

HOUSE BILL No. 2773

By Committee on Appropriations

3-8

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

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1.

8 DEPARTMENT OF EDUCATION

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

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

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

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

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

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

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

29 Sec. 3. (a) The state board of education shall develop and adopt
30 statewide standards for making all public schools and attendance centers
31 operated by school districts in this state safe and secure. In developing
32 such standards, the state board shall consult with the office of the adjutant
33 general, the Kansas bureau of investigation, the Kansas department of
34 health and environment and any other state agencies as deemed necessary
35 by the state board.

36 (b) The standards developed by the state board under this section

1 shall include, but are not limited to:

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

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

7 (3) communications systems, including, but not limited to, systems
8 for interoperability between the school district and law enforcement
9 agencies; and

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

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

22 Sec. 4. (a) The state board of education shall develop and adopt
23 statewide standards for school safety and security plans to be adopted by
24 each school district. In developing such standards, the state board shall
25 consult with the office of the adjutant general, the Kansas bureau of
26 investigation, the Kansas department of health and environment and any
27 other state agencies as deemed necessary by the state board.

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

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

33 (2) training of school district employees on school safety and security
34 policies and procedures, and conducting student drills on emergency
35 situations;

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

40 (4) procedures for securing school buildings during an emergency
41 situation;

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

- 1 (6) procedures for recovery after an emergency situation ceases;
- 2 (7) coordination and incorporation of school safety and security plans
3 with existing school district emergency response plans;
- 4 (8) distribution of school safety and security plans to local law
5 enforcement agencies and emergency management agencies;
- 6 (9) procedures for ensuring there is accountability for adopting and
7 implementing the school safety and security plan in accordance with this
8 act and the standards adopted by the state board; and
- 9 (10) any other policies and procedures the state board deems
10 necessary for school safety and security plans.

11 (c) In developing standards for school safety and security plans under
12 this section, the state board shall identify roles and responsibilities for
13 implementing school safety and security plans at the school district and
14 school building level. The state board also shall identify the role of local
15 law enforcement agencies and local emergency management agencies
16 when partnering with school districts in the development and
17 implementation of school safety and security plans.

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

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

33 Sec. 5. (a) The board of education of each school district shall adopt a
34 comprehensive school safety and security plan based on the statewide
35 standards adopted by the state board of education under sections 3 and 4,
36 and amendments thereto.

37 (b) Prior to the adoption of a school safety and security plan, each
38 school district shall consult with one or more local law enforcement
39 agencies and local emergency management agencies to review and
40 evaluate: (1) Existing infrastructure of school buildings and attendance
41 centers operated by such school district; and (2) current school district
42 safety and security policies and procedures. The local law enforcement
43 agencies and emergency management agencies may provide guidance on

1 improving a school district's building infrastructure or safety and security
2 polices and procedures. The review and evaluation, and any guidance
3 provided as a result thereof, shall be done in accordance with the standards
4 adopted by the state board of education under sections 3 and 4, and
5 amendments thereto.

6 (c) Upon adoption of a school safety and security plan, the
7 superintendent of the school district shall send a copy of such plan to each
8 local law enforcement agency and emergency management agency the
9 school district consulted with, and shall send a copy to the state board of
10 education.

11 Sec. 6. (a) Each school district may submit an application to the state
12 board of education for a grant of school safety and security improvement
13 funds. Such application shall be submitted in such form and manner as
14 prescribed by the state board, and shall include a description of the school
15 safety and security improvements the school district determines to be
16 necessary. School safety and security improvements shall be determined
17 based on the standards adopted by the state board under sections 3 and 4,
18 and amendments thereto.

19 (b) The state board shall review all applications and approve or deny
20 such applications based on whether the applicant school district has
21 demonstrated the necessity of school safety and security improvements. As
22 part of its review of an application, the state board may conduct a hearing
23 and provide the applicant school district an opportunity to present
24 testimony as to the necessity of such school safety and security
25 improvements.

26 (c) If the state board approves an application, it shall determine the
27 amount of moneys to be disbursed to the applicant school district from the
28 school safety and security grant fund. If the state board denies an
29 application, then, within 15 days of such denial, the state board shall send
30 written notice of such denial to the superintendent of such school district.
31 All administrative proceedings pursuant to this section shall be conducted
32 in accordance with the provisions of the Kansas administrative procedure
33 act. Any action by the state board pursuant to this section shall be subject
34 to review in accordance with the Kansas judicial review act.

35 (d) There is hereby established in the state treasury the school safety
36 and security grant fund, which shall be administered by the state
37 department of education. All expenditures from the school safety and
38 security grant fund shall be used for the disbursement of grant moneys for
39 school safety and security improvements as approved by the state board
40 under this section. All expenditures from the school safety and security
41 grant fund shall be made in accordance with appropriation acts upon
42 warrants of the director of accounts and reports issued pursuant to
43 vouchers approved by the state board of education, or the designee of the

1 state board of education.

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

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

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