

As Amended by House Committee

Session of 2018

HOUSE BILL No. 2773

By Committee on Appropriations

3-8

AN ACT concerning school districts; creating the Kansas safe and secure schools act; creating the school safety and security grant fund; making and concerning appropriations for the fiscal year ending June 30, 2019, for the department of education.

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

Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality).....\$300,000

Provided, That, in addition to other positions within the department of education as prescribed by law, expenditures shall be made from the operating expenditures (including official hospitality) account to employ two additional employees to review and evaluate school safety and security plans and provide technical assistance to school districts on such plans.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

School safety and security grant fund.....\$5,000,000

Provided, That all moneys in the school safety and security grant fund expended for fiscal year 2019 shall be matched by the receiving school district on a \$1 for \$1 basis from other moneys of the district.

(c) On July 1, 2018, the director of accounts and reports shall transfer \$5,000,000 from the state general fund to the school safety and security grant fund of the department of education.

Sec. 2. The provisions of sections 2 through 8, and amendments thereto, shall be known and may be cited as the Kansas safe and secure schools act.

Sec. 3. (a) The state board of education shall develop and adopt statewide standards for making all public schools and attendance centers operated by school districts in this state safe and secure. In developing such standards, the state board:

(1) Shall consult with the office of the adjutant general, the Kansas

1 bureau of investigation, the ~~Kansas~~ department of health and environment,
2 **the state fire marshal** and any other state agencies as deemed necessary
3 by the state board; **and**

4 **(2) may consult with any local agencies and school boards as**
5 **deemed necessary by the state board.**

6 (b) The standards developed by the state board under this section
7 shall include, but are not limited to:

8 (1) The infrastructure of school buildings and attendance centers
9 operated by school districts in this state, including secured entrances,
10 windows and other facets of the structural integrity of such buildings;

11 (2) security technology to be utilized in such buildings, including, but
12 not limited to, intrusion detection systems and security cameras;

13 (3) communications systems, including, but not limited to, systems
14 for interoperability between the school district and law enforcement
15 agencies; and

16 (4) any other systems or facilities the state board deems necessary for
17 the safety and security of such buildings.

18 (c) The state board shall notify all school districts of the standards
19 adopted under this section on or before January 1, 2019. The state board
20 shall also provide notice of the adopted standards to those state agencies
21 set forth in subsection (a) and any other state agencies the state board
22 consulted with in developing such standards. To the extent such standards
23 contain emergency or security information or procedures, the state board
24 shall maintain the confidentiality of such standards when sending notices
25 pursuant to this subsection. The provisions of this subsection shall expire
26 on July 1, 2023, unless the legislature reviews and reenacts this provision
27 pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.

28 Sec. 4. (a) The state board of education shall develop and adopt
29 statewide standards for school safety and security plans to be adopted by
30 each school district. In developing such standards, the state board:

31 **(1) Shall consult with the office of the adjutant general, the Kansas**
32 **bureau of investigation, the ~~Kansas~~ department of health and environment,**
33 **the state fire marshal** and any other state agencies as deemed necessary
34 by the state board; **and**

35 **(2) may consult with any local agencies and school boards as**
36 **deemed necessary by the state board.**

37 (b) The standards developed by the state board under this section
38 shall include, but are not limited to:

39 (1) Evaluation of the infrastructure of school buildings and
40 attendance centers for compliance with standards adopted under section 3,
41 and amendments thereto;

42 (2) training of school district employees on school safety and security
43 policies and procedures, and conducting student drills on emergency

1 situations;

2 (3) procedures for making notifications to individuals located outside
3 of the school building during emergency situations and maintaining
4 communication with law enforcement agencies and other necessary
5 individuals;

6 (4) procedures for securing school buildings during an emergency
7 situation;

8 (5) procedures for emergency evacuation of school buildings,
9 including evacuation routes and sites;

10 (6) procedures for recovery after an emergency situation ceases;

11 (7) coordination and incorporation of school safety and security plans
12 with existing school district emergency response plans;

13 (8) distribution of school safety and security plans to local law
14 enforcement agencies and emergency management agencies;

15 (9) procedures for ensuring there is accountability for adopting and
16 implementing the school safety and security plan in accordance with this
17 act and the standards adopted by the state board; and

18 (10) any other policies and procedures the state board deems
19 necessary for school safety and security plans.

20 (c) In developing standards for school safety and security plans under
21 this section, the state board shall identify roles and responsibilities for
22 implementing school safety and security plans at the school district and
23 school building level. The state board also shall identify the role of local
24 law enforcement agencies and local emergency management agencies
25 when partnering with school districts in the development and
26 implementation of school safety and security plans.

27 (d) The state board may consider and utilize any materials,
28 documentation or videos that are available through the United States
29 department of homeland security in developing standards under this
30 section.

31 (e) The state board shall notify all school districts of the standards
32 adopted under this section on or before January 1, 2019. The state board
33 shall also provide notice of the adopted standards to those state agencies
34 set forth in subsection (a) and any other state agencies the state board
35 consulted with in developing such standards. To the extent such standards
36 contain emergency or security information or procedures, the state board
37 shall maintain the confidentiality of such standards when sending notices
38 pursuant to this subsection. The provisions of this subsection shall expire
39 on July 1, 2023, unless the legislature reviews and reenacts this provision
40 pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1,
41 2023.

42 Sec. 5. (a) The board of education of each school district shall adopt a
43 comprehensive school safety and security plan based on the statewide

1 standards adopted by the state board of education under sections 3 and 4,
2 and amendments thereto.

3 (b) Prior to the adoption of a school safety and security plan, each
4 school district shall consult with one or more local law enforcement
5 agencies and local emergency management agencies to review and
6 evaluate: (1) Existing infrastructure of school buildings and attendance
7 centers operated by such school district; and (2) current school district
8 safety and security policies and procedures. The local law enforcement
9 agencies and emergency management agencies may provide guidance on
10 improving a school district's building infrastructure or safety and security
11 polices and procedures. The review and evaluation, and any guidance
12 provided as a result thereof, shall be done in accordance with the standards
13 adopted by the state board of education under sections 3 and 4, and
14 amendments thereto.

15 (c) Upon adoption of a school safety and security plan, the
16 superintendent of the school district shall send a copy of such plan to each
17 local law enforcement agency and emergency management agency the
18 school district consulted with, and shall send a copy to the state board of
19 education.

20 Sec. 6. (a) Each school district may submit an application to the state
21 board of education for a grant of school safety and security improvement
22 funds. Such application shall be submitted in such form and manner as
23 prescribed by the state board, and shall include **the current school district**
24 **safety and security policies and procedures** and a description of the
25 school safety and security improvements the school district determines to
26 be necessary. School safety and security improvements shall be determined
27 based on the standards adopted by the state board under sections 3 and 4,
28 and amendments thereto.

29 (b) The state board shall review all applications and approve or deny
30 such applications based on whether the applicant school district has
31 demonstrated the necessity of school safety and security improvements. As
32 part of its review of an application, the state board may conduct a hearing
33 and provide the applicant school district an opportunity to present
34 testimony as to the necessity of such school safety and security
35 improvements.

36 (c) If the state board approves an application, it shall determine the
37 amount of moneys to be disbursed to the applicant school district from the
38 school safety and security grant fund. If the state board denies an
39 application, then, within 15 days of such denial, the state board shall send
40 written notice of such denial to the superintendent of such school district.
41 All administrative proceedings pursuant to this section shall be conducted
42 in accordance with the provisions of the Kansas administrative procedure
43 act. Any action by the state board pursuant to this section shall be subject

1 to review in accordance with the Kansas judicial review act.

2 (d) There is hereby established in the state treasury the school safety
3 and security grant fund, which shall be administered by the state
4 department of education. All expenditures from the school safety and
5 security grant fund shall be used for the disbursement of grant moneys for
6 school safety and security improvements as approved by the state board
7 under this section. All expenditures from the school safety and security
8 grant fund shall be made in accordance with appropriation acts upon
9 warrants of the director of accounts and reports issued pursuant to
10 vouchers approved by the state board of education, or the designee of the
11 state board of education.

12 Sec. 7. For the purposes of promoting the safety and protection of
13 students and emphasizing how students should respond when encountering
14 a firearm, the board of education of a school district may provide firearm
15 safety education programs. The state board of education shall establish
16 curriculum guidelines for a standardized firearm safety education program.
17 Such guidelines shall include, but not be limited to, accident prevention
18 and: (a) For students enrolled in kindergarten and grades one through five,
19 shall be based on the Eddie Eagle Gunsafe program offered by the national
20 rifle association or any other evidence-based program or any successor
21 program; (b) for students enrolled in grades six, seven and eight, shall be
22 based on the Eddie Eagle Gunsafe program offered by the national rifle
23 association or any successor program, the hunter education in our schools
24 program offered by the Kansas department of wildlife, parks and tourism
25 or any successor program, or any other evidence-based program or any
26 successor program; and (c) for students enrolled in grades nine through 12,
27 shall be based on the hunter education in our schools program offered by
28 the Kansas department of wildlife, parks and tourism or any successor
29 program, or any other evidence-based program or any successor program.
30 If a board of education elects to provide firearm safety education, such
31 instruction shall be in accordance with the **accident prevention guidelines**
32 **and** guidelines established by the state board of education, and shall be
33 offered so as to ensure that all students are provided the opportunity to
34 take the course in subsections (a), (b) and (c).

35 Sec. 8. The state board of education shall adopt rules and regulations
36 necessary for the implementation of the provisions of sections 2 through 7,
37 and amendments thereto.

38 Sec. 9. This act shall take effect and be in force from and after its
39 publication in the statute book.