

SENATE BILL No. 194

By Committee on Corrections and Juvenile Justice

2-11

1 AN ACT concerning school districts; creating the Kansas public school
2 security act.

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

5 Section 1. The provisions of sections 1 through 7, and amendments
6 thereto, shall be known and may be cited as the Kansas public school
7 security act.

8 Sec. 2. As used in sections 1 through 7, and amendments thereto:

9 (a) "Public school" means a school operated by a unified school
10 district organized under the laws of this state.

11 (b) "Property" means any building or other real property owned or
12 controlled by a unified school district that is used by such district in direct
13 support of, or in a manner related to, the educational purposes of the public
14 school, including all public property that is within the same reasonably
15 contiguous geographic area of such building or real property, such as a
16 sidewalk, road, street or parking facility, and is adjacent to such building
17 or other real property.

18 (c) "School district" means a public school district organized and
19 operating under the laws of this state.

20 Sec. 3. (a) On or before October 1 of each school year, each school
21 shall prepare and publish a security report in accordance with the
22 provisions of sections 1 through 7, and amendments thereto. Such report
23 shall be made available to each student enrolled in such school, the parents
24 of each student enrolled in such school and each person employed to work
25 at such school. Schools may provide hard copies of the security report, or
26 provide written notice that the report is available electronically and
27 provide specific directions on how to access the report electronically.
28 Regardless of the standard method of distribution, each school shall
29 provide a hard copy of the security report upon request.

30 (b) The security report required by this section shall include the
31 following:

32 (1) A statement of the current school policies and procedures for the
33 reporting of criminal activity and other emergencies that occur on school
34 property and the school's response to such reports;

35 (2) a statement of the current school policies and procedures
36 concerning the security of and access to school property;

1 (3) a statement of the current school policies and procedures
2 concerning school security officers and campus police officers, including:

3 (A) The law enforcement authority of such school personnel;

4 (B) any partnership agreements between such school personnel and
5 other state or local law enforcement agencies; and

6 (C) any policies and procedures that encourage the prompt reporting
7 of criminal activity to such school personnel;

8 (4) a description of any crime prevention programs conducted by the
9 school, including programs designed to educate students and employees
10 and school security policies and procedures and to encourage students and
11 employees to be responsible for their own security and the security of
12 others;

13 (5) a statement of current school policies and procedures regarding
14 immediate emergency response and evacuation procedures, including the
15 use of electronic and cellular communication, which shall include
16 procedures to:

17 (A) Immediately notify all students and staff upon the confirmation of
18 a significant emergency or dangerous situation involving an immediate
19 threat to the health or safety of students or staff occurring on school
20 property, unless issuing such notification will compromise efforts to
21 contain the emergency;

22 (B) publicize emergency response and evacuation procedures on an
23 annual basis in a manner designed to reach students and staff; and

24 (C) test emergency response and evacuation procedures on an annual
25 basis.

26 (6) a statement of the current school policies and procedures
27 concerning the prevention of sex offenses and the school's response to a
28 report that a sex offense has occurred;

29 (7) a statement advising where individuals can obtain information
30 concerning local registered sex offenders; and

31 (8) statistics concerning reports on the occurrence on school property
32 of criminal activity that a school is required to record pursuant to sections
33 1 through 7, and amendments thereto, from the three immediately
34 preceding school years .

35 Sec. 4. Each school shall provide a timely report to all enrolled
36 students, the parents of such enrolled students and school personnel of any
37 reported criminal activity that poses a threat to the safety of the students or
38 school personnel. Schools shall only be required to provide timely reports
39 on those crimes for which the school is required to record for statistical
40 purposes under sections 1 through 7, and amendments thereto.

41 Sec. 5. (a) Each school shall maintain a log of all criminal activity
42 that is reported to the school. Only those crimes for which the school is
43 required to record for statistical purposes under sections 1 through 7, and

1 amendments thereto, shall be recorded in the log. Each entry in the log
2 shall include the nature, date, time and general location of the criminal
3 activity being reported and the disposition of the complaint, if known.

4 (b) Except when disclosure of such information is prohibited by law
5 or would jeopardize the confidentiality of the victim, all entries in the log
6 shall be open to the public. The log shall contain all entries for the
7 immediately preceding 60 days and such information shall be made
8 available upon request for inspection. Entries that are older than 60 days
9 shall be made available within two business days after the request for
10 inspection.

11 (c) All entries shall be maintained by the school and shall not be
12 destroyed for a period of seven years from the date of the entry.

13 (d) If new information about an entry becomes available to the
14 school, then the new information shall be recorded in the log no later than
15 two business days after such information was provided to the school.

16 (e) If there is clear and convincing evidence that the release of such
17 information would jeopardize an ongoing criminal investigation or the
18 safety of an individual, cause a suspect to flee or evade detection or result
19 in the destruction of evidence, such information may be withheld and shall
20 not be made available upon request for inspection until that damage is no
21 longer likely to occur from the release of such information.

22 Sec. 6. (a) In fulfilling its duties and obligations under sections 1
23 through 7, and amendments thereto, each school shall record the following
24 criminal offenses that occur on school property:

- 25 (1) Murder;
- 26 (2) manslaughter;
- 27 (3) sex offenses, both forcible and nonforcible;
- 28 (4) robbery;
- 29 (5) aggravated assault;
- 30 (6) burglary;
- 31 (7) motor vehicle theft;
- 32 (8) arson; and
- 33 (9) arrests or persons referred for school disciplinary action for
34 violations of liquor laws, drug laws and illegal weapon possession.

35 (b) The statistics required by this section shall not identify victims of
36 crimes or persons accused of crimes.

37 (c) A school shall categorize the crimes recorded pursuant to this
38 section by the location of the occurrence as follows:

- 39 (1) On school grounds;
- 40 (2) on school district property not directly associated with the school;
- 41 or
- 42 (3) on other public property used for the educational purposes of the
43 school.

1 Sec. 7. (a) Nothing in sections 1 through 7, and amendments thereto,
2 shall be construed to:

3 (1) Require the reporting or disclosure of any privileged information;

4 (2) create a cause of action against any school, school district or any
5 employee thereof for any civil liability; or

6 (3) establish any standard of care owed by a school, school district or
7 any employee thereof.

8 (b) Notwithstanding any other provision of law, evidence regarding
9 compliance or noncompliance with sections 1 through 7, and amendments
10 thereto, shall not be admissible as evidence in any proceeding of any court,
11 agency, board or other entity, except with respect to an action to enforce
12 the provisions of sections 1 through 7, and amendments thereto.

13 (c) Nothing in sections 1 through 7, and amendments thereto, shall be
14 construed to permit a school, school district or any employee thereof to
15 retaliate, intimidate, threaten, coerce or otherwise discriminate against any
16 individual with respect to the implementation of any provision of sections
17 1 through 7, and amendments thereto.

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