

As Amended by House Committee

Session of 2018

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

26 (c) On July 1, 2018, the director of accounts and reports shall transfer
27 \$5,000,000 from the state general fund to the school safety and security
28 grant fund of the department of education.

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

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

- 36 (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.