, in order to prepare more fully for a disaster. Disasters involve whole communities in resolving the many problems. For example, Osawatomie schools were used for housing during that community's summertime flooding in 2007, and the district lost students as a result of the flooding.

Dr. Hull reviewed the KC-SPS Mission Statement, its duties and responsibilities, Commission findings, guiding principles, and a position description for District Emergency Management Coordinator.

Early successes involved the Governor's proclamation reviewed by Mr. Woods (Attachment 2).

Additional conferees reviewed various early "successes" in school preparedness: (1) Prepared Schools Week Activities and Kansas Safe and the Prepared Schools Conference, reviewed by Ms. Jones; (2) the KC-SPS working group, reviewed by Superintendent Mike Roth; (3) hazards reviews at pilot schools, reviewed by Superintendent Deb Baeuchle; and (4) graduate studies in preparedness by rural schools by Superintendent Bob Diepenbrock.

Dr. Hull explained the results of a recent school preparedness survey and had samples of classroom and building "crisis kits" to show to the Committee. He provided the Committee with a copy of the Crisis Management Action Outline (Attachment 3).

Recommendations for KC-SPS sustainability will be prepared by Dr. Hull and General Bunting for the Committee's study at its next meeting.

Interspersed with the various presentations were questions from Committee members. Senator Hensley noted the Legislature should act on the requirement that schools must hold several drills and have a crisis plan. He asked that recommendations from the presenters on this area be sent to the Committee. He serves on a crisis committee at a school in his district and would provide a copy of its plan to the Committee.

On this same subject, questions were asked on whether there is a standardized plan and whether each school district had provided the Committee with a copy of its crisis plan, as requested by this Committee in late 2007.

Jill Shelley provided the Committee a memorandum titled "Best Practices for School Crisis Plans and Submitted Plans" (Attachment 4).

NBAF Update

Tom Thornton gave an overview of the current status of the National Bio and Agro Defense Facility (NBAF), reviewed current projected costs, and explained a study requested by Congress is being conducted to validate the original risk assessment, to ensure that risk has been adequately identified and mitigated in planning for NBAF. The project is on schedule with an estimated \$650 million construction cost. A report from the National Academy of Sciences will be released soon.

Chairperson Goico noted a letter had been prepared on behalf of himself and Senator Emler and sent to Representative David Obey, Chairman of the U.S. House Appropriations Committee, and others urging support of the \$32 million FY 2010 budget request for the NBAF as included in the Senate Appropriations bill (Attachment 5).

The Committee recessed for lunch and reconvened at 1:40 p.m.

Afternoon Session

H1N1 Preparedness

Dr. Jason Eberhart-Phillips provided a Pandemic Influenza Update presentation. He reviewed what is known about this new microbe, the clinical picture, the unusual age pattern as compared to ordinary flu, the extent of this disease in the United States, the H1N1 picture in Kansas, potential impact of the disease, disease-control strategies in Kansas, guidance for schools and businesses, and the H1N1 flu vaccine (Attachment 6).

Dr. Eberhart-Phillips was asked why educational staff in a high-priority age group were not included on the priority list for vaccination. He responded that the federal group in charge of forming the priority list made that decision and this is an international disease, so various groups

should not make changes. In response to other questions, he said that a person who had not had a confirmed case of H1N1 should be vaccinated, that the virus has shown few signs of mutation, and that people who were exposed to a similar infection in the 1950s may have some degree of immunity.

Homeland Security Initiatives in Kansas (Attachment 7)

Major General Bunting provided an update on Homeland Security Programs in Kansas. He reviewed the Kansas Homeland Security Regions; the status of training venues at Crisis City, near Salina; and the annual business and industry forum scheduled for May 19-20, 2010, in Salina; and collaboration and partnership.

Bill Chornyak announced the first Biennial Kansas Security Summit would be held in Wichita, on December 8, 9, and 10, 2009, at the Hyatt Regency Hotel (copy of program included with Attachment 7). He reviewed the staffing and funding source of his division; vulnerability assessments provided to facilities such as courthouses, schools, and chemical plants; buffer zone protection program goals; buffer zone protection plans; unique assessments, such as a vulnerability assessment of Cedar Crest; and the assessment process.

Captain John Eichkorn reviewed homeland security grants. (The Patrol is the state administrative agency for those federal grants and is advised by the Governor's Council on Homeland Security.) Those grants totaled approximately \$13 million in FY 2008 and FY 2009.

Lieutenant Colonel Matthew Oleen explained the Kansas Fusion Center and its role in analyzing and sharing security information.

General Bunting concluded by noting that Homeland Security in Kansas is a collaborative effort among federal, state, private industry, and local agency officials to ensure that Kansans are prepared for all contingencies.

Communications Interoperability Update

Kent Koehler presented information about Statewide Interoperability Executive Committee (SIEC) membership; the SIEC's goals; accomplishments in each region toward interoperability of radio and data communications; the strategic technology reserve, including upgrades for "communications on wheels" vehicles; and the status of the motobridge interoperability gateway. He also provided (1) Executive Order 07-27, which established the SIEC; (2) color-coded maps on Kansas Department of Transportation 800 MHz Tower Sites; and (3) letters from Keith Haberer, Chairperson of the Northwest Kansas Homeland Security Region, and Don Button, Chairperson of the Southwest Kansas Regional Emergency Planning Council, encouraging the State of Kansas to continue its support of interoperability by completing the remaining 23 site conversions (Attachment 8). In response to a Committee member's question, Mr. Koehler said he would find an estimate of moneys needed to convert the last counties to P25 capability.

Announcements

Chairperson Goico announced the next meeting of the Committee would be held on October 27. At that time, the Committee will be reviewing suggestions for possible legislation which those making presentations at this meeting were asked to provide, and it will hear briefings on additional topics.

The meeting was adjourned at 4:00 p.m.

Prepared by Ann McMorris
Edited by Jill Shelley

Approved by Committee on:

(Date)

U.S. News & World Report
Friday, July 31, 2009

EMP is a powerful and potentially devastating form of electromagnetic "fallout." It's usually associated with nuclear weapons, although it can be triggered by any major explosive bursts. Unlike radioactive fallout, this rain won't directly harm living things. It will just catastrophically fry all electronics and modern electrical systems by inducing staggeringly large and rapid current or voltage surges.

It makes a great equalizer for small nations looking to stand up to military Goliaths, argues Rep. Roscoe Bartlett (Rep.-Md.), a former research scientist and engineer who has worked in the past on projects for NASA and the military. All one needs to wreak some serious EMP damage, he charges, is a sea-worthy steamer, \$100,000 to buy a scud-missile launcher, and a crude nuclear weapon. Then fling the device high into the air and detonate its warhead.

Such a system might not paralyze the entire United States, he concedes. "But you could shut down all of New England. And if you missed by 100 miles, it's as good as a bulls eye."

Bartlett brought up questions about the power industry's vulnerability to EMPs this morning at a House Science subcommittee hearing convened to look at what's needed to roll out a nationwide "smart grid." Emerging sensor-driven systems would allow the U.S. power-distribution system to converse back and forth with any devices we plug into it.

A smart grid should, among other things, allow our dishwasher, air conditioner, clothes drier or office lighting to know when the regional demand for power is highest, forcing a need for extra - and higher-cost per kilowatt-hour - generation. Technology already exists to let our electron-fueled gizmos know what the instantaneous cost of power is. So, if we were able to program our appliances and lighting to only run when

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Attachment 2-1

that cost was low, consumers could help reduce the peaks and valleys in electrical generation (something utilities crave) – and cut our energy costs.

But the core of smart-grid technology – computer-controlled circuits, relays and sensors – would be vulnerable sitting ducks for EMPs, Bartlett charged. And he isn't alone in feeling so.

Western society's vulnerability to EMPs is very real, acknowledged Suedeen Kelly, a Federal Energy Regulatory Commission member who testified at today's hearing.

"This is indeed a very serious concern that we must address in the context of the smart grid," added George Arnold of the National Institute of Standards and Technology in Gaithersburg, Md. On the bright side, he said that at least some manufacturers are "sensitive to the issue" and have informed smart-grid developers of efforts being investigated to harden key circuitry.

However, Arnold cited a report on the nation's EMP vulnerabilities that concluded it's not practical to try and protect the entire electrical power system – or even all high-value components. So priorities will have to be set as to which assets are most critical, and then focus on shielding them.

But that's at some indeterminate time in the future. What if a rain of EMPs arrived tomorrow, Bartlett asked?

Depending on the altitude of a detonation, a wide area could be impacted, noted Paul De Martini. This vice president for advanced technology at Southern California Edison, in Rosemead, Calif., also testified at today's hearing.

Aspects of an EMP weapon might resemble a lightning strike – something the power grid should be able to handle, he said. But other features of an EMP assault would be more akin to events triggered by large solar flares and could damage large elements of the nation's bulk-transmission system. This is especially true for

some "very large, high-voltage transformers that are essentially custom-made," De Martini said.

Although a spare unit might exist at one utility or another, De Martini noted that obtaining some units — like a new 500,000-volt transformer — requires a long lead time. How long? "It could be two to three years," he said.

That might make the idea of an EMP attack tempting for some of America's adversaries, said Bartlett. Because the electronic revolution has not reached North Korea, for example, he argued that it could weather an EMP with "little or no effect."

But in the United States, a community zapped by EMP weaponry could expect nothing less than physical, economic and civic paralysis. An electronic Armageddon, if you will.

To maximize the real estate zapped, the detonation must take place at relatively high altitude so that the resulting line-of-sight stream of electrons would fan out across a huge swath. For instance, I noted in a story years ago, a small nuclear detonation from a satellite orbiting 250 miles above Omaha might literally shut down traffic coast-to-coast, fry bank computers everywhere and wipe out the North American power grid. Any and everything that relied on vehicles, electricity or computers would remain out of service until the fried circuits were replaced. All gazillion of them.

Only the Amish and others not reliant on late 20th — much less our 21st — century technology would escape unscathed. No wonder the military kept almost all data on EMPs classified until the mid 1960s. Even when I wrote a feature series on EMP weaponry, more than two decades ago, the Defense Department was still reluctant to talk about the nation's vulnerability. Since then, public discussion of EMP has all but dried up.

But clearly it remains on Bartlett's radar screen.

At today's hearing, he recalled sitting in a hotel room in Vienna, Austria, with three members of the Russian Duma several years back. Bartlett said one of them boasted that if Moscow wanted to really injure America, with no fear of retaliation, it would simply authorize a sub to launch a ballistic missile. "'We'd detonate a nuclear weapon high above your country,'" the Russian official told him, "'and shut down your power grid - and your communications - for six months or so.'"

Bartlett recalled another of the Russians adding, "'If one weapon wouldn't do it, we have some spares. Like about 10,000.'"

Earlier this week, Bartlett reported, the Secretary of Defense told him that DOD was counting on "deterrence" to protect the United States from EMP terrorism. And Bartlett said he told him: 'Mr. Secretary, that's not going to work.'"

America's leaders have to understand, Bartlett argues, that "The 'smarter' we make the grid, the more vulnerable we are. And unless you're incorporating EMP protection, you're simply making it worse rather than better, as far as security is concerned." To stave off attacks, the congressman recommends that the United States look to technologically limit its vulnerability - because "vulnerability invites attacks."

If all of this sounds like a playbook for foreign terrorists, don't worry; I'm hardly letting the cat out of the bag. A novel about an EMP attack on the United States is out, Bartlett noted this morning, and a feature film based on it is in the works.



TECHNOLOGY AND THE BUSINESS OF GOVERNMENT

Congress must do more to protect grid from cyber, nuclear attacks

By Jill R. Aitoro 07/21/09

Congress should pass measures to protect the nation's electric grid against electromagnetic pulses emitted after a nuclear blast, witnesses told a hearing on Tuesday.

When a nuclear warhead detonates at altitudes between 25 and 250 miles, it emits a high-altitude electromagnetic pulse, or EMP, which disrupts and damages electronic systems, including electric grids, William Graham, chairman of the Commission to Assess the Threat to the United States From Electromagnetic Pulse, told the Subcommittee on Emerging Threats, Cybersecurity and Science and Technology. Geomagnetic storms that occur from significant changes in solar wind pressure can have a similar impact, he said.

"Some in government have taken the position that EMP attack and geomagnetic storm disruption are low-probability events," Graham said. "[But] geomagnetic storms will occur -- it is only a question of when, not if. Concerning EMP, the logic of their position is upside down. By ignoring large-scale catastrophic EMP vulnerability, we invite such attack on our infrastructure by adversaries looking to attack us where we are weak, not where we are strong."

In 1962, a U.S. nuclear test at an altitude of about 250 miles above Johnston Island in the Pacific Ocean caused street lighting systems to fail, tripped circuit breakers, triggered burglar alarms and damaged to a telecommunications relay facility in the Hawaiian Islands nearly 900 miles away.

Graham recommended that a bill, H.R. 2195, which would amend the Federal Power Act, address the threat of a cyberattack against the electric grid and address electromagnetic threats from nuclear EMP attacks and large-scale geomagnetic storms.

"An integrated approach to protecting critical electrical infrastructure will be much less expensive and more effective and expedient than any fragmented approach to the problem," he said, adding that the Homeland

Security Department has shown "neither an understanding nor a willingness to consider the problem of electromagnetic threats to our country."

Other critics have said the bill would not prompt owners and operators of electrical facilities to do their part to enhance cybersecurity and should be expanded to address other components of the nation's critical infrastructure such as transportation and water.

Subcommittee chairwoman Yvette Clarke, D-N.Y., criticized industry for not addressing the risks of EMP attacks or cyberattacks against the electric grid. "The private sector develops its own security standards [and] the private sector also oversees compliance with these standards," she said. "In short, the private sector has the responsibility for securing the grid from electromagnetic events and cyberattacks."

Clarke pointed to reports from the North American Electric Reliability Corp., which develops security standards for power plants, that suggested industry is choosing not to identify critical assets to avoid securing them. According to NERC, 29 percent of power plant owners and operators reported identifying at least one critical asset, and 63 percent of utility companies responsible for transmission of power to customers identified at least one critical asset.

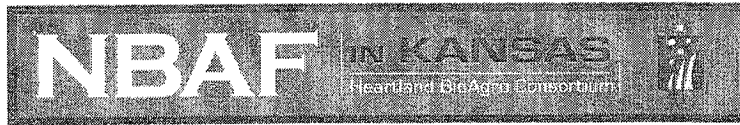
"This effort seems to epitomize the head-in-the sand mentality that seems to permeate broad sections of the electric industry," Clarke said. "It is amazing that many within the industry would gamble with our national and economic security."

NERC released 40 Critical Infrastructure Protection standards designed to defend critical infrastructure from cybersecurity threats and is working on additional standards that are expected to have initial industry approval by the fourth quarter of 2009, said Chief Security Officer Michael Assante. NERC also might incorporate into security standards elements of the National Institute of Standards and Technology's Special Publication 800-53, which provides recommended security controls for federal information systems. These standards don't address EMP directly, though Assante said NERC is looking into the threat.

Federal government should hold emergency authority to take action in case of an attack, but should not set standards for protection of the electric grid, Assante added.

"Preparedness and awareness efforts like the assessments, alerts and standards are necessary, but not sufficient, to protect the system against specific and imminent threats," Assante said. "NERC firmly believes that additional emergency authority is needed at the federal level to address these threats, and NERC supports legislation that would give an agency or department of the federal government necessary authority to take action."

COMMENT ON THIS ARTICLE IN THE FORUM



The National Bio and Agro-Defense Facility

A Critical National Priority

Briefing for
Joint Committee on Kansas Security
October 27, 2009

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Update: October 2009

Agenda

- NBAF Overview
- FY 2010 Appropriations
- NBAF Project Schedule, Organization, Status
- NBAF Project Funding Profile
- Land Transfer
- Other Upcoming Activities
- Draft Schematic Design Vision and Concepts
- Next Steps

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Update: October 2009

The NBAF Is a Critical National Priority

- The NBAF is the answer to an important national challenge – **protecting America's food supply and agriculture economy.**
 - America urgently needs a state-of-the-art biocontainment lab to accelerate animal disease research.
 - The NBAF will replace a facility that is too small and too old to meet the nation's food safety needs.
- The NBAF will provide the nation with:
 - A domestic, modern, integrated high-containment facility containing BioSafety Level (BSL) 2/3/3Ag/4 laboratories for up to 350 scientists and support staff to **safely and effectively address the accidental or intentional introduction of animal diseases into the United States.**
 - An interdepartmental research enterprise that will produce the new vaccines, diagnostics and other tools vitally needed to support those charged with protecting public health and animal health and carrying out an effective response, when needed.

Kansas: Best Choice on the Merits

- **Kansas excels in each of the NBAF site selection criteria**
 - World-class reputation for large animal biosecurity research supported by the nation's most modern Ag-dedicated high-level biocontainment research infrastructure
 - Large and skilled pool of animal science and veterinary medicine talent
 - Non-contingent \$206 million cash cost share package aimed at accelerating the NBAF's important mission before the facility is built
 - Strong, stable, and predictable public support
- **No Learning Curve**
 - In the very near future, NBAF research can begin at an existing and modern research facility with DHS/USDA
 - Transition issues moving Plum Island research to NBAF can be eased
 - Offers the world's largest concentration of animal health companies to hasten commercialization of NBAF research and development
 - Provides internationally recognized consequence management expertise

4.2

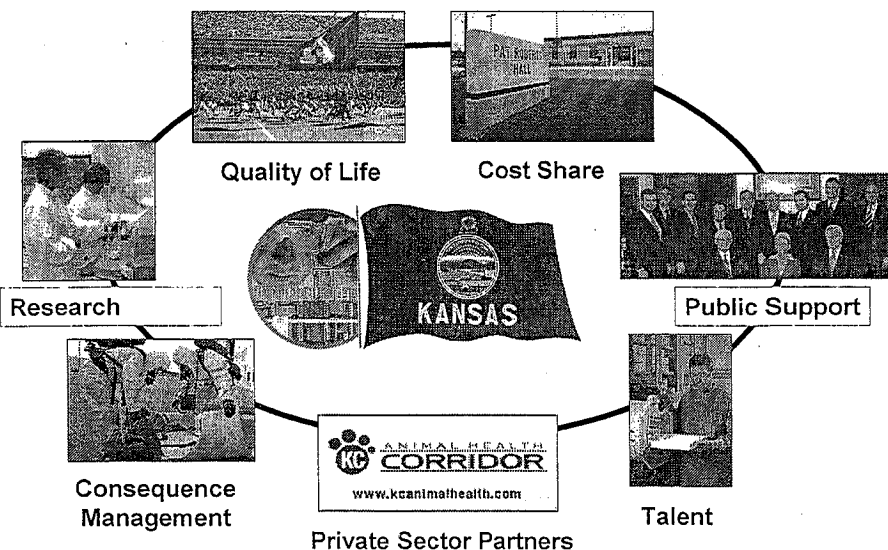
Kansas State University Unanimously Selected as the Site for the NBAF

- Three year site selection process
- 29 sites were scrutinously evaluated by experts in biosecurity research and management drawn from several agencies, including USDA
- Kansas State University unanimously selected

CRITERIA	KS	TX	GA	MS	NC	NY
Research	Ag/Vet	No Ag/Vet	Ag/Vet Poultry		Ag/Vet	Minimal Ag/Vet
Workforce	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria
A/C/O ¹	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria
Support	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria
Threat & Risk	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria
Environment	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria	Clearly meets criteria
OVERALL	#1	2	3	4	4	4

- Clearly meets criteria
- Partially meets criteria
- Fails to meet criteria

The Kansas Advantage



Exceptional Animal Science Research

- **Biosecurity Research Institute (BRI)**
 - The most modern BSL-3/3 Ag facility in the world located at KSU
 - A complex \$54 million, 113,000 square foot BSL-3 Ag facility that was **delivered on time and on budget**
 - Focuses on animal infectious diseases that threaten livestock and agriculture with a **mission virtually identical to the NBAF's**
 - Includes the **first** national agriculture-based biosafety and biocontainment training program
- **National Agricultural Biosecurity Center**
 - Provides biosecurity solutions to the federal government
 - Has established relationships with DHS, USDA, HHS and the FBI
- **Kansas State University (KSU) campus**
 - Home to world-renowned fellowship and degree programs
 - Ready-made, qualified and experienced workforce
 - #1 public university in Rhodes, Marshall, Truman, Goldwater, and Udall scholars since 1986

Exceptional Animal Science Research

- **Animal Health Corridor**
 - Largest concentration of animal health companies in the world and well trained animal science workforce
 - Key commercialization partners
 - Ensures the NBAF will not become “an island” difficult for partners to access
- **World Class Research Talent**
 - Dr. Juergen Richt, distinguished professor and eminent scholar, recently hosted an international biosecurity summit at KSU with the world's leading scientists including key DHS/USDA researchers.
 - KSU has over 150 faculty researchers in animal health and food safety.
 - KSU is home to one of the nation's top veterinary schools
 - five of the leading animal science and/or veterinary schools in the country are within a 300-mile radius with over 1,500 students enrolled.



8-4

4-4

Public Support



Former Gov. Sebelius, the Kansas congressional delegation, leaders of the Kansas Legislature, and KBA directors meet in support of the NBAF.

- The NBAF has garnered strong and stable support in Kansas.
- The successful development of the BRI demonstrates KSU's ability to garner community support and acceptance.
- Industry leaders, city officials, Gov. Sebelius, Kansas' congressional delegation, the Kansas Legislature, producer groups, and prominent academic leaders have unified under the NBAF in Kansas Task Force.
- The community has been overwhelmingly supportive of the NBAF. The City of Manhattan has committed \$5 million in cost share.
- 15 states have joined the Heartland BioAgro Consortium to support the NBAF in Kansas.

Heartland BioAgro Consortium (HBAC)

Multi-state partnership supporting NBAF in Kansas

- The HBAC engages private and public partners to **generate support for the NBAF** (industry, academia, producers).
 - National coalition of public and private-sector partners and subject-matter experts in states as diverse as Alabama, Colorado, Illinois, Iowa, Missouri, Nebraska, North Dakota, New Mexico, Texas, and Wisconsin
 - 15 states with strong veterinary medicine and animal-science research
 - 21 institutions nationwide with animal disease and zoonotic-disease research excellence
 - National producer groups
- **Key outcomes**
 - National consortium in support of the NBAF
 - Strong congressional support for the NBAF



✦ Research partner

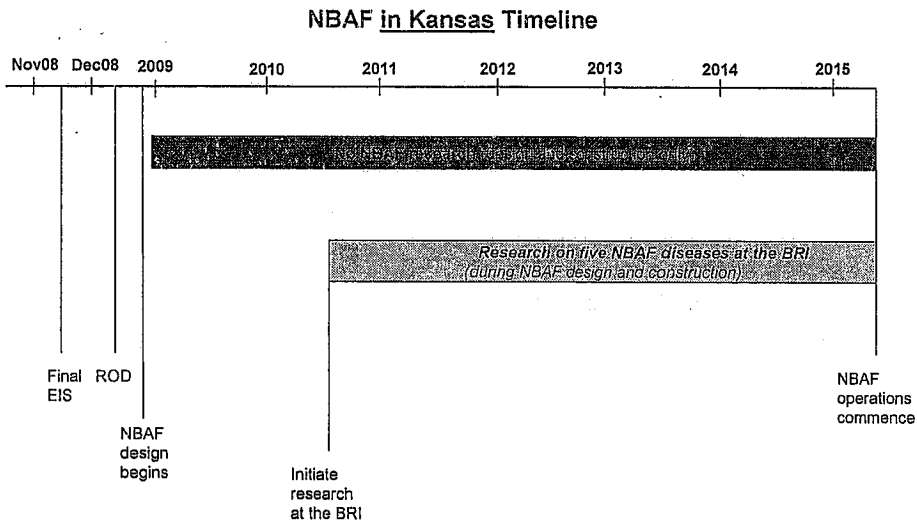
★ State supports NBAF in Kansas

4-5

An Accelerated Pathway to NBAF Success

- In Kansas, DHS and USDA can jumpstart BSL-3/3 Ag laboratory research in 2009 and will not have to wait until 2015 to meet the obligations of HSPD-9.
- **Kansas' plan will allow DHS and USDA to:**
 - Easily transition from Plum Island to the most modern state-of-art ag-dedicated high-security biocontainment facility in the world that can accommodate significant numbers of large farm animals and poultry.
 - Rapidly assemble a world class research staff.
 - Initiate research on at least five of the NBAF's eight diseases of concern at the Biosecurity Research Institute well in advance of the NBAF's proposed commissioning.
- **Our approach offers the most cost-effective and flexible pathway** to accelerate the fulfillment of an integrated DHS/USDA interdepartmental homeland security mission comprising research, development, testing, evaluation and response.

Kansas' Value-Add: Accelerate NBAF Research



24

4-6

FY 2010 DHS NBAF Appropriations

- \$32 million in House-Senate Homeland Security Appropriations conference; passed the House and Senate
- \$27 million for studies, technical assistance and site prep can be obligated at DHS' discretion immediately after the President signs the bill
- \$5 million for construction restricted until 30 days after the last of the following four studies is completed:
 - Risk mitigation study: (1) plan to mitigate the possibility of an FMD release from the NBAF; (2) modeling for the spread of FMD were such a release to occur so it can be responded to
 - National Academy of Sciences to review of the risk assessment that can last no longer than four months
 - Develop an emergency response plan with state and local governments
 - DHS must describe the procedure that will be used by USDA to issue permits to conduct FMD research on the mainland
 - Per the last Farm Bill, the Secretary of the USDA has the authority to issue such permits

NBAF Project Schedule

- | | |
|---|---------------|
| • Schematic Design Selection | November 2009 |
| • Begin site preparation | July 2010 |
| • Begin NBAF construction | November 2010 |
| • Sale of Plum Island (as directed in FY 2009 DHS Appropriations Act, P.L. 110-329) | FY 2011 |
| • Begin NBAF Commissioning | June 2014 |
| • Begin transfer of Operations to NBAF | January 2015 |
| • Transition from Plum Island | 2015 - 2017 |

4-7

NBAF Site Design: Recent Developments

- **Risk Mitigation:** Initiated site-specific biosecurity risk mitigation assessment for the Manhattan, Kansas site to determine the required facility design and engineering controls needed to adequately protect NBAF during operations.
- **Benchmarking:** DHS, USDA and the NBAF Design Partnership identified and evaluated U.S. benchmarks in bio-containment lab design to incorporate into the NBAF design
- **Pre-design Phase Complete:** NBAF design requirements were updated as part of the NBAF Basis of Design (BOD) document. Inputs from DHS and USDA (ARS and APHIS) were incorporated.
- **Schematic Design:** Kicked off schematic design on September 15, 2009
- **Construction Manager Selected:** McCarthy/Mortenson, Joint Venture, was selected on September 18th as the Construction Manager for the pre-construction and construction phases.

NBAF Project Funding Profile

	Appropriations		Contracts Awarded	Planned Activity Award
FY 06-08	Actual	\$46.00	\$16	Site Selection/Planning: \$16
FY 09	Actual	\$35.60	\$62	Design/Pre-Construction Prep: \$62
FY 10	Planned	\$36.30	\$67	Design Support during Construction: \$18M (1Q FY 10)
	Cost Share	\$36.00		Modeling & Response Planning: \$3M (1Q FY 10)
				Commence Site Preparation: \$40M (3Q FY 10)
				Technical Support & Management: \$4M (1Q FY 10)
FY 11	Planned	\$497.00	\$580	NBAF Construction (includes CUP) Award 1Q FY 11: \$580M
	Cost Share	\$74.00		
Total		\$725.00	\$725.00	
APB		\$725.00		

* Kansas cost share is up to \$110M and designated for site preparation and site infrastructure, including the Central Utility Plant (CUP).

4-8

Countdown to Site Prep

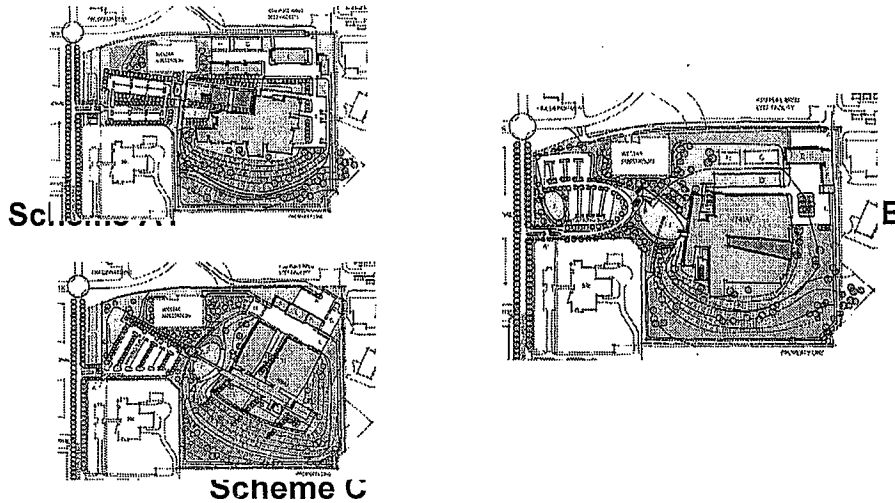
- 09/01/09: Commence utility rerouting, facility and utility demolition, and remediation
- 09/01/09: Phase I ESA sent to KSU
- 10/08/09: Leadership meeting on project progress
- 10/30/09: MOU and Preliminary Gift Acceptance signed by KBOR and DHS (USM)
- 10/30/09: KSU Complete Phase II/Coordinate w/ DHS on remediation requirements
- 11/03/09: Proposed leadership meeting to present selected design scheme and finalize site boundary in Kansas
- 11/16/09: DHS will provide KS the utility distribution requirements
- 01/15/10: DHS sign final gift acceptance
- 03/01/10: Proposed Closing Date
- 04/01/10: Receive 1st Phase Gift funds from Kansas
- 07/01/10: Kansas vacate Property
- 10/01/10: Receive 2nd Phase Gift funds from Kansas

Other Upcoming Activities

- DHS initiates transition plans for PIADC in FY10
- DHS assigns site representative in FY10
- DHS implements a strategic outreach plan
 - Working closely with leadership from DHS and USDA to ensure a coordinated partnership in promoting the nation's critical need for the NBAF.
 - Reaching out to key Congressional Members and staff to keep them updated on the latest developments, including the recent selection of a construction management company to oversee the development of the facility.
 - Engaging Public Affairs from both DHS, USDA, and Kansas to coordinate a media outreach plan with consistent and forward-looking messaging.
 - Provide update briefings to industry and trade organizations representing a range of agricultural, veterinary, and public health interests.
 - Complete preliminary plans to acquire FMD permit

4-9

Schematic Design - Site Comparison



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Update: October 2008 OCTOBER 8 2008

Next Steps

- Sign the MOU and preliminary gift acceptance
- Complete the Phase 2 ESA and agree to clean-up standards
- HBAC Assistance as Needed with Consequence Study
- November 3, 2009: Return to Kansas to Present Final Schematic Design Concept Selected by DHS and USDA
- December 2009: Design Team Completes Schematic Design
- January 12, 2010: Architectural/Aesthetic Peer Review in Atlanta (KSU Representatives to be Invited)
- March 3-4, 2010: Scientific Peer Review in Atlanta (KSU Representatives to be Invited)
- March 1, 2010: Proposed closing date
- April 22, 2010: Complete 35% facility design
- July 1, 2010: KSU Vacate Property
- July 30, 2010: DHS award Site Preparation Contract

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Update: October 2008

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4-10

Thank you for your leadership and
support for this critical national priority

4-11

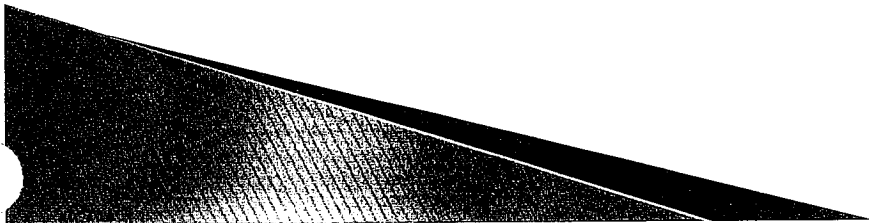
**Commission on Emergency
Planning and Response
(CEPR)**

**Jack Taylor
Chairperson
Emporia Fire Chief**

CEPR Charter

To facilitate a coordinated effort for mitigation, preparedness, response and recovery from emergencies and disasters in Kansas

Advise and assist local and state agencies and review response to disasters and recommend improvements in mitigation, preparedness, response and recovery



CEPR Charter

Congress enacted the Emergency Planning & Community Right-to-Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986

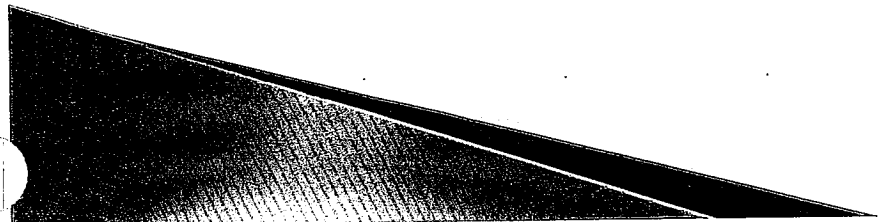
Federal law requires Governors to establish a State Emergency Response Committee (SERC) and for the SERC to establish Local Emergency Planning Committees (LEPCs)



Kansas Emergency Management Act

KSA Chapter 48, Article 9

Responsible for implementing the EPCRA provision and serves as technical advisor and information clearinghouse for state and federal hazardous materials programs.



Kansas Homeland Security Regions & Regional Emergency Management Coordinators

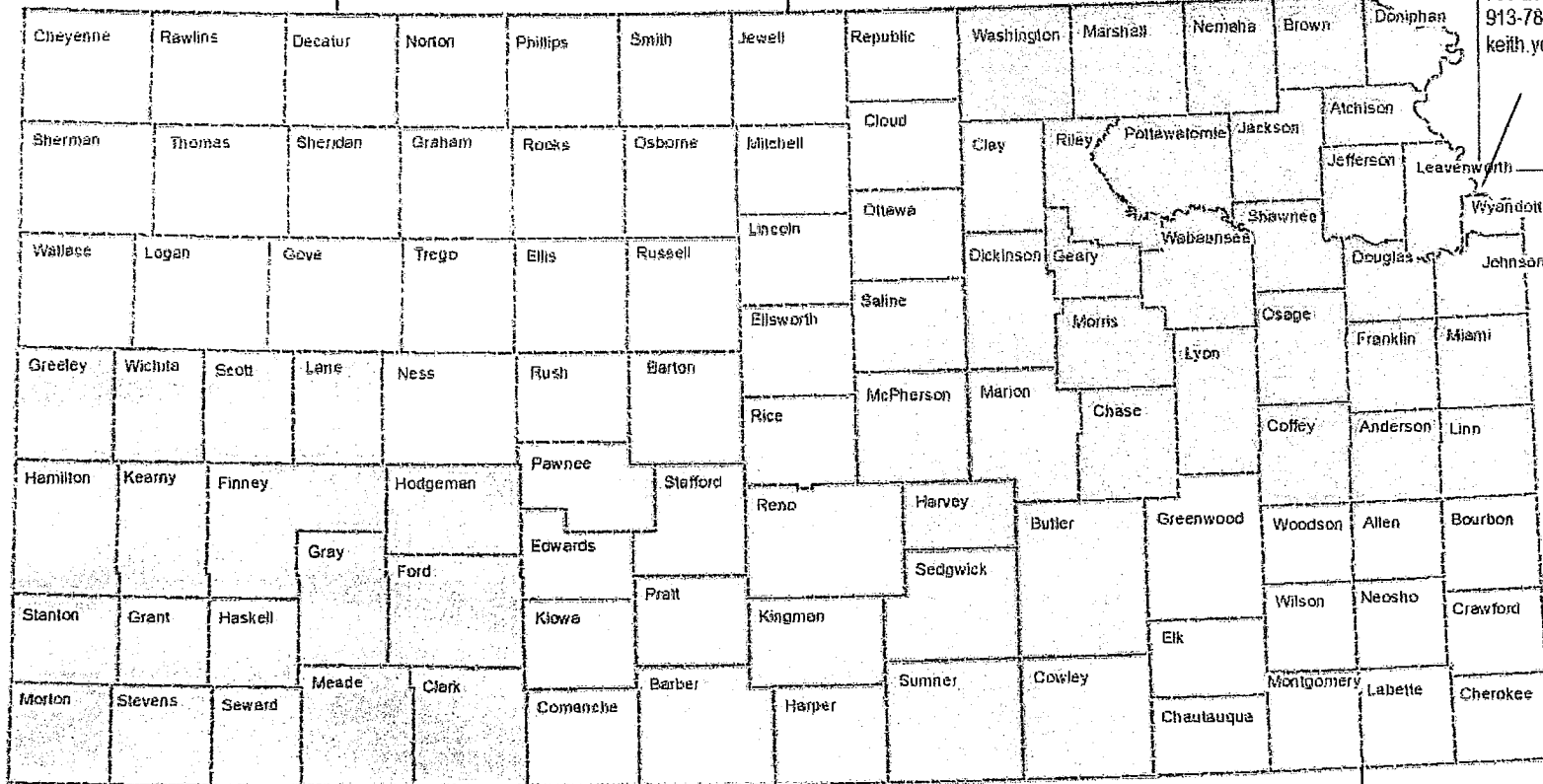
5-5

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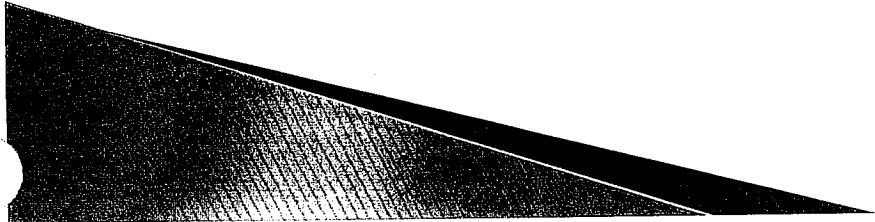
CEPR focus

Enhance state and local emergency response and preparedness capabilities through coordination and planning

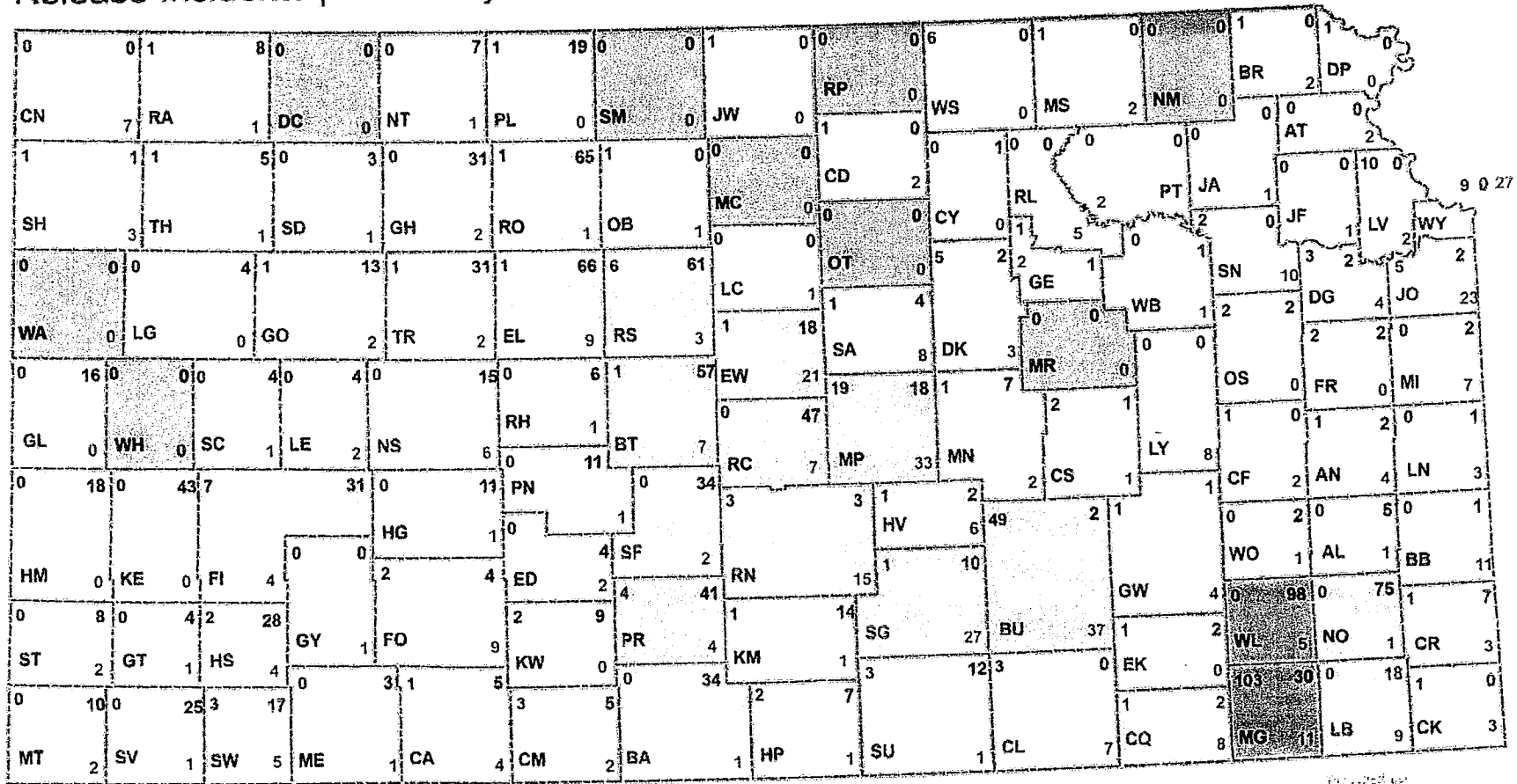
Assisting local agencies in the development of emergency plans, training and exercises

Review response activities to emergencies and recommend improvements

Carry out the requirements of the Federal Emergency Planning and Community Right-to-Know Act of 1986.



Release Incidents per County - 2008



Red numbers indicate spills reported to KDEM
 Green numbers indicate spills reported to KDHE
 Black numbers indicate spills reported to KCC

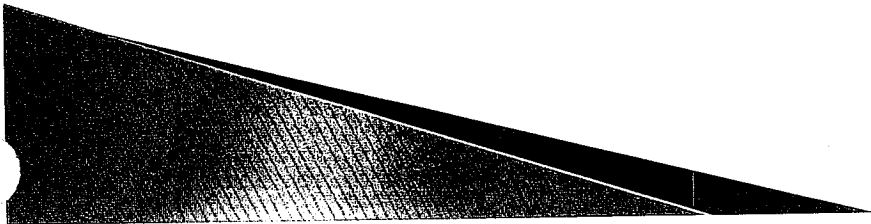


Prepared by
 Kansas Air Quality Division
 Geospatial Technology Section
 22 Oct 2009

CEPR focus

Makes decisions regarding state preparations for different types of emergencies

Multi-disciplines and multi-business sectors membership allow for better response



CEPR Statutes

KSA 65-5703 (1987)

Created SERC

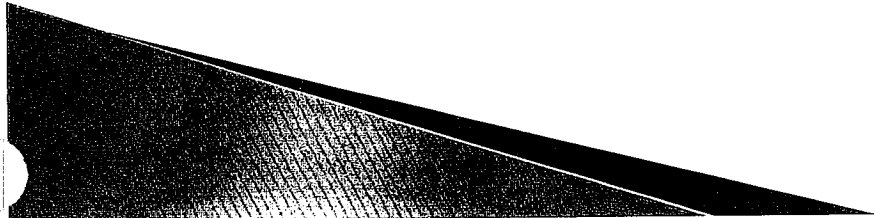
KSA 65-5704 (1987)

Duties of Secretary of Health and Environment

Executive Reorganization Order No. 29

Governor Graves

- Combined those duties
- Increased membership to 13




CEPR membership

HB 2152 signed by Governor Sebelius in 2007
increased to 27 representatives from various state
and local government organizations and industry

State Agency heads

Adjutant General's Department
State Fire Marshal's Office
Department of Transportation
Kansas Highway Patrol
Department of Commerce
Kansas Bureau of Investigation
Department of Health & Environment
Department of Agriculture
Animal Health Department



CEPR membership

18 members appointed by the Governor

Counties (1)

Cities (1)

Agriculture, crop or livestock (1)

Transportation, trucking or rail (1)

Energy (1)

Law Enforcement (1)

Fire (1)

County Emergency Management (1)

Emergency Medical Services (1)

Business and Industry; one in broadcasting (3)

Public Works (1)

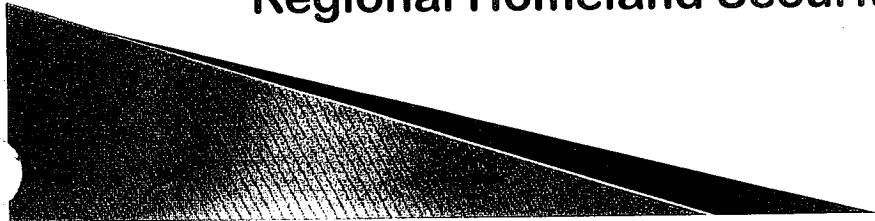
Hospitals (1)

Public Health (1)

Tribes in Kansas (1)

Individuals with Disabilities (1)

Regional Homeland Security Councils (1)



CEPR Committee Charters

Emergency Alert System (EAS) Appointment Committee

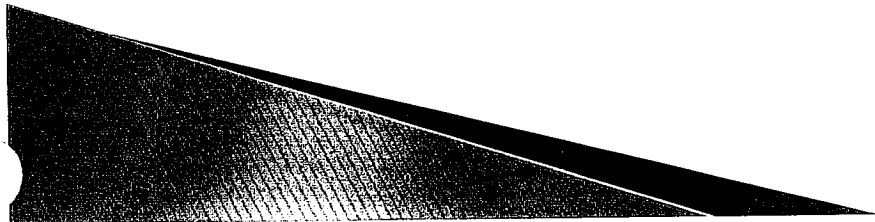
Local Emergency Planning Committee (LEPC)

Homeland Security Working Group

Kansas Hazard Mitigation Team

State Interagency Continuity of Operations

Deployable Resources



Local Emergency Planning Committee Awards

Ellis County

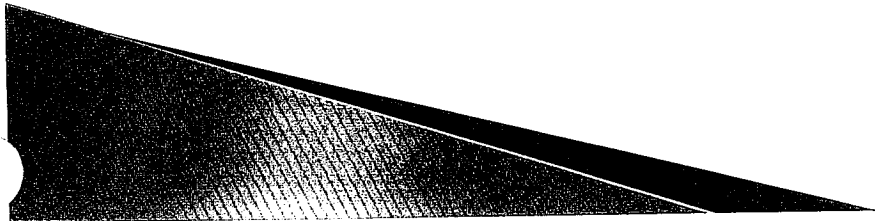
Best website to convey message regarding hazmat to the public – Region award

Coffey County

Small-size (under 20,000)

Butler County

Mid-size (20,000 – 80,000 population)



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Local Emergency Planning Committee Awards >>

Douglas County

Large-size (over 80,000 population)

Hallmark Cards – Lawrence, Kansas

(Business Partner)

JOINT COMMITTEE ON KANSAS SECURITY

Motion to Close the Open Meeting to Receive Information and Consider Matters Relating to Security of State Officers or Employees, or both, or Security of Buildings and Property Under Ownership or Control of the State of Kansas or Matters Relating to Security Measures.

I move that the open meeting of the Joint Committee on Kansas Security in Room 535-N of the Statehouse be recessed for a closed, executive meeting to commence immediately in Room 535-N of the Statehouse pursuant to Joint Rule 5 of the Joint Rules of the Senate and House of Representatives and subsection (b)(13) of K.S.A. 2008 Supp. 75-4319, as amended by section 14 of Chapter 132 of the 2009 Session Laws of Kansas, for the purpose of consulting with Captain Marc McCune from the Capitol Police and Jeff Russell from the Division of Legislative Administrative Services regarding matters (1) relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas, or (2) matters relating to security measures which matters, if discussed at an open meeting would jeopardize such security measures, that the Joint Committee on Kansas Security resume the open meeting in this room, Room 535-N of the Statehouse, at 12:05 p.m., and that this motion, if adopted, be recorded in the minutes of the Joint Committee on Kansas Security and be maintained as a part of the permanent records of the Committee.

Adopted at 11:35 a.m. on October 27, 2009

*Sgt. Hatcher be designated
as essential personnel*

JOINT COMMITTEE ON KANSAS SECURITY

Motion to Close the Open Meeting to Receive Information and Consider Matters Relating to Security of State Officers or Employees, or both, or Security of Buildings and Property Under Ownership or Control of the State of Kansas or Matters Relating to Security Measures.

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Adopted at 12:06 p.m. on October 27, 2009

Designated essential personnel: Sgt. Eric Hatcher

CRISIS INTERVENTION MANUAL

TOPEKA PUBLIC SCHOOLS

624 SW 24th Street
Topeka, KS 66611-1294



Dr. Kevin Singer
Superintendent of Schools

Mr. Michael Wilson
Associate Superintendent of Administrative & Support Services

July 1990

Revised July 1992; July 1993; July 1996; July 1997; November 1999; November 2000; January 2002; February 2003; October 2003; October 2005; October 2007; October 2008

Joint Comm. On Kansas Security
October 27, 2009
Attachment 8-1

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PREFACE

The District Crisis Intervention Plan has been revised to provide updated information outlining District level response and building level considerations in the event of various natural and human disasters and/or emergencies. This manual is one of four that addresses emergency procedures. Other documents that should be maintained at all District sites are the District's "Civil Defense and Emergency Preparedness Guide for Unified School District No. 501," the "Building Crisis Intervention Plan," and the "Suicide Prevention Policies and Procedures" flip chart. It should be noted that the District manual is a compilation of procedures designed to support and expand on the building response manual. This manual is not designed as a blueprint for every situation that might arise. Detailed specificity often inhibits appropriate proactive planning. In other words, planning for yesterday's crises rather than properly responding to the crisis at hand must be avoided.

It must be stated that this document can in no way substitute for poise, professionalism, and common sense. At best, it can serve as a useful guide for providing consistent information related to available support, recommended channels of communication, and recommended guidelines for expanded proactive planning. It is the recommendation of the Crisis Intervention Task Force that this document be reviewed and revised regularly as experience and expertise related to crisis management is gained.

The District Crisis Management Team has been organized to assist and support your appropriate crisis management efforts. The superintendent has charged them with providing the necessary District emergency response and crisis management. This team is comprised of the following District positions:

Associate Superintendent of Administrative & Support Services
Director of Central Services and Facilities Planning
Director of Communications
Coordinator of Nursing Services
Coordinator for School Psychology
Director of Campus Police

INTRODUCTION

DISTRICT CRISIS INTERVENTION BASIC AXIOMS

1. The safety and well-being of students is the first staff commitment.
2. The safety and well-being of staff and the public is the second commitment.
3. The protection of the educational process and environment is the third commitment.
4. Protection of District property is the fourth commitment.
5. Do not go to the site unless assigned.
6. Communicate only factual (accurate) information in providing descriptive assessment to appropriate staff.
7. Only authorized staff should communicate with the media.
8. The media should be provided prompt and accurate information.
9. Avoid "off the cuff" and/or emotional responses and comments to the media. Remember, nothing should be considered "off the record."

8-2

8-6

LEADERSHIP RESPONSIBILITIES

1. Primary site decisions must rest with the superintendent and the building administrator.
2. Communications to and from the Board of Education must come from the superintendent or his/her designee.
3. In general, the director of communications will serve as the spokesperson for the District news media. The District's legal staff shall be consulted and participate in communications if primary points of law or litigation are involved. The school principal/site administrator shall serve as spokesperson for his/her building, but not in contradiction to essential points of communications as should be effected by the director of communications.
4. The associate superintendent of administrative & support services will convene and chair the District Crisis Intervention Team.
5. The superintendent or associate superintendent of administrative & support services and the general director of secondary and/or elementary education may report initially to the emergency site along with the director of central services/facilities planning and the director of communications.
6. The building administrator and/or the superintendent or associate superintendent of administrative & support services will have primary responsibility for communicating with site parents.
7. The building administrator will have primary responsibility for communicating with site students and staff.
8. The director of communications will have primary responsibility for communicating with parents, students, and staff not directly involved with the crisis.
9. The associate superintendent of administrative & support services, general director of secondary and/or elementary education, and the building administrator have primary responsibility for plans related to restoration of educational programs and activities.
10. The superintendent, in consultation with the associate superintendent of administrative & support services and general director of central services/facilities planning, will decide whether to cancel school at the site or throughout the District.
11. The associate superintendent of administrative & support services will have primary responsibility for authorizing the reassignment of staff from other District buildings and/or assignments.

MOBILIZING DISTRICT CRISIS SERVICES

It is difficult to adhere to absolute rules during a crisis, but at the same time notifying responsible people is critical. When a crisis erupts, building principals/site administrators will typically notify their general director or the appropriate member of the Crisis Intervention Team who will then notify the associate superintendent of administrative & support services. (Backup, associate superintendent of learning & instructional services.) Should the crisis warrant multiple services, the associate superintendent of administrative & support services can mobilize the entire team.

Communication among the entire District team is equally critical. This is the responsibility of the associate superintendent of administrative & support services as primary chairperson of the team. When single members of the District team are contacted directly they need to communicate this to the chairperson. To expedite communication, the associate superintendent of administrative & support services will notify the director of communications. The director of communications will then notify other appropriate team members. The associate superintendent of administrative & support services will also notify the superintendent, who will notify the Board president and other Board members when appropriate.

COMMUNICATIONS DURING A CRISIS

It is the responsibility of the associate superintendent of administrative & support services as primary chairperson of the team to communicate with the entire District team. When individual team members are contacted directly, they need to communicate this to the chairperson.

The communications department will serve as liaison with the news media, contacting the media with appropriate information and directing media inquiries to the appropriate spokesperson for comment.

The director of communications will remain at the Burnett Administrative Center to direct incoming media requests or go to the school site when requested by the superintendent, to coordinate media inquiries at that site and periodically relay information to the Burnett Administrative Center.

The communications department will instruct the switchboard operator at the Burnett Administrative Center regarding how to handle phone inquiries as soon as possible.

Designation of Spokesperson

In general, the director of communications will serve as spokesperson for the District to the news media and the school principal and/or the superintendent will act as spokesperson for the school. Other staff members should be advised to let the principal/director know of the arrival on campus of any member of the media. Where attorney/client relations are required, the school district attorney will serve as the District spokesperson.

Spokespersons should first ascertain the facts, then, present honest, clear, direct and cooperative responses to media inquiries. If the spokesperson does not know the answer or considers it inappropriate to comment on a particular question, he/she should not be afraid to say so, and refer the interviewer to others in the District. Avoid speculation.

Prior To An Emergency

The communications department will maintain an updated background file on each school and other appropriate statistical information about the District. The department will maintain an updated list of fax numbers and emergency and regular phone numbers for local news media. The Service Center will maintain updated architectural, structural, electrical and mechanical plans for all District facilities. Plans will be housed in the facilities improvement office.

FIRE AND POLICE SUPPORT

When police and/or the fire department arrive at the scene, school personnel must be ready to work with them. The school principal and the police officers and/or firemen will work in a professional, cooperative manner.

1. All requests for assistance should be verifiable. The police and fire department should be able to call back quickly to confirm whether the designated administrator actually made the request, and what situation the caller was describing. The designated administrator should take this call; however, in the event that they are unavailable due to the situation, a designated person can relay a message.
2. Both the police and fire departments can be reached by dialing 911. All District campus police have radio contact with police and fire dispatchers.
3. The building principal should have floor plans of their school available for the police and fire department upon their request.
4. The blueprints of all schools will be kept at the District Service Center and will be made available to the police and fire department upon their request.
5. The building principal should have knowledge of where hazardous chemicals and substances are stored within the building. A list of such substances should be available.
6. A listing of all nonambulatory students within the building and their locations should be accessible.

LOGISTICS AND SUPPORT

8-11

8-11

USD 501 CRISIS CONTROL OPERATIONS CENTER

The following concepts for organization and operation of the Crisis Control Operations Center relates to the development, staffing, and equipping of a USD 501 Crisis Control Operations Center should one be needed.

1. Name: USD 501 Crisis Control Operations Center
2. Location:
 - a. Primary: G-East (with any spillover into G-West)
Burnett Administrative Center
624 SW 24th Street
Topeka, KS 66611
 - b. Alternate: Conference Room
Topeka Public Schools Service Center
125 SE 27th Street
Topeka, KS 66605
3. Authority to Activate: Superintendent of Schools
4. Representation at Crisis Location:
 - a. The superintendent of schools and/or associate superintendent of administrative & support services
 - b. The general director of central services and facilities planning and/or designee (facilities manager or facility planner)
 - c. The general director of secondary or elementary education
 - d. Communications office representative
5. Essential Documentation:
 - a. Establish log of communications and actions at Operations Center
 - b. Establish log of communications and actions at locations of disaster/emergency
6. Crisis management teams at Operations Center: (Establish teams for sustained operations when the superintendent of schools directs Operations Center opened. Teams can be limited to one person or a combination of any individuals indicated.)
 - a. Initial Operations Center Team
Service Center representative
Electronics/Communications representative
Campus police representative
Secretary
Legal representative (on call)
 - b. Backup Operations Center Team (second shift)
Available general directors
Service Center representative

- Electronics/Communications representative
- Campus police representative
- Secretary
- Legal representative (on call)
- c. External liaison
- USD 501 representative to appropriate city/county
- Fire/Police Operations Center

7. Possible Specialty Equipment/Supplies in Support of Operations Center and Crisis Location
 - a. Hand radios, or monitors with link at Operations Center to monitor fire/police communications
 - b. Cellular telephones (no less than one each at crisis location and Operations Center)
 - c. FAX (Operations Center)
 - d. Two telephones at Operations Center
 - e. Access to copy machines
 - f. Access to student and employee records
 - g. Enlarged (wall size) map of District and adjoining areas at both primary and alternate Operation Centers
 - h. At least ONE vehicle on standby for movement of emergency messages, supplies, and people
 - i. Copies of emergency operating procedures (District, city, and county)
 - j. Forms and records for maintenance of messages and documentation of actions
 - k. Overhead projector
 - l. Emergency trailer with first aid supplies, tools, equipment, generator and lights
8. Designated News Media Briefing Areas
 - a. Special room/area other than Operations Center
 - b. Accessibility to telephone(s)
 - c. Overhead projector
9. Security of Operations Center
 - a. USD 501 campus police director will designate and coordinate security of the Operations Center
 - b. Develop system of monitoring flow of personnel in and out through use of log/etc., and badges, as applicable

HEALTH & MEDICAL RESPONSE

8-13

8-14

NURSING SERVICES COMPONENT

The director of communications will notify the coordinator of nursing services of the type of crisis, location, time, and approximate number of persons affected. The coordinator will immediately request all nursing services staff and the Topeka Public Schools' occupational nurse to respond to the first aid station of the school where a disaster has occurred.

PRIMARY PREPARATION

- Inventory and restock trauma kits at all Topeka Public Schools on a monthly basis.
- Inventory and restock mobile first-aid trailer, housed at the Service Center, every six months.
- Participate in a disaster drill using the Emergency Action Plan.
- Review frequently the Shawnee County Health Agency Emergency and Bio-terrorism Preparedness and Response Implementation Plan.

INITIAL RESPONSE

- Alert all nursing services staff to report to the disaster area.

EMERGENCY SITE INTERVENTION

- The nurses will triage the injured, rendering first aid and when possible, obtain a brief health history.
- Perform a physical assessment including vital signs, severity of injury or illness, and document on checklist (page 9).
- The critically injured victims will be the first to be transported via Life Star or ambulance to a hospital.

NURSING IMPLICATIONS

- Assist with the evacuation of the injured to hospitals via Life Star or ambulance.
- The first aid station for emergency care will be maintained until the last victim has been treated, dismissed, or transported to a hospital.
- The coordinator of nursing services will communicate the progress of the incident to the director of communications.

TOPEKA PUBLIC SCHOOLS
DISASTER PHYSICAL ASSESSMENT FLOW SHEET

NAME _____ DATE _____

PHYSICIAN _____ ALLERGIES _____

VITAL SIGNS	Temperature	Pulse	Respirations	B/P	02 Saturation
--------------------	-------------	-------	--------------	-----	---------------

Directions: Document assessment findings by either utilizing a narrative statement and/or recording an "X" in the appropriate box below.

NEUROLOGICAL (Level of Conscious)	Alert	Lethargic	Semi-Conscious	Responds Only to Pain	Comatose
--	-------	-----------	----------------	-----------------------	----------

ORIENTATION	X3	Person	Place	Time
--------------------	----	--------	-------	------

PUPILS	PERRLA	NOT PERRLA R>L	NOT PERRLA L>R
---------------	--------	-------------------	-------------------

SKIN			
<input type="checkbox"/> Normal <input type="checkbox"/> Jaundice	<input type="checkbox"/> Pale <input type="checkbox"/> Dusky	<input type="checkbox"/> Flushed	<input type="checkbox"/> Cyanotic

ASSESSMENT OF PAIN

Location: _____

DESCRIPTION OF PAIN			
<input type="checkbox"/> Dull <input type="checkbox"/> Sharp	<input type="checkbox"/> Shooting <input type="checkbox"/> Numbness	<input type="checkbox"/> Aching <input type="checkbox"/> Burning	<input type="checkbox"/> Throbbing

INTENSITY OF PAIN AS PERCEIVED BY THE PATIENT

Note: Use a rating scale from 0 to 10, with 10 being the greatest level of discomfort.

ADDITIONAL COMMENTS/OBSERVATIONS

FIRST AID TREATMENT

NOTIFICATION OF INJURY

Individual Contacted: _____ Relationship: _____ Time: _____

OUTCOME		
<input type="checkbox"/> Dismissed to Home <input type="checkbox"/> Returned to Work	<input type="checkbox"/> Transferred to Hospital	<input type="checkbox"/> Referred to Doctor

Nurse's Signature _____ Time: _____

21-8

8-16



MENTAL HEALTH ISSUES & RESPONSE

2:8

8-17

DESCRIPTION OF MENTAL HEALTH SERVICES NEEDED DURING AND AFTER A CRISIS OR DISASTER AT A DISTRICT LEVEL

While prevention is the primary direction any district should take, one cannot neglect preparedness for the inevitable death and natural disaster that can profoundly affect the mental health climate of a building. (NOTE: The District has a "Suicide Prevention Policies and Procedures" flip chart in addition to this document--Stockroom #871200.)

In our plan, primary responsibility for this preparedness rests at the building level. However, there may be situations in which local resources are impaired or insufficient to meet the need. Such a case would be likely when a staff member dies suddenly or there is a large-scale emotional disruption.

While our plan supports the concept of local autonomy, grief and shock can seriously distort objectivity thereby minimizing effectiveness. In addition, people who have gone through a crisis may well have a denial reaction as part of their "healing process." A distorted perception that "everything back to normal" could significantly impair the District's ability to recognize and support students and staff who continue to need or should seek out further mental health services. It is for these reasons that District level services are available and should be readily used.

Mental health service would primarily be needed to help students and staff cope with immediate grief, loss and fears. Determination of the need for further service outside the school district would be an important further consideration. Returning the building climate to a more normal state will more likely be a matter of weeks than days and trained staff are essential in this process. Follow-up with the site administrative staff and parents then becomes critical to achieve a satisfactory and healthy resolution to the crisis.

The most common crisis that people conceptualize needing mental health services is a death or suicide. This could be a serious mistake. Any disaster can generate a wide range of emotions that when unrecognized and unresolved can have long-term effects both on individuals and on the general climate of a building.

While essentially we are describing services after the crisis, mental health services could be considered as useful during a crisis. The need for "non-emergency personnel" available on site to calm and reassure children or to help communicate to parents should not be underestimated. Another service not usually thought of but very useful would be climate evaluation. While local resources might handle the crisis, District-level services could be brought in later to evaluate how staff and students have resolved their feelings and recommend whether additional services are warranted.

PROCEDURE FOR MOBILIZING MENTAL HEALTH SERVICES IN THE EVENT OF A CRISIS OR DISASTER

The District Crisis Team coordinator for mental health services will be the coordinator for school psychology services. He/she is charged with coordinating the following District responsibilities:

- A. Determine which professional staff members from counseling, social work, and psychology departments would be able and available to respond to a crisis anywhere in the District.
- B. Provide inservice training annually for professionals who have agreed to serve.
- C. Review, upon request, building plans for appropriate mental health considerations.
- D. Provide, upon request, building level inservice on topics related to support procedures for death, suicide, grief, and loss of loved one.
- E. Maintain liaison with state and national counterparts to be updated on strategies, new ideas, and procedural issues.
- F. Keep community agencies informed of our resources and plans.

In cases where the building principal/site administrator believes the on-site professional staff are not sufficient to meet the needs of a particular crisis, they may call their general director and/or the District's Crisis Team coordinator for mental health services for assistance. When calling, identify the situation as a crisis to the person answering the telephone. If the coordinator is not immediately available, ask the person answering the phone to locate him/her or his/her backup designee.

If there is a need to bring in outside support staff, the coordinator will select and notify the appropriate staff. They are then sent to the building principal/site administrator or designee to provide services as needed.

CONTINGENCIES

P1-2

8-20

THREATS BY STAFF OR STUDENTS

All threats of serious bodily harm must be taken seriously whether verbal or in writing. Topeka Public Schools has, through a Safe and Caring School's grant, developed a risk assessment protocol to be used whenever such a threat is made.

1. Campus police investigate an incident either on the request of the principal or as part of their normal duties.
2. If there is evidence that a threat was made, campus police will automatically complete stage one of the risk assessment protocol (see Appendices). This will determine any legal action necessary and/or the immediate risk of violence to the school.
3. Campus police will forward the completed risk assessment form to the building administrator and Bob Clark at Holland.
4. If the threat was made by a staff member, the principal would work with Human Resources and/or our Employee Assistance program to resolve any difficulties.
5. In the case of a student threat, when the risk appears medium or high (as rated by the stage one assessment), the principal can request through Bob Clark that a stage two risk assessment be completed by our contracted agency (Family Service and Guidance) to further delineate the risk and develop a plan to mitigate future risk from this student.

DEATH OF STUDENT OR STAFF

With the tragic death of a student, the site administrator is confronted immediately with serious problems: Verifying what happened; containing the information; protecting the privacy of the family; helping students and staff cope with the death; communicating beyond the school; bringing District and community resources of the community to bear on the problem; dealing with parents; and with a suicide, minimizing the possibility that other students may imitate the behavior and take their own lives.

Having a building crisis team in place can certainly aid in these problems and lighten the administrator's burden. Before the team can be convened, several tasks should be addressed. The site administrator will be among the first to hear of the death. It is important to instruct anyone else not to talk of the death until it is verified by family or authorities. Calling the police or coroner for verification is appropriate, but not the home.

The above cautions are especially critical when the death is reported by someone other than authorities as a suicide. Avoid the use of the word "suicide" until confirmed as such by authorities. Protecting a family who has suffered such a terrible loss is important. Even after confirmation of a suicide, referring to the death as such should be judicious.

The crisis team can be assembled and charged with various tasks after confirmation of the death. Some of these tasks are:

1. Arrange a staff meeting to share facts and prepare teachers to deal with student issues. The extent of this preparation is an individual decision and may best be handled by a pre-prepared handout.
2. Prepare a formal statement to be read aloud to students and/or staff. The site administrator is usually the best one to read the statement.
3. After the initial announcement, teachers should plan to conduct the class activities as close to normal as possible. Variation from schedules should be based on individual student or staff needs.
4. Determine if any siblings attend school here or elsewhere and notify appropriate staff and site administrators.
5. Arrange to have someone meet with every class the student was enrolled in for at least the first day. Be prepared for direct questions by other students, frank discussion and reactions ranging from indifference to uncontrolled grief.
6. Set up a "grief watch" to identify students/staff who are especially troubled by the death. Keep names to share with other team members for validation and follow-up. Anyone who has suffered a previous similar loss or is emotionally fragile could be considered at risk.

7. Make arrangements for participation at the funeral. Some contact with the family would now be appropriate to determine their wishes about the funeral and memorials and to express the school's condolences.
8. In the case of a suicide, in order to discourage others from possibly copying behavior verbally or in reality, it is critical not to memorialize the student's death. While it is a tragedy, the student must not become larger in death than he/she was in life.
9. Be certain someone checks all school computer lists so no mail or notices are automatically sent to the student's home.
10. Designate someone to clear out the student's desk and/or locker.
11. Decisions regarding upcoming extra curricular events will need to be made. While getting back to the normal routine is our goal, some events may be inappropriate to continue.
12. Setting up a counseling center is almost always appropriate. Teachers and students need to be clearly notified of its location and hours and how to make referrals.
13. Help staff and students focus on positive memories and their feelings of loss. A person in normal grief can be helped by being asked to identify and talk to others. Help the building avoid constant talk about the actual death and blaming that will occur.
14. Meet at the end of the first day to debrief, compare notes and support each other. Whether further meetings are necessary is an individual decision but never skip this one.

In the event that the death is a staff member, most of the above would apply. There are, of course, differences. In general, funeral arrangements will necessitate a larger percentage of staff participation placing a burden on personnel to arrange substitutes. Cancellation of school is a very difficult matter. Secondly, students will wonder who their teacher is going to be and so will staff. Any substitute will need support both to help students and face the inevitable comparisons. Presently, short-term intervention is available for staff in times of crisis. Staff may contact their building principal/site administrator or associate superintendent of administrative & support services to arrange for personal assistance through the Employee Assistance program. There are also many mental health agencies (private and public) through which an employee may seek assistance.

BOMB THREATS

Use of hand-held radios, cellular phones and other electronic devices that emit radio signals (such as those used by hearing impaired students) should be discontinued immediately if there is a threat of an explosive device on school premises.**

**For the 2008-2009 school year, such devices were found at Holland, McEachron, State Street, Topeka High School, Topeka West High School and Whitson.

THE THREAT:

1. Bomb threats are received most frequently by telephone. Remain calm and alert other employees (by prearranged signal) that a bomb threat is being received.
2. Attempt to obtain as much information as possible, using our ATF BOMB THREAT CHECKLIST form (see page 18 as a guide).
3. Record immediately all information received and inform the principal or his/her designated representative immediately.
4. The decision when or if to evacuate the building must be made by the site administrator.

ADMINISTRATIVE ACTION:

1. Notify campus police at 295-3730. Campus police will notify the appropriate District personnel and emergency services as needed.
2. Direct that a search for suspicious packages, boxes, or foreign objects be conducted when the caller has indicated a specific building or location.
3. If a suspicious object is identified, it should be reported immediately to the principal or his/her designated representative. Secure the immediate area. Experts should be the only ones to handle a suspected explosive device.
4. After the search, reassess the decision as to whether instructions should be given to evacuate or take other appropriate action.
5. Avoid any publicity concerning the bomb threat, even within the school. If the "bomb threat" caller has informed the news media or if any media has been alerted through some other means, the office of communications should be requested to assist the principal in working with the media and in the preparation of a statement.

THE SEARCH:

1. The search should be made by persons with a thorough knowledge of the building or area. It should be conducted as rapidly as possible and for a period not to exceed 20 minutes. Priority should be given to the search of restrooms, stairwells, entrances, delivery areas, and hallways. Search teams should report to the principal at the end of this period.
2. If a suspicious object is identified it should be reported immediately to the principal or his/her designated representative. Secure the area and no one should be permitted to touch, handle, or move the suspicious object.
3. The police department bomb squad and the fire department should be contacted immediately.
4. The principal or his/her designated representative should immediately establish a "danger zone" and assure that the following steps are taken:
 - a) Evacuate the rooms closest to the unknown object first and establish alternate exit routes in evacuating the building, if necessary.
 - b) Evacuate the building and surrounding area to a minimum of 300 feet from the object.
 - c) To the extent possible, lock and secure all entrances when the building has been evacuated.
 - d) Ventilate the building by opening interior doors and windows in the immediate area of the device only when such action can be quickly accomplished.
 - e) No attempt should be made to investigate or examine the object.
5. If the search does not disclose a suspicious object, the search personnel should report such information to the principal or his/her designated representative.

SEARCH TECHNIQUES:

The search must be properly made. It will be the responsibility of the principal/site administrator to designate those individuals who will conduct the search. As a general rule, searches follow two basic rules:

1. Start on the outside and work toward the inside.
2. Once inside, start from the lowest level and work up.

The people best suited to search any given area are those who work in that area, for they will have the least difficulty spotting any new or foreign object.

Exterior searching should begin at ground level with close attention given to shrubbery, entrances, manholes, trash cans, and parked vehicles. Particular attention should be given to window ledges, air conditioning units, signs, building ornaments, and fire escapes. If the roof is accessible from the outside, the roof should be included in the search.

rior areas most accessible are areas open to the public and areas containing service equipment. The search team should move systematically from floor to floor, room to room through the building. Detailed room searches are best carried out by following these suggested steps:

1. An audio check should be made, and any unusual sound should be investigated immediately.
2. Searchers should divide the room into approximate equal parts on the basis of number of objects or areas to be searched. These areas are searched by members of teams assigned to search them. When completed, they should switch areas and conduct searches again.
3. Each area should be searched by each team, first from waist level down, then from waist level up.

If/When a bomb or suspected explosive device is located, the Topeka Police Department will be in charge of disposal.

Evacuation

When a confirmed suspicious object or bomb is found, the building shall be evacuated.

If established that fire drill exits and routes are used in the evacuation, caution must be exercised to prevent pupils and employees from using exits and routes that are considered dangerous because of their proximity to the suspicious object or bomb.

Every reasonable effort should be made to determine that all persons have been evacuated.

Whenever possible, water, gas, and fuel lines leading to the danger zone should be shut off.

Report of Bomb Threat

A bomb threat form shall be prepared each time a threat is received, whether or not a suspicious object is actually found.

ATF BOMB THREAT CHECKLIST

Exact time of call _____

Exact words of caller _____

QUESTIONS TO ASK:

- 1. When is bomb going to explode? _____
- 2. Where is the bomb? _____
- 3. What does it look like? _____
- 4. What kind of bomb is it? _____
- 5. What will cause it to explode? _____
- 6. Did you place the bomb? _____
- 7. Why? _____
- 8. Where are you calling from? _____
- 9. What is your address? _____
- 10. What is your name? _____

CALLER'S VOICE (circle)

Calm	Disguised	Nasal	Angry	Broken
Stutter	Slow	Sincere	Lisp	Rapid
Giggling	Deep	Crying	Squeaky	Excited
Stressed	Accent	Loud	Slurred	Normal

If voice is familiar, whom did it sound like? _____

Were there any background noises? _____

Remarks: _____

Person receiving call: _____

Telephone number call received at: _____

Date: _____

Report call immediately to: _____

(Refer to building bomb incident plan)

35-2

8-27

PROCEDURE IN THE EVENT OF A BIOHAZARD SCHOOL THREAT

In the event of a written or phone threat made to a school that a biohazard such as anthrax, smallpox, etc., has been sent and/or placed in a school, the first step is to **shut down your building's HVAC system** to minimize the potential hazard being spread through the building's air system. The ability to rapidly accomplish this may necessitate training of additional building personnel in your building's particular system. Then the **building should be searched** just like in our bomb threat procedure. If something suspicious is found, that area should be evacuated to another area of the building and those students/staff kept separate from the rest of the students/staff. At that point, call 911, campus police, and the superintendent's office but **DO NOT evacuate the building**. One fire company truck and one police car will be sent. They will do a risk assessment on the spot. If it is determined that a hazard exists, the building will be cordoned off and **NO ONE** will be allowed in or out, including parents. A major medical/fire/police response will then happen and we will need to be prepared for our parent reunification process.

These plans are separate from a chemical hazard that causes immediate symptoms like tearing eyes or blistering skin such as from a gas or other substance. This type of situation clearly would require a building evacuation. If nothing suspicious is found, then, as in a bomb threat, it becomes the building administrator's decision on whether to call 911.

The District has developed a Food Service Biosecurity Plan. Information on the plan is available at the office of the Director of Food and Nutrition Services.

See also the Center for Disease Control's document on biohazards on page 51.

SHELTER-IN-PLACE

Shelter-in-place is an emergency response tool to protect students in the event of potential exposure to a dangerous chemical in the atmosphere.

If a dangerous chemical were released in the community and posed a threat to students during the school day, affected schools would be directed—most likely by public health or safety officials—to bring all students and staff members indoors (including those in trailers); to shut down all heating, ventilation, and air conditioning systems; and to close and secure all doors and windows. The neutral atmospheric pressure created by these actions would create a barrier and help keep chemical agents from leaking into the building.

This approach has proven to be safe—much safer than evacuating students into a contaminated outdoor environment. In fact, no person protected by a shelter-in-place procedure has died as a result of any of the major chemical accidents in this country over the last 20 years.

During a shelter-in-place incident, public safety officials will secure the affected school building(s), and no one will be allowed in or out of the building(s) until an all-clear signal is given. While students are protected in the school building, parents will be sheltered in their own homes or places of work. The school district will make every effort to communicate the status of students to parents and the community. All emergency-messaging systems will be used.

Shelter-in-place is the safest possible way to separate students and staff members from an outdoor hazardous environment. It is a temporary solution to a temporary problem. Shelter-in-place will be used when needed, not to keep students from parents, but to keep them safe until their parents can safely reach them.

Once the contaminated air has passed, public safety officials would evaluate the situation. At that time, they will either give the school clearance to resume safe and normal operations or request that the school be evacuated for cleanup operations. In the case of an evacuation, students will be safely transported by bus to a designated parent-student reunification center.

If a staff member or child shows obvious symptoms of exposure to a contaminant, staff members on hand would conduct basic decontamination. The affected individuals will be separated and washed with soap and water. If possible, they will shower and be given alternative clothing. The exposed clothing will be put in plastic bags. Removing a contaminated person's clothing effectively removes in excess of 80 percent of contaminants from the person, reducing the chance that the person will suffer pain and serious injury.

Shelter-in-place is a short-term measure (minutes or hours, not days) designed to use a facility and its indoor atmosphere to temporarily separate people from a hazardous outdoor environment. The alternative would be to evacuate into a hazardous situation thereby causing harm to all involved. There is no stockpiling of water and foodstuffs needed. Shelter-in-place is ended as soon as the outdoor air is safe for students (and parents) to breathe.

HOSTAGE SITUATION

Notification of Authorities

The police and campus police should be notified as soon as possible. If possible, the caller should remain on the phone with authorities so update information may be obtained while law enforcement is en route to the scene.

Contact the Superintendent

The superintendent should be notified as soon as possible. His/her office will contact the appropriate District personnel.

Safety of Students

Primary concern is for the safety of those not directly involved in the hostage situation. Each school will need to develop an evacuation plan whereby individuals in classrooms are quickly removed from the school and moved to a predetermined, safe area. Once law enforcement arrives, exterior doors should be locked, if possible.

Isolate the Area

The quicker a building is evacuated and the affected area isolated, the better chance authorities have in developing strategies for coping with the situation.

Jurisdiction and Responsibility for Students

The responsibility for the non-involved students and staff will rest with the school authority on the scene. Decisions affecting non-involved personnel and students, such as the decision to transport students home or to another school, should be made as soon as possible for safety of the students.

Emergency Information Center

Topeka Public Schools shall be prepared to staff an emergency center where parents may call for information and where calls to parents can be made.

Notification of Parents

This should be one of the responsibilities of the emergency information center. Staff from the affected school can be used in establishing lists of involved and non-involved students to aid the emergency center in making notifications to parents.

Crisis Negotiation Issues

The most dangerous phase in a hostage/barricade situation, other than the rescue phase, is during the first 15 to 45 minutes. During this initial phase, subjects are often very excited, and will base their actions more on emotions than rational thoughts. Therefore, the initial response during the early minutes of a crisis can be critical in determining the eventual outcome.

The following guidelines are offered in those cases where a suspect demands to speak to someone prior to the arrival of law enforcement.

Getting Started

- Initial contact is very important.
- Calm down before initiating communication – get briefed on who, what, when, where, etc., before making contact.
- Keep your voice low, slow and controlled – it's not what you say as much as how you say it.
- Introduce yourself by first name and as a representative of the District.
- Avoid your position of prominence in the organization.
- Commanders don't negotiate. Negotiators don't command.
- The first rule in negotiations is, "Don't make the situation worse."
- Avoid any action that may escalate emotions during the critical early phase of the confrontation.

Establishing Rapport

- Show empathy and concern.
- Appear open minded and reasonable.
- Treat the other person with dignity.
- Indicate interest in helping.
- Don't set deadlines or ultimatums.
- Avoid threatening or judgmental statements.

First Response Guidelines

- Ensure your safety and that of your students and staff at all times.
- Use your contact with the subject to calm and distract them to gain information and time.
- Avoid soliciting demands.
- Listen carefully for clues regarding the emotional state of the subject.
- Avoid bargaining or making concessions.
- Reassure subjects that police will not storm the building.
- Do not offer subjects anything.
- Avoid giving orders to subjects.
- Minimize the seriousness of the subject's crimes.
- Do not refer to persons being held as "hostages."
- Avoid tricks and strive for honesty. If you don't understand what subjects say, ask them to explain.
- Never say no to a demand. This does not mean you must say yes.
- Do not make suggestions.
- Do not ask outsiders or family members to talk to subjects.
- Never exchange yourself or anyone else for a hostage.
- Do not make yourself vulnerable to injury by talking with subject while unprotected and exposed to danger.

PERSON WITH A GUN OR OTHER WEAPON

- A. The best situation is to avoid the situation. Watch for early warning signs from students and/or staff. Write down/document/report to the principal any talk of bringing guns/weapons to school or signs of any unstable behavior.
- B. Develop the practice of having all strangers report immediately to the main office to collect a badge to wear when they are on campus. Any person seeing a stranger on campus should report it immediately to the main office. Sometimes a custodian, lunchroom worker, paraprofessional, or other staff member can guide the stranger away from the students.
- C. Be sure a room intercom system is in place and is functioning at all times. The teacher in the room may not be able to activate it safely if such an occasion occurs, but it will prove helpful for communication or negotiation with the assailant.
- D. The principal and staff should have a predetermined code/signal that can be used over the PA system. That signal will indicate that classes will be extended, the bells will not ring, and teachers should lock their doors so they cannot be opened from the hall.
- E. All staff members should be informed on confrontation techniques and/or a hostage negotiation. Each confrontation is unique; and each person needs to know how to recognize certain specifics.
- F. If an armed person enters the classroom, the teacher should try to maintain classroom decorum. Keeping students and him/herself as calm and collected as possible usually will help keep the assailant from becoming even more nervous and rash. If there is a safe way to notify the main office, it should be done.
- G. If an armed person is ascertained to be in the building in a particular room, the rest of the rooms should be evacuated as QUICKLY and QUIETLY as possible if this can be done SAFELY. Under no circumstances should an announcement be made over the intercom. If students cannot leave the building safely, they should probably go down on the floor. (See Lock Down Procedures, page 27.)
- H. When the SWAT team or whoever comes from the Police Department, they should be provided with as much information (and a picture if available) as possible to aid them in their negotiations.

WEAPONS DISCHARGE PROCEDURE

Prevention is, of course, our real goal. Watch for warning signs from students and staff. Do not approach or alert a student suspected of being armed until an enforcement officer is present. The student should not be approached in a classroom or crowded environment.

Be aware of potentially dangerous family situations involving staff. Separation and divorce cases present emotionally charged situations.

Enforce the procedure of having all visitors report to the main office to collect a visitor's badge and clearly state their purpose for being in the building. Any stranger observed on campus should be immediately reported to the main office. If possible, they should be steered away from students and isolated until identified and assistance arrives.

When an armed subject is identified in the building or a confirmed weapon discharge occurs:

DO.....

Notify authorities--Call 911 and be prepared to provide as much information as possible. Stay on the line until police arrive.

Have a plan--As with many contingencies, a code system might be helpful. But remember, do not use colors; and its most realistic to keep only two codes, one that tells the teacher to isolate their class, the other to evacuate. In this contingency one would isolate the class with students directed to a position of cover, i.e., concrete wall, floor. Do not pull the shades, as the police may need to see into your room.

Develop an evacuation plan by which individuals in classrooms are quickly removed when it is safe to do so. They should be directed to a predetermined area. This could be the same as your fire drill.

DON'T.....

Never run toward the sound of gunfire or attempt to stop an armed suspect who is fleeing.

Do not pick up discarded weapons or items left behind by an assailant. Weapons should be covered and a staff member assigned to watch until it can be rendered safe by proper authorities and collected as evidence.

Remember, although the assailant may have fled, the crime scene must be preserved. Physical evidence is vitally important to authorities conducting the investigation that follows.

ADDITIONAL CONSIDERATIONS

The District Crisis Intervention Plan contains guidelines regarding after-care, media relations and related subjects.

In the event police seal the crime scene, they may require the entire building be evacuated. During the first few hours, this may be necessary to ensure success in the investigation. Once the preliminary work is complete, a smaller area may be held for days. The department of operations and maintenance is prepared to help in shielding the area from students and staff so the remainder of the building can be used for District business.

30-8

8-35

BUILDING/CLASSROOM LOCK DOWN PROCEDURE

The determination to lock down an entire building is so dependent on individual building factors, such as number of entries, types of locks, etc., that such a decision should be made on an individual building basis. The type of threat would also affect this decision. For instance, if an intruder was already inside the building, we would not want their exit blocked in any way. In most imagined scenarios, we would only recommend securing of rooms with students in them.

Upon notification of a lock down procedure, each staff member will make every effort to secure their classroom door. Desks or cabinets in front of doors may be necessary, as many of our classrooms either do not lock, or lock only by opening the door. Take attendance to note the students present at the time of the lock down and have the class roster available to take with you if authorities evacuate you.

If a threat is outside the building, students should remain quiet and take cover on or near the outside wall under the windows. If a threat is inside the building, students should remain quiet and take cover on or near the same wall as the door. If the threat location is unknown, assume it is inside.

Students, especially young ones, will be looking to you for direction and comfort. They will reflect your attitude and emotional state. Therefore, finding ways to remain calm and confident will do the most to help your students. In a real situation, the wait for authorities will seem endless and in reality may be longer than we would like. During this wait, keep reassuring students that help is coming and that they will be taken care of. Quiet activities such as writing or drawing may help with this wait. Obviously, anything that would bring attention to your room should be avoided.

If possible, ensure windows are not obstructed so law enforcement can view your room from the outside.

Teachers should remain alert for the all clear or expect law enforcement or school authorities to provide further instructions.

Each school is required to hold a minimum of two lock-down drills per year. The school shall keep a copy of the record of each drill and send the original to the General Director of Central Services and Facilities Planning at the completion of the school year.

28-8

TRANSPORTATION

The associate superintendent of administrative & support services will be notified of crisis-level transportation accidents and provided with pertinent data. He/She will communicate with the District team members as appropriate.

1. Primary Preparedness
 - a. Maintain readiness of mobile first aid kit for crisis incident.
 - b. Maintain current emergency directory for medical and social services.
 - c. Anticipate potential injuries sustained in vehicle accidents--fractures, lacerations, contusions, burns.
 - d. Anticipate traffic congestion at site.

2. Initial Response
 - a. Receive notification of transportation accident.
 - b. Determine school, grade levels, and number of passengers.
 - c. Establish first aid station to receive and administer nursing services to injured persons.
 - d. Receive individuals injured in accident for assessment of injuries and their severity.
 - e. Administer appropriate nursing/first aid treatment.
 - f. Provide accurate information to emergency services personnel.
 - g. Evacuate to hospitals via ambulance those in critical condition.
 - h. Maintain listing of injured persons, initial assessments, treatment, and indicate resolution: 1) returned to school and parent notified; or 2) transported by ambulance to named medical facility.
 - i. Communicate with parents for follow-up information on their child.
 - j. Acknowledge with appreciation, cooperation of emergency services.

SEVERE WEATHER WATCH/WARNING

Definition

A Severe Weather Watch/Warning is issued when weather conditions exist which may produce severe electrical storms, heavy rain or snow, hail or sleet, and strong winds. Tornadoic conditions are not present.

Action

Administrators may consider canceling outdoor activities based on local weather conditions, and/or proceed with indoor activities.

Warning Equipment Utilized

Local radio and television stations, and the National Weather Service Radio will be utilized.

Staff Responsibilities and Procedures

Site Administrators:

Site administrators, when notified that a Severe Weather Watch/Warning has been issued, should make all necessary arrangements to effect maximum safety for the students and staff for which they are responsible. The site administrator or the site administrator's designee during the time of a Severe Weather Watch/Warning should be alert for any subsequent information that might be obtained by use of the school's radio or television set or from the National Weather Service Radio.

It shall be the responsibility of the site administrator to determine what activities should be canceled or continued. Please note that the National Weather Service suggests that outdoor activities be canceled because of the possibility of severe electrical storms. The decision at best is subjective and must be based on the time and type of activity that is in progress.

Site administrators may want to continue activities that can be concluded within a short period of time from the time the Severe Weather Watch/Warning is announced or move them inside if they have been outside activities. It is strongly suggested that no activity be started during a period that is marked as a Severe Weather Watch/Warning, particularly if heavy rain and lightning is already occurring.

TORNADO WATCH

Definition

A Tornado Watch is an alert issued by the National Weather Service when conditions appear favorable for tornado development. A Tornado Watch usually is issued for relatively large areas. It serves as an alert to inform the public and volunteer storm reporters to watch for tornadoes and to take any necessary preliminary action so that a pace of safety can be reached in the event a tornado does develop.

Action

Cancel all activities that are scheduled to start during the watch period. Activities in progress may continue if provisions are made for someone to observe sky conditions and monitor alarm systems.

Warning Equipment Utilized

National Weather Service Radio, local radio and television will be utilized.

Staff Responsibility and Procedures

Site Administrators:

Site administrators, when notified that a Tornado Watch alert is on, should make all necessary arrangements to remain at their buildings until the Tornado Watch is over. Site administrators who are involved in duties elsewhere such as meetings, conference, etc., should report without delay to their buildings. During the time of the Tornado Watch, site administrators should alert their office staff and other designated representatives to be alert for any subsequent information that might be obtained by use of the school's radio or from other emergency warning systems.

Site administrators should be prepared to move all personnel for whom they are responsible to the shelter areas from any part of the school building or school grounds in accordance with prearranged drills.

Site administrators will cancel all activities to be held at their building during the extent of the Tornado Watch if such activities are scheduled to bring in students from other schools or "out-of-school" spectators or participants.

Site administrators may continue scheduled activities that do not require students and staff to leave the building and for which prior arrangements have been made with parents of students. (Example: Basketball practice immediately following regular dismissal.) Activities scheduled to begin during the watch period that requires participants to leave the building and return at a later time shall be canceled. (Example: Basketball practice scheduled to begin an hour after regular dismissal time.)

USD 501 school is involved in an activity that will take place out-of-town while Topeka under such a watch, the USD 501 school district may choose to participate in that activity and the following points have been considered and discussed with the associate superintendent of administrative and support services:

1. Will the activity site be under a tornado watch prior to or during the scheduled activity?
2. When was the "watch area" established and at what time is it predicted to end?
3. Will it be necessary to spend much travel time in the "watch area?"
4. Could agreement with the other school be reached in regard to rescheduling the event?

For either local or out-of-town activities, if the participants and/or school chaperoned spectators are en-route when the watch is established, the activity will take place as scheduled. In such cases, provisions for shelter shall be secured by the school sponsor at the activity site.

Outside Groups (Scouts, etc.)

The leader of outside groups is responsible for canceling an activity scheduled in a school.

Page

TORNADO WARNING

Definition

A Tornado Warning is an announcement that a tornado threatening Topeka or Shawnee County has been sighted and the area where the Topeka Public Schools is located is in danger.

Action

Take cover immediately and remain there until the all clear is given.

Warning Equipment Utilized

Upon receipt of information that a tornado appears to threaten the City, public warnings will be sounded throughout the City of Topeka. Details of the warning will be broadcast on commercial radio and television. As information on the progress of the storm becomes available, it will be broadcast promptly.

The warning signals are as follows:

1. Sirens – steady tone: 3 minutes on – 1 minute off – 3 minutes on – 1 minute off – 3 minutes on
2. Whistles – short blasts for several minutes
3. Emergency Warning System (Weather Bureau Radio) – radio activated automatically by the National Weather Service
3. Radio and television stations broadcast warnings promptly by pre-empting programs

Staff Responsibility and Procedures

Site Administrators:

Site administrators, at the time Tornado Warnings are sounded (as received either by the emergency warning system or sirens and whistles, whichever is first), will immediately put all personnel for whom they are responsible in the designated shelter area.

Site administrators will keep all personnel for whom they are responsible in the sheltered area until the Tornado Warning has expired.

Site administrators should be aware particularly of the following duties in preparation for the eventuality of a tornado or a Tornado Warning:

1. Make sure transistor radios and emergency warning systems are functioning at all times. Emergency lighting should be frequently checked.

2. A sufficient number of drills will be held in which personnel for whom they are responsible are located in various places in the school building and on the school grounds so the chance of panic due to a lack of prior instruction is minimized. The minimum number of drills is three (3) per year, as required by Kansas Statute, plus participation in the annual statewide tornado drill held in March.
3. Proper training of personnel who normally work in and around the school office, so they might properly respond to the Tornado Warning.
4. Schools are not to be dismissed in case of a Tornado Warning.
5. The superintendent's office should be notified as quickly as possible when the student body is retained after normal dismissal time.

DISMISSAL OF STUDENTS DURING TIMES OF EMERGEN

The Topeka Public Schools never dismisses school prior to the regular dismissal times in the event of severe weather except where specifically authorized by the Superintendent of Schools or his/her representatives. In fact, students may be held at buildings past regular dismissal time, if in the judgment of the site administrator and after consultation with the superintendent, it is determined that the students' safety is in jeopardy.

During times of emergencies, site administrators may release students to persons other than parents who, in the judgment of the site administrator, are sufficiently authorized to pick up the students. The decision of who is authorized to pick up students in times of severe weather will be the responsibility of the site administrator.

It should be stressed, however, that there is less chance of personal injury if the individuals remain in the building during a tornado warning.

STRUCTURAL FAILURE OF BUILDINGS

1. Structural failure of school buildings is an infrequent occurrence, yet it can occur without notice due to exceptional circumstances that affect buildings. Structural failure can be a result of external causes such as:
 - a. Weather (tornado/rain/snow).
 - b. Explosion (inside or outside).
 - c. Decay of key building materials (i.e., stone, metal, wood).

2. Structural failure in a building is a major concern when it does occur. IT REQUIRES ACTION by responsible school officials. Actions to be taken:
 - a. Assess the problem.
 - b. Take that action which meets test to avoid any further loss of life/injury if the structural failure continues (typically move people).
 - c. Call without delay for support from police, fire, Service Center to contain auxiliary possible effects (explosion from leaking gas, exposed electrical wires, water line ruptures, etc.).
 - d. In structural failure, have adult lead the movement of children and have follow-up adult support to ensure no loss of students.
 - e. Check normal places where children may be other than classrooms.
 - f. Control children that are moved.
 - g. Pupil/staff muster for accountability of people.

3. Report structural concerns as means to prevent failure.
 - a. Advise Service Center of critical concerns without delay.
 - b. Submit work orders for work that may be considered building problems (i.e., mortar loss between bricks, cracks in walls, walls/brick walls that are moving or out of line, etc.).

4. Plan to continue school day, at perhaps new site, with suitable instructional alternatives as means to reflect professional ability to cope with such situations without excessive loss of momentum in the teaching/learning processes.



EXPLOSION



An explosion is a sudden release of a large amount of energy accompanied by shock and pressure waves. There are two general types of explosions:

1. A rapid burning condition can be an explosion.
2. A detonation wherein the material involved has the necessary gases already locked within its molecular structure.*

Falling aircraft hitting on or near school buildings would constitute a similar force as chemical or other types of explosions.

A major preventive measure includes the storage and use of potentially explosive materials in recommended restricted areas.

The major causes of death and injury are direct blast effects on the human body and the propulsion of debris at high velocities.

A major rescue problem is the difficulty in getting through piles of debris to find victims.

Some reminders to site administrators include the following:

1. If an explosion occurs, sound the school fire alarm and notify the fire department.
2. Evacuate the building if appropriate and necessary.
3. Personnel should be moved to an area of safety, and control of students and teachers maintained.
4. Render first aid where possible.
5. Always maintain an accounting of students and staff.

*"Disaster Handbook" Solomon Garb, M.D., and Evelyn Eng, R.N., Springer Publishing Co., Inc., New York, 1964, pp. 148-151.

EVACUATION

1. Evacuation of students/staff from a particular site is a major undertaking and should be effected only after careful consideration. Such decision places into movement logistical support that can become overwhelming. Furthermore, evacuee and family concerns are aroused creating uncertainty as to the welfare of the affected persons.
2. There are times when evacuation from a particular site is absolutely vital and must be addressed without hesitation. When this is necessary, the site administrator on the spot must initiate the decision, communicate it to all with a need to know, advise of the plan, and put it into action.

Such evacuation may mean only moving students from the building to outside assembly area or...

Just move them from one part of the building to another or...

Move them from the area on foot or with special transportation.

3. Evacuation means...
 - a. Strongest of possible controls on accountability for persons.
 - b. Strongest of possible discipline for students and staff following directions from the person in charge.
 - c. Strongest possible attention with sensitivity, but with demonstrated strength, to address individual instances or incidents.
4. Evacuation also requires a reverse plan for release of the individuals who have been evacuated (i.e., from responsible staff to parents or for returning to location of residence). Loss of a person in an evacuation is a serious problem. Responsible persons must reflect a leadership role that they are truly in charge.
5. Every building needs at least one alternate location to which to evacuate students. Such places as churches or community centers would be appropriate. Given the emotional nature of the parent-child reunification, another school would NOT be appropriate as doing so would cause unnecessary turmoil at two schools. Prearrangements with the "alternate" building authorities should be made with clear information regarding contact personnel and hours of availability.
6. Each building has been given at least one "evacuation cart," a blue and white, wheeled cooler. They are to include vests and hats to identify your staff at the reunification location should you evacuate (or in whatever other ways you see fit), as well as whistles, glow sticks, and flashlights. In addition, there is included the ATF bomb threat manual and info sheet, and a copy of the latest District Crisis Plan.

We recommend you add to the cart your local plan and building floor plans with gas, water and electric shutoffs marked. In the event of an evacuation of your building, your building plan should describe what is the best documentation to take with you that would indicate attendance roster and PIF information, i.e., parent name, address, phone. Be sure to inservice your clerical staff so they know what to put in the cart upon leaving the building. If you cannot locate your cart or its contents contact a member of the District team. In addition to the crisis cart, each building should take the trauma bag during a building evacuation.

**EVACUATION SITES FOR USD 501 BUILDINGS
2008-2009**

Highland Park High School – Hillcrest Recreation Center, 1800 SE 21st St. – (Problem – no means of transporting students); Parking lot north of high school
Topeka High School – State Capitol/Command Post; Holland
Topeka West High School – Fairlawn Mall; Dillon's parking lot
Capital City – Sports Park Stadium area or indoor Aquatic Center
Hope Street Academy – SW corner of lot; NE corner
Chase Middle School – State Street Elementary
Eisenhower Middle School – #1 Ross Elementary; #2 neighboring churches at 35th & Indiana
French Middle School – YWCA behind French Middle School
Jardine Middle School – First Baptist Church or Jardine Circle (cul-de-sac across the street)
Landon Middle School – Fairlawn Church of the Nazarene
Robinson Middle School – #1 Central Park football field; #2 Central Park gymnasium
Avondale East Elementary – Pilgrim Baptist Church
Avondale West Elementary – Countryside Methodist Church
Bishop Elementary – Brookwood Covenant Church and/or Southwest Plaza Office Building, 3601 SW 29th St.
Highland Park Central Elementary – New Mt. Zion Church, 2800 Indiana
Linn Elementary – Southern Hills Mennonite Church, 511 SE 37th St.
Lowman Hill Elementary – Topeka Shawnee County Public Library; Topeka Bible Church
Lundgren Elementary – Oakland United Methodist Church, 801 NE Chester
McCarter Elementary – Far north field and/or Sterling House, 5820 SW Drury Lane
McClure Elementary – 25th St. between Chelsea & Belle
McEachron Elementary – Southwest Baptist Church, 2901 SW Eveningside; Walgreens, 2915 Gage
Meadows Elementary – Westside Baptist Church, 1008 SW 4th St.
Quincy Elementary – Garfield Community Center
Quinton Heights Elementary – Burnett Center
Randolph Elementary – First Congressional Church, 1701 SW Collins; Washburn University, Law Library
Ross Elementary – Free Methodist Church, Illinois & 35th St.
Scott Magnet – First Church of God in Christ, 614 California Avenue
Shaner Elementary – Avondale West Elementary
State Street Elementary – Chase Middle School; Oakland Community Center
Stout Elementary – Community Church, 1819 SW 21st St.
Whitson Elementary – Far corner of south playground
Williams Magnet – YWCA
Burnett Administrative Center – THS soccer field
Holland Center – Farthest part of north parking lot
TEC/IT – Across the street, north end of building
Parkdale Preschool – Abbott Community Center, 1112 SE 10th St.
Service Center – Parking lot north of main entrance
Sheldon CDC Head Start – Temple Beth Sholom, 4200 SW Munson
Erickson 1 – Erickson 5 basement

23-01

8-47

RELEASE OF PEPPER SPRAY AND MACE

The symptoms associated with pepper spray and mace exposure are largely the result of irritation produced by extremely small, often submicron particles that contact moist areas of the skin or are inhaled into the nose, mouth and lungs. The reaction of the psychophysical structure of an individual to either spray, although relatively short in duration, is most uncomfortable. The same first aid procedures can be employed to gain relief from either agent.

FIRST STEP

1. Remove victims to an uncontaminated area.
2. Face them into the wind (subject not directly sprayed, but exhibiting symptoms of contamination).
3. Keep victim calm.
4. Restrict activity.
5. Major discomfort should disappear within 15 to 20 minutes.
6. While this is usually sufficient to produce quick relief, additional first aid steps can be applied as necessary.

EYES

1. Keep eyes open facing wind.
2. Do not rub eyes.
3. Tearing helps clear the eyes.
4. If particles of an agent lodge in eyes, wash out with copious amounts of cool water (gross contamination, subjects receiving direct spray).
5. Tears can be blotted away.

SKIN

1. Remain quiet to reduce sweating.
2. Expose affected areas to the air.
3. Relieve by flushing with clear water for at least 10 minutes (gross contamination, subjects receiving direct spray).
4. Especially prepared skin wash solutions are superior to water (gross contamination).

NOSE

1. Breathe normally.
2. Blow the nose to remove discharge.
3. Nose drops should help if discomfort is severe.

Subjects should be closely monitored and reassured that they are safe and will be cared for. They should be told to try to breathe normally and relax as much as possible. Instruct the subject not to rub the eyes. Do not leave an individual who has been sprayed unattended until the effects are completely diminished and the subject shows he/she has fully recovered from the effects of the spray.

Under normal circumstances, all other symptoms should disappear within 30-45 minutes. If symptoms persist beyond 45 minutes, seek medical attention immediately.

All subjects should be asked if they are suffering any serious medical condition. Look for a Medical Alert bracelet or necklace on the subject. Ask the subject if he/she suffers from any respiratory diseases or problems such as asthma, bronchitis, or emphysema. If yes, seek immediate medical attention.

TRANSPORTATION REQUIREMENTS IN CRISIS

1. In the event of a crisis that requires immediate or projected transportation:
 - a. Such transportation will have priority over all other transportation needs during such period of time.
 - b. Such transportation would normally be requested through the USD 501 office of transportation at the Service Center, but, if circumstances required, could be effected by directive of any responsible school official.
 - c. Sources of transportation would include:
 - 1) USD 501 controlled resources (buses, vans, trucks).
 - 2) Transportation contractor with fleet buses and vans.
 - 3) City transportation buses (would require approval at level not lower than associate superintendent or general director if no other alternative possible and time is major decision criteria).
 - 4) County/state resources.
2. In the event that transportation was needed to move students, staff, and/or other USD 501 employees, strict controls would be implemented on accountability of persons moved.
3. USD 501 adult staff would be required to monitor/supervise such movements which would affect students by on-site presence in the vehicle of conveyance.
4. Events of the crisis would possibly merit establishment at the time of priorities as to students first moved.
5. Students moved as per USD 501 directive would be received at assembly site and managed with concern for welfare of mental and physical stresses/conditions.
6. Students/staff moved that might be injured would be quickly checked and further moved to hospital/medical facilities/services as might be available.

HOMELAND SECURITY ALERTS

The following documents describe the building actions required in the event of homeland security declaring an Orange or a Red Security Level Alert. The Homeland Security Advisory System provides a comprehensive and effective means to disseminate information regarding the risk of terrorist acts to federal, state, and local authorities and to the American people. Such a system would provide warnings in the form of a set of graduated "Threat Conditions" that would increase as the risk of the threat increases. At each Threat Condition, federal departments and agencies would implement a corresponding set of "Protective Measures" to further reduce vulnerability or increase response capability during a period of heightened alert.

This system is intended to create a common vocabulary, context, and structure for an ongoing national discussion about the nature of the threats that confront the homeland and the appropriate measures that should be taken in response. It seeks to inform and facilitate decisions appropriate to different levels of government and to private citizens at home and at work.

In Kansas, each county emergency management agency will declare it's own level of alert. While they will no doubt follow the federal and state levels most times, they are not bound to do so. In Shawnee County, the emergency management agency here will follow whatever Kansas declares.

There are five levels in the system.

1. **Low Condition (Green).** This condition is declared when there is a low risk of terrorist attacks.
2. **Guarded Condition (Blue).** This condition is declared when there is a general risk of terrorist attacks.
3. **Elevated Condition (Yellow).** An Elevated Condition is declared when there is a significant risk of terrorist attacks.
4. **High Condition (Orange).** A High Condition is declared when there is a high risk of terrorist attacks.
5. **Severe Condition (Red).** A Severe Condition reflects a severe risk of terrorist attacks.

While the District Crisis Team will take the responsibility to notify buildings in the event of a Red or Orange alert, everyone plays a part in keeping vigilant to dangerous or threatening situations. Kansans can be notified when the National and State Homeland Security Alert Levels change. To receive a text message notification on your computer, wireless phone, pages or PDA, you may subscribe by going to the following URL:

<http://www.accesskansas.org/kdem/index.htm>

“NATIONWIDE ORANGE ALERT” STATUS

SPECIFIC PROTECTIVE MEASURES TO IMPLEMENT:

1. Announce the nationwide Threat Condition high (orange) to all employees. (The District's Communications Office will notify building supervisors of threat level via e-mail.)
2. Insure all staff properly display District identification badges. During the alert, do daily checks to remind staff to wear their ID badges.
3. Increase foot and roving observation patrols of your building and building site.
4. Lock as many exterior door entryways as appropriate for your building, placing direction signs on all doors specifying to the building's designated entrance.
5. Be attentive to unknown vehicles parked in school parking lots or near the school site – call campus police.
6. Elementary staff should be on **extra alert** while on recess duty to any strange items on the playground, unknown vehicles parked near the playground, or any unknown individuals observing the playground area.
7. Instruct all building staff and volunteers to report any suspicious boxes or packages. Be attentive to any deliveries or items received through the U.S. mail. **Do not allow students to handle or open mail.**
8. Locate and have ready your building's evacuation cart—including attendance rosters, grade books, etc.
9. Confirm the availability of your building's evacuation site should it be needed.
10. Review your **2008 Crisis Intervention Plan Manual** and discuss details with your building's crisis team, if appropriate.

October 1, 2008

“NATIONWIDE RED ALERT” STATUS

SPECIFIC PROACTIVE MEASURES TO IMPLEMENT:

1. Announce the nationwide Severe Threat Condition alert (red) to all employees. (The District's Communications Office will confirm this threat level via e-mail to all employees.)
2. Lock all exterior entryway doors and **require** all individuals seeking entrance into your building to show identification—including District staff. Use good common sense regarding persons showing ID.
3. Insure all staff properly display their District ID badge during the duration of the “Red Alert.”
4. Assign staff to patrol your building and the building site.
5. Be attentive to unknown vehicles parked in school parking lots or near the school site—call campus police.
6. Central Service staff will conduct periodic inspections of building facilities and all HVAC systems for potential indicators/irregularities.
7. Elementary principals should determine if recess or any outside playground time is appropriate.
8. Assign one person to receive any deliveries and/or U.S. mail—**do not let students open the mail.**
9. Superintendent/Central Service staff and/or the District Crisis Team at the Burnett Administrative Center will communicate information regarding any scheduled before and/or after school programs such as play nights, PTO meetings, concerts, ball games, track meets, out-of-town trips, etc. The District Crisis Team will be in contact with national and local emergency centers regarding the status of any terrorist incidents.
10. All out-of-district staff travel will be canceled unless authorized by the superintendent or his/her designee. Necessary expenses will be reimbursed to any staff that is traveling out of district at the time of a “Red Alert” and is attempting to return home early.
11. Locate and have ready your building's evacuation cart—including attendance rosters, grade-books, etc.
12. Confirm the availability of your building's evacuation site should it be needed.
13. Review your **2008 Crisis Intervention Plan Manual** and discuss details with your building's crisis team, if appropriate.
14. The Food Service Department and O&M Department will implement planned emergency procedures.

NOTE: The District Crisis Team will convene at the Burnett Administrative Center to evaluate District needs and involve appropriate staff.

October 1, 2008

APPENDICES

POLICIES TO REVIEW RELATED TO CRISIS PLANNING

Accident/Athletic Insurance	8350; 8350-1
Accident Reports & Civil Defense.....	2275; 2275-1
Alcoholic Beverages	8200
Bringing Charges.....	2850; 2850-1
Closing Schools.....	2290; 2290-1
Cooperation with Law Enforcement Agencies.....	2350; 2350-1
Crowd Control.....	6275; 6275-1
Damages to Personal Property	4275; 4275-1
Damages to School Property.....	2850; 2850-1
Disorderly Conduct.....	2325
Drugs/Narcotics	8225
Expulsions/Suspensions.....	8125; 8125-1
Fire & Tornado Drills.....	2275; 2275-1
Inspection of Lockers & Desks	2375
Records - Open	2485; 2485-1
Records - Student	8250; 8250-1
Requesting Campus Police & Topeka Police	2300; 2300-1
Safety Program	2275; 2275-1
Security & Crowd Management.....	6275; 6275-1
Trespassing/Unauthorized Persons	2325; 2325-1
Unacceptable Behavior	8125; 8125-1
Vandalism.....	2850; 2850-1
Weather, Inclement, Closing Schools	2290; 2290-1

8-55

8-55

MOBILE RADIO CALL NUMBERS

O1-Pat Loder, O5-Mickey Folger, O7-Willie Hughes

103 C. Albert
106 J. Nesbitt

1-1 R. Bell
1-2 J. Young
1-3 M. Madden
1-4 J. Gillenwater
1-6 R. Douglas
1-7 E. Adams
1-8 J. Uhl
1-9 F. Bueltel

2-1 B. Hoffman
2-3 G. Mundy
2-4 T. Ganger
2-5 A. Siemieniewski
2-7 A. Murphy
2-8 D. Zellers
2-9 K. Weems
2-10 G. Snyder
2-11 J. Addington
2-12 B. Hutton
2-15 G. Studebaker
2-17 K. Proctor
2-19 G. Bracken
2-20 D. Almond
J. Roberts

3-1 D. Bailey
3-2 M. Curran
3-3 D. Mentzer
3-4 J. Overstreet
3-5 E. Reinecke
3-6 M. Lopez
3-7 C. Busey
3-8 T. Apodaca

4-1 K. Kirmse
4-2 G. Buehler
4-3 J. Olliso
4-4 G. Corwin
4-5 K. Hayek
4-6 J. Shellenberger
4-7 D. Rowlinson
4-8 B. Thomas
4-9 B. Blakely
4-10 W. Barngrover
4-11 D. Eddington
4-12 B. Smith

5-1 P. Clark
5-2 D. Evans
5-18 Sub Driver
5-19 (214)
5-20 Activity Driver (200)
5-21 Activity Driver (228)
5-22 Activity Driver (226)
5-23 Activity Driver (227)
5-25 Activity Driver (224)
5-26 Activity Driver (225)
5-27 Activity Driver (223)
5-28 Headstart (240)

7-1 L. Nixon
7-2 K. Robinson
7-3 R. Morehead
7-5 B. Stevens
7-6 T. Davis
7-8 A. Kirksey
7-10 A. Gomez
7-11 R. Franklin
7-12 P. Loehr
7-13 C. Gomez
7-14 W. Young
7-15 C. Drake
7-16 T. Apodaca JR
7-19 J. Eddy
7-20 G. Johnson
7-21 S. Jones
7-22 B. Williams
7-23 C. Henzler
7-24 E. Hernandez

800mz Police Radio

601
600 S. Rose
607 C. Stanley
608 M. Keeling
609 C. Kleppin
610 S. Brewster
611 M. Homan
613 C. Nedeau
615 K. Johnson
616 D. Podrebarac
620 M. Wanamaker
625 C. Johnson
627 C. Ralls
628 D. Davies
630 M. Koch

900 D. Cushinberry
901 S. Waters
8-6 R. Hoffman
9-1 T. Wurtz

CALL SIGNALS

10-4 Acknowledge
10-6 Busy
10-7 Out of Service
10-8 In-Service
10-9 Repeat
10-10 Temp Out of Service
10-12 Visit, Press, Present
10-13 Weather/Road Cond.
10-19 Return to Base
10-20 Location
10-21 Call by Phone
10-22 Disregard
10-23 Arrive at Assign
10-28 Pick up Article
10-39 Emergency
10-42 Home
10-43 Meet ____ at ____
10-47 Accident, Property
10-48 Accident, Personal
10-77 No Contact
10-85 Fire
10-94 Bomb Threat
10-95 Fight

Dispatch / ACS – 234-3838
Campus Police – 295-3730
Cell ----- 633-9374



August 31, 2008
Service Center

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Chapter 191 House Concurrent Resolution No. 5018 goes here

**Topeka Public Schools
Safety and Security Checklist**

Safety and Security Buildings and Grounds	Yes	No	Implement	Improve
School grounds are fenced.				
Gates are secured by good padlocks and chains after hours.				
Notice of Section 15-64 of <u>The Code of the City of Topeka</u> is posted on doors to each building on the school campus.				
Drug-free zone signs are posted.				
Signs are posted for visitors to report to main office through a designated entrance.				
Shrubs and foliage are trimmed to allow for good line of sight.				
Bus loading and drop-off zones are clearly defined.				
Access to bus loading area is restricted to other vehicles during loading.				
Parent drop-off and pick-up area is clearly defined.				
There is adequate lighting around the building.				
Lighting is provided at entrances and other points of possible intrusion.				
The school ground is free from trash or debris.				
The school is free of graffiti.				
Play areas are fenced.				
Good visual surveillance of play equipment is possible.				
Visual surveillance of bicycle racks is possible.				
Visual or video surveillance of parking lots from main office is possible.				
Accessible lenses are protected by some unbreakable material.				

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Safety and Security, Buildings and Grounds	Yes	No	Implement	Improve
All areas of school buildings and grounds are accessible to patrolling security vehicles.				
Students are issued parking stickers for assigned parking areas.				
Student access to parking area is restricted to arrival and dismissal times.				
Outside hardware has been removed from all doors except at points of entry.				
Ground floor windows: No broken panes, locking hardware in working order.				
Basement windows are protected with grill or well cover.				
If campus style, doors are locked when classrooms are vacant.				
There is a central alarm system in school. All components are in good working order.				
High risk areas (office, cafeteria, computer rooms, music rooms, shops, labs) are protected by high security locks and an alarm system.				
Unused areas of the school can be closed off during after school activities.				
There is two-way communication between: classroom and main office; duty stations and main office; and relocateable classrooms and main office.				
"Restricted" areas are properly identified.				
Entrances to school property can be observed from the school and are adequately secured after hours.				
Parking area has been designated for students who must leave school during regular hours.				
The entrance lobby is visible from the main office.				
Multiple entries to the building are controlled and supervised.				
Visitors are required to sign in.				

Safety and Security Buildings and Grounds	Yes	No	Implement	Improve
Where possible, there is only one clearly marked and designated entrance for visitors.				
Proper identification is required for vendors, repairmen.				
The hallways are properly lighted for safety.				
Bathrooms are properly lighted.				
The bathroom walls are free of graffiti.				
Doors accessing internal courtyards are securely locked.				
Stairwells are properly lighted.				
Exit signs are clearly visible and pointing in the correct direction.				
Switches and controls are properly located and protected.				
Directional lights are aimed in the proper direction.				
Access to electrical panels is restricted.				
Mechanical rooms and other hazardous storage areas are kept locked.				
Full and part-time staff, including bus drivers, issued I.D. cards or other identification.				
There are written regulations regarding access and control of school personnel using the building after school hours.				
One person is designated to perform the following security checks at the end of the day: Check that all classrooms and offices are locked; check all restrooms and locker rooms to assure that no one is hiding in the building.				

School _____

Person Completing the Form _____

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HOW TO HANDLE ANTHRAX AND OTHER BIOLOGICAL AGENT THREATS

Many facilities in communities around the country have received anthrax threat letters. Most were empty envelopes; some have contained powdery substances. The purpose of these guidelines is to recommend procedures for handling such incidents.

DO NOT PANIC

1. Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. To do so, the organism must be rubbed into abraded skin, swallowed, or inhaled as a fine, aerosolized mist. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another person.
2. For anthrax to be effective as a covert agent, it must be aerosolized into very small particles. This is difficult to do, and requires a great deal of technical skill and special equipment. If these small particles are inhaled, life-threatening lung infection can occur, but prompt recognition and treatment are effective.

SUSPICIOUS UNOPENED LETTER OR PACKAGE MARKED WITH THREATENING MESSAGE SUCH AS "ANTHRAX"

1. Do not shake or empty the contents of any suspicious envelope or package.
2. PLACE the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.
3. If you do not have any container, then COVER the envelope or package with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover.
4. Then LEAVE the room and CLOSE the door, or section off the area to prevent others from entering (i.e., keep others away).
5. WASH your hands with **soap and water** to prevent spreading any powder to your face.
6. What to do next . . .
 - If you are at **HOME**, then report the incident to local police.
 - If you are at **WORK**, then report the incident to local police, **and** notify your building security official or an available supervisor.
7. LIST all people who were in the room or area when this suspicious letter or package was recognized. Give this list to both the local public health authorities and law enforcement officials for follow-up investigations and advice.

ENVELOPE WITH POWDER AND POWDER SPILLS OUT ONTO SURFACE

1. DO NOT try to CLEAN UP the powder. COVER the spilled contents immediately with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover!
2. Then LEAVE the room and CLOSE the door, or section off the area to prevent others from entering (i.e., keep others away).
3. WASH your hands with **soap and water** to prevent spreading any powder to your face.
4. What to do next . . .
 - If you are at **HOME**, then report the incident to local police.
 - If you are at **WORK**, then report the incident to local police, **and** notify your building security official or an available supervisor.

5. REMOVE heavily contaminated clothing as soon as possible and place in a plastic bag, or some other container that can be sealed. This clothing bag should be given to the emergency responders for proper handling.
6. SHOWER with **soap and water** as soon as possible. *Do Not Use Bleach Or Other Disinfectant On Your Skin.*
7. If possible, list all people who were in the room or area, especially those who had actual contact with the powder. Give this list to both the local public health authorities so that proper instructions can be given for medical follow-up, and to law enforcement officials for further investigation.

QUESTION OF ROOM CONTAMINATION BY AEROSOLIZATION

For example: Small device triggered, warning that air-handling system is contaminated, or warning that a biological agent was released in a public space.

1. Turn off local fans or ventilation units in the area.
2. LEAVE area immediately.
3. CLOSE the door or section off the area to prevent others from entering (i.e., keep others away).
4. What to do next . . .
 - If you are at **HOME**, then *dial "911"* to report the incident to local police and the local FBI field office.
 - If you are at **WORK**, then *dial "911"* to report the incident to local police and the local FBI field office, **and** notify your building security official or an available supervisor.
5. SHUT down air handling system in the building, if possible.
6. If possible, list all people who were in the room or area. Give this list to both the local public health authorities so that proper instructions can be given for medical follow-up, and to law enforcement officials for further investigation.

HOW TO IDENTIFY SUSPICIOUS PACKAGES AND LETTERS

Some characteristics of suspicious packages and letters include the following:

- Excessive postage.
- Handwritten or poorly typed addresses.
- Incorrect titles.
- Title, but no name.
- Misspellings of common words.
- Oily stains, discolorations or odor.
- No return address.
- Excessive weight.
- Lopsided or uneven envelope.
- Protruding wires or aluminum foil.
- Excessive security material such as masking tape, string, etc.
- Visual distractions.
- Ticking sound.
- Marked with restrictive endorsements, such as "Personal" or "Confidential."
- Shows a city or state in the postmark that does not match the return address.

STAGE ONE RISK ASSESSMENT PROTOCOL

Student Name _____ School _____

PIF # _____ Date of threat _____ Person filling out form _____

Investigating officer _____ Case number _____

Exact threat made (quote) _____

Were weapons recovered from the child or does the child have access to weapons? If so, list type. _____

Specific, plausible details are a critical factor in evaluating a threat. Details can include the identity of the victim or victims; the reason for making the threat; the means, weapon, and method by which it is to be carried out; the date, time, and place where the threatened act will occur; and concrete information about plans or preparations that have already been made. Details that are specific but not logical or plausible may indicate a less serious threat. **This section ONLY evaluates the content of the written or verbal threat.** Those can be shared at the discretion of the officer in their report.

X	High Level of Threat: Example: <i>“At eight o’clock tomorrow morning, I intend to shoot the principal. That’s when he is in the office by himself. I have a 9mm. Believe me, I know what I am doing. I am sick and tired of the way he runs this school.”</i> * This threat is direct, specific as to the victim, motivation, weapon, place, and time, and indicates that the threatener knows his target’s schedule and has made preparations to act on the threat.
10	This threat appears to pose an imminent and serious danger to the safety of others. Threat suggests concrete steps have been taken toward carrying it out, for example, statements indicating that the threatener has acquired or practiced with a weapon or has had the victim under surveillance. The threat is direct, specific and plausible. (See above section on specific details.)
9	
8	
7	Medium Level of Threat: A threat which could be carried out, although it may not appear entirely realistic. Wording in the threat suggests that the threatener has given some thought to how the act will be carried out. There may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan). There is not strong indication that the threatener has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence point to that possibility—an allusion to a book or movie that shows the planning of a violent act, or a vague, general statement about the availability of weapons. There may be a specific statement seeking to convey that the threat is not empty: “I’m serious!” or “I really mean this!” Threat is more direct and more concrete than a low level threat.
6	
5	
4	
3	
2	Low Level of Threat: A threat which poses a minimal risk to the victim and public safety. Information contained within the threat is inconsistent, implausible or lacks detail, as in a simple, “I’m gonna kill you!” Threat lacks realism, such as, “I’ll bring an atomic bomb to school.” (Is the act possible for the student to complete?) Content of the threat suggests person is unlikely to carry it out (i.e., “If I were the teacher. . .”). Threat is vague and indirect, such as, “You better watch out!”
1	

*This scale is based on the FBI report
The School Shooter: A Threat Assessment Perspective

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EMERGENCY MEDICAL RESPONSE PROTOCOL ACTION PLAN FOR THE *POWERHEART*™ AED

The following protocol should be strictly adhered to when utilizing the Powerheart™ Automatic External Defibrillator (AED) located in the main office of your school.

I. Purpose

To establish an emergency medical response action plan for Topeka Public Schools.

II. Training Requirements

The American Medical Response Team, in accordance with the American Heart Association (AHA) Powerheart™ AED standards, will provide training opportunities on the correct usage of the Powerheart™ AED and CPR certification classes to all USD 501 employees.

III. Designated Emergency Medical Responders

Each AED team will consist of the school principal, secretary, and school nurse with the principal being the main contact. The associate or assistant principal will assume the role of main contact in the absence of the principal. **It is required that the AED be brought to all sport activities by the principal or a designated individual.**

Identify below the employees that will be trained in the use of CPR/AED. It is the goal to have at least three (3) trained responders available.

Name

Position

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IV. Emergency Medical Response Plan Activation

Once notified of an emergency, the principal should immediately notify the school's emergency responders by intercom.

"911" Notification – Once notified of an emergency, the school nurse or secretary, will call "911" to initiate public safety agencies. The caller should give the 911 operator the following information:

1. Type of emergency
2. Address of facility
3. Location of emergency
4. Phone number they are calling from
5. Be prepared to give further information requested from 911 operator

V. Type of Medical Emergency

Cardiac Arrest – Follow "Indications for AED" use in Section VI of the plan.

Other Medical Emergencies – Responder should provide only the patient care that is consistent with his/her training.

VI. Indications for AED Use

The *Powerheart*™ should be used only on a patient who is:

- Unconscious
- Not breathing
- Has no signs of circulation

*Apply the *Powerheart*™ if:

- Unconscious
- Non-breathing and no signs of circulation
- 8 years old or above

VII. Procedure

1. Assess scene safety.

Is the scene free of hazards?

Rescuer makes sure there are no hazards to them. Some examples are:

- Electrical dangers (downed power lines, electrical cords; etc.)
- Chemical (hazardous gases, liquids or solids, smoke)
- Harmful people (anyone that could potentially harm you)
- Traffic (make sure you are not in the path of traffic)
- Fire, flammable gases such as medical oxygen, cooking gas, etc.

2. Determine if patient is:

- Unconscious
- Not breathing
- Has no signs of circulation

*Apply the *Powerheart*[™] if:

- Unconscious
- Non-breathing, no signs of circulation
- 8 years or above

3. Open Lid:

Opening lid “turns on” the *Powerheart*[™].

4. Follow Voice Prompts:

A. Place Electrodes

Powerheart[™] says: “Place electrodes on bare chest.” (Refer to manual with AED.)

B. Analyze Rhythm

Powerheart[™] says: “Do not touch patient. Analyzing rhythm.”

C. Charges

Powerheart[™] says: “Charging.”

D. Delivers Defibrillation Pulse

Powerheart[™] says: “Stand clear. Push flashing button to shock.”

The rescuer will state, “Clear,” and make a visual head-to-toe check of the patient, making sure that he/she and any other rescuers are “clear” of contact with the patient. Once this is accomplished, the rescuer will press the “Rescue” button to deliver a defibrillation pulse.

E. Analyze/Charge/Pulse

After the first defibrillation, the *Powerheart*[™] will re-analyze the patient’s heart rhythm.

Powerheart[™] says: “Do not touch patient. Analyzing rhythm.”

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If a shockable rhythm is detected, the *Powerheart*™ will charge and prompt the rescuer to deliver another defibrillation pulse.

Continue this cycle until delivery of three (3) defibrillation pulses.

*If at any time during this cycle the *Powerheart*™ detects a heart rhythm that does not require defibrillation, the voice prompt will say, "Check pulse. If no pulse, give CPR."

**Remember that the *Powerheart*™ will not advise to defibrillate all pulse-less patients. Some cardiac rhythms do not respond to defibrillation.

Call "911" at this time, if not already done.

F. Rescuer Gives CPR for One Minute

After the 3rd defibrillation, the voice prompt will say: "Check pulse. If no pulse, give CPR."

G. Repeat Analyze/Charge/Defibrillation Pulse

After one minute of CPR, the voice prompt will say: "Do not touch patient. Analyzing rhythm."

If the cardiac rhythm is shockable, the *Powerheart*™ will guide the rescuer through another 3-defibrillation pulse sequence, followed by one minute of CPR. This sequence should continue until:

- No shockable rhythm is detected; or
- The electrodes are disconnected; or
- Until ambulance personnel arrive on the scene.

5. Patient Converts to a Non-Shockable Rhythm

If at some point during the rescue the patient converts to a heart rhythm that does not require defibrillation, the voice prompt will say: "Check pulse. If no pulse, give CPR." At this point, call "911" or the local emergency access phone number if not already done.

If a pulse is found on the patient and patient is not breathing, continue rescue breathing, leave electrodes in place and follow voice prompts.

If the patient regains consciousness, make patient as comfortable as possible until ambulance personnel arrive on scene.

VIII. Post Incident Procedure

These steps should be completed as soon after the incident as possible:

- Replace *Powerheart*[™] electrodes by connecting to the *Powerheart*[™].
- Replace pocket mask and other supplies used.
- Check expiration date on the electrode.
- Place one of the electrode expiration date stickers on the outside of the *Powerheart*[™] so it can be viewed without opening the lid.
- Check the battery fuel gauge to assure sufficient battery life.
- Close lid of *Powerheart*[™] and view the status indicator for GREEN indicator.
- Retrieve rescue data and forward to Oversight Physician.

IX. Physician Oversight

Physician Oversight for this department/business will be provided by Dr. Dale Garrett, MD, Stormont Vail Work Care. Physician Oversight will include the following items:

- Development and review of policies and procedures defining the standards of patient care and utilization of the *Powerheart*[™] AED.
- Review of response documentation and rescue data for all uses of the *Powerheart*[™] AED.
- Oversee the initial and continuing *Powerheart*[™] training.
- Provide advice regarding the medical care of those in need of such care.

X. Quality Assurance

A response documentation form should be completed for each use of the *Powerheart*[™]. The AED program coordinator and the Oversight Physician should review this form. Additionally, the rescue data should be reviewed for appropriate treatment.

XI. Basic Maintenance

Daily

Check the status indicator to ensure it is green. When the indicator is green, the unit is ready for a rescue. If the indicator is red, refer to the trouble-shooting guide in your user's manual.

Annually

The annual maintenance is performed to confirm that the *Powerheart's*[™] "Rescue Ready" diagnostics are functioning properly and verify the case and accessory integrity. See Required Maintenance section in your user's manual for proper annual maintenance procedure.

XII. AED Use Reporting

The following form must be completed on all uses of the *Powerheart™* AED.

Date: _____	Incident #: _____
Patient Information:	
Name: _____	
Address: _____ _____	
Age: _____	Gender: Male Female
Site of Incident: _____	
Witnessed Arrest: Yes No	
Breathing upon arrival of designated responders: Yes No	
Pulse upon arrival of designated responders: Yes No	
Bystander CPR: Yes No Cardiac Arrest after Arrival: Yes No	
Number of Defibrillations: _____	
Efforts Terminated in the Field? Yes No	
Any complication? Yes No Comments: _____	
Additional Comments: _____ _____ _____ _____ _____ _____	
User's Name: _____	
User's Signature: _____	

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TOPEKA PUBLIC SCHOOL DISTRICT AED INITIAL CHECKLIST

1. In buildings where AEDs (Automatic External Defibrillator) are present, they should be located in the main reception/secretary area.
2. Main reception/secretary contact person **knows what an AED is and how and why it is used**, also knows to call 911 if AED is called for.
3. Main reception/secretary knows to visualize green status indicator on AED **on a daily basis** and report any alarms/red light with black "X" to District nurse health team immediately.
4. Have computer software (**Rescue Link**) installed on the computer near the AED.
5. Have appropriate number of staff attend the coordinated training/certification class.
6. Have all staff at each facility (including coaches, janitorial staff, and any other "off normal business hours" employees) be aware that AEDs are deployed and why (via email, letter/bulletin, or in-service) and know to call main reception/secretary for immediate need of AED in addition to calling 911.
7. **If AED is used, attending staff/rescuer will contact District nurse team** (if not present at site of emergency) and give pertinent information after contacting EMS/911 and patient is transported.
8. Upon use of AED, **Ready Kits** (CPR mask, gloves, scissors, razor, wipes) **need to be replaced immediately** (ordering contact, Gary Menke, Purchasing) **as well as electrodes** (specify adult or pediatric). Cardiac Science ordering 800-991-5465.
9. Adult electrodes are for patients 8 years of age and above/55 pounds or greater, and pediatric electrodes are used for those who are less than 8 years of age/under 55 pounds.
10. After AED use and contact made with District nurse health team, **EKG data will be downloaded for further patient diagnosis**, medical use, and interpretation by attending health professionals at receiving health care facility.
11. Upon retrieving the EKG data, District nurse health team will remove data from AED and prepare AED for patient use (replacing supplies and data). For assistance, contact Cardiac Science Technical Support 24-hours a day/seven days a week (24/7) at 888-466-8686.
12. District nurse health team may call for staff debriefing after such event occurs for QA purposes, will also contact medical director of AED program for review.



HAZARD ANALYSIS CRITICAL CONTROL POINT PLAN (HACCPP)

Our school district staff has written a plan that addresses the safe handling of food. This Hazard Analysis Critical Control Point Plan (HACCPP) has been written to help ensure that school lunches are safe from a bio-security threat. Each school kitchen has a copy of that building's plan.

Existing food safety measures are in place at the District warehouse, school kitchens, and cafeterias. As part of this plan, extra security measures have been installed at the warehouse. All food vendors must now produce a letter of HACCPP compliance. Additionally, the plan contains procedures that help protect the food from time of delivery by the food vendors to the time the food is served in the schools. The District will continue to stay focused towards protecting the students and staff of USD 501.

TALKING POINTS ON PASS ID LEGISLATION

Summary: The Kansas drivers license/identification card is one of the most secure ID cards in the nation. Kansas is in substantial compliance with the requirements of the PASS ID legislation as currently drafted. Congress should end the uncertainty surrounding REAL ID by enacting PASS ID. PASS ID will protect Kansas drivers and ID card holders, recognize the security advances that Kansas has spearheaded, and ensure that IDs issued other jurisdictions can be relied upon by Kansas law enforcement.

- **Safety and Security First:** The debate and contention surrounding REAL ID has been an impediment to meeting the goals set by the 9/11 Commission. PASS ID resolves the greatest issues of contention, such as creation of national data bases, while ensuring that standards are modern, secure, and cost effective.

Ending uncertainty about the proper standards for state issued identification cards will enable Kansas law enforcement to rely on documents issued by other states in fulfillment of the American tradition of “full faith and credit.”

- **Kansas Compliance:** Kansas Department of Revenue has continued to maintain a secure identification issuance process that has been among the most advanced in the nation. Kansas currently complies with many of the requirements of REAL ID, and remains positioned to comply fully with PASS ID without additional cost.
- **Costs for Kansas Taxpayers:** While Kansas has continued to be an innovator, REAL ID did create substantial cost and compliance issues for Kansas and other states that were not as advanced as Kansas. The elimination of the national data bases brought costs into a more realistic level.

PASS ID does not create a substantial financial burden for Kansas taxpayers. It allows for faster implementation at reduced costs for Kansas and other states.

Kansas has taken the lead nationally in developing a secure ID and an ID issuance process designed to minimize fraud, verify documentation during the ID application processes, and protect the ID fabrication process from tampering. Because Kansas has taken these proactive steps, PASS ID does not create substantial new costs.

However, continued uncertainty surrounding the implementation of REAL ID has real potential to create additional costs for Kansans. The uncertainty surrounding the existing REAL ID regime prevents Kansas DOR from moving forward with continued innovation. PASS ID provides certainty for future planning, lessens implementation costs, and allows DOR to make investments with assurances that such investments will be compliant with federal law.

- **End Uncertainty:** A dozen states have passed state laws *prohibiting* their states from complying with REAL ID. PASS ID addresses their concerns, lessens the financial impact on states, and ensures national standards to achieve a secure ID while protecting states rights. Passage of PASS ID helps to end a conflict between state and federal government to the benefit of all Americans.

Adjutant General

Expenditure	Actual FY 2008	Approved FY 2009	Approved FY 2010
All Funds:			
State Operations	\$ 36,386,205	\$ 38,596,544	\$ 35,459,129
Aid to Local Units	73,007,048	85,772,311	111,556,842
Other Assistance	111,652,467	85,203,291	111,683,890
Subtotal - Operating	\$ 221,045,720	\$ 209,572,146	\$ 258,699,861
Capital Improvements	4,034,058	2,610,300	1,300,000
TOTAL	\$ 225,079,778	\$ 212,182,446	\$ 259,999,861
State General Fund:			
State Operations	\$ 6,013,748	\$ 9,141,457	\$ 6,843,110
Aid to Local Units	1,355,422	9,654,271	12,929,776
Other Assistance	4,046,838	9,953,648	12,976,823
Subtotal - Operating	\$ 11,416,008	\$ 28,749,376	\$ 32,749,709
Capital Improvements	1,150,784	385,000	300,000
TOTAL	\$ 12,566,792	\$ 29,134,376	\$ 33,049,709
Percentage Change			
Operating Expenditures			
All Funds	83.3%	(5.2)%	23.4%
State General Fund	16.2	151.8	13.9
FTE Positions			
FTE Positions	219.0	219.0	219.0
Non-FTE Unclass. Perm. Pos.	228.6	225.1	225.1
TOTAL	447.6	444.1	444.1

For FY 2009, the Legislature approved operating expenditures of \$209.5 million, including \$28.7 million from the State General Fund, for the Adjutant General. The final approved FY 2009 operating budget was an all funds decrease of \$50.7 million, or 19.5 percent, and a State General Fund decrease of \$6.9 million, or 19.4 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2009 budget included reductions to: equipment, supplies, repairs, travel, and holding vacant positions open. The Legislative approved budget for FY 2009 also includes:

- \$12.75 million, including \$1.50 million from the State General Fund, for disaster relief in FY 2009, and language to reappropriate any remaining funds in the disaster relief account to FY 2010;
- \$250,000, all from the State General Fund, in FY 2009 for a death benefit for one family of a National Guard member killed as a result of federal active duty in a combat zone; and
- Governor recommended special one-time transfers of \$1,883,892 from the Adjutant General Expense Fund – Hazardous Mitigation fund and \$319,657 from the National Guard Life Insurance Premium Reimbursement Payment Fund to the State General Fund. The Legislature accepted the Governor's recommendation.

For FY 2010, the Legislature approved operating expenditures of \$258.7 million, including \$32.7 million from the State General Fund. The final approved FY 2010 operating budget was an all funds decrease of \$877,118, or 0.3 percent, and a State General Fund decrease of \$891,094, or 2.7 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2010 budget are similar to those in FY 2009, but also include reductions to grants and interest free loans to National Guard members, the closing of armories, and reductions to program expenditures. The FY 2010 approved budget also includes:

- The appropriation of the National Guard Museum Assistance Fund as a no limit fund in FY 2010;
- \$157.25 million, including \$18.5 million from the State General Fund, in FY 2010 for disaster relief expenditures for electric cooperatives related to the December 2007 ice storm; and
- The addition of \$66,455,210, including \$7,818,260 from the State General Fund, for disaster assistance funding for payments on open disasters in FY 2010.

Adjutant General

	FY 2009			FY 2010		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Agency Request/Estimate:	\$ 37,327,348	\$ 264,220,253	219.0	\$ 40,144,875	\$ 267,081,051	220.0
Governor's Changes:						
1. Health Insurance Moratorium	\$ 0	\$ 0	0.0	\$ (87,486)	\$ (619,871)	0.0
2. Death and Disability Moratorium	0	0	0.0	(16,501)	(113,729)	0.0
3. Delete supplemental or enhancement funding	(7,978,713)	(62,497,994)	0.0	(23,428,810)	(150,786,683)	(1.0)
4. Debt service restructuring	(1,195,000)	(1,195,000)	0.0	(1,455,000)	(1,455,000)	0.0
5. Reduction to site selection planning expenditures	(100,000)	(100,000)	0.0	0	0	0.0
6. Reduction to Hazardous Mitigation expenditures	0	0	0.0	0	(10,499,093)	0.0
7. Shrinkage in the Division of Emergency Management	0	0	0.0	(20,793)	(20,793)	0.0
8. GBA No. 2 item 10, for disaster relief expenditures	0	0	0.0	20,000,000	170,000,000	0.0
Total Governor's Recommendation	\$ 28,053,635	\$ 200,427,259	219.0	\$ 35,136,285	\$ 273,585,882	219.0
Dollar Change from Agency Req./Est.	\$ (9,273,713)	\$ (63,792,994)	0.0	\$ (5,008,590)	\$ 6,504,831	(1.0)
Percent Change from Agency Req./Est.	(24.8)%	(24.1)%	0.0%	(12.5)%	2.4%	(0.5)%
Legislative Action:						
9. Health Insurance Moratorium	\$ (87,486)	\$ (619,871)	0.0	\$ 87,486	\$ 619,871	0.0
10. Death and Disability Moratorium	(7,327)	(50,496)	0.0	7,334	50,546	0.0
11. 1.25 Percent Across the Board Reduction	(324,446)	(324,446)	0.0	(324,446)	(324,446)	0.0
12. 2.75 Percent Reduction to agency FY 2010 approved budget.	0	0	0.0	(358,727)	(1,191,170)	0.0
13. Concur with GBA No. 2 item 10 to adjust disaster expenditures in FY 2009 and FY 2010.	1,500,000	12,750,000	0.0	(1,500,000)	(12,750,000)	0.0
14. Longevity Bonus	0	0	0.0	(17,397)	(17,397)	0.0
15. Undermarket Employee Pay Adjustment	0	0	0.0	19,174	26,575	0.0
TOTAL APPROVED	\$ 29,134,376	\$ 212,182,446	219.0	\$ 33,049,709	\$ 259,999,861	219.0
Dollar Change from Gov. Rec.	\$ 1,080,741	\$ 11,755,187	0.0	\$ (2,086,576)	\$ (13,586,021)	0.0
Percent Change from Gov. Rec.	3.9%	5.9%	0.0%	(5.9)%	(5.0)%	0.0%
Dollar Change from Agency Req./Est.	\$ (8,192,972)	\$ (52,037,807)	0.0	\$ (7,095,166)	\$ (7,081,190)	(1.0)
Percent Change from Agency Req./Est.	(21.9)%	(19.7)%	0.0%	(17.7)%	(2.7)%	(0.5)%

- The Governor recommended a 14-week payroll moratorium on employer contributions to the State Employee Health Plan in FY 2010. The recommendation was made to spend down a large balance that had accumulated in that account.
- The Governor recommended a 9-month moratorium on KPERS Death and Disability contributions in FY 2010. The recommendation was made to spend down a large balance that had accumulated in the KPERS Death and Disability account.
- The Governor did not recommend additional funds for disaster relief expenditures and recommended less than requested pay plan adjustment funds for FY 2009. For FY 2010 the Governor recommended less than requested disaster relief expenditures and did not recommend most of the agency's FY 2010 enhancement requests.
- The Governor recommended capturing one-time savings by restructuring a variety of bond debt service payments in both FY 2009 and FY 2010.
- The Governor recommended the removal of funds approved by the 2008 Legislature for use in planning for site selection for spoke No. 1 of the Great Plains Regional Training Center in FY 2009.
- The Governor recommended a FY 2010 reduction to the Adjutant General Expense Fund - Hazardous Mitigation in respect to the lapse of the same amount in the FY 2009 recommendation.
- The Governor recommended State General Fund shrinkage for the Division of Emergency Management Program in FY 2010.
- The Governor recommended additional disaster relief funds in FY 2010 to provide for electric cooperatives affected by the December 2007 ice storm.
- The 2009 Legislature accelerated the Governor's recommended 14-week payroll moratorium on employer contributions to the State Employee Health Plan from FY 2010 to FY 2009. Because the moratorium was recommended by the Governor for FY 2010 the

Adjutant General

Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.

10. The 2009 Legislature accelerated the Governor's recommended 9-month moratorium on KPERS Death and Disability contributions from the first nine months of FY 2010 to the last four months of FY 2009 and the first five months of FY 2010. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
11. During the regular session the 2009 Legislature approved a 1.25 percent across the board reduction to the Governor's FY 2009 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2009 and FY 2010.
12. During Omnibus, the 2009 Legislature included a 2.75 percent across the board reduction to the Governor's FY 2010 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2010.
13. The 2009 Legislature recommended moving part of the additional funding provided by the Governor in FY 2010 to provide additional funding for disaster relief in FY 2009.
14. The 2009 Legislature removed the funding for longevity bonuses in FY 2010 but directed state agencies to self-fund the longevity bonuses for eligible employees.
15. The 2009 Legislature included a total of \$8.5 million, all from the State General Fund, for undermarket pay adjustments to all state agencies with positions that had recommended pay adjustments in the Hay group study on Kansas state employee compensation. The study was completed in FY 2008.

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**Major General Tod M. Bunting
Adjutant General's Department
Joint Committee on Kansas Security
October 27, 2009**

FY 2010 Agency Budget Summary

Impact of FY 2010 Budget Reductions

- ◆ Agency made every effort to make cuts that would not affect life safety
- ◆ Main focus to insure we did not create dangerous situations for Kansas citizens
- ◆ Only four programs are funded with a majority of state funds
 - Operational Management
 - Civil Air Patrol
 - State Military Service
 - Armories and State Defense Building
- ◆ Cuts in all other programs result in a direct loss of federal matching dollars
- ◆ For these programs, any state dollar lost results in one (1) up to three (3) federal dollars lost
- ◆ Personnel staffing levels are at the lowest level possible, will need to hold open vacated critical positions longer than normal or desirable
- ◆ Mandated across the board cuts will impact the agency's mission capabilities
 - KDEM has one of the smallest staffs and less state funding than any other surrounding state
 - KDEM will have to be creative to keep Kansas citizens safe and prepared
 - Air National Guard funding reduced less to protect base infrastructure critical to Base Realignment and Closure review
 - "Shuttering" or closing armories must happen to meet budget constraint
 - Temporarily or permanently closing armories is not without risks
 - Risk losing military units and force structure
 - Will reduce availability of secure storage for military equipment
 - Additional costs associated with "Shuttering" and reopening
 - Could increase response time in case of emergencies
 - Federal matching funds could be lost if facilities not kept to DOD Standards
 - Civil Air Patrol cannot meet their contractual obligations for lease costs
 - See attached listing for detail on the impact of budget cuts

FY 2010 Supplemental Requests

- ◆ Authority to issue \$3 million of Armory Renovation Bonds – No debt service due until FY 2012
 - Chapter 206, Section 47 of 2005 Session Laws provides for issuance of \$3,000,000 Armory Renovation Bonds in FY 2009
 - With June State Finance Council meeting elimination, approval to issue bonds not obtained
 - Need for bonds more critical in light of severe budget cuts in Armory Program
- ◆ Appropriation authority to expend Lottery Museum Fund - \$488,687
 - Chapter 156, Section 6 of 2008 Kansas Session Laws provides funds for the 35th Infantry Division Museum and education center
 - Lottery proceeds have been transferred to the Department of Administration
 - Chapter 156, Section 6, 2008 Kansas Session Laws requires appropriation authority for agency to receive and expend funds
- ◆ KDEM Hazard Mitigation Plan matching state funds - \$50,000
 - Hazard Mitigation Plan is the official statement of the State's hazard mitigation strategy
 - Required under the Disaster Mitigation Act of 2000 per 44 CFR

- Must be updated and approved every three years by FEMA
- 25% state match is required for cost of plan
- ◆ McConnell ASOS building matching funds - \$50,000
 - Air Support Operations Squadron is to train and deploy with Army National Guard, provide close air support and provide links between ground and air crews
 - Mission requires a properly configured facility recently build at Smoky Hill Range with 100% federal funds
 - The ASOS building sustainment at Smoky Hill requires a 25% state match
- ◆ Civil Air Patrol Additional Operating Funds - \$4,231
 - CAP's budget is separate from the Adjutant General's Department
 - Program was already underfunded therefore budget cuts have ravaged their budget
 - Insufficient funds to pay for contracted lease costs, office supplies and postage
- ◆ Additional funding for Military Activation Bonuses - \$21,858
 - Agency is vessel to accomplish the Military Activation Bonus payments
 - Number of bonuses paid annually varies
 - Need to have funds available for all requests
 - Remaining balance and requested funds, will provide for 30 bonus payments

FY 2011 Agency Budget Summary

Impact of FY 2011 Budget Reductions

- ◆ Budget cuts made in FY 2010 carry forward to impact the FY 2011 budget
- ◆ Agency faces same funding impact issues in FY 2011 as in FY 2010
- ◆ Because this is the third year of budget constraints, it places agency infrastructure in greater peril due to a longer period of neglect

FY 2011 Enhancement Requests

- ◆ Appropriation authority to expend Lottery Museum Fund – Estimate \$488,687 available
 - Chapter 156, Section 6 of 2008 Kansas Session Laws provides funds for the 35th Infantry Division Museum and education center
 - Chapter 156, Section 6, 2008 Kansas Session Laws requires appropriation authority for agency to receive and expend funds
- ◆ KDEM additional SGF operating funds - \$365,000
 - Emergency Management Performance Grant (EMPG) supports all-hazard planning, training and exercises for all emergency management personnel throughout the state
 - EMPG requires 50% Non-Federal match
 - Escalating dependence on local "Soft Match" to meet matching criteria
 - Historically the "Soft Match" captured the salaries counties pay for their Emergency Management staff
 - With increased dependence on "Soft Match" will start capturing the payments counties make for supplies and equipment
 - KDEM roles and responsibilities have increased drastically since 9-11 with limited increases in state matching funds
 - Increase in SGF to fund the salaries of the Regional Coordinators
 - \$365,000 additional SGF was provided in FY 2009 but only for that one year
 - No other operational increases have been received in recent history
- ◆ Safe, Healthy & Prepared Schools - \$500,000
 - Save the Children Foundation gave Kansas an "F" in school emergency preparedness
 - Educational leaders requested commission to better prepare schools
 - Recommendation for a Kansas Center for Safe and Prepared Schools

- ◆ Additional SGF for armories energy initiatives - \$300,000
 - Utility costs continue to increase annually
 - Must initiate efforts now to reduce our energy footprint in the future
 - Funds would focus on HVAC, lighting, exterior sealing, reflective roofs with insulation, etc.
- ◆ McConnell ASOS building matching funds - \$50,000
 - Air Support Operations Squadron is to train and deploy with Army National Guard, provide close air support and provide links between ground and air crews
 - Mission requires a properly configured facility recently build at Smoky Hill Range with 100% federal funds
 - The ASOS building sustainment at Smoky Hill requires a 25% state match
- ◆ Civil Air Patrol additional operating funds - \$4,726
 - CAP's budget is separate from the Adjutant General's Department
 - Program was already underfunded therefore budget cuts have ravaged their budget
 - Insufficient funds to pay for contracted lease costs, office supplies and postage
- ◆ Great Plains Regional Training Center Spoke #1 - \$6,847,425
 - Continues the concept of regional training centers for first responders and KSNG
- ◆ Liberal Motor Vehicle Storage compound expansion - \$381,291
 - Military equipment is currently be stored in unsecure armory parking area
 - A portion of a transportation unit is now assigned to this armory
 - 30 Semi-Tractors and 60, 45 ft Semi-Trailers authorized that require storage
 - This is the fourth year for this request
- ◆ Civil Air Patrol communications funding - \$114,500
 - Relocated to new facility, need to install antennas and equipment at new site
 - Installation of VHF/FM repeater antennas on existing high tower structures in six locations
 - Purchase NTIA compliant analog VHF/FM mobiles for CAP vehicles and HQ facility
 - Provide 800 MHz radios for vehicles and HQ facility
- ◆ State Disaster matching funds - \$10,347,670
 - Funding request to cover required payments for eleven disasters
 - New disaster was recently declared that will increase overall funding requirement
 - At current time, this remains the best estimate of required funds
 - Updates to funding requirements will be provided during the Legislative Session
 - Summary of disaster funding estimates is attached
- ◆ Military Activation Bonuses Additional Funds - \$21,997
 - Agency is vessel to accomplish the Military Activation Bonus payments
 - Number of bonuses paid annually varies
 - Need to have funds available for all requests
 - Remaining balance and requested funds, will provide for 30 bonus payments

Special Note

- ◆ Adjutant General's Department has received \$977,000 in federal stimulus dollars for the following projects:
 - Lighting upgrades
 - Kansas City Armory
 - Manhattan Armory Assembly Hall
 - Field Maintenance Shop #1, Hays
 - Field Maintenance Shop #9, Topeka
 - Army Aviation Support Facility #1, Bldg. 680, Topeka Forbes Field
 - Army Aviation Support Facility #1, Bldg. 681, Topeka Forbes Field
 - Army Aviation Support Facility #1, Bldg. 682, Topeka Forbes Field
 - Energy Study
 - Kansas Regional Training Center Nickell Hall, Salina
 - HVAC Upgrade
 - Army Aviation Support Facility #1, Bldg 636, Topeka Forbes Field
 - Army Aviation Support Facility #1, Bldg 682, Topeka Forbes Field
 - Latrine Remodel
 - Army Aviation Support Facility #1, Bldg 680, Topeka Forbes Field
 - Army Aviation Support Facility #1, Bldg 682, Topeka Forbes Field
 - Floor Coating
 - Army Aviation Support Facility #1, Bldg 680, Topeka Forbes Field
 - Army Aviation Support Facility #1, Bldg 682, Topeka Forbes Field
 - Office Upgrade
 - Army Aviation Support Facility #1, Bldg 682, Topeka Forbes Field
- ◆ The Kansas National Guard has received \$740,000 in federal stimulus dollars, contracted through the federal United States Property and Fiscal Office, for the following project:
 - New Headquarters Building
 - Camp Funston Training Area, Ft. Riley

Adjutant General's Department

Impact of Budget Cuts for FY 2010

Item Name/Explanation	1.25% Cut Carryover from FY 2009			2.75 % Cut by Legislature			2% Governor Cut & Longevity Funding Cut			TOTALS		
	SGF	Federal Funds	All Funds	SGF	Federal Funds	All Funds	SGF	Federal Funds	All Funds	SGF	Federal Funds	All Funds
	CIVIL AIR PATROL											
BEGINNING ALLOCATION BALANCE										33,191	0	33,191
NOTE: The Adjutant General's Department absorbed an additional cut of \$601 instead of CAP												
Eliminate office supplies and postage	403	0	403	0	0	0	0	0	0	403	0	403
Insufficient Funds to Pay Lease Costs	0	0	0	866	0	866	569	0	569	1,435	0	1,435
TOTAL REDUCTION	403	0	403	866	0	866	569	0	569	1,838	0	1,838
FINAL ALLOCATION										31,353	0	31,353
OPERATIONAL MANAGEMENT												
BEGINNING ALLOCATION BALANCE										1,287,252	0	1,287,252
Reduce Assistant Adjutant General 999'r position funding by 50%	15,907	0	15,907	4,093	0	4,093	0	0	0	20,000	0	20,000
Do not replace aging or failing equipment	0	0	0	6,750	0	6,750	0	0	0	6,750	0	6,750
Reduce the amount of office and operational supplies	0	0	0	5,000	0	5,000	3,050	0	3,050	8,050	0	8,050
Reduce the amount of repair & operational services	0	0	0	5,500	0	5,500	2,500	0	2,500	8,000	0	8,000
Reduce Purchase of Honorariums (Ribbons & Awards) for Kansas National Guard Members	0	0	0	1,000	0	1,000	0	0	0	1,000	0	1,000
Reduce the amount of flags purchased to accompany National Guard troops	0	0	0	3,000	0	3,000	0	0	0	3,000	0	3,000
Eliminate funding for the JAG to obtain background information	0	0	0	0	0	0	0	0	0	0	0	0
Reduce travel for The Adjutant General and his staff	0	0	0	1,738	0	1,738	3,500	0	3,500	5,238	0	5,238
Increase shrinkage rate from 2% to 4% holding vacated positions open	0	0	0	0	0	0	17,925	0	17,925	17,925	0	17,925
Increase Dependence on Indirect Cost Funds Received on KDEM Federal Grants				7,500	0	7,500	7,500	0	7,500	15,000	0	15,000
TOTAL REDUCTION	15,907	0	15,907	34,581	0	34,581	34,475	0	34,475	84,963	0	84,963
FINAL ALLOCATION										1,202,289	0	1,202,289
STATE MILITARY SERVICE OPERATIONS												
BEGINNING ALLOCATION BALANCE										55,546	0	55,546
Eliminate the purchase of some equipment & supplies	711	0	711	1,508	0	1,508	1,091	0	1,091	3,310	0	3,310
TOTAL REDUCTION	711	0	711	1,508	0	1,508	1,091	0	1,091	3,310	0	3,310
FINAL ALLOCATION										52,236	0	52,236
MILITARY EMERGENCY RELIEF FUND												
BEGINNING ALLOCATION BALANCE										49,000	0	49,000
Grants & interest free loans to National Guard members would be reduced	625	0	625	1,330	0	1,330	941	0	941	2,896	0	2,896
TOTAL REDUCTION	625	0	625	1,330	0	1,330	941	0	941	2,896	0	2,896
FINAL ALLOCATION										46,104	0	46,104
MILITARY ACTIVATION PAYMENTS												
BEGINNING ALLOCATION BALANCE										24,637	0	24,637
If we have more claims than funds we will not be able to pay the bonus	363	0	363	664	0	664	468	0	468	1,495	0	1,495
TOTAL REDUCTION	363	0	363	664	0	664	468	0	468	1,495	0	1,495
FINAL ALLOCATION										23,142	0	23,142
EMERGENCY MANAGEMENT OPERATIONS & ADMINISTRATION												
BEGINNING ALLOCATION BALANCE										1,077,007	1,077,007	2,154,014
The current SFY 2010 award will not cover KDEM's projected State salaries. Therefore, additional budget cuts could be detrimental. KDEM is required to match it's Emergency Management Performance Grant (EMPG) at a 1/1 ratio. The EMPG grant runs on a FFY from October 1 through September 30. The FFY 2009 EMPG award was \$3,959,979. We do not anticipate any significant change in future award amounts. In order to meet the 1/1 matching ratio, KDEM uses State General Funds and "in kind" dollars from the counties. As long as "in kind" dollars are available from the counties to match the EMPG grant KDEM will be able to change the portion of salaries paid by State General Funds. However, the storm is upon us and KDEM loses pledged "in kind" dollars to disaster relief efforts. Therefore, for each state dollar/in kind dollar lost KDEM will lose one dollar of federal grant money. Additionally, the following projects will not be completed due to the budget cuts:	18,231	0	18,231	29,046	0	29,046	24,838	0	24,838	72,115	0	72,115

8-10

Special Projects - Commission on Emergency Planning & Response (CEPR), Capability Assessments, and other executive workshops/meetings	0	10,000	10,000	0	0	0	0	0	0	0	10,000	10,000
Hazard Mitigation equipment and travel	0	8,231	8,231	0	1,769	1,769	0	0	0	0	10,000	10,000
Preparedness Program Support including Safe & Prepared Schools	0	0	0	0	10,000	10,000	0	0	0	0	10,000	10,000
Emergency Management Accreditation Program	0	0	0	0	6,200	6,200	0	6,200	6,200	0	12,400	12,400
Public Awareness Project	0	0	0	0	5,000	5,000	0	5,000	5,000	0	10,000	10,000
Training & Exercises	0	0	0	0	6,077	6,077	0	11,456	11,456	0	17,533	17,533
Disaster Housing Plan Development	0	0	0	0	0	0	0	2,182	2,182	0	2,182	2,182
TOTAL REDUCTION	18,231	18,231	36,462	29,046	29,046	58,092	24,838	24,838	49,676	72,115	72,115	144,230
FINAL ALLOCATION										1,004,892	1,004,892	2,009,784
STATE MATCH FOR DISASTERS												
BEGINNING ALLOCATION BALANCE										26,318,260	78,954,780	105,273,040
Request additional funding at a later time	250,595	751,785	1,002,380	208,111	624,333	832,444	0	0	0	458,706	1,376,118	1,834,824
TOTAL REDUCTION	250,595	751,785	1,002,380	208,111	624,333	832,444	0	0	0	458,706	1,376,118	1,834,824
FINAL ALLOCATION										25,859,554	77,578,662	103,438,216
ARMORIES & STATE DEFENSE BUILDING & ARNG FACILITIES												
BEGINNING ALLOCATION BALANCE										1,920,045	1,920,045	3,840,090
The cut will be absorbed by adding additional requirements to our deferred maintenance list and repairing failed equipment components rather than replacing them. These decisions will not eliminate the requirement and may ultimately increase future costs. At this reduction level we would only replace mission essential classified employees.	23,439	23,439	46,878	29,100	29,100	58,200	0	0	0	52,539	52,539	105,078
The cut will result in the closing or "Shuttering" of approximately 8-18 of our Armories due to not being able to meet our Federal obligation of maintaining these facilities to DOD Standards. This will create some additional costs to modify the remaining facilities to accommodate the additional Guard personnel who will be relocated to the remaining Armories.	0	0	0	32,303	32,303	64,606	61,193	61,193	122,386	93,496	93,496	186,992
TOTAL REDUCTION	23,439	23,439	46,878	61,403	61,403	122,806	61,193	61,193	122,386	146,035	146,035	292,070
FINAL ALLOCATION										1,774,010	1,774,010	3,548,020
FORBES AIR NATIONAL GUARD BASE OPERATIONS & MAINTENANCE												
BEGINNING ALLOCATION BALANCE										483,222	1,449,666	1,932,888
Not hire summer temp employees (999 type)	3,750	11,250	15,000	0	0	0	0	0	0	3,750	11,250	15,000
Reduce maintenance of facility grounds	2,347	7,041	9,388	6,403	19,209	25,612	0	0	0	8,750	26,250	35,000
Reduce maintenance of HVAC Systems	0	0	0	3,142	9,426	12,568	0	0	0	3,142	9,426	12,568
TOTAL REDUCTION	6,097	18,291	24,388	9,545	28,635	38,180	0	0	0	15,642	46,926	62,568
FINAL ALLOCATION										467,580	1,402,740	1,870,320
McCONNELL AIR NATIONAL GUARD BASE OPERATIONS & MAINTENANCE												
BEGINNING ALLOCATION BALANCE										640,198	1,920,594	2,560,792
Not hire summer temp employees (999 type)	6,000	18,000	24,000	6,000	18,000	24,000	0	0	0	12,000	36,000	48,000
Misc reductions material, supplies, travel, trash service, utilities & other services	2,075	6,225	8,300	5,673	17,019	22,692	0	0	0	7,748	23,244	30,992
TOTAL REDUCTION	8,075	24,225	32,300	11,673	35,019	46,692	0	0	0	19,748	59,244	78,992
FINAL ALLOCATION										620,450	1,861,350	2,481,800
BEGINNING ALLOCATION BALANCE										31,888,358	85,322,092	117,210,450
GRAND TOTAL OF REDUCTIONS	324,446	835,971	1,160,417	358,727	778,436	1,137,163	123,575	86,031	209,606	806,748	1,700,438	2,507,186
FINAL ALLOCATION										31,081,610	83,621,654	114,703,264
OTHER FUNDS												
DEBT SERVICE										1,862,058		
TOTAL AGENCY APPROPRIATION										32,943,668		

6-01



FY 2009 & FY 2010 Budget - Disaster Funds Required for Federally Declared Disasters - Paid & Pending - SUMMARY

				As of:	8/25/2009	
	Total State Match Required	State Amounts Paid To-Date	Estimated State Share Payments Due		Estimated Federal Share Payments Due	Estimated Local Share Payments Due
Estimated Total State Disaster Match Required:						
Disaster 1600 - 2005 CK, CR, & NO Floods - Federally Declared 8-23-2005						
Estimated Total State Disaster Match Required	\$ 428,043	\$ 401,179	\$ 26,863		\$ 201,475	\$ 40,295
Disaster 1615 - 2005 AT, JA, JF, LV & SN Floods - Federally Declared 11-15-2005						
Estimated Total State Disaster Match Required	\$ 1,066,711	\$ 1,015,018	\$ 51,693		\$ 387,696	\$ 77,539
Disaster 1626 - 2006 NW Winter Storm - Federally Declared 1-26-2006						
Estimated Total State Disaster Match Required	\$ 5,033,009	\$ 5,013,145	\$ 19,864		\$ 148,981	\$ 29,796
Funds Needed to Complete Disaster 1600, 1615, & 1626	\$ 6,527,763	\$ 6,429,342	\$ 98,420		\$ 738,152	\$ 147,630
DISASTERS DECLARED 2007 AND BEYOND						
Disaster 1675 - 2006 SW Kansas Ice Storm - Federally Declared 12-2006						
Estimated Total State Disaster Match Required	\$ 34,976,454	\$ 20,476,896	\$ 14,499,558		\$ 108,746,685	\$ 21,749,337
Disaster 1699 - 2007 Tornado Greensburg / NE KS Flooding - Federally Declared 5-2007						
Estimated Total State Disaster Match Required	\$ 11,888,039	\$ 9,733,132	\$ 2,154,907		\$ 16,161,806	\$ 3,232,361
Disaster 1711 - 2007 SE Kansas Flooding - Federally Declared 7-2007						
Estimated Total State Disaster Match Required	\$ 4,204,948	\$ 2,790,970	\$ 1,413,977		\$ 10,604,828	\$ 2,120,966
Disaster 1741 - December 2007 Ice Storm - Federal Declared 2/2008						
Estimated Total State Disaster Match Required	\$ 35,721,430	\$ 9,383,600	\$ 26,337,830		\$ 197,533,723	\$ 39,506,745
Disaster 1776 - June 2008 Storms - Federal Declared 7/2008						
Estimated Total State Disaster Match Required	\$ 4,999,577	\$ 2,277,849	\$ 2,721,729		\$ 20,412,967	\$ 4,082,593
Disaster 1808 - September 2008 Flooding - Federal Declared 10/2008						
Estimated Total State Disaster Match Required	\$ 488,656	\$ 312,243	\$ 176,413		\$ 1,323,095	\$ 264,619
City of Greensburg Operating Funds						
Estimated Total State Disaster Match Required	\$ 2,067,880	\$ 2,067,880	\$ -		\$ -	\$ -
Emergency Operations Center Taskings						
Estimated Total State Disaster Match Required	\$ 2,500	\$ 2,500	\$ -		\$ -	\$ -
Direct Federal Assistance Payments Due FEMA #1699, #1711, & #1741						
Estimated Total State Disaster Match Required	\$ 1,647,966	\$ 84,103	\$ 1,563,863		\$ 6,255,452	\$ -
PA Management Costs - Estimated State Disaster Match						
Estimated PA Management Costs - SAD costs for SFY 08 & FY 09	\$ 707,258	\$ -	\$ 707,258		\$ 2,121,774	\$ -
Totals	\$ 102,525,212	\$ 53,558,515	\$ 49,673,955		\$ 363,898,481	\$ 71,104,251

10-10

CASH ON HAND					State Funds Shortfall	Federal Funds Shortfall	Local Share Remaining			
Disaster Match Fund Balances										
J 1000-0200	\$	21,417,546								
Fund 2357	\$	-								
Fund 2441	\$	-								
Fund 2445	\$	-								
Total State Disaster Match Funds Balance		\$	21,417,546		\$	28,256,409	\$ 231,136,188	\$ 45,229,836		
Anticipated Timeline of State Disaster Match Payments:										
FY 2010 - Estimated total amount state anticipated to be paid out										
Disaster 1600, 1615, and 1626			\$	98,420		\$	738,150	\$	147,630	
Disaster 1675			\$	11,734,913		\$	88,011,848	\$	17,602,370	
Disaster 1699			\$	799,974		\$	5,999,804	\$	1,199,961	
Disaster 1711			\$	808,600		\$	6,064,500	\$	1,212,900	
Disaster 1741			\$	3,257,807		\$	24,433,549	\$	4,886,710	
Disaster 1776			\$	1,398,864		\$	10,491,480	\$	2,098,296	
Disaster 1808			\$	169,916		\$	1,274,370	\$	254,874	
Disaster 1848			\$	538,000		\$	4,035,000	\$	807,000	
Disaster 1849			\$	608,836		\$	4,566,270	\$	913,254	
City of Greensburg Operations Cost			\$	-		\$	-	\$	-	
Emergency Operations Center Taskings			\$	-		\$	-	\$	-	
Direct Federal Assistance			\$	1,568,741		\$	4,706,223	\$	-	
PA Management Costs			\$	433,476		\$	1,300,428	\$	-	
Total			\$	21,417,546		\$	151,621,621	\$	29,122,994	
Funds Required for Remainder of SFY 2010					\$	(0)	\$	(2)	\$	(0)
FY 2011 - Estimated total amount state anticipated to be paid out										
Disaster 1600, 1615, and 1626			\$	-		\$	-	\$	-	
Disaster 1675			\$	2,863,586		\$	21,476,895	\$	4,295,379	
Disaster 1699			\$	859,600		\$	6,447,000	\$	1,289,400	
Disaster 1711			\$	408,262		\$	3,061,963	\$	612,393	
Disaster 1741			\$	3,257,807		\$	24,433,549	\$	4,886,710	
Disaster 1776			\$	1,356,174		\$	10,171,303	\$	2,034,261	
Disaster 1808			\$	281,710		\$	2,112,824	\$	422,565	
Disaster 1848			\$	553,000		\$	4,147,500	\$	829,500	
Disaster 1849			\$	493,750		\$	3,703,125	\$	740,625	
Direct Federal Assistance			\$	-		\$	-	\$	-	
PA Management Costs			\$	273,782		\$	821,346	\$	-	
Total			\$	10,347,670		\$	76,375,506	\$	15,110,832	
Subtotal of Funds Required for SFY 2011					\$	10,347,670	\$	(76,375,506)	\$	(15,110,832)
Less: Funds provided by Appropriations					\$	-				
Less: Funds Reappropriated from FY 2010					\$	-				
Funds Required for SFY 2011					\$	10,347,670	\$	(76,375,506)	\$	(15,110,832)

10-11



Kansas Center for Safe and Prepared Schools
Recommendations to Joint Legislative Security Committee for Sustainability

Factual Findings:

1. Every educational setting is vulnerable to threats.
2. Kansas schools are not uniformly prepared, resource equipped nor trained to respond to emergency school events.
3. A safe and prepared learning environment is important to all Kansans.
4. Research and practical evidence demonstrates a positive connection between a safe learning environment and student achievement.
5. Regardless of current challenges, schools have a duty of responsibility to provide a safe and prepared learning environment for students and staff.
6. School crisis events are community events and community crisis events are school crisis events.
7. Recent survey results show overwhelming support (92% in 2009 & 83% in 2007) from educators, emergency management and first responders for a Kansas Center for Safe and Prepared Schools (KC-SPS).
8. There is a strong collaboration among several state agencies supporting the mission and work of the Kansas Center for Safe and Prepared Schools.
9. School preparedness in Kansas lacks specificity and the accountability of law.
10. Schools have immediate and pressing priorities that constrain their opportunity to engage in school preparedness and safety activities.
11. Interest in school preparedness and safety tends to be cyclic while the need in schools remains constant.
12. On a typical day, 20 -25% of Kansans are in a school setting.

Recommendations:

1. Through legislative action, create the Kansas Center for Safe and Prepared Schools (KC-SPS), thus providing a legal foundation for its existence.
2. Establish the mission of the Kansas Center for Safe and Prepared Schools to coordinate, recommend and implement resources and provide training that will improve the safe and prepared learning environments in Kansas Schools. KC-SPS will provide leadership in assisting schools in the prevention of, preparation for, response to and recovery from crisis events that impact their schools and local communities.
3. To approve resources by the Legislature that will be needed to operate and allow KC-SPS to fulfill its mission and duties.

4. The KC-SPS will be sponsored by the TAG's department and/or the Governor's Office.
5. The KC-SPS will receive continued collaboration and support from the Governor's Office, the Legislature, KDEM, KHS, KSDE, AG's Office, KHP, KDHE and the Fire Marshall's Office.
6. KC-SPS will be run by a Director, who will act as its Executive Officer. The Director will hire appropriate staff to run the programs and services of KC-SPS. The Director and KC-SPS will use the services of an advisory board.
7. The KC-SPS Advisory Board will have representation from the collaborating state agencies as well as a law enforcement officer, a school nurse, a school counselor, a district and building school administrator, a local or county emergency manager, an EMS provider, a fire service official, a parent and up to five members at large appointed by the Director.
8. KC-SPS will produce an annual report of its activities and present its findings to the Governor's Office and the Kansas Legislature.
9. KC-SPS will be encouraged to create partnerships with private, public, other government agencies and NGO organizations in order to support its mission.
10. The Duties of the Kansas Center for Safe and Prepared Schools will be:
 - a. To become a clearinghouse for Kansas Schools on school safety and preparedness issues;
 - b. To establish and implement awareness, training and exercise programs for Kansas Schools;
 - c. To create and deploy Kansas school crisis response capabilities;
 - d. To coordinate and advocate expectations and standards for school preparedness and safety in Kansas Schools.

Potential Standards for Consideration

- School Crisis Plans
- School Crisis Management Teams
- Training and Exercises
- Required school safety preparedness drills and skills
- Recommended preparedness supplies and equipment
- Increased collaboration and dialogue among Educators, Emergency Management and First Responders
- Support of local school efforts in obtaining/retaining school nurses, law enforcement and counselors with specialized school training

Submitted by:

Major General Tod Bunting (Kansas' TAG)

Dr. Bob Hull, Director of KC-SPS

School districts that have not submitted their district's school crisis plan					
Dist #	Name	Contact	Phone	E-Mail Address	Comment
102	Cimarron-Ensign	Dr. Stattelman	620-855-7743		Also has not submitted 06-07 CPA report
200	Greeley County	Bill Wilson	620-376-4211		
203	Piper-KC	Steve Adams	913-721-2088		Also has not submitted 06-07 CPA report
228	Hanston	Ray Patterson	620-623-2641		
231	Gardner-Edgerton	Dr. Gilhaus	913-856-2000		
239	N. Ottawa County	Dr. Combs	785-392-2167		
240	Twin Valley	Richard Harlan	785-488-3325		
243	Lebo-Waverly	Allen Pokorny	785-733-2651		
244	Burlington	Dr. Rawson	620-364-8478		
245	LeRoy-Gridley	Mike Kastle	620-964-2212		
247	Cherokee	Tim Burns	620-457-8350		
248	Girard	Gary Snawder	620-724-4325		
249	Frontenac	Destry Brown	620-231-7551		
256	Marmaton Valley	Nancy Meyer	620-237-4250		
261	Haysville	Dr. Burke	316-554-2200		
267	Renwick	Dr. Peters	316-444-2165		
281	Graham County	Jim Hickel	785-421-2135		
291	Grinnell	Rose Kane	785-824-3277		
294	Oberlin	Dr. Cullen	785-475-3805		
300	Comanche County	Michael Baldwin	620-582-2181		
307	Ell-Saline	Jerry Minneman	785-225-6813		
322	Onaga-Havensville-Wheaton	Dr. Marten	785-889-4614		
324	Eastern Heights	Beth Norris	785-543-6771	[not on the current list of districts - 2009]	
333	Concordia	Beverly Mortimer	785-243-3518		
342	McLouth	Jean Rush	913-796-2201		Sent unreadable format
352	Goodland	Shelly Angelos	785-890-2397		
360	Caldwell	Alan Jamison	620-845-2585		
361	Anthony-Harper	Keith Custer	620-842-5183		
366	Woodson	Rusty Arnold	620-625-8804		
382	Pratt	Dr. Glen Davis	620-672-4500		
412	Hoxie	Steve Joyt	785-675-3258		
418	McPherson	Dr. Watson	620-241-9400		
422	Greensburg	Darin Headrick	620-723-2145		Plan not complete. E-mailed 4/9 and asked for what they have.
426	Pike Valley	Gary Kraus	785-335-2206		
440	Halstead	Dr. Bishard	316-835-2641		No electronic version. E-mailed 4/10 and asked for paper copy
449	Easton	Charles Coblentz	913-651-9740		
453	Leavenworth	Kelly Harris	913-684-1400		
462	Central	Linda Bartel	620-438-2218		Will send paper copy ASAP per e-mail 4/9 (2008)
466	Scott County	Dr. Wells	620-872-7600		
467	Leoti	Dr. Tarrant	620-375-4677		
469	Lansing	Dr. Bagby	913-727-1100		
482	Dighton	Angela Lawrence	620-397-2835		
495	Ft. Larned	Jon Flint	620-285-3185		
496	Pawnee Heights	Raymond Patterson	620-527-4212		

n=44
 produced by Kansas Department of Education

Kansas Highway Patrol

Expenditure	Actual FY 2008	Approved FY 2009	Approved FY 2010
All Funds:			
State Operations	\$ 76,628,123	\$ 76,827,675	\$ 72,887,835
Aid to Local Units	10,248,453	9,492,790	4,572,258
Other Assistance	82,906	16,668	16,668
Subtotal - Operating	\$ 86,959,482	\$ 86,337,133	\$ 77,476,761
Capital Improvements	863,487	1,382,199	1,137,717
TOTAL	\$ 87,822,969	\$ 87,719,332	\$ 78,614,478
State General Fund:			
State Operations	\$ 36,469,029	\$ 34,976,127	\$ 33,473,660
Aid to Local Units	0	1,007,071	0
Other Assistance	236	0	0
Subtotal - Operating	\$ 36,469,265	\$ 35,983,198	\$ 33,473,660
Capital Improvements	0	0	0
TOTAL	\$ 36,469,265	\$ 35,983,198	\$ 33,473,660
Percentage Change			
Operating Expenditures			
All Funds	1.8%	(0.7)%	(10.3)%
State General Fund	4.3	(1.3)	(7.0)
FTE Positions			
FTE Positions	859.0	859.0	859.0
Non-FTE Unclass. Perm. Pos.	38.0	38.0	38.0
TOTAL	897.0	897.0	897.0

For FY 2009, the Legislature approved operating expenditures of \$86,337,133, including \$35,983,198 from the State General Fund, for the Kansas Highway Patrol. The final approved FY 2009 operating budget was an all funds decrease of \$2.1 million, or 2.4 percent, and a State General Fund decrease of \$1.8 million, or 4.8 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2009 budget include: holding positions open, and the spend down of special revenue funds. The approved FY 2009 budget also includes:

- The Governor recommended special one-time transfer of \$150,000 from the Highway Patrol Training Center Fund to the State General Fund in FY 2009. The Legislature accepted the Governor's recommendation but reduced the transfer by 21.5 percent for a total transfer of \$117,750.
- The Governor recommended special one-time transfer of \$300,000 from the General Fees Fund to the State General Fund in FY 2009. The Legislature accepted the Governor's recommendation but reduced the transfer by 21.5 percent for a total transfer of \$235,500; and
- The Governor recommended the addition of \$1,007,680, all from special revenue funds, as part of the agency's supplemental request for additional fuel expenditures related to fuel price increases in FY 2009.

For FY 2010, the Legislature approved operating expenditures of \$77,476,761, including \$33,473,660 from the State General Fund. The final approved FY 2010 operating budget was an all funds decrease of \$8.0 million, or 9.4 percent, and a State General Fund decrease of \$4.8 million, or 12.6 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2010 budget include: reducing information technology maintenance, out-of-state travel, elimination of both trooper recruit classes, the elimination of one canine training class, holding positions open, and the spend down of special revenue funds.

Kansas Highway Patrol

	FY 2009			FY 2010		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Agency Request/Estimate:	\$ 37,791,775	\$ 89,831,654	859.0	\$ 38,292,393	\$ 86,615,881	859.0
Governor's Changes:						
1. Health Insurance Moratorium	\$ 0	\$ 0	0.0	\$ (905,758)	\$ (1,371,020)	0.0
2. Death and Disability Moratorium	0	0	0.0	(52,925)	(84,100)	0.0
3. Shift State General Fund expenditures to special revenue funds	(374,991)	0	0.0	(75,453)	0	0.0
4. Delete supplemental or enhancement funding	(10,590)	(210,220)	0.0	(1,112,189)	(3,687,844)	0.0
5. Recommended part of the agency's reduced resources package	0	0	0.0	(1,039,953)	(1,473,559)	0.0
Total Governor's Recommendation	\$ 37,406,194	\$ 89,621,434	859.0	\$ 35,106,115	\$ 79,999,358	859.0
Dollar Change from Agency Req./Est.	\$ (385,581)	\$ (210,220)	0.0	\$ (3,186,278)	\$ (6,616,523)	0.0
Percent Change from Agency Req./Est.	(1.0)%	(0.2)%	0.0%	(8.3)%	(7.6)%	0.0%
Legislative Action:						
6. Health Insurance Moratorium	\$ (905,758)	\$ (1,371,020)	0.0	\$ 905,758	\$ 1,371,020	0.0
7. Death and Disability Moratorium	(23,499)	(37,343)	0.0	23,522	37,376	0.0
8. 1.25 Percent Across the Board Reduction	(493,739)	(493,739)	0.0	(493,739)	(493,739)	0.0
9. 2.75 Percent Reduction to agency FY 2010 approved budget.	0	0	0.0	(951,599)	(951,599)	0.0
10. 5.0 Percent Reduction to FY 2010 Governor's Recommendation	0	0	0.0	(938,041)	(1,826,911)	0.0
11. Add funding for in-car digital cameras	0	0	0.0	0	150,000	0.0
12. Longevity Bonus	0	0	0.0	(308,509)	(308,509)	0.0
13. Undermarket Employee Pay Adjustment	0	0	0.0	130,153	189,204	0.0
14. Additional General Fees expenditures	0	0	0.0	0	138,000	0.0
15. Additional Federal Fund expenditures	0	0	0.0	0	310,278	0.0
TOTAL APPROVED	\$ 35,983,198	\$ 87,719,332	859.0	\$ 33,473,660	\$ 78,614,478	859.0
Dollar Change from Gov. Rec.	\$ (1,422,996)	\$ (1,902,102)	0.0	\$ (1,632,455)	\$ (1,384,880)	0.0
Percent Change from Gov. Rec.	(3.8)%	(2.1)%	0.0%	(4.7)%	(1.7)%	0.0%
Dollar Change from Agency Req./Est.	\$ (1,808,577)	\$ (2,112,322)	0.0	\$ (4,818,733)	\$ (8,001,403)	0.0
Percent Change from Agency Req./Est.	(4.8)%	(2.4)%	0.0%	(12.6)%	(9.2)%	0.0%

1. The Governor recommended a 14-week payroll moratorium on employer contributions to the State Employee Health Plan in FY 2010. The recommendation was made to spend down a large balance that had accumulated in that account.
2. The Governor recommended a 9-month moratorium on KPERS Death and Disability contributions in FY 2010. The recommendation was made to spend down a large balance that had accumulated in the KPERS Death and Disability account.
3. The Governor recommended a reduction of requested State General Fund expenditures totaling \$374,991 in salaries and wages and added the same amount from General Fees Fund (\$216,691) and the KHP Operations Fund (\$158,300) in FY 2009.
4. The Governor reduced the agency's request for additional fuel expenditures in FY 2009, and did not recommend any of the agency's enhancement requests in FY 2010.
5. The Governor recommended reductions from the agency's reduced resources package, which includes reductions in out-of-state travel, information technology replacement of equipment and software, and the elimination of one trooper trainee class in FY 2010.
6. The 2009 Legislature accelerated the Governor's recommended 14-week payroll moratorium on employer contributions to the State Employee Health Plan from FY 2010 to FY 2009. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
7. The 2009 Legislature accelerated the Governor's recommended 9-month moratorium on KPERS Death and Disability contributions from the first nine months of FY 2010 to the last four months of FY 2009 and the first five months of FY 2010. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
8. During the regular session the 2009 Legislature approved a 1.25 percent across the board reduction to the Governor's FY 2009 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2009 and FY 2010.

Kansas Highway Patrol

9. During Omnibus, the 2009 Legislature included a 2.75 percent across the board reduction to the Governor's FY 2010 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2010.
10. The 2009 Legislature deleted State General Funding, from the FY 2010 Governor's recommended budget in order to reach a target of 5.0 percent below the FY 2009 Governor's recommendation for expenditures in FY 2010.
11. The 2009 Legislature added \$150,000 from the KHP Operations Fund and increased the transfer from the State Highway Fund by the same amount, in order to restore partial funding for the In-Car Digital Camera Project in FY 2010.
12. The 2009 Legislature removed the funding for longevity bonuses in FY 2010 but directed state agencies to self-fund the longevity bonuses for eligible employees.
13. The 2009 Legislature included a total of \$8.5 million, all from the State General Fund, for undermarket pay adjustments to all state agencies with positions that had recommended pay adjustments in the Hay group study on Kansas state employee compensation. The study was completed in FY 2008.
14. Agency expected increases in no-limit fund expenditures in FY 2010.
15. Agency expected increases in no-limit fund expenditures in FY 2010.

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Joint Committee on Kansas Security

FY 2010 and 2011 Budget Reduction
Impact to the Security of Kansas and
Emergency Preparedness

October 27, 2009



**KANSAS
HIGHWAY-PATROL**

12-5

Cumulative Funding Reductions To-date (through FY 2010):

✓ Governor's 2% Reduction for FY 2009, Carried Forward in FY 2010 Base	\$ 750,000
✓ FY 2010 Reductions, Governor and Legislative	4,312,000
✓ FY 2010 1% Governor's Allotment	<u>333,000</u>
Sub-total Reductions	\$5,395,000
✓ Fund Sweeps to the SGF	753,000
✓ Unfunded Longevity Bonus, SGF	<u>309,000</u>
Cumulative Reductions and Transfers*	\$6,457,000
Receipt of One-time ARRA Funds in FY 2010 (will allow one Trooper class)	(<u>957,000</u>)
Adjusted Cumulative Reductions and Transfers	\$5,500,000

****SGF Portion of Reduction is \$4,815,000, or 12.8% of Original FY 2009
SGF Appropriation approved by the 2008 Legislature.***



**KANSAS
HIGHWAY-PATROL**

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Actions Planned to Meet Reduced Budget

✓ One-time spend down of funds	\$1,839,000
✓ Cash sweeps to the SGF	753,000
✓ Reduction in Trooper Recruit class/delay of start	681,000
✓ Elimination of capital improvement project – Academy	580,000
✓ Elimination of remaining funding for IT equipment	469,000
✓ Position actions, including Emergency Mgmt. Captain	320,000
✓ Reduce vehicle replacements – Motor Carrier Inspection	248,000
✓ 10% mileage reduction – Operations	190,000
✓ Elimination of uniform orders (except emergency allowance)	181,000
✓ Elimination of most out-of-state travel	84,000
✓ Closure of Caney scale facility	55,000
✓ Other – including canine training; satellite communication	<u>100,000</u>
Total Actions Necessary to meet Reduction	\$5,500,000



KANSAS
HIGHWAY-PATROL

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Other Potential Budget Reductions/Issues – FY 2010/2011

10-9

Spend down of existing cash and one-time receipts

- KHP was prudent with FY 2009 spending to maximize cash available to assist with FY 2010/11.
- Of the cash balances recently reported in the media, about 63% are restricted for specific purposes.
- Philosophy is to spend all available funds before choosing actions that severely impair statutory mission or agency employees.
- Once these resources are depleted at the end of FY 2011, necessary budget reductions will be severe without alternate funding.

One-time ARRA Funds

- KHP is pleased to have been awarded with two grants.
- Together with other grant funds, allows for completion of phase two of mobile data unit project.
- Allows for establishment of Domestic Highway Enforcement Teams, consisting of 20 tenured Troopers, with emphasis on rural area law enforcement.
- Requires backfill of 20 Trooper positions and funds one Recruit class and first year as Trooper. Class was previously eliminated by budget cuts.
- At end of hiring grant (24 months), KHP must either save 20 vacated positions for funding or find state funding.



KANSAS
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Other Potential Budget Reductions/Issues – FY 2010/2011

13-8

5% Reduced Resources Target - SGF

- The total is an additional reduction of \$1,680,981 starting in FY 2011.
- If recommended, this reduction requires the KHP to do the following, in priority order:
 1. Eliminate limitation and sweep funds to the SGF for scale replacement for motor carrier weight enforcement; \$127,000;
 2. Eliminate limitation and sweep funds to the SGF for Training Academy roof and boiler replacements (only limitation was removed in FY 2010); \$579,917; and
 3. Provide compensatory time for holidays worked in lieu of pay; \$974,064 (approx. 80% of Operations budgeted holiday pay).

Enhancement Requests

- In order to meet the increases projected in the *Budget Indices* for vehicle fuel of 17.3% from FY 2009 to FY 2010, and 7.7% from FY 2010 to FY 2011, enhancement requests were submitted.
- Most funding is requested from the KHP Operations Fund (State Highway Fund).
- FY 2010 already has a 10% mileage reduction, estimated at \$190,000 in fuel savings (replenishment not requested in the enhancement).
- Enhancement requests are \$389,790 for FY 2010 and \$580,393 for FY 2011.
- Fuel is vital to the KHP's statutory mission.
- Additional enhancement request submitted for financing of a new Troop F Headquarters in Sedgwick County; 19th attempt.



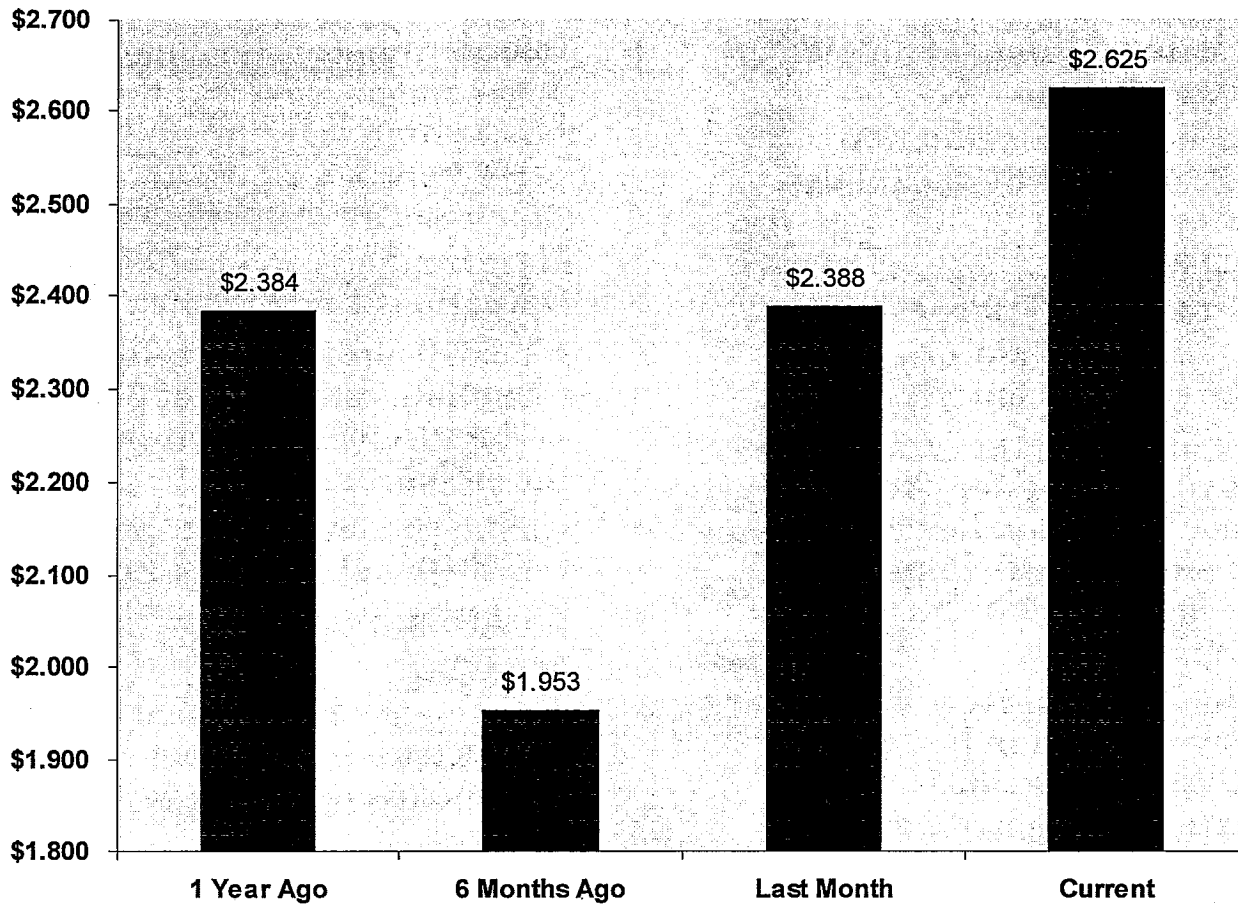
**KANSAS
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Fuel Price Information – Retail – Select Kansas Cities

Percentage Increases - 9.9% from last month; 34.4% from six months ago



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Fuel Price Information - Bulk

The KHP has four bulk fuel sites of its own and purchases fuel at KDOT bulk sites across the State. The KHP has made an effort to increase bulk fuel purchases; from 69% in FY 2008 to 80% in FY 2009.

Location	Date	Per Gallon	Savings from Retail	% Decrease
Salina	10/16/2009	\$ 2.2010	\$ (0.4280)	-16.28%
Wichita	9/21/2009	\$ 2.0700	\$ (0.2230)	-8.67%
Chanute	9/11/2009	\$ 2.0900	\$ (0.4020)	-14.84%
Fleet	10/19/2009	\$ 2.2655	\$ (0.2985)	-13.01%
		average	\$ (0.3379)	
KDOT	9/30/2009	\$ 2.2280	\$ (0.1601)	-6.10%
KDOT	8/31/2009	\$ 2.2030		0.00%



**KANSAS
HIGHWAY-PATROL**

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Fuel Price – KHP Budget

- ✓ 14,004,516 miles driven agency-wide in FY 2009 (compared to 14,838,775 miles driven in FY 2007).
- ✓ 898,438 gallons of fuel consumed agency-wide in FY 2009 (compared to 970,829 gallons in FY 2007).
- ✓ *Budget Indices* project fuel price increases of 17.3% from FY 2009 to FY 2010 and another 7.7% from FY 2010 to FY 2011.
- ✓ Budgeted price per gallon for fuel, agency-wide, reduced by 10% mileage reduction (FY 2010 only): \$2.568 FY 2010; \$2.587 FY 2011.
- ✓ Budgeted price per gallon for fuel, agency-wide, reduced by 10% mileage reduction (FY 2010) only, with enhancement request: \$2.967 FY 2010; \$3.145 FY 2011.
- ✓ 10% mileage reduction may be able to be lifted temporarily in FY 2011 because of ARRA funds.



**KANSAS
HIGHWAY-PATROL**

FY 2011 Budget

13-12

- Significant budget reductions from prior FYs continue into the FY 2011 base budget, except for minimal increases for employer fringe benefit costs and some general other operating expenditures.
- The ARRA funds allow Recruits to become Troopers, but the funding period is only 24 months. At the end of the period, the KHP must return to its original workforce size and accumulate vacant positions accordingly. Thus, no funding is available for a Recruit class.
- The 10% mileage reduction may be able to be temporarily lifted, but there is no funding for the projected fuel price increase.
- Funding reserves are nearly depleted by the end of FY 2011. The KHP recommends a minimum balance of \$550,000-\$600,000 be retained to fund unexpected costs for emergency and disaster response. The budgeted balance at the end of FY 2011 is \$485,000. FEMA reimbursement may be received, but often is not until the next fiscal year so operating funds must be used. Spending the reserve puts the agency at risk.
- The Homeland Security grant funds may require matching of five to ten percent beginning with federal FY 2010 (Oct. 2010, state FY 2011). However, no official directives have been issued and a potential amount cannot be estimated.
- The ability to meet shrinkage remains a concern, particularly when vacant position funding was given at the start of the FY to meet budgetary reductions. For Trooper positions, the shrinkage rate is 6% and is 10% for Motor Carrier Inspection.
- KHP plans to propose legislation to increase the Vehicle Identification Number inspection fee.



**KANSAS
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Consequences of No Recruit Classes

- The statistics on the following page display the alarming impact retirements will have on the Trooper ranks in the next five years, with 92 eligible.
- Troopers can only be replaced through the 22-week Recruit training program, and only for those select candidates who meet the KHP's stringent eligibility.
- Without restoration of funding, the KHP's ability to provide services will be severely curtailed and it will take years to restore to the former workforce strength.
- This will have the greatest impact on local law enforcement units that rely upon the strength and specialty resources in the KHP's statewide workforce.
- The KHP has specialty resources not available in many local law enforcement units including: (1) statewide aircraft; (2) Special Response Team; (3) natural disaster and emergency response; (4) Troopers and canines specially trained for bomb and drug detection, and missing person searches; (5) accident reconstruction; (6) commercial motor vehicle inspection and safety compliance enforcement; (7) specialty trainers (8) information technology system development, data sharing and support; and (9) pandemic illness, terrorism and drug interdiction expertise.



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KHP Retirement Eligibility in the Next Five Years – All Trooper Ranks

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Year of Retirement Eligibility:	Troopers	Management Ranks
Currently Eligible	11	20
2010	11	5
2011	8	3
2012	7	6
2013	9	3
2014	3	6
TOTAL BY CATEGORY	49	43

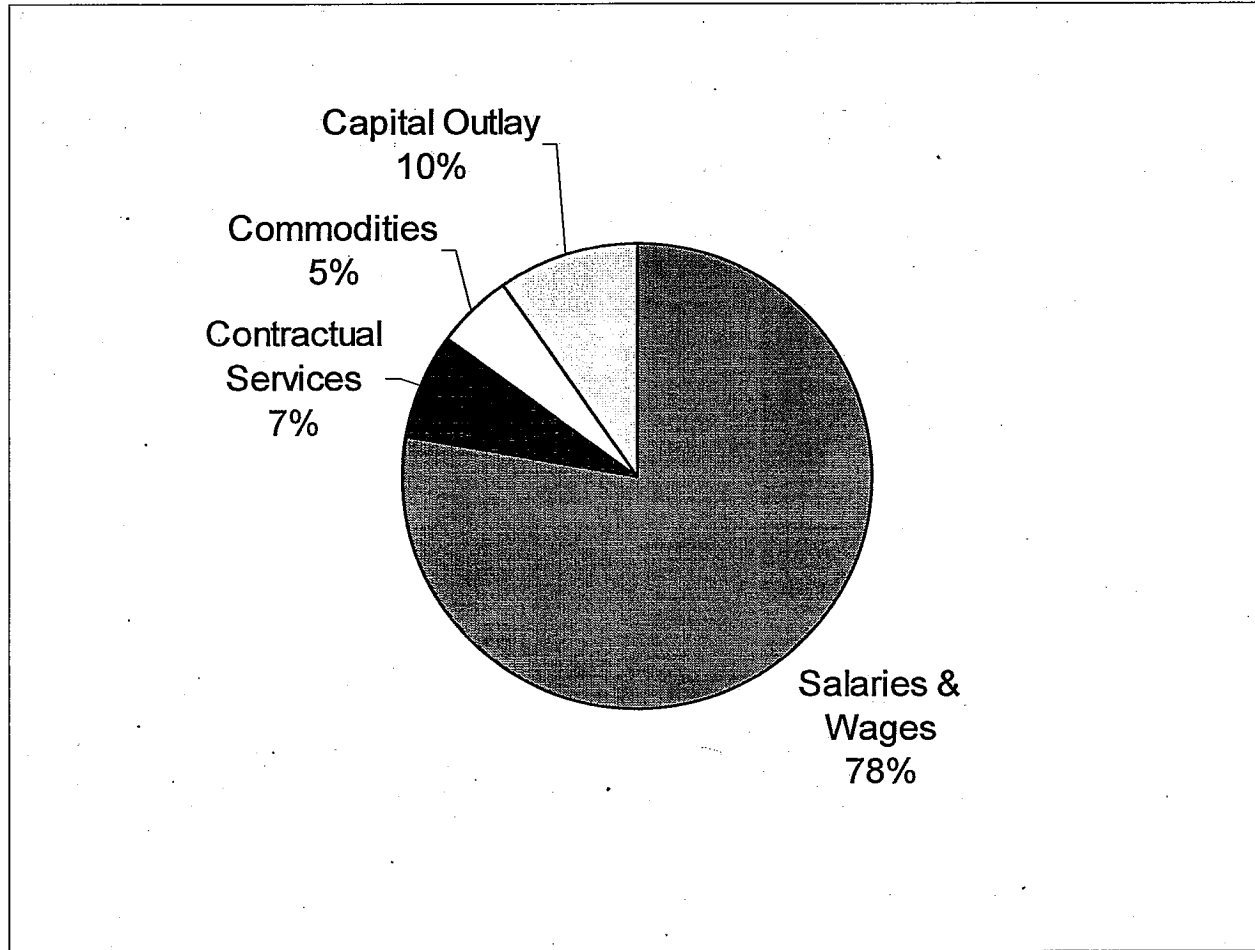


**KANSAS
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Composition of KHP FY 2011 Budget – Operating Only

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KANSAS
HIGHWAY-PATROL

Future Outlook

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- The KHP's goal throughout the reduction process continues to be to attempt to fulfill our statutory mission to the best of our ability and to protect existing employees.
- As times become more trying for citizens, the need for law enforcement increases. As a premier statewide law enforcement agency, the KHP is relied upon to lead the State in response efforts.
- Perhaps of most concern is the KHP's ability to respond to unpredictable events. When budgetary flexibility for payment of unbudgeted overtime, fuel, equipment, etc. is removed, response capability is threatened.
- Many of the efforts to meet reductions represent one-time fund availability. Further, the federal recovery funds are only able to sustain two fiscal years' expenditures, after which time the State must either resume funding or the KHP must reduce spending elsewhere. This is cause for great concern since much more drastic actions to staffing and services will be required once these funding sources are no longer available.
- Additional reductions will require, in priority order, the following actions: (1) providing compensatory time in lieu of holiday pay; (2) elimination of the annual payment for uniform cleaning allowance; (3) providing compensatory time in lieu of part, or all, of overtime pay. (Operationally funded overtime has been reduced to only that which cannot be avoided for work related to vehicle accidents, emergencies and arrests for offenses such as driving under the influence.); (4) furloughing of uniformed and civilian staff; and (5) staff layoffs.
- The ability of the agency to perform its mission will be severely curtailed by these actions, with adverse impact on local law enforcement agencies and ultimately those living and traveling in Kansas.



**KANSAS
HIGHWAY PATROL**

Kansas Bureau of Investigation

Expenditure	Actual FY 2008	Approved FY 2009	Approved FY 2010
All Funds:			
State Operations	\$ 25,131,606	\$ 24,630,387	\$ 25,033,817
Aid to Local Units	1,627,471	1,440,820	1,440,820
Other Assistance	5,292	0	0
Subtotal - Operating	<u>\$ 26,764,369</u>	<u>\$ 26,071,207</u>	<u>\$ 26,474,637</u>
Capital Improvements	563,968	469,468	0
TOTAL	<u><u>\$ 27,328,337</u></u>	<u><u>\$ 26,540,675</u></u>	<u><u>\$ 26,474,637</u></u>
State General Fund:			
State Operations	\$ 16,971,627	\$ 15,331,961	\$ 15,580,635
Aid to Local Units	0	0	0
Other Assistance	2,400	0	0
Subtotal - Operating	<u>\$ 16,974,027</u>	<u>\$ 15,331,961</u>	<u>\$ 15,580,635</u>
Capital Improvements	540,413	199,468	0
TOTAL	<u><u>\$ 17,514,440</u></u>	<u><u>\$ 15,531,429</u></u>	<u><u>\$ 15,580,635</u></u>
Percentage Change			
Operating Expenditures			
All Funds	1.4%	(2.6)%	1.5%
State General Fund	4.4	(9.7)	1.6
FTE Positions			
FTE Positions	220.0	220.0	221.0
Non-FTE Unclass. Perm. Pos.	126.1	125.5	125.5
TOTAL	<u><u>346.1</u></u>	<u><u>345.5</u></u>	<u><u>346.5</u></u>

For FY 2009, the Legislature approved operating expenditures of \$26,071,207, including \$15,331,961 from the State General Fund, for the Kansas Bureau of Investigation. The final approved FY 2009 operating budget was an all funds decrease of \$1.2 million, or 4.5 percent, and a State General Fund decrease of \$1.1 million, or 6.7 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2009 budget included reductions to: information technology maintenance, agent travel, leaving vacant positions open, and spending down special revenue funds. The FY 2009 approved budget also includes:

- The Governor recommended special one-time transfer of \$100,000 from the Private Detective Fee Fund to the State General Fund. The Legislature accepted the Governor's recommendation but reduced the transfers by 21.5 percent for a total transfer of \$78,500.

For FY 2010, the Legislature approved operating expenditures of \$26,474,637, including \$15,580,635 from the State General Fund. The final approved FY 2010 operating budget was an all funds decrease of \$2.3 million, or 8.1 percent, and a State General Fund decrease of \$2.3 million, or 13.1 percent, below the amount requested. Additional cost saving measures in order to meet its approved FY 2010 budget are similar to those in FY 2009. The FY 2010 approved budget also includes:

- Language to reappropriate the total unencumbered State General Fund balance of the land acquisition fund savings to operating expenditures in FY 2010, to provide funding for Kansas Criminal Justice Information System (KCJIS) communication lines; and
- \$326,000, all from the State General Fund, for the Kansas Criminal Justice Information System (KCJIS) Central Message Switch Replacement project in FY 2010.

Kansas Bureau of Investigation

	FY 2009			FY 2010		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Agency Request/Estimate:	\$ 16,997,907	\$ 28,117,504	220.0	\$ 19,268,548	\$ 30,141,655	220.0
Governor's Changes:						
1. Health Insurance Moratorium	\$ 0	\$ 0	0.0	\$ (333,942)	\$ (494,137)	0.0
2. Death and Disability Moratorium	0	0	0.0	(36,503)	(59,375)	0.0
3. Shrinkage in the Investigations and General Services programs	(478,515)	(478,515)	0.0	(342,462)	(342,462)	0.0
4. Reduction to Laboratory Services program	(30,000)	(30,000)	0.0	0	0	0.0
5. Debt service restructuring	(285,000)	(285,000)	0.0	(315,000)	(315,000)	0.0
6. Reduction to capital improvements expenditures	(50,000)	(50,000)	0.0	(100,000)	(100,000)	0.0
7. Shift KIBRS expenditures from State General Fund to Record Check Fee Fund	(60,000)	0	0.0	0	0	0.0
8. Delete supplemental or enhancement funding	0	0	0.0	(2,316,278)	(2,316,278)	0.0
9. Additional DNA scientist in the Laboratory Division	0	0	0.0	83,300	83,300	1.0
10. Reduction to Investigation Division replacement vehicles expenditures	0	0	0.0	(340,000)	(340,000)	0.0
Total Governor's Recommendation	\$ 16,094,392	\$ 27,273,989	220.0	\$ 15,567,663	\$ 26,257,703	221.0
Dollar Change from Agency Req./Est.	\$ (903,515)	\$ (843,515)	0.0	\$ (3,700,885)	\$ (3,883,952)	1.0
Percent Change from Agency Req./Est.	(5.3)%	(3.0)%	0.0%	(19.2)%	(12.9)%	0.5%
Legislative Action:						
11. Health Insurance Moratorium	\$ (333,942)	\$ (494,137)	0.0	\$ 333,942	\$ 494,137	0.0
12. Death and Disability Moratorium	(16,207)	(26,363)	0.0	16,223	26,389	0.0
13. 1.25 Percent Across the Board Reduction	(212,814)	(212,814)	0.0	(209,672)	(209,672)	0.0
14. 2.75 Percent Reduction to agency FY 2010 approved budget.	0	0	0.0	(423,085)	(423,085)	0.0
15. Add funding for KCJIS enhancement	0	0	0.0	326,000	326,000	0.0
16. Longevity Bonus	0	0	0.0	(78,132)	(78,132)	0.0
17. Undermarket Employee Pay Adjustment	0	0	0.0	47,696	81,297	0.0
TOTAL APPROVED	\$ 15,531,429	\$ 26,540,675	220.0	\$ 15,580,635	\$ 26,474,637	221.0
Dollar Change from Gov. Rec.	\$ (562,963)	\$ (733,314)	0.0	\$ 12,972	\$ 216,934	0.0
Percent Change from Gov. Rec.	(3.5)%	(2.7)%	0.0%	0.1%	0.8%	0.0%
Dollar Change from Agency Req./Est.	\$ (1,466,478)	\$ (1,576,829)	0.0	\$ (3,687,913)	\$ (3,667,018)	1.0
Percent Change from Agency Req./Est.	(8.6)%	(5.6)%	0.0%	(19.1)%	(12.2)%	0.5%

1. The Governor recommended a 14-week payroll moratorium on employer contributions to the State Employee Health Plan in FY 2010. The recommendation was made to spend down a large balance that had accumulated in that account.
2. The Governor recommended a 9-month moratorium on KPERS Death and Disability contributions in FY 2010. The recommendation was made to spend down a large balance that had accumulated in the KPERS Death and Disability account.
3. The Governor recommended State General Fund shrinkage in the Investigations and General Services programs in FY 2009 and FY 2010.
4. The Governor recommended reducing State General Fund expenditures in the Laboratory Services Program in FY 2009.
5. The Governor recommended capturing one-time savings by restructuring a variety of bond debt service payments in both FY 2009 and FY 2010.
6. The Governor recommended reductions to base capital improvements expenditures in FY 2009 and FY 2010.
7. The Governor recommended shifting Kansas Incident Based Reporting System (KIBRS) expenditures from the State General Fund to the Record Check Fee Fund in FY 2009.
8. The Governor did not recommend the agency's request for Kansas Criminal Justice Information System enhancements in FY 2010.
9. The Governor recommended the addition of funding and 1.0 FTE position for a new DNA scientist in the Laboratory Division in FY 2010.

Kansas Bureau of Investigation

10. The Governor recommended reducing State General Fund contractual services within the Investigation Division for the replacement of seventeen law enforcement vehicles as sufficient funds existed in the KBI Motor Vehicle Fund in FY 2010.
11. The 2009 Legislature accelerated the Governor's recommended 14-week payroll moratorium on employer contributions to the State Employee Health Plan from FY 2010 to FY 2009. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
12. The 2009 Legislature accelerated the Governor's recommended 9-month moratorium on KPERS Death and Disability contributions from the first nine months of FY 2010 to the last four months of FY 2009 and the first five months of FY 2010. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
13. During the regular session the 2009 Legislature approved a 1.25 percent across the board reduction to the Governor's FY 2009 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2009 and FY 2010.
14. During Omnibus, the 2009 Legislature included a 2.75 percent across the board reduction to the Governor's FY 2010 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2010.
15. The 2009 Legislature added funding for a new Central Message Switch for the KCJIS system in FY 2010.
16. The 2009 Legislature removed the funding for longevity bonuses in FY 2010 but directed state agencies to self-fund the longevity bonuses for eligible employees.
17. The 2009 Legislature included a total of \$8.5 million, all from the State General Fund, for undermarket pay adjustments to all state agencies with positions that had recommended pay adjustments in the Hay group study on Kansas state employee compensation. The study was completed in FY 2008.

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Kansas Bureau of Investigation

Robert E. Blecha
Director

Steve Six
Attorney General

**TESTIMONY
BEFORE THE JOINT COMMITTEE ON KANSAS SECURITY
ROBERT E. BLECHA, DIRECTOR
KANSAS BUREAU OF INVESTIGATION
OCTOBER 27, 2009**

FISCAL YEAR 2011 OVERVIEW

General Services

- Increasing the accuracy and level of electronic record submissions to KBI central repository functions will be a major focus of ISD during FY 2011. The division will also continue the implementation of the data exchange project, to include developing and fielding the new KIBRS application and will continue to work to bring the Kansas offender registration program into compliance with the Adam Walsh Act. The KBI Field Support/Training Team is fully operational and providing services to criminal justice agencies across the state.
- The KBI IT group will maintain KCJIS operations and deploy and new initiatives approved from the FYI 2011 budget enhancements. The IT group has an extensive backlog of technology projects supporting both the KBI and KCJIS. Those projects will be engaged on a resource availability/priority basis.

Investigations

- The investigations program will continue to operate with a significant number of vacancies in order to have sufficient operating expenses and yet meet the approved budget allocations.
- In FY 2011, the SEKDETF continues its operations and the grant funded SWKDTEF will continue its operations in the fight against illegal drugs in Kansas.
- The field investigations division will continue to investigate violent crime, white collar crime and computer crime, with emphasis on violent crime and white collar crime/financial crimes.

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Forensic Laboratory

- The KBI forensic laboratory continues to play a critical role in the Kansas criminal justice system. Those individuals and groups involved in the criminal justice system, such as law enforcement, prosecutors, judges and juries, as well as defendants and defense lawyers, have come to depend upon the KBI forensic laboratory for the examination of physical evidence in criminal and civil cases. Therefore, their high expectations are placed on the KBI forensic laboratory to ensure that the analysis is scientifically sound and that their analysis is completed in a timely manner.
- There continues to be an overwhelming increase in submissions for DNA analysis, as well as firearm and latent fingerprint examination. Prosecutors continue to be frustrated by long waiting periods of six months or more for cases to be completed. The KBI forensic laboratory, in many ways, is working cases not by submission date, but driven by subpoenas. To ensure timely service the KBI forensic laboratory must be able to retain trained forensic scientists and expand the number of laboratory personnel to meet the demands of the Kansas criminal justice system.

FISCAL YEAR 2011 - 5% REDUCED RESOURCE

- If the agency was required to implement a 5% reduction in SGF (\$763,139), it would severely impact the duties of the KBI and public safety in Kansas. The reduction would be obtained by not meeting the requirements of the Kansas Offender Registration Act as set forth in K.S.A. 22-4901, *et seq.* (\$484,590). The balance of the reduction (\$278,549) would come from not profiling DNA Arrestee samples.

FISCAL YEAR 2010 GENERAL FUND REDUCTIONS/ALLOTMENTS

Division of Budget Reduction

- \$100,000 Capital Improvements to Headquarters. The money was to replace backup generator. The generator is vital for the KBI operations and is over 25 years old. Without electrical backup, various lab equipment for DNA, toxicology and evidence storage would be severely damaged, not to mention our mainframe data room and computers.

Governor Reduction

- \$340,000 Replacement of Vehicles. The money was to replace 17 vehicles. Has raised the number to be replaced at 22 in FY 2011 at a cost of \$550,000.

1.25% Legislative Reduction

- \$39,330 IT Maintenance. Agency adjusted current maintenance contracts to absorb reduction.
- \$90,342 Investigation Travel. Agency adjusted current travel policy to absorb reduction.
- \$80,000 Lab Salaries. One DNA scientist was eliminated. The loss of one DNA scientist increases our backlog by approximately 100 to 125 cases a year.

2.75% Legislative Reduction

- \$130,932 Offender Registration. Lack of adequate staffing prevents proper assistance to sheriffs in managing offenders, and leaves the KBI without necessary assets to operate the Kansas Offender Registry correctly.
-
- \$102,156 DNA Supplies. The inability to do arrestee samples may result in cases not being solved or prevented if the samples had been analyzed.
- \$189,997 Investigation Salaries. Limits the agency to maintain 17 vacancies.

Governor Allotment

- \$326,000 Central Message Switch. The KBI has obtained a Federal JAG Grant for the current fiscal year to proceed with replacement.



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22-4901

**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4901. Citation of act. K.S.A. 22-4901 through 22-4910 and amendments thereto shall be known and may be cited as the Kansas offender registration act.

History: L. 1993, ch. 253, § 17; L. 1994, ch. 107, § 1; L. 1997, ch. 181, § 7; July 1.

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22-4902

**Chapter 22.—CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.—OFFENDER REGISTRATION**

22-4902. Definitions. As used in this act, unless the context otherwise requires:

- (a) "Offender" means: (1) A sex offender as defined in subsection (b);
- (2) a violent offender as defined in subsection (d);
- (3) a sexually violent predator as defined in subsection (f);
- (4) any person who, on and after the effective date of this act, is convicted of any of the following crimes when the victim is less than 18 years of age:
 - (A) Kidnapping as defined in K.S.A. 21-3420 and amendments thereto, except by a parent;
 - (B) aggravated kidnapping as defined in K.S.A. 21-3421 and amendments thereto; or
 - (C) criminal restraint as defined in K.S.A. 21-3424 and amendments thereto, except by a parent;
 - (5) any person convicted of any of the following criminal sexual conduct if one of the parties involved is less than 18 years of age:
 - (A) Adultery as defined by K.S.A. 21-3507, and amendments thereto;
 - (B) criminal sodomy as defined by subsection (a)(1) of K.S.A. 21-3505, and amendments thereto;
 - (C) promoting prostitution as defined by K.S.A. 21-3513, and amendments thereto;
 - (D) patronizing a prostitute as defined by K.S.A. 21-3515, and amendments thereto;
 - (E) lewd and lascivious behavior as defined by K.S.A. 21-3508, and amendments thereto; or
 - (F) unlawful sexual relations as defined by K.S.A. 21-3520, and amendments thereto;
 - (6) any person who has been required to register under any federal, military or other state's law or is otherwise required to be registered;
 - (7) any person who, on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;
 - (8) any person who has been convicted of an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in subsection (4), (5), (7) or (11), or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in subsection (4), (5), (7) or (11);
 - (9) any person who has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in subsection (4), (5), (7) or (10);
 - (10) any person who has been convicted of aggravated trafficking as defined in K.S.A. 21-3447, and amendments thereto; or
 - (11) any person who has been convicted of: (A) Unlawful manufacture or attempting such of any controlled substance as defined by K.S.A. 65-4159, and amendments thereto, unless the court makes a finding on the record that the manufacturing or attempting to manufacture such controlled substance was for such person's personal use;
 - (B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance as defined by K.S.A. 65-7006, and amendments thereto, unless the court makes a finding on the record that the possession of such product was intended to be used to manufacture a controlled substance for such person's personal use; or
 - (C) K.S.A. 65-4161, and amendments thereto.

Convictions which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this section. A conviction from another state shall constitute a conviction for purposes of this section.

 - (b) "Sex offender" includes any person who, after the effective date of this act, is convicted of any sexually violent crime set forth in subsection (c) or is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime set forth in subsection (c).
 - (c) "Sexually violent crime" means:
 - (1) Rape as defined in K.S.A. 21-3502 and amendments thereto;

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- (2) indecent liberties with a child as defined in K.S.A. 21-3503 and amendments thereto;
- (3) aggravated indecent liberties with a child as defined in K.S.A. 21-3504 and amendments thereto;
- (4) criminal sodomy as defined in subsection (a)(2) and (a)(3) of K.S.A. 21-3505 and amendments thereto;
- (5) aggravated criminal sodomy as defined in K.S.A. 21-3506 and amendments thereto;
- (6) indecent solicitation of a child as defined by K.S.A. 21-3510 and amendments thereto;
- (7) aggravated indecent solicitation of a child as defined by K.S.A. 21-3511 and amendments thereto;
- (8) sexual exploitation of a child as defined by K.S.A. 21-3516 and amendments thereto;
- (9) sexual battery as defined by K.S.A. 21-3517 and amendments thereto;
- (10) aggravated sexual battery as defined by K.S.A. 21-3518 and amendments thereto;
- (11) aggravated incest as defined by K.S.A. 21-3603 and amendments thereto; or
- (12) electronic solicitation as defined by K.S.A. 21-3523, and amendments thereto, committed on and after the effective date of this act;
- (13) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent crime as defined in subparagraphs (1) through (11), or any federal, military or other state conviction for an offense that under the laws of this state would be a sexually violent crime as defined in this section;
- (14) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of a sexually violent crime, as defined in this section; or
- (15) any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.
- (d) "Violent offender" includes any person who, after the effective date of this act, is convicted of any of the following crimes:
- (1) Capital murder as defined by K.S.A. 21-3439 and amendments thereto;
- (2) murder in the first degree as defined by K.S.A. 21-3401 and amendments thereto;
- (3) murder in the second degree as defined by K.S.A. 21-3402 and amendments thereto;
- (4) voluntary manslaughter as defined by K.S.A. 21-3403 and amendments thereto;
- (5) involuntary manslaughter as defined by K.S.A. 21-3404 and amendments thereto;
- or
- (6) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in this subsection, or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or
- (7) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.
- (e) "Law enforcement agency having jurisdiction" means the sheriff of the county in which the offender expects to reside upon the offender's discharge, parole or release.
- (f) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq. and amendments thereto.
- (g) "Nonresident student or worker" includes any offender who crosses into the state or county for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, for the purposes of employment, with or without compensation, or to attend school as a student.
- (h) "Aggravated offenses" means engaging in sexual acts involving penetration with victims of any age through the use of force or the threat of serious violence, or engaging in sexual acts involving penetration with victims less than 14 years of age, and includes the following offenses:
- (1) Rape as defined in subsection (a)(1)(A) and subsection (a)(2) of K.S.A. 21-3502, and amendments thereto;
- (2) aggravated criminal sodomy as defined in subsection (a)(1) and subsection (a)(3) (A) of K.S.A. 21-3506, and amendments thereto; and
- (3) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.
- (i) "Institution of higher education" means any post-secondary school under the supervision of the Kansas board of regents.

History: L. 1993, ch. 253, § 18; L. 1994, ch. 107, § 2; L. 1997, ch. 181, § 8; L. 1999, ch. 164, § 29; L. 2001, ch. 208, § 10; L. 2002, ch. 55, § 1; L. 2002, ch. 163, § 6; L. 2003, ch. 123, § 3; L. 2006, ch. 214, § 6; L. 2007, ch. 183, § 1; L. 2008, ch. 74, § 1; Apr. 17.

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22-4903**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4903. Penalties; new and separate offense; prosecution, venue. (a) Any person who is required to register as provided in the Kansas offender registration act who violates any of the provisions of such act, including all duties set out in K.S.A. 22-4904 through 22-4907, and amendments thereto, is guilty of a severity level 5, person felony. Any violation of any provision of such act, including a violation of the duties set forth in K.S.A. 22-4904 through K.S.A. 22-4907, and amendments thereto, which continues for more than 30 consecutive days shall, upon the 31st consecutive day, constitute a new and separate offense and shall continue to constitute a new and separate offense upon completion of every 30 days thereafter for as long as the offense continues.

(b) Prosecution of violations under subsection (a), shall be held: (1) In the county in which the offender resides; (2) if the offender is temporarily domiciled in a county and is required to be registered, in such county; or (3) in the county in which the offender is required to be registered under this act.

History: L. 1993, ch. 253, § 19; L. 1999, ch. 164, § 30; L. 2003, ch. 123, § 4; L. 2006, ch. 212, § 20; L. 2007, ch. 183, § 2; July 1.

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[Home](#) > [Statutes](#) > [Statute](#)[Previous](#)[Next](#)**22-4904****Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4904. Registration of offender; duties of sheriff; verification of registration information by registrant; updated photo; forward to KBI; fee. (a) (1) Except as provided in subsection (a)(2), within 10 days of the offender coming into any county in which the offender resides or is temporarily domiciled for more than 10 days, the offender shall register with the sheriff of the county.

(2) Within 10 days of the offender coming into any county in which the offender resides or temporarily resides for more than 10 days, any offender who has provided the information and completed and signed the registration form as required in K.S.A. 22-4905 and amendments thereto, shall verify with the sheriff of the county that the sheriff has received such offender's information and registration form.

(3) Upon registration with a school or educational institution, a nonresident student attending such school or educational institution shall register with the sheriff within 10 days of the commencement of the school term.

(4) Upon commencement of employment, a nonresident worker shall register with the sheriff within 10 days of the commencement date of employment.

(5) For persons required to register as provided in subsections (a)(1), (a)(3) and (a)(4), the sheriff shall: (A) Explain the duty to register and the procedure for registration;

(B) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(C) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the law enforcement agency where last registered and the Kansas bureau of investigation;

(D) inform the nonresident student offender that the offender must give written notice to the sheriff and the Kansas bureau of investigation of any change or termination of attendance at the school or educational institution the offender is attending, within 10 days of such change or termination;

(E) inform the nonresident worker offender that the offender must give written notice to the sheriff and the Kansas bureau of investigation of any termination of employment at the offender's place of employment, within 10 days of such termination;

(F) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

(G) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student;

(H) inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days, or for an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;

(I) inform the offender that if there is any change or termination in attendance or employment at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination;

(J) inform the offender of the requirement of an annual driver's license renewal pursuant to K.S.A. 8-247, and amendments thereto, and an annual identification card renewal pursuant to K.S.A. 8-1325a, and amendments thereto; and

(K) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(6) Such sheriff, within three days of receipt of the initial registration shall forward this information to the Kansas bureau of investigation.

(7) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act then all provisions of that act shall apply, except that the term of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

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(b) If any person required to register as provided in this act changes the address of the person's residence, the offender, within 10 days, shall inform in writing the law enforcement agency where such offender last registered and the Kansas bureau of investigation of the new address.

(c) Any person who is required to register under this act shall report in person three times each year to the sheriff's office in the county in which the person resides or is otherwise located. The person shall be required to report once during the month of the person's birthday and every four months thereafter. The sheriff's office may determine the appropriate times and days for reporting by the person, consistent with this subsection. The person shall verify:

- (1) Whether the person still resides at the address last reported;
- (2) whether the person still attends the school or educational institution last reported;
- (3) whether the person is still employed at the place of employment last reported; and
- (4) whether the person's vehicle registration information is the same as last reported.

Nothing contained in this subsection shall be construed to alleviate any person required to register as provided in this act from meeting the requirements prescribed in subsections (a)(1), (a)(2) and (b).

The sheriff's office shall forward any updated information and current photograph required under subsection (d), to the Kansas bureau of investigation.

(d) Every person who is required to register under this act shall submit to the taking of an updated photograph by the sheriff's office on each occasion when the person reports to the sheriff's office in the county in which the person resides or is otherwise located.

(e) Every person who is required to register under this act shall remit payment to the sheriff in the amount of \$20 on each occasion when the person reports to the sheriff's office in the county in which the person resides or is otherwise located. All funds retained by the sheriff pursuant to the provisions of this section shall be credited to a special fund of the sheriff's office which shall be used solely for law enforcement and criminal prosecution purposes and which shall not be used as a source of revenue to reduce the amount of funding otherwise made available to the sheriff's office.

History: L. 1993, ch. 253, § 20; L. 1994, ch. 107, § 3; L. 1996, ch. 224, § 4; L. 1997, ch. 181, § 9; L. 1999, ch. 164, § 31; L. 2000, ch. 150, § 2; L. 2001, ch. 208, § 11; L. 2003, ch. 123, § 5; L. 2006, ch. 214, § 7; L. 2007, ch. 183, § 3; July 1.

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22-4905

Chapter 22.--CRIMINAL PROCEDURE KANSAS CODE OF CRIMINAL PROCEDURE Article 49.--OFFENDER REGISTRATION

22-4905. Release of offender; duties of court and staff of facility upon release relating to offender registration. (a) (1) Any offender, who is discharged or paroled from a prison, hospital or other institution or facility involving a violation of any crime or confinement as provided in subsection (a), (b), (d) or (f) of K.S.A. 22-4902 and amendments thereto, prior to discharge, parole or release, shall be informed by the staff of the facility in which the offender was confined of the duty to register as provided in this act.

(2) (A) The staff of the facility shall: (i) Explain the duty to register and the procedure for registration;

(ii) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(iii) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the law enforcement agency where last registered and the Kansas bureau of investigation;

(iv) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

(v) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student;

(vi) inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days or an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;

(vii) inform the offender that if there is any change or termination in attendance or employment, at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination;

(viii) inform the offender of the requirement of an annual driver's license renewal pursuant to K.S.A. 8-247, and amendments thereto, and an annual identification card renewal pursuant to K.S.A. 2007 Supp. 8-1325a, and amendments thereto; and

(ix) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(B) The staff of the facility shall give one copy of the form to the person, within three days, and shall send two copies of the form provided by subsection (2)(A)(v) to the Kansas bureau of investigation, which shall then forward one copy to the law enforcement agency having jurisdiction where the person expects to reside upon discharge, parole or release. The Kansas bureau of investigation must immediately ensure that such information is entered in the state law enforcement record system. The Kansas bureau of investigation shall transmit such conviction data and fingerprints to the federal bureau of investigation.

(b) (1) Any offender who is released on probation, receives a suspended sentence, sentenced to community corrections or released on postrelease supervision because of the commission of any crime as provided in subsection (a), (b) or (d) of K.S.A. 22-4902 and amendments thereto, prior to release, shall be informed of the offenders duty to register as provided in this act by the court in which the offender is convicted.

(2) (A) The court shall: (i) Explain the duty to register and the procedure for registration;

(ii) obtain the information required for registration as provided in K.S.A. 22-4907 and amendments thereto;

(iii) inform the offender that the offender must give written notice of any change of address within 10 days of a change in residence to the law enforcement agency where last registered and the Kansas bureau of investigation;

(iv) inform the offender that if the offender changes residence to another state, the offender must inform the law enforcement agency where last registered and the Kansas bureau of investigation of such change in residence and must register in the new state within 10 days of such change in residence;

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(v) inform the offender that the offender must also register in any state or county where the offender is employed, carries on a vocation or is a student;

(vi) inform the offender that if the offender expects to or subsequently becomes enrolled in any institution of higher education in the state of Kansas on a full-time or part-time basis or have any full-time or part-time employment at an institution of higher education in the state of Kansas, with or without compensation, for more than 14 days or for an aggregate period exceeding 30 days in one calendar year, the offender must provide written notice to the Kansas bureau of investigation within 10 days upon commencement of enrollment or employment;

(vii) inform the offender that if there is any change or termination in attendance or employment at an institution of higher education, the offender must provide written notice to the Kansas bureau of investigation within 10 days of the change or termination;

(viii) inform the offender of the requirement of an annual driver's license renewal pursuant to K.S.A. 8-247, and amendments thereto, and an annual identification card renewal pursuant to K.S.A. 2007 Supp. 8-1325a, and amendments thereto; and

(ix) require the offender to read and sign the registration form which shall include a statement that the requirements provided in this subsection have been explained to the offender.

(B) The court shall give one copy of the form to the person and, within three days, shall send two copies of the form provided by subsection (2)(A)(v) to the Kansas bureau of investigation which shall then forward one copy to the law enforcement agency having jurisdiction where the person expects to reside upon release. The Kansas bureau of investigation must immediately ensure that such information is entered in the state law enforcement record system. The Kansas bureau of investigation shall transmit such conviction data and fingerprints to the federal bureau of investigation.

History: L. 1993, ch. 253, § 21; L. 1994, ch. 107, § 4; L. 1997, ch. 181, § 10; L. 1999, ch. 164, § 32; L. 2001, ch. 208, § 12; L. 2003, ch. 123, § 6; L. 2006, ch. 214, § 8; June 1.

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**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4906. Time period in which required to register; termination of registration requirement. (a) Except as provided in subsection (d), any person required to register as provided in this act shall be required to register: (1) Upon the first conviction of a sexually violent crime as defined in subsection (c) of K.S.A. 22-4902, and amendments thereto, any offense as defined in subsection (a) of K.S.A. 22-4902, and amendments thereto, or any offense as defined in subsection (d) of K.S.A. 22-4902, and amendments thereto, if not confined, for a period of 10 years after conviction, or, if confined, for a period of 10 years after paroled, discharged or released, whichever date is most recent. The ten-year period shall not apply to any person while the person is incarcerated in any jail or correctional facility. The ten-year registration requirement does not include any time period when any person who is required to register under this act knowingly or willfully fails to comply with the registration requirement; or (2) upon a second or subsequent conviction for such person's lifetime.

(b) Upon the first conviction, liability for registration terminates, if not confined, at the expiration of 10 years from the date of conviction, or, if confined, at the expiration of 10 years from the date of parole, discharge or release, whichever date is most recent. The ten-year period shall not apply to any person while the person is incarcerated in any jail or correctional facility. The ten-year registration requirement does not include any time period when any person who is required to register under this act knowingly or willfully fails to comply with the registration requirement. Liability for registration does not terminate if the convicted offender again becomes liable to register as provided by this act during that period.

(c) Any person who has been convicted of an aggravated offense shall be required to register for such person's lifetime.

(d) Any person who has been convicted of any of the following offenses shall be required to register for such person's lifetime:

- (1) Aggravated trafficking, as defined in K.S.A. 21-3447, and amendments thereto, if the victim is less than 14 years of age;
- (2) rape, as defined in subsection (a)(2) of K.S.A. 21-3502, and amendments thereto;
- (3) aggravated indecent liberties with a child, as defined in subsection (a)(3) of K.S.A. 21-3504, and amendments thereto;
- (4) aggravated criminal sodomy, as defined in subsection (a)(1) or (a)(2) of K.S.A. 21-3506, and amendments thereto;
- (5) promoting prostitution, as defined in K.S.A. 21-3513, and amendments thereto, if the prostitute is less than 14 years of age; or
- (6) sexual exploitation of a child, as defined in subsection (a)(5) or (a)(6) of K.S.A. 21-3516, and amendments thereto.

(e) Any person who has been declared a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall register for such person's lifetime.

(f) Any nonresident worker shall register for the duration of such person's employment. The provisions of this subsection are in addition to subsections (a) and (b).

(g) Any nonresident student shall register for the duration of such person's attendance at a school or educational institution as provided in this act. The provisions of this subsection are in addition to subsections (a) and (b).

(h) (1) Notwithstanding any other provisions of this section, a person who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime set forth in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, and amendments thereto, shall be required to register until such person reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. The five-year period shall not apply to any person while that person is incarcerated in any jail, juvenile facility or correctional facility. The five-year registration requirement does not include any time period when any person who is required to register under this act knowingly or willfully fails to comply with the registration requirement.

(2) (A) A person who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime set forth

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in subsection (c) of K.S.A. 22-4902, and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, and amendments thereto, may, by the court:

- (i) Be required to register pursuant to the provisions of paragraph (1);
- (ii) not be required to register if the judge, on the record, finds substantial and compelling reasons therefor; or
- (iii) be required to register with the sheriff pursuant to K.S.A. 22-4904, and amendments thereto, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires the juvenile to register but such registration is not open to the public, the juvenile shall provide a copy of such court order to the sheriff at the time of registration. The sheriff shall forward a copy of such court order to the Kansas bureau of investigation.

(B) If such juvenile offender violates a condition of release during the term of the conditional release, the judge may require the juvenile offender to register pursuant to paragraph (1).

(3) Liability for registration does not terminate if the adjudicated offender again becomes liable to register as provided by this act during the required period.

(4) The provisions of paragraph (2)(A)(ii) shall apply to adjudications on and after the effective date of this act and retroactively to adjudications prior to July 1, 2007.

(i) Any person moving to the state of Kansas who has been convicted in another state, and who was required to register under that state's laws, shall register for the same length of time required by that state or Kansas, whichever length of time is longer. The provisions of this subsection shall apply to convictions prior to June 1, 2006 and to persons who moved to Kansas prior to June 1, 2006.

History: L. 1993, ch. 253, § 22; L. 1994, ch. 107, § 5; L. 1997, ch. 181, § 11; L. 1999, ch. 164, § 33; L. 2001, ch. 208, § 13; L. 2002, ch. 55, § 2; L. 2005, ch. 202, § 1; L. 2006, ch. 214, § 9; L. 2007, ch. 183, § 4; July 1.

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[Home > Statutes > Statute](#)[Previous](#)[Next](#)**22-4907****Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION****22-4907. Information required in registration; KBI participation in FBI program.**

(a) Registration as required by this act shall consist of a form prepared by the Kansas bureau of investigation, which shall include a statement that the requirements provided in this section have been explained to the person, and shall be signed by the person. Such registration form shall include the following:

- (1) Name;
- (2) date and place of birth;
- (3) offense or offenses committed, date of conviction or convictions obtained;
- (4) city or county of conviction or convictions obtained;
- (5) sex and age of victim;
- (6) current address;
- (7) social security number;
- (8) identifying characteristics such as race, skin tone, sex, age, hair and eye color, scars, tattoos and blood type;
- (9) occupation, name of employer and place of employment;
- (10) drivers license and vehicle information, including the registration number of each license plate assigned to any motor vehicle normally operated by the offender;
- (11) documentation of any treatment received for a mental abnormality or personality disorder of the offender; for purposes of documenting the treatment received, sheriffs, prison officials and courts may rely on information that is readily available to them from existing records and the offender.
- (12) anticipated future residence;
- (13) a photograph;
- (14) fingerprints;
- (15) school; and
- (16) any and all e-mail addresses and online identities used by the offender on the internet.

(b) (1) The offender shall also provide to the registering law enforcement agency DNA exemplars, unless already on file.

(2) If the exemplars to be taken require the withdrawal of blood, such withdrawal may be performed only by: (A) A person licensed to practice medicine and surgery or a person acting under the supervision of any such licensed person;

- (B) a registered nurse or a licensed practical nurse;
- (C) any qualified medical technician; or
- (D) a licensed phlebotomist.

(c) Unless the person has provided the information and completed and signed the registration form as provided in K.S.A. 22-4905 and amendments thereto within three days, the registering law enforcement agency shall forward the registration form to the Kansas bureau of investigation.

(d) The Kansas bureau of investigation may participate in the federal bureau of investigation's NCIC 2000.

History: L. 1993, ch. 253, § 23; L. 1996, ch. 224, § 5; L. 1997, ch. 181, § 12; L. 2001, ch. 208, § 14; L. 2007, ch. 183, § 5; July 1.

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22-4908

**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4908. Person required to register shall not be relieved of further registration.
No person required to register as an offender pursuant to the Kansas offender registration act shall be granted an order relieving the offender of further registration under this act.

History: L. 1993, ch. 253, § 24; L. 1994, ch. 107, § 6; L. 1997, ch. 181, § 13; L. 1999, ch. 164, § 34; L. 2001, ch. 208, § 15; July 1.

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22-4909**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4909. Information subject to open records act; nondisclosure of certain information relating to victim; website posting; notification of schools and licensed day care facilities. (a) Except as prohibited by subsection (h) of K.S.A. 22-4906, and amendments thereto, the statements or any other information required by this act shall be open to inspection by the public at the sheriff's office, at the headquarters of the Kansas bureau of investigation and on any internet website sponsored or created by a sheriff's department or the Kansas bureau of investigation that contains such statements or information, and specifically are subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto, except that the name, address, telephone number, or any other information which specifically and individually identifies the victim of any offender required to register as provided in this act shall not be disclosed other than to law enforcement agencies.

(b) Any information posted on an internet website sponsored or created by a sheriff's office or the Kansas bureau of investigation shall identify, in a prominent manner, whether an offender is or is not a sex offender.

(c) The state department of education shall annually notify any school upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any grades one through 12 of the Kansas bureau of investigation internet website and any internet website containing information on the Kansas offender registration sponsored or created by the sheriff of the county in which the school is located for the purposes of locating offenders who reside near such school.

(d) The secretary of health and environment shall annually notify any licensed child care facility of the Kansas bureau of investigation internet website and any internet website containing information on the Kansas offender registration sponsored or created by the sheriff of the county in which the facility is located for the purposes of locating offenders who reside near such facility.

(e) Such notification required in subsections (c) and (d) shall include information that the sheriff of the county where such school or child care facility is located is available to the school and child care facilities to assist in using the registry and providing additional information on the registered offenders.

History: L. 1993, ch. 253, § 25; L. 1994, ch. 107, § 7; L. 1997, ch. 181, § 14; L. 2001, ch. 208, § 16; L. 2005, ch. 202, § 2; L. 2006, ch. 214, § 10; June 1.

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22-4910

**Chapter 22.--CRIMINAL PROCEDURE
KANSAS CODE OF CRIMINAL PROCEDURE
Article 49.--OFFENDER REGISTRATION**

22-4910. Effective date. K.S.A. 22-4901 through 22-4910 shall be effective on and after July 1, 1993.

History: L. 1993, ch. 253, § 26; April 29.

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[Home](#) > [Statutes](#) > [Statute](#)[Previous](#)[Next](#)**21-2511****Chapter 21.--CRIMES AND PUNISHMENTS****Article 25.--IDENTIFICATION AND DETECTION OF CRIMES AND CRIMINALS**

21-2511. Collection of fingerprints, blood, saliva or other biological samples from certain persons; Kansas bureau of investigation, powers and duties; expungement of DNA sample and profile record; failure to provide DNA specimen, penalties.

(a) Any person convicted as an adult or adjudicated as a juvenile offender because of the commission of any felony; a violation of subsection (a)(1) of K.S.A. 21-3505; a violation of K.S.A. 21-3508; a violation of K.S.A. 21-4310; a violation of K.S.A. 21-3424, and amendments thereto when the victim is less than 18 years of age; a violation of K.S.A. 21-3507, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of subsection (b)(1) of K.S.A. 21-3513, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of K.S.A. 21-3515, and amendments thereto, when one of the parties involved is less than 18 years of age; or a violation of K.S.A. 21-3517, and amendments thereto; including an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of any such offenses provided in this subsection regardless of the sentence imposed, shall be required to submit specimens of blood or an oral or other biological sample authorized by the Kansas bureau of investigation to the Kansas bureau of investigation in accordance with the provisions of this act, if such person is:

(1) Convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in subsection (a) on or after the effective date of this act;

(2) ordered institutionalized as a result of being convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in subsection (a) on or after the effective date of this act; or

(3) convicted as an adult or adjudicated as a juvenile offender because of the commission of a crime specified in this subsection before the effective date of this act and is presently confined as a result of such conviction or adjudication in any state correctional facility or county jail or is presently serving a sentence under K.S.A. 21-4603, 21-4603d, 22-3717 or K.S.A. 2007 Supp. 38-2361, and amendments thereto.

(b) Notwithstanding any other provision of law, the Kansas bureau of investigation is authorized to obtain fingerprints and other identifiers for all persons, whether juveniles or adults, covered by this act.

(c) Any person required by paragraphs (a)(1) and (a)(2) to provide such specimen or sample shall be ordered by the court to have such specimen or sample collected within 10 days after sentencing or adjudication:

(1) If placed directly on probation, that person must provide such specimen or sample, at a collection site designated by the Kansas bureau of investigation. Collection of specimens shall be conducted by qualified volunteers, contractual personnel or employees designated by the Kansas bureau of investigation. Failure to cooperate with the collection of the specimens and any deliberate act by that person intended to impede, delay or stop the collection of the specimens shall be punishable as contempt of court and constitute grounds to revoke probation;

(2) if sentenced to the secretary of corrections, such specimen or sample will be obtained as soon as practical upon arrival at the correctional facility; or

(3) if a juvenile offender is placed in the custody of the commissioner of juvenile justice, in a youth residential facility or in a juvenile correctional facility, such specimen or sample will be obtained as soon as practical upon arrival.

(d) Any person required by paragraph (a)(3) to provide such specimen or sample shall be required to provide such samples prior to final discharge or conditional release at a collection site designated by the Kansas bureau of investigation. Collection of specimens shall be conducted by qualified volunteers, contractual personnel or employees designated by the Kansas bureau of investigation.

(e) (1) On and after January 1, 2007 through June 30, 2008, any adult arrested or charged or juvenile placed in custody for or charged with the commission or attempted commission of any person felony or drug severity level 1 or 2 felony shall be required to submit such specimen or sample at the same time such person is fingerprinted pursuant to the booking procedure.

(2) On and after July 1, 2008, except as provided further, any adult arrested or charged or juvenile placed in custody for or charged with the commission or attempted commission of any felony; a violation of subsection (a)(1) of K.S.A. 21-3505; a violation of K.S.A. 21-3508; a violation of K.S.A. 21-4310; a violation of K.S.A. 21-3424, and

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amendments thereto, when the victim is less than 18 years of age; a violation of K.S.A. 21-3507, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of subsection (b)(1) of K.S.A. 21-3513, and amendments thereto, when one of the parties involved is less than 18 years of age; a violation of K.S.A. 21-3515, and amendments thereto, when one of the parties involved is less than 18 years of age; or a violation of K.S.A. 21-3517, and amendments thereto; shall be required to submit such specimen or sample at the same time such person is fingerprinted pursuant to the booking procedure.

(3) Prior to taking such samples, the arresting, charging or custodial law enforcement agency shall search the Kansas criminal history files through the Kansas criminal justice information system to determine if such person's sample is currently on file with the Kansas bureau of investigation. In the event that it cannot reasonably be established that a DNA sample for such person is on file at the Kansas bureau of investigation, the arresting, charging or custodial law enforcement agency shall cause a sample to be collected. If such person's sample is on file with the Kansas bureau of investigation, the law enforcement agency is not required to take the sample.

(4) If a court later determines that there was not probable cause for the arrest, charge or placement in custody or the charges are otherwise dismissed, and the case is not appealed, the Kansas bureau of investigation, upon petition by such person, shall expunge both the DNA sample and the profile record of such person.

(5) If a conviction against a person, who is required to submit such specimen or sample, is expunged or a verdict of acquittal with regard to such person is returned, the Kansas bureau of investigation shall, upon petition by such person, expunge both the DNA sample and the profile record of such person.

(f) All persons required to register as offenders pursuant to K.S.A. 22-4901 et seq., and amendments thereto, shall be required to submit specimens of blood or an oral or other biological sample authorized by the Kansas bureau of investigation to the Kansas bureau of investigation in accordance with the provisions of this act.

(g) The Kansas bureau of investigation shall provide all specimen vials, mailing tubes, labels and instructions necessary for the collection of blood, oral or other biological samples. The collection of samples shall be performed in a medically approved manner. No person authorized by this section to withdraw blood, and no person assisting in the collection of these samples shall be liable in any civil or criminal action when the act is performed in a reasonable manner according to generally accepted medical practices. The withdrawal of blood for purposes of this act may be performed only by: (1) A person licensed to practice medicine and surgery or a person acting under the supervision of any such licensed person; (2) a registered nurse or a licensed practical nurse; or (3) any qualified medical technician including, but not limited to, an emergency medical technician-intermediate or mobile intensive care technician, as those terms are defined in K.S.A. 65-6112, and amendments thereto, or a phlebotomist. The samples shall thereafter be forwarded to the Kansas bureau of investigation. The bureau shall analyze the samples to the extent allowed by funding available for this purpose.

(h) The DNA (deoxyribonucleic acid) records and DNA samples shall be maintained by the Kansas bureau of investigation. The Kansas bureau of investigation shall establish, implement and maintain a statewide automated DNA databank and DNA database capable of, but not limited to, searching, matching and storing DNA records. The DNA database as established by this act shall be compatible with the procedures specified by the federal bureau of investigation's combined DNA index system (CODIS). The Kansas bureau of investigation shall participate in the CODIS program by sharing data and utilizing compatible test procedures, laboratory equipment, supplies and computer software.

(i) The DNA records obtained pursuant to this act shall be confidential and shall be released only to authorized criminal justice agencies. The DNA records shall be used only for law enforcement identification purposes or to assist in the recovery or identification of human remains from disasters or for other humanitarian identification purposes, including identification of missing persons.

(j) (1) The Kansas bureau of investigation shall be the state central repository for all DNA records and DNA samples obtained pursuant to this act. The Kansas bureau of investigation shall promulgate rules and regulations for:

(A) The form and manner of the collection and maintenance of DNA samples;

(B) a procedure which allows the defendant to petition to expunge and destroy the DNA samples and profile record in the event of a dismissal of charges, expungement or acquittal at trial; and

(C) other procedures for the operation of this act.

(2) These rules and regulations also shall require compliance with national quality assurance standards to ensure that the DNA records satisfy standards of acceptance of such records into the national DNA identification index.

(3) The provisions of the Kansas administrative procedure act shall apply to all actions taken under the rules and regulations so promulgated.

(k) The Kansas bureau of investigation is authorized to contract with third parties for the purposes of implementing this section. Any other party contracting to carry out the functions of this section shall be subject to the same restrictions and requirements of this section, insofar as applicable, as the bureau, as well as any additional restrictions imposed

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by the bureau.

(l) In the event that a person's DNA sample is lost or is not adequate for any reason, the person shall provide another sample for analysis.

(m) Any person who is subject to the requirements of this section, and who, after receiving notification of the requirement to provide a DNA specimen, knowingly refuses to provide such DNA specimen, shall be guilty of a class A nonperson misdemeanor.

History: L. 1991, ch. 92, § 1; L. 1992, ch. 143, § 1; L. 1995, ch. 218, § 1; L. 1996, ch. 224, § 1; L. 1997, ch. 156, § 36; L. 1999, ch. 164, § 3; L. 2001, ch. 208, § 2; L. 2002, ch. 128, § 1; L. 2004, ch. 11, § 1; L. 2006, ch. 171, § 2; L. 2007, ch. 145, § 2; July 1.

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Department of Corrections Systemwide

	FY 2009			FY 2010		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Agency Request/Estimate:	\$273,750,085	\$ 303,096,693	3,107.7	\$290,204,274	\$ 314,384,340	3,113.7
Governor's Changes:						
1. Vehicle Purchases	\$ 38,044	\$ 38,044	0.0	\$ 0	\$ 0	0.0
2. Remove KSIP Expenditures	(727)	(727)	0.0	0	0	0.0
3. Close Men's and Women's	(563,000)	(563,000)	0.0	0	0	0.0
4. Capitalized Interest on Debt Service	(798,000)	(798,000)	0.0	0	0	0.0
5. Restructure Debt Service	(40,000)	(40,000)	0.0	(835,000)	(835,000)	0.0
6. Increase Shrinkage to 5.0 Percent	(414,999)	(414,999)	0.0	(471,000)	(471,000)	0.0
7. Delete Funding for OMIS/TOADS	(1,461,500)	(1,461,500)	0.0	(450,000)	(450,000)	0.0
8. Offender Programs	(300,000)	(300,000)	0.0	(3,284,075)	(3,284,075)	0.0
9. Health Care Contract Savings	(348,000)	(348,000)	0.0	(600,000)	(600,000)	0.0
10. Community Corrections Grants	(1,000,000)	(1,000,000)	0.0	(350,000)	(350,000)	0.0
11. Remove Supp./Enh. Requests	(737,117)	(737,117)	0.0	(18,028,330)	(18,087,513)	(35.0)
12. Bond Anticipate Note Redemption	0	0	0.0	0	130,461	0.0
13. Toronto Correctional Work Facility	(199,000)	(199,000)	0.0	0	0	0.0
14. Osawatomie Correctional Facility	(175,000)	(175,000)	0.0	0	0	0.0
15. Stockton Correctional Facility	0	0	0.0	(1,647,927)	(1,737,741)	(31.0)
16. Health Care Contract Base Increase	0	0	0.0	646,400	646,400	0.0
17. Adult Residential Centers	0	0	0.0	(2,068,020)	(2,068,020)	0.0
18. Health Insurance Moratorium	0	0	0.0	(4,875,059)	(5,036,514)	0.0
19. Death and Disability Moratorium	0	0	0.0	(848,493)	(875,691)	0.0
20. Governor's Budget Amendment 1	0	0	0.0	(40,500,000)	0	0.0
Total Governor's Recommendation	\$267,750,786	\$ 297,097,394	3,107.7	\$216,892,770	\$ 281,365,647	3,047.7
Dollar Change from Agency Req./Est.	\$ (5,999,299)	\$ (5,999,299)	0.0	\$(73,311,504)	\$(33,018,693)	(66.0)
Percent Change from Agency Req./Est.	(2.2)%	(2.0)%	0.0%	(25.3)%	(10.5)%	(2.1)%
Legislative Action:						
21. Health Insurance Moratorium	\$ (4,875,059)	\$ (5,036,514)	0.0	\$ 4,875,059	\$ 5,036,514	0.0
22. Death and Disability Moratorium	(376,729)	(388,804)	0.0	377,106	389,194	0.0
23. 1.25 Percent Across the Board	(3,380,725)	(3,380,725)	0.0	(3,331,511)	(3,331,511)	0.0
24. Treatment and Programs	0	0	0.0	646,250	646,250	0.0
25. Adult Residential Centers	0	0	0.0	2,068,020	2,068,020	0.0
26. 2.75 Percent Across the Board	0	0	0.0	(5,953,227)	(5,953,227)	0.0
27. Longevity Bonus	0	0	0.0	(1,469,177)	(1,469,177)	0.0
28. Undermarket Employee Pay	0	0	0.0	987,149	1,015,529	0.0
TOTAL APPROVED	\$259,118,273	\$ 288,291,351	3,107.7	\$215,092,439	\$ 279,767,239	3,047.7
Dollar Change from Gov. Rec.	\$ (8,632,513)	\$ (8,806,043)	0.0	\$ (1,800,331)	\$ (1,598,408)	0.0
Percent Change from Gov. Rec.	(3.2)%	(3.0)%	0.0%	(0.8)%	(0.6)%	0.0%
Dollar Change from Agency Req./Est.	\$(14,631,812)	\$(14,805,342)	0.0	\$(75,111,835)	\$(34,617,101)	(66.0)
Percent Change from Agency Req./Est.	(5.3)%	(4.9)%	0.0%	(25.9)%	(11.0)%	(2.1)%

- The 2008 Legislature approved a supplemental request for vehicle replacement totaling \$465,000 for FY 2009. The Department of Corrections (DOC) primarily used the funds to purchase two inmate transport buses. The final receipts for the vehicle purchases made totaled \$503,044, which the Governor recommended be added to the DOC budget in FY 2009.
- The Governor recommended the deletion of Kansas Savings Incentive Program (KSIP) expenditures and discontinuing the KSIP program.
- The Governor recommended the closing of the Men's and Women's conservation camps in Labette County. The conservation camps were an accredited community based correctional facility that the courts and DOC could use as a placement option for minimum-security offenders. DOC provided grant funds to Labette County and the county was responsible for running the camps. The women's camp contract was terminated in January 2009, the men's camp contract was terminated on July 1, 2009.
- The DOC had a one-time sum from capitalized interest on its debt service, which the Governor recommended be lapsed in FY 2009.
- The Governor recommended bond restructuring in FY 2009 and FY 2010. The plan delayed interest payments on bonds for two years by increasing the lifetime repayment of the bonds.
- The Governor recommended the DOC central office shrinkage rate be increased from 3.0 to 5.0 percent in FY 2009 and FY 2010.

Department of Corrections Systemwide

7. The DOC utilizes the Offender Management Information System/Total Offender Activity and Document System (OMIS/TOADS) as a central, electronic repository of inmate information. This system is aging and the DOC had hoped to replace or update the system.
8. The Governor recommended lapsing unused funds for offender programs in FY 2009. In FY 2010, the DOC included offender programming reductions in its reduced resources budget. The Governor recommended a large portion of the reduced resource package for the FY 2010 budget.
9. The DOC was able to achieve savings in its health care contract due to the declining inmate population. The Governor recommended lapsing those savings in FY 2009 and reducing the appropriation amount in FY 2010.
10. The Governor recommended reducing the amount of community corrections grants that the DOC awards to local community corrections program. Most of these funds are awarded to counties and judicial districts.
11. The Governor did not include funding for any of the agency's supplemental or enhancement requests. Enhancements included the purchase of vehicles and capital outlay equipment as well as funding for Toronto Correctional Work Facility, Osawatomi Correctional Facility, and Stockton Correctional Facility.
12. The Governor recommended additional expenditures from the Correctional Institutions Building Fund to begin repayment of the bond anticipation note that was issued so that the DOC could begin planning bed-capacity expansion projects. These bond proceeds are for planning purposes only. The 2009 Legislature rescinded the remaining bond authority that had been approved during the 2007 session. If the DOC wanted to build a new facility the Legislature would have to authorize bonds to do so.
13. The Governor recommended the suspension of operations at the Toronto Correctional Work Facility (TCWF) in FY 2009. TCWF is a minimum custody, work-release facility operated by El Dorado Correctional Facility. TCWF had a capacity of 70 inmates and provided inmate labor to state parks, the City of Toronto, Kansas Department of Transportation rest areas, and county jails. In FY 2007, TCWF provided 65,312 hours of service.
14. The Governor recommended the suspension of operations at the Osawatomi Correctional Facility (OCF) in FY 2009. OCF is a minimum-custody facility operated by Lansing Correctional Facility (LCF). OCF had a capacity of 80 inmates and provided inmate labor to state parks, Osawatomi State Hospital, Miami and Leavenworth counties, and the Kansas Department of Transportation. In FY 2007, OCF provided 114,094 hours of service. OCF also housed the Therapeutic Community Unit, which treated inmates with substance abuse programs.
15. The Governor recommended the suspension of operations at the Stockton Correctional Facility (SCF) in FY 2010. SCF is a minimum custody facility operated by Norton Correctional Facility (NCF). SCF had a capacity of 128 inmates and provided inmate labor to local cities and counties, state parks, and other qualified non-profit agencies. In FY 2008, SCF provided 48,606 hours of service.
16. The Governor recommended an increase for the inmate health care contract in FY 2010. This increase was built into the contract and was not negotiable by the DOC. The current contract expires in FY 2010.
17. The Governor recommended removing the DOC payments to the Adult Residential Centers in Johnson and Sedgwick counties. For the Johnson county residential center the DOC funds comprised approximately 10.0 percent of total expenditures. For the Sedgwick county residential center the DOC funds made up nearly half of total expenditures.
18. The Governor recommended a 14-week payroll moratorium on employer contributions to the State Employee Health Plan in FY 2010. The recommendation was made to spend down a large balance that had accumulated in that account.
19. The Governor recommended a 9-month moratorium on KPERS Death and Disability contributions in FY 2010. The recommendation was made to spend down a large balance that had accumulated in the KPERS Death and Disability account.
20. In the Governor's Budget Amendment No. 1, Item 3, \$40.5 million of Federal ARRA funds for State Fiscal Stabilization were included in the Department of Corrections (DOC) budget in place of a State General Fund appropriation. The DOC used those funds to reduce the State General Fund expenditures at Hutchinson Correctional Facility, Norton Correctional Facility, and Winfield Correctional Facility.
21. The 2009 Legislature accelerated the Governor's recommended 14-week payroll moratorium on employer contributions to the State Employee Health Plan from FY 2010 to FY 2009. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
22. The 2009 Legislature accelerated the Governor's recommended 9-month moratorium on KPERS Death and Disability contributions from the first nine months of FY 2010 to the last four months of FY 2009 and the first five months of FY 2010. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
23. During the regular session the 2009 Legislature approved a 1.25 percent across the board reduction to the Governor's FY 2009 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2009 and FY 2010.
24. The 2009 Legislature included funding for offender programs so the DOC could continue funding portions of community residential beds, substance abuse programs, and batterers intervention programming.

Department of Corrections Systemwide

25. The 2009 Legislature approved adding funds to continue funding the adult residential centers in Johnson and Sedgwick counties, which the Governor had recommended not be funded in FY 2010.
26. During Omnibus, the 2009 Legislature included a 2.75 percent across the board reduction to the Governor's FY 2010 recommended State General Fund operating expenditures excluding debt service payments and caseload estimates for FY 2010.
27. The 2009 Legislature removed the funding for longevity bonuses in FY 2010 but directed state agencies to self-fund the longevity bonuses for eligible employees.
28. The 2009 Legislature included a total of \$8.5 million, all from the State General Fund, for undermarket pay adjustments to all state agencies with positions that had recommended pay adjustments in the Hay group study on Kansas state employee compensation. The study was completed in FY 2008.

FY 2010 BUDGET ADJUSTMENTS - DEPARTMENT OF CORRECTIONS

10/1/09

Item	Adjustment to Base Budget	Total Adjustments	
Base budget increases to finance FY 2010 budget	2,636,560	2,636,560	
State General Fund transfers to the eight correctional facilities	2,852,693	5,489,253	
Food service and health care contract savings - reduced inmate population	(553,407)	4,935,846	
Restructure debt service payments	(835,000)	4,100,846	
Partially suspend payments for fringe benefit employer contributions	(471,387)	3,629,459	
Delete unallocated amount for offender programs	(904,000)	2,725,459	
Suspend operations of the Osawatomie Correctional Facility	(902,699)	1,822,760	
Suspend operations of the Toronto Correctional Facility	(907,393)	915,367	
Suspend operations of the Stockton Correctional Facility	(1,647,927)	(732,560)	
Eliminate funding for 4th time DUI offenders (proposal to offset this reduction with fines/forfeitures not approved by Legislature)	(538,000)	(1,270,560)	
Replace financing for offender programs with additional commissions from inmate telephone contract	(750,000)	(2,020,560)	
Assess shrinkage rate of 5 percent against reentry program positions	(166,000)	(2,186,560)	
Increase central office shrinkage rate to 5 percent	(305,000)	(2,491,560)	
Close Correctional Conservation Camps	(3,371,324)	(5,862,884)	
Close day reporting centers and retain partial funding to continue essential services	(869,520)	(6,732,404)	
Replace financing of the health care contract with transfer from the Correctional Industries Fund	(1,202,904)	(7,935,308)	
Reduce funding for community corrections grants, excluding adult residential centers, by 3 percent	(525,000)	(8,460,308)	
Health care contract savings from intentionally holding positions vacant and delaying equipment purchases	(600,000)	(9,060,308)	
Delete funding for replacement of major computer systems (OMIS/TOADS)	(450,000)	(9,510,308)	
Reduce funding for offender programs	(3,284,075)	(12,794,383)	
Reduce funding for facilities operations	(1,327,789)	(14,122,172)	
Increase funding for offender programs	646,250	(13,475,922)	
Reduce funding for offender programs	(2,003,722)	(15,479,644)	
Eliminate funding for longevity bonuses	(1,469,177)	(16,948,821)	Mega Bill Reduction

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FY 2010 BUDGET ADJUSTMENTS - DEPARTMENT OF CORRECTIONS

Rev
10/1.

Item	Adjustment to Base Budget	Total Adjustments	
Reduce funding for offender programs	(1,206,000)	(18,154,821)	
Shift funding for 13 special enforcement officer positions to Byrne Grant	(705,700)	(18,860,521)	
Shift funding for 10 parole officer positions to Byrne Grant	(439,550)	(19,300,071)	
Suspend operations of the North Unit of the El Dorado Correctional Facility	(1,033,975)	(20,334,046)	
Reduce funding for community corrections grants (\$1.5 million shifted to Byrne Grant)	(2,025,000)	(22,359,046)	
Reduce funding for health care management contract (KUPI)	(75,000)	(22,434,046)	
Additional central office shrinkage	(468,002)	(22,902,048)	Omnibus Bill Reduction
Operating expenditures - correctional facilities	(1,100,000)	(24,002,048)	
Operating expenditures - DOC central office	(500,000)	(24,502,048)	Governor's Allotment
Add funding for undermarket salary adjustments	987,149	(23,514,899)	Other

Note: The list of budget adjustments does not include the shift of \$40.5 million of facility operations expenditures from the State General Fund to federal stimulus moneys.

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FY 2010/2011 BUDGET REQUESTS - DEPARTMENT OF CORRECTIONS

10/12/09

Fiscal Year 2010

Revised systemwide State General Fund budget of \$215,310,190 represents a net increase of \$217,751 above amounts appropriated by the 2009 Legislature. This net increase is comprised of:

-- Governor's allotment reduction of \$1.6 million.	(1,600,000)
-- Utilize prior year budget savings of \$1.1 million to offset the allotment assessed against the budgets for the correctional facilities.	1,100,000
-- Utilize prior year budget savings of \$894,752 to reduce the shrinkages rate at the El Dorado Correctional Facility from 6.7% to 4.0% and Norton Correctional Facility from 8.5% to 5.0%.	894,751
-- Utilize food service contract savings of \$91,750 for the shrinkage rate reduction at NCF.	-
-- Return (lapse) \$177,000 of health care contract savings to the SGF.	(177,000)

Total \$ 217,751

- \$484,000 of the \$500,000 allotment assessed against the DOC central office budget will be offset by the utilization of unexpended moneys returned to the state by Labette County upon closure of the conservation camps.
- Prior year budget savings (shifts) available for expenditure in FY 2010 total \$2,408,636. After utilizing \$1,994,751 to offset a portion of the allotment reduction and for shrinkage rate reductions, the balance remaining is \$413,884. This amount would be returned (lapsed) to the State General Fund.

Fiscal Year 2011

Systemwide State General Fund budget of \$216,240,471 (before enhanced funding requests) includes a base budget decrease of \$1.6 million reflecting continuation of the Governor's allotment reduction into FY 2011. This decrease was offset by (1) the utilization of \$750,000 in additional federal stimulus moneys to fund positions at the Hutchinson Correctional Facility and (2) facility operating budget reductions.

Note: The SGF budget of \$216,240,471 is \$210,463 below the expenditure allocation established by the Division of the Budget. The DOB will be asked to utilize this amount to reduce the amount of new moneys requested to fully fund the food service contract.

Fiscal Year 2011 - Enhanced Funding Requests - \$27,873,390 (Not Listed in Priority Order)

Reduction in shrinkage rates	4,683,249
<ul style="list-style-type: none"> -- Would decrease rates so that budgeted shrinkage amounts would reflect the estimated savings that would naturally occur as positions are vacated and filled during the fiscal year. ECF - 5.5%/3.6%; EDCF - 6.7%/4.0%; HCF - 7.5%/4.85%; LCF - 8.0%/6.0%; NCF - 10.8%/5.0%; TCF - 9.0%/6.5%; WCF - 6.2%/2.6%; DOC - 8.2%/2.6% (3.0% for major budget programs). 	
Increased funding for health care contracts	3,803,421
<ul style="list-style-type: none"> -- \$1,202,904 to replace funding from the Correctional Industries Fund due to insufficient balances. -- \$1,333,124 to restore service reductions made to comply with FY 2010 budget cuts. -- \$1,137,393 to provide a base increase to offset additional costs for salaries, benefits, and supplies. -- \$130,000 for the health care management contract with the University of Kansas Physicians, Inc. to fill a vacant contract monitor position and to provide a base increase for increased costs. 	

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FY 2010/2011 BUDGET REQUESTS - DEPARTMENT OF CORRECTIONS

10/12/10

Fiscal Year 2011 - Enhanced Funding Requests (Continued)

Increased funding for food service contract -- Would provide full funding based upon estimated inmate population.	236,131
Acquisition of replacement vehicles -- Would allow for the replacement of 174 high-mileage vehicles.	3,168,300
Acquisition of replacement radios -- Would allow for the purchase of replacement radio equipment to comply with a mandate from the Federal Communications Commission that all non-federal public safety licensees using 25 KHz radios systems migrate to narrowband (12.5 KHz) channels by January 1, 2013. Failure to comply with this deadline could result in cancellation of licenses and possible loss of communications capabilities.	742,945
Inmate transportation bus -- Would allow for the replacement of an inmate transport bus with a current odometer reading of 457,000 miles.	190,000
Restore funding for offender programs -- Would increase funding to the FY 2009 base budget level; also would provide additional funding for DUI treatment services.	7,685,839
Restore funding for community corrections -- Would restore six percent reduction made to grant amount for intensive supervision and risk reduction.	1,050,000
Operating expenditures -- Would provide additional funding for utilities, consumable supplies, and other operating cost items.	871,331
Capital outlay -- Would provide funding for the purchase of equipment items.	941,545
Replacement of major computer applications -- Would provide initial funding for a project with an estimated multi-year cost of between \$6 to \$12 million to replace offender management (OMIS) and offender supervision (TOADS) computer applications.	3,000,000
Reestablish operations of the Stockton Correctional Facility -- Would provide funding to reestablish operations for the last quarter of the fiscal year.	531,859
Planning for new mental health units and new clinic -- Would provide funding to plan for the construction of mental health units at the Lansing and Topeka correctional facilities to provide appropriate housing for offenders with significant mental health treatment needs combined with extreme behavior management issues. -- Also would provide funding to plan for the construction of a new clinic at TCF because the current clinic (1) does not provide for the isolation of patients and (2) presents security issues with respect to the proper supervision of patients.	504,000
Provide funding for authorized positions at Topeka Correctional Facility -- Would allow the facility to fill 11 currently authorized but unfunded security positions, thereby completing the staffing for J Cellhouse (medium custody housing unit).	464,770

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15-7

FY 2010/2011 BUDGET REQUESTS - DEPARTMENT OF CORRECTIONS

10/12/09

Fiscal Year 2011 - Enhanced Funding Requests (Continued)

Retirement enhancement

- Would transfer selected corrections staff to the Kansas Police and Firemen's Retirement System (KP&F) or establish a separate retirement group with benefits equal to available under KP&F.
- When this enhancement was proposed two years ago, KPERS estimated that the additional employer contributions would total \$5.3 million, assuming that all of the eligible 2,715 employees would elect to transfer to KP&F or the new group.
- A new fiscal note, with an updated and more recent cost estimate would need to be prepared.
- The additional employer contributions would not begin until FY 2012.

Total

\$ 27,873,390

Fiscal Year 2011 – Reduction Target - \$10,578,455 (SGF); \$11,115,726 (All Funds)

Should it become necessary to comply with the Division of the Budget reduction target of \$10.6 million, it is proposed that parole supervision virtually be eliminated, except for the highest risk offenders. After a reduction of \$10,578,455 in the parole services budget, only \$428,863 of State General Fund moneys would remain. This amount would be utilized to retain as many parole officer positions as possible to supplement the 22 positions that are financed with federal funds. In addition, supervision fees (the amount of fees collected would be significantly reduced) would be dedicated towards

There are currently 533 high-risk offenders under parole supervision. In addition, there are many offenders who fall into the moderate level of supervision but who score near the high-risk category. As many of these moderate and near-high risk offenders that could be accommodated with the remaining funding would be supervised.

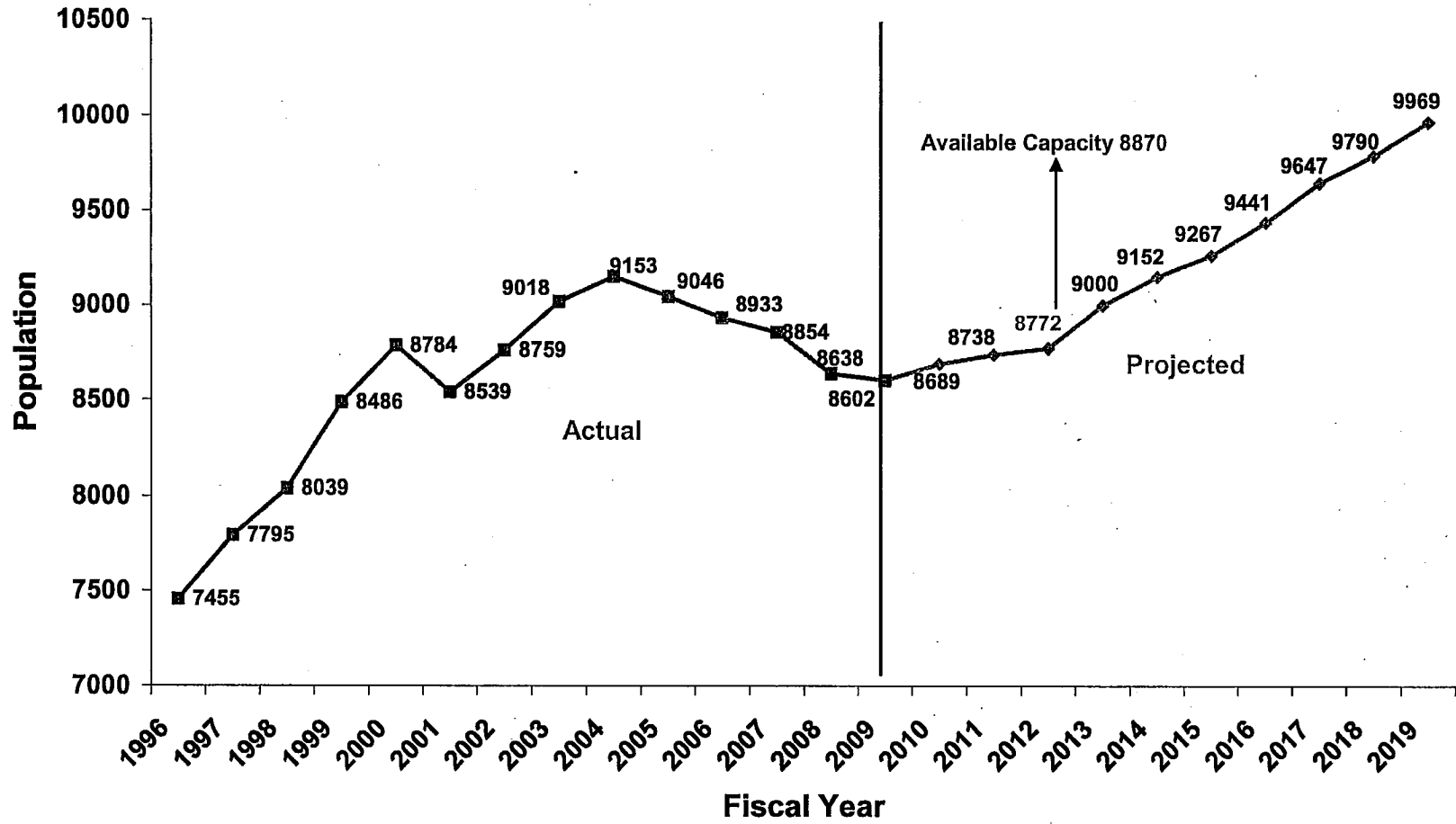
The DOC has previously indicated that any significant budget cut beyond the \$23.5 million reduction mandated by the Governor and the 2009 Legislature would result in the closure of a major correctional facility, i.e. Winfield, or a substantial reduction in or the total abolition of parole supervision, depending upon the magnitude of the funding cut.

The parole supervision option has been chosen, because this can occur without any statutory change. Any closure of a correctional facility would need to be accompanied by legislation providing for the early release of inmates.

KDOC would still be statutorily required to reimburse local jails for costs incurred from housing parole violators. These payments would reduce the amount of resources that could be utilized for retaining parole officer positions.

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Kansas Prison Population Trend - Actual and Projected



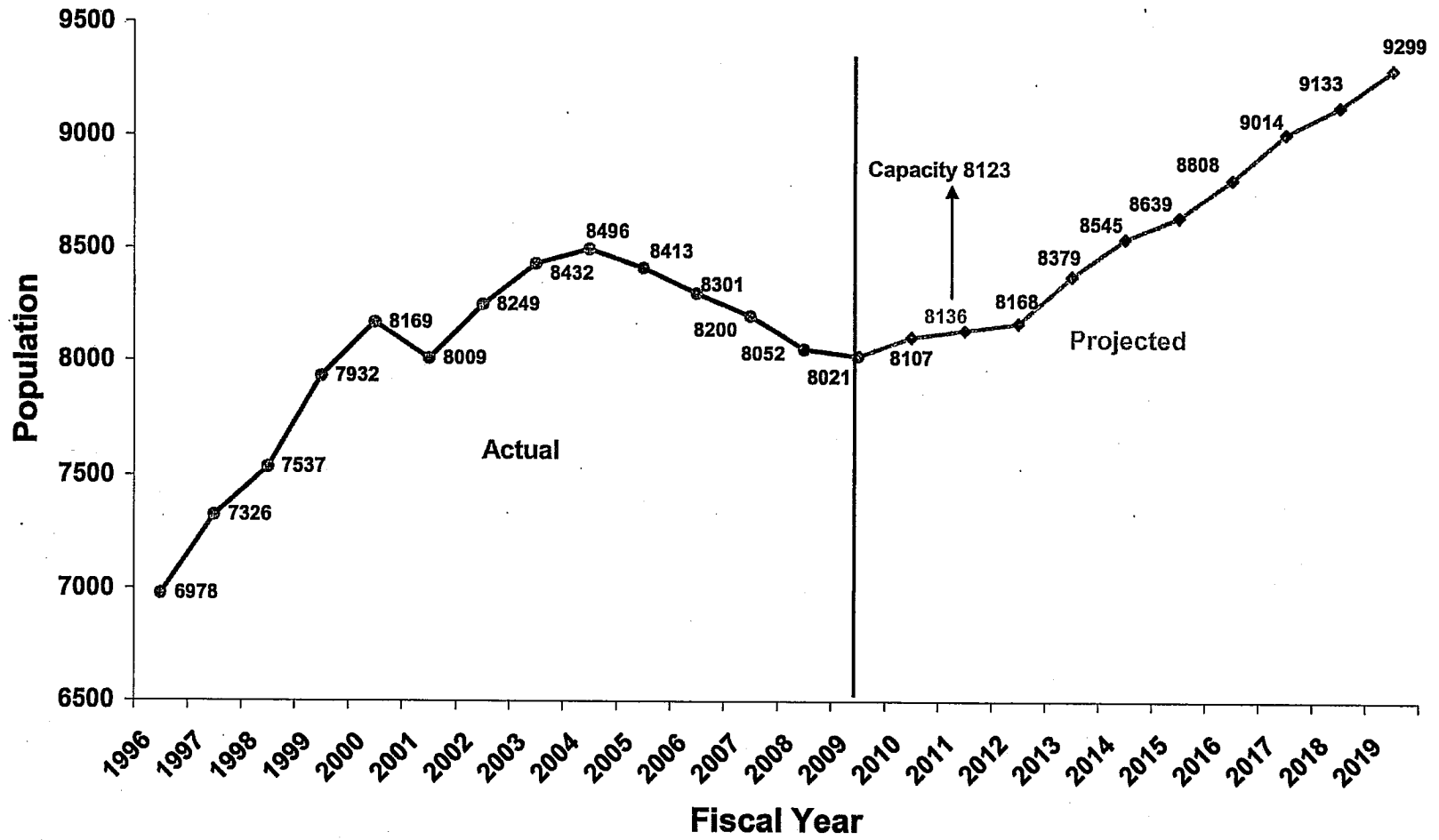
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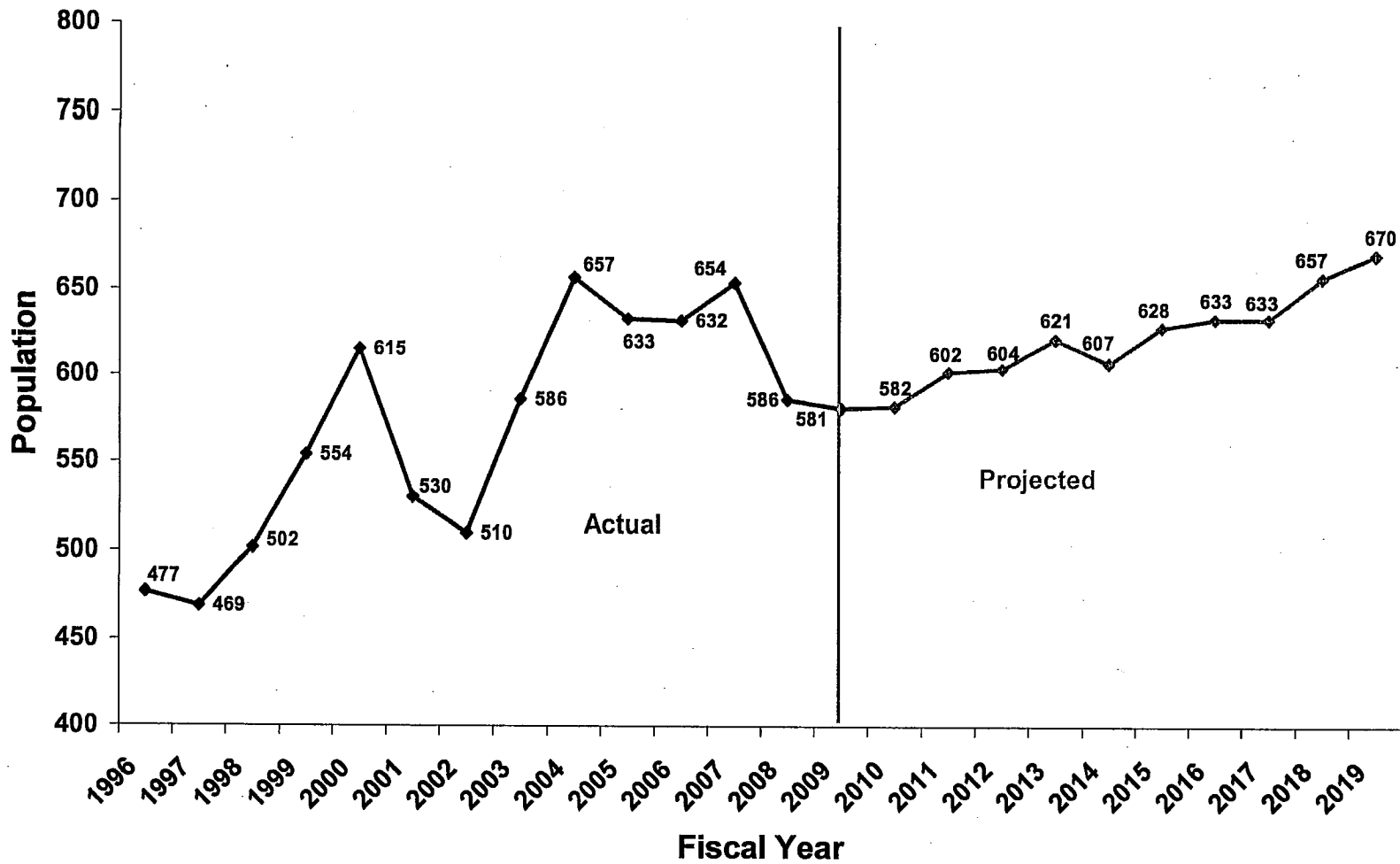
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Male Prison Population Trend - Actual and Projected



11-51

Female Prison Population Trend - Actual and Projected



Kansas Department of Transportation

Reportable Expenditures	Actual FY 2008	Approved FY 2009	Approved FY 2010
All Funds:			
State Operations	\$ 300,270,238	\$ 292,678,266	\$ 300,145,705
Aid to Local Units	158,948,775	175,532,295	172,757,093
Other Assistance	8,971,186	16,445,962	14,926,413
Subtotal - Operating	<u>\$ 468,190,199</u>	<u>\$ 484,656,523</u>	<u>\$ 487,829,211</u>
Capital Improvements	627,653,910	1,013,514,895	764,803,454
TOTAL	<u><u>\$ 1,095,844,109</u></u>	<u><u>\$ 1,498,171,418</u></u>	<u><u>\$ 1,252,632,665</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
Percentage Change			
Operating Expenditures			
All Funds	(18.6)%	3.5%	0.7%
State General Fund	-	-	-
FTE Positions			
Non-FTE Unclass. Perm. Pos.	41.8	47.0	47.0
TOTAL	<u><u>3,243.3</u></u>	<u><u>3,160.5</u></u>	<u><u>3,160.5</u></u>

The 2009 Legislature approved the reduction of the remaining 88.0 FTE positions related to the completion of the ten-year Comprehensive Transportation Plan to 3,113.5 FTE positions. Agency measures in order to meet reductions in the FY 2009 budget included: reductions in salary expenditures as a result of advancing the final CTP; FTE position reductions from FY 2010 to FY 2009; reductions in contractual services expenditures in a variety of areas including repair and servicing as well as printing and advertising; and reductions in capital outlay purchases.

Although not reflected in the approved budget, as part of the 2009 American Recovery and Reinvestment Act (ARRA) Kansas received \$378.0 million in transportation recovery funds. ARRA funds were set to be distributed as follows: \$268.0 million to state highways, \$38.0 million to metro areas, \$32.0 million to local units of government, \$10.0 million for transportation enhancements, and \$30.0 million for transit projects.

The following adjustments are included in the agency's approved expenditures:

- The Governor recommended that the transfer of \$10.1 million not be made from the State General Fund to the Special City and County Highway Fund in FY 2009 and FY 2010. The Legislature recommended that \$6.6 million be transferred from the State General Fund to the Special City and County Highway Fund in FY 2009, and directed that funds be distributed to cities and counties affected by the last three years of errors in the distribution from the Highway Equalization Fund; and that the transfer in FY 2010 be \$5.0 million coming from the State Highway Fund to the Special City and County Highway Fund.
- The Governor also recommended the cancellation of the remaining FY 2009 and FY 2010 loan repayments to the State Highway Fund of \$30,896,209. The Legislature recommended that the FY 2009 repayment not be cancelled, but be delayed until FY 2011.
- The 2009 Legislature also appropriated the Intermodal Transportation Revolving Fund, created in House Bill 2131, as a no-limit fund in FY 2009 and FY 2010. House Bill 2131 creates the Intermodal Transportation Revolving Fund to be administered by the agency and used to assist government units with intermodal transportation projects in excess of \$150.0 million.
- The Governor recommended and the Legislature concurred with funding for Kansas Highway Patrol Operations through a transfer from the State Highway Fund to the State General Fund in FY 2009 and FY 2010.
- The 2009 Legislature added \$27,040, all from the State Highway Fund, for sign creation and pamphlets related to requirements of newly passed bills in FY 2010; and

Kansas Department of Transportation

- The 2009 Legislature approved the transfer of \$25,287,150, all from the State Highway Fund, to the State General Fund to reimburse the State General Fund for FY 2009 and FY 2010 Comprehensive Transportation Plan bond payments.

Kansas Department of Transportation

	FY 2009			FY 2010		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Agency Request/Estimate:	\$ 0	\$ 1,787,936,868	3,113.5	\$ 0	\$ 1,262,668,991	3,113.5
Governor's Changes:						
1. Health Insurance Moratorium	\$ 0	\$ 0	0.0	\$ 0	\$ (5,193,447)	0.0
2. Death and Disability Moratorium	0	0	0.0	0	(904,186)	0.0
3. Reduction to agency and CTP expenditures	0	(279,232,555)	0.0	0	0	0.0
4. Increase reduction to operating expenditures	0	(1,535,415)	0.0	0	0	0.0
5. Reduction to buildings program	0	0	0.0	0	(2,195,000)	0.0
6. Delete supplemental or enhancement funding	0	0	0.0	0	(2,855,936)	0.0
7. Remove transfer from the State General Fund to the SCCHF and related expenditures	0	(10,063,664)	0.0	0	(10,063,664)	0.0
Total Governor's Recommendation	\$ 0	\$ 1,497,105,234	3,113.5	\$ 0	\$ 1,241,456,758	3,113.5
Dollar Change from Agency Req./Est.	\$ 0	\$ (290,831,634)	0.0	\$ 0	\$ (21,212,233)	0.0
Percent Change from Agency Req./Est.	—	(16.3)%	0.0%	—	(1.7)%	0.0%
Legislative Action:						
8. Health Insurance Moratorium	\$ 0	\$ (5,193,447)	0.0	\$ 0	\$ 5,193,447	0.0
9. Death and Disability Moratorium	0	(401,456)	0.0	0	401,862	0.0
10. Add SCCHF funding	0	6,661,087	0.0	0	5,031,832	0.0
11. Add funding for newly passed bills	0	0	0.0	0	27,040	0.0
12. Undermarket Employee Pay Adjustment	0	0	0.0	0	521,726	0.0
TOTAL APPROVED	\$ 0	\$ 1,498,171,418	3,113.5	\$ 0	\$ 1,252,632,665	3,113.5
Dollar Change from Gov. Rec.	\$ 0	\$ 1,066,184	0.0	\$ 0	\$ 11,175,907	0.0
Percent Change from Gov. Rec.	—	0.1%	0.0%	—	0.9%	0.0%
Dollar Change from Agency Req./Est.	\$ 0	\$ (289,765,450)	0.0	\$ 0	\$ (10,036,326)	0.0
Percent Change from Agency Req./Est.	—	(16.2)%	0.0%	—	(0.8)%	0.0%

- The Governor recommended a 14-week payroll moratorium on employer contributions to the State Employee Health Plan in FY 2010. The recommendation was made to spend down a large balance that had accumulated in that account.
- The Governor recommended a 9-month moratorium on KPERS Death and Disability contributions in FY 2010. The recommendation was made to spend down a large balance that had accumulated in the KPERS Death and Disability account.
- The Governor recommended that the agency complete all Comprehensive Transportation Plan projects except K-61, US-50, and US-169 in FY 2009.
- The Governor recommended that the agency increase the reduction to operating expenditures from 1.44 percent to 2.0 percent in FY 2009.
- The Governor did not recommend relocation of the subarea in Ulysses and purchase of various properties the agency requested as part of its building projects expenditures in FY 2010.
- The Governor did not recommend the agency's enhancement request for 158 replacement vehicles for its programs in FY 2010.
- The Governor recommend canceling the transfer from the State General Fund to the Special City and County Highway Fund (SCCHF) in FY 2009 and FY 2010.
- The 2009 Legislature accelerated the Governor's recommended 14-week payroll moratorium on employer contributions to the State Employee Health Plan from FY 2010 to FY 2009. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
- The 2009 Legislature accelerated the Governor's recommended 9-month moratorium on KPERS Death and Disability contributions from the first nine months of FY 2010 to the last four months of FY 2009, and the first five months of FY 2010. Because the moratorium was recommended by the Governor for FY 2010 the Legislature added funding to the FY 2010 budget to avoid creating a funding shortfall.
- The 2009 Legislature restored part of the FY 2009 Special City and County Highway Fund (SCCHF) transfer, and directed that funds be used to provide for selected cities and counties affected by errors in fund distribution in FY 2009. The 2009 Legislature also restored half of the transfer funding provided to the SCCHF, but directed that for FY 2010 the amount restored come from the State Highway Fund.

Kansas Department of Transportation

11. The 2009 Legislature provided expenditure authority for newly passed legislation requiring the agency to distribute information and provide signs on roadways indicated within specific legislation. Bills include: 2009 Senate Bill 5 (newly designated 1011th Quartermaster Co. U.S. Army Reserve Memorial Highway); 2009 House Bill 2045 (newly designated Veterans Memorial Bridge); and 2009 House Bill 2147 (which requires that the driver or owner of a vehicle involved in a non-injury, non-fatal accident make every reasonable effort to move their vehicle out of the roadway).
12. The 2009 Legislature included a total of \$8.5 million, all from the State General Fund, for undermarket pay adjustments to all state agencies with positions that had recommended pay adjustments in the Hay group study on Kansas state employee compensation. The study was completed in FY 2008.

**TESTIMONY BEFORE
JOINT COMMITTEE ON KANSAS SECURITY
RELATING TO INTEROPERABILITY COMMUNICATIONS**

October 27, 2009

Good afternoon, Chairman Goico and members of the committee. I am Kyle Schneweis, Chief of the Office of Governmental Affairs at the Kansas Department of Transportation (KDOT).

Thank you for the opportunity to update the committee about some very exciting communications projects that KDOT has been working on.

Since 2004, KDOT has recognized that the 800 MHz towers are a major infrastructure asset for the state and need to be used broadly to enhance safety and communication abilities. For that reason, KDOT has adopted a philosophy that is committed to working cooperatively with the Kansas Highway Patrol, Governor's Council on Homeland Security, Kansas Division of Emergency Management, the Statewide Interoperability Executive Committee, and other local emergency departments to capitalize on this important piece of the state's infrastructure. In five years we have expanded our highest level of service to 86 percent of the state's population.

Funding sources have never been identified to finish the entire system, but KDOT has worked with its partners to find and allocate resources as they come available. For example, in 2005 KDOT received \$8 million in discretionary federal funding for meeting safety goals. KDOT chose to invest the funds on communications infrastructure and begin Phase I of the P-25 build-out, in cooperation with the Governor's Council on Homeland Security. Another example came last year with \$3.5 million in ARRA funding for the transit program. The department chose to invest additional funding to complete Phase III to help transit communication needs.

KDOT and our partners have worked together to leverage available funding to its maximum potential. The cooperative decision making process ensured that the funding was invested in areas where it could provide the most impact for the state, not where it would best serve KDOT.

KDOT is committed to completing this project and is actively seeking opportunities to secure and leverage funding whenever possible. For example, as we near the deadline for allocating

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ARRA dollars, there may be additional opportunities with transit funding that has not been utilized.

Peter Carttar, Assistant Chief, Bureau of Construction and Maintenance - Update on communications interoperability progress.

The story of the deployment of 800MHz radio functionality in Kansas begins in 1982 and continues to the present. Page five of my testimony is a timeline explaining how communications have developed since 1983.

Ever since September 11, 2001, the story of enhanced public safety radio communications in the US has focused largely on interoperability, or the ability of various public safety groups to talk to each other in an emergency. This has also been the case in Kansas. As you can see from your timeline, KDOT completed the installation of a statewide conventional 800 MHz radio system in 2002, providing the state with a good foundation for more radio users to be able to talk to each other. In Kansas, the varying levels of interoperability have been delivered in three ways:

- 1) Communications on Wheels (the COW)
- 2) Motobridge
- 3) P-25

Communications on Wheels or “the COWs” as they are generally known, are two trailer-mounted communications broadcasting systems. Since their delivery in 2004, the COWs have become an essential part of how functionality has been rolled out to the state. They are stationed in Salina and Wichita and are ready 24 hours a day to be deployed anywhere in the state that they are needed. They were funded with homeland security funds through the Kansas Division of Emergency Management.

MotoBridge: The second, more permanent delivery of interoperability has come through the installation of Motobridge at fixed radio tower locations. The Motobridge system, like the COWs, can link users together, but does not require the delay of having to deploy the equipment from Salina or Wichita. In the event of an emergency, users would contact the Highway Patrol Central Dispatch in Salina and they can establish the link from there.

The Motobridge installations have been funded with the help of the various Kansas Homeland Security Regions, through Public Safety Interoperable Communications grants. Motobridge will be fully installed statewide by the end of September, 2010. After installation, the entire state will have an interoperable communications system.

P-25: The third method of delivering interoperability is called P-25. Where P-25 compliant systems are installed, the radio system users have the highest level of functionality and convenience. The P-25 sites have the interoperability of Motobridge, with the added advantages

of a wide-area trunked system. The P-25 wide-area trunked system allows more users to talk on the system simultaneously over larger areas.

The sixth page of my testimony is a state map which we have used in earlier presentations. On this map you can see how system enhancements have been deployed and where we will be deploying them next.

The greatest advantages of a P-25 compliant system are most evident where there are large numbers of users who communicate over a large area, or through a large number of radio towers. While this functionality is important for the Kansas Highway Patrol, the resulting system may not be required for everyone. It has been the goal of KDOT to make the most of a system which needed to be built anyway, but also to leverage that investment in the overall system by providing for statewide interoperability and by allowing others to take advantage of it as well, if it suits their needs.

It is also worth noting that KDOT is committed to working to complete the system as soon as we can. KDOT has, with the help of its communications partners throughout the state, been able to identify significant funds to help move the program forward. We may not be able to deliver system enhancements immediately, but we view each additional site as a step forward and are grateful to our funding partners for each of those steps. The estimated cost of finishing the system is \$8,625,000.

I would be happy to stand for questions.

Glossary of 800 MHz Radio Terms:

800MHz – The radio frequency range where these radios communicate.

Communications on Wheels – “the COW” – A trailer-mounted radio tower and equipment shelter capable of bringing interoperable communications to any location, particularly for emergency response.

“Conventional” Radio System – A radio system which allows only one person to talk on each frequency at any given time. Also, the user must manually switch their portable radio to talk to the radio tower closest to them. This is the alternative to a wide-area trunked system.

Interoperability – When two-way radio users can communicate with each other using dissimilar radios, or radios produced by different manufacturers.

Motobridge – A device which provides a link between dissimilar radios communicating on different mutual aid frequencies. This provides interoperability for the associated radio tower.

Mutual Aid Channels – Radio frequencies which have been set aside for public safety groups to use as a shared channel for public safety groups in non-routine critical situations.

P-25 – A suite of standards which allow different manufacturer’s digital radios to talk to each other.

“Trunked” Radio System – A computer-controlled system which allows many users to share a limited number of radio frequencies and still communicate.

“Wide Area” Radio System – When individual radio towers link to each other to provide coordinated coverage over a larger area than any one tower can reach.

KDOT Radio System 800 MHz Timeline:

1983 – US Congress directs FCC to develop new communications policy, which leads to 800 MHz radio frequencies being released to public safety entities.

1989 – Association of Public Safety Communication Officers convenes to develop plan for Kansas. This group develops a plan for 800 MHz utilization and adopts the national plan for Mutual Aid channels.

1992 - KDOT purchases its first 800 MHz equipment in Shawnee County, allowing service to KDOT, KHP, and Shawnee County.

2001 – World Trade Center and Pentagon attacks; public safety communications focus on interoperability.

2002 – KDOT completes statewide conventional 800 MHz radio system, serving KDOT, KHP and EMS. Other local governmental agencies also elect to move to 800 MHz communications.

2004 – Kansas Legislature passes legislation enabling KDOT to extend radio system capabilities to locals and others by leasing radios. This begins a program to extend interoperability and flexibility to users statewide.

Communications on Wheels (COW) emergency response trailers are deployed to provide portable interoperability in emergencies purchased using federal Homeland Security funds.

2005 – KDOT begins statewide interoperability projects using KDOT and Homeland Security Funding (Phases I, II, IIB, and IIC). Locations were chosen to focus on Wolf Creek and population centers.

Many Kansas Homeland Security Regions make PSIC grant funds available to purchase Motobridge to extend interoperability to regions not funded to receive full P-25 enhancements.

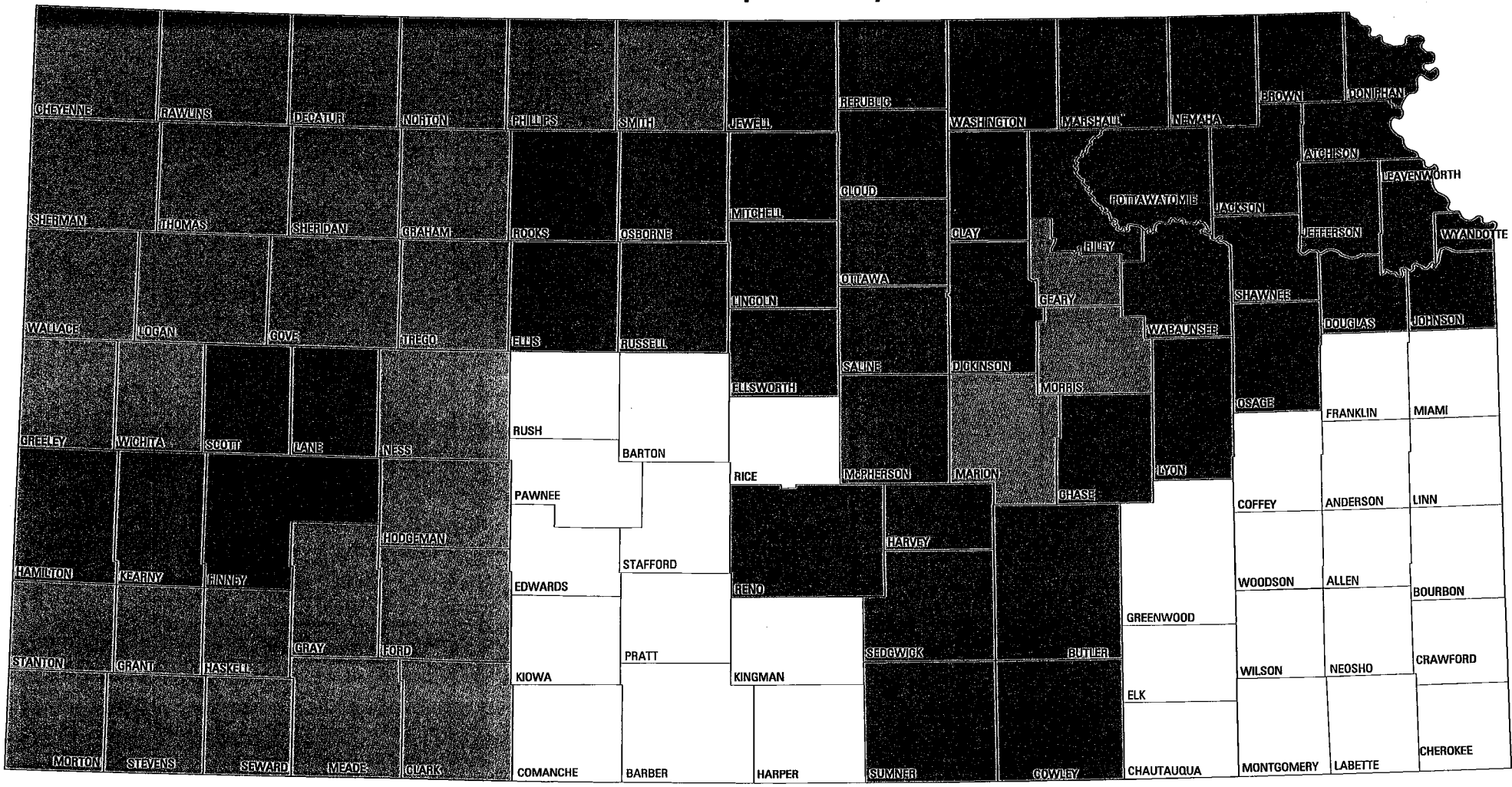
2009 – KDOT begins Federal Transit Authority (FTA), ARRA- funded upgrade of 16 sites in north central and western Kansas (Phase III).

September 2010 – Scheduled completion date for statewide Motobridge interoperability; scheduled completion date for additional 16 FTA/ARRA-funded sites.

After September of 2010 - 23 tower sites will remain to be upgraded to full P-25 compliance. The plan is in place and the foundation has been laid. KDOT and its communications partners are actively working to identify funds to complete the build-out.

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KANSAS 800Mhz Interoperability Phases



Phase I = Yellow Phase II (B) = Green Phase III = Light Blue Phase V = Brown
Phase II (A) = Blue Phase II (C) = White Phase IV = Orange