

## CHAPTER 5

## ( SB 1 )

AN ACT relating to school safety and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 158.441 is amended to read as follows:

As used in this chapter, unless the context requires otherwise:

- (1) "Intervention services" means any preventive, developmental, corrective, supportive services or treatment provided to a student who is at risk of school failure, is at risk of participation in violent behavior or juvenile crime, or has been expelled from the school district. Services may include, but are not limited to, screening to identify students at risk for emotional disabilities and antisocial behavior; direct instruction in academic, social, problem solving, and conflict resolution skills; alternative educational programs; psychological services; identification and assessment of abilities; counseling services; medical services; day treatment; family services; work and community service programs;
- (2) "School resource officer" *or* "**SRO**" means ~~an~~ ~~a sworn law enforcement~~ officer who has specialized training to work with youth at a school site~~;~~ *and is:*
  - (a) *1. A sworn law enforcement officer; or*
    2. *A special law enforcement officer appointed pursuant to KRS 61.902; and* ~~[The school resource officer shall be employed:]~~
  - (b) *Employed:*
    1. ~~[(a)]~~ Through a contract between a local law enforcement agency and a school district; ~~or~~
    2. ~~[(b)]~~ Through a contract as secondary employment for an officer, as defined in KRS 16.010, between the Department of Kentucky State Police and a school district; *or* ~~and~~
    3. *Directly by a local board of education;*
- (3) "**School safety**" means a program of prevention that protects students and staff from substance abuse, violence, bullying, theft, the sale or use of illegal substances, exposure to weapons and threats on school grounds, and injury from severe weather, fire, and natural disasters; *and*
- (4) "**School security**" means procedures followed and measures taken to ensure the security of school buildings, classrooms, and other school facilities and properties. ~~["School security officer" means a person employed by a local board of education who has been appointed a special law enforcement officer pursuant to KRS 61.902 and who has specialized training to work with youth at a school site.]~~

➔Section 2. KRS 158.442 is amended to read as follows:

- (1) The General Assembly hereby authorizes the establishment of the Center for School Safety. The center's mission shall be to serve as the central point for data analysis; research; dissemination of information about successful school safety *and school security* programs, *best practices, training standards*, research results, and new programs; and, in collaboration with the Department of Education and others, to provide technical assistance for safe schools.
- (2) To fulfill its mission, the Center for School Safety shall:
  - (a) Establish a clearinghouse for information and materials concerning school violence prevention;
  - (b) Provide program development and implementation expertise and technical support to schools, law enforcement agencies, and communities, which may include coordinating training for administrators, teachers, students, parents, and other community representatives;
  - (c) Analyze the data collected in compliance with KRS 158.444;
  - (d) Research and evaluate school safety programs so schools and communities are better able to address their specific needs;
  - (e) Administer a school safety grant program for local districts as directed by the General Assembly;

- (f) Promote the formation of interagency efforts to address discipline and safety issues within communities throughout the state in collaboration with other postsecondary education institutions and with local juvenile delinquency prevention councils;
  - (g) Prepare and disseminate information regarding best practices in creating safe and effective schools;
  - (h) Advise the Kentucky Board of Education on administrative policies and administrative regulations *relating to school safety and security*; ~~and~~
  - (i) ***Beginning July 1, 2020 and by July 1 of each subsequent year***, provide an annual report ~~by July 1 of each year~~ to the Governor, the Kentucky Board of Education, and the Interim Joint Committee on Education regarding the status of school safety in Kentucky, ***including the number and placement of school resource officers working in school districts in Kentucky and the source of funding and method of employment for each position in accordance with Section 6 of this Act***;
  - (j) ***Develop and implement a school safety coordinator training program based on national and state best practices in collaboration with the Kentucky Department of Education for school safety coordinators appointed pursuant to Section 5 of this Act. The training shall be approved by the board of directors of the Center for School Safety and include instruction on at least the following:***
    - 1. ***Policies and procedures for conducting emergency response drills using an all-hazards approach including hostage and active shooter situations;***
    - 2. ***Identification and response to threats to school safety and security; and***
    - 3. ***Preparing for, conducting, and reviewing school security risk assessments in accordance with Section 4 of this Act; and***
  - (k) ***Award a school safety coordinator certificate of completion to a school safety coordinator upon satisfactory completion of the training program.***
- (3) The Center for School Safety shall be governed by a board of directors ***consisting of fifteen (15) members*** ~~appointed by the Governor~~. Members shall consist of:
- (a) The commissioner or a designee of the Department of Education;
  - (b) The ***secretary*** ~~commissioner~~ or a designee of the ***Cabinet for Health and Family Services*** ~~Department of Juvenile Justice~~;
  - (c) The commissioner or a designee of the Department for Behavioral Health, Developmental and Intellectual Disabilities;
  - (d) The commissioner or a designee of the Department ***of Kentucky State Police*** ~~for Community Based Services~~;
  - (e) The ***commissioner*** ~~secretary~~ or a designee of the ***Department of Criminal Justice Training*** ~~Education and Workforce Development Cabinet~~;
  - (f) ***The executive director or a designee of the Kentucky Office of Homeland Security*** ~~A juvenile court judge~~;
  - (g) ***A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky League of Cities*** ~~A local school district board of education member~~;
  - (h) ***A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky School Boards Association*** ~~A local school administrator~~;
  - (i) ***A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky Association of School Superintendents*** ~~A school council parent representative~~;
  - (j) ***A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky Association of School Resource Officers*** ~~A teacher~~;
  - (k) ***A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky Education Association*** ~~A classified school employee~~; ~~and~~

- (l) *A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky School Nurses Association;* ~~[A superintendent of schools who is a member of the Kentucky Association of School Administrators.]~~
  - (m) *A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky Association for Psychology in the Schools;*
  - (n) *A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky School Counselor Association; and*
  - (o) *A representative which shall be appointed by the Governor from one (1) list of three (3) names submitted by the Kentucky Parent Teacher Association.*
- (4) *Notwithstanding KRS 12.028, the Center for School Safety and its board of directors shall not be subject to reorganization by the Governor.* ~~[In appointing the board of education member, the school administrator, the school superintendent, the school council parent member, the teacher, and the classified employee, the Governor shall solicit recommendations from the following groups respectively: the Kentucky School Boards Association, the Kentucky Association of School Administrators, the Kentucky Association of School Councils, the Kentucky Education Association, and the Kentucky Education Support Personnel Association. The initial board shall be appointed by July 15, 1998. The board shall hold its first meeting no later than thirty (30) days after the appointment of the members.]~~

➔Section 3. KRS 158.443 is amended to read as follows:

- (1) Each nonstate-government employee member of the board of directors for the Center for School Safety shall serve a term of *four (4)* ~~[two (2)]~~ years *or until his or her successor is duly qualified. A member* ~~[and]~~ may be reappointed, but ~~[a member]~~ shall not serve more than two (2) consecutive terms.
- (2) The members who are nonstate-government employees shall be reimbursed for travel, meals, and lodging and expenses relating to official duties of the board from funds appropriated for this purpose.
- (3) The board of directors shall meet a minimum of four (4) times per year. The board of directors shall be attached to the Office of the Secretary of the Education and Workforce Development Cabinet for administrative purposes.
- (4) The board of directors shall annually elect a chair and vice chair from the membership. The board may form committees as needed.
- (5) *The board of directors shall appoint an executive director for the Center for School Safety and establish all positions for appointment by the executive director.*
- (6) Using a request-for-proposal process, the board of directors shall select a public university *or a nonprofit education entity* to administer the Center for School Safety for a period of not less than four (4) years unless funds for the center are not appropriated or the board determines that the *administrator for the center* ~~[university]~~ is negligent in carrying out its duties as specified in the request for proposal and contract. ~~[The initial request for proposals shall be issued not later than September 15, 1998. The board shall select a university no later than January 1, 1999.]~~ The *administrator for the center* ~~[university]~~ shall be the fiscal agent for the center and:
  - (a) Receive funds based on the approved budget by the board of directors and the General Assembly's appropriation for the center. The center shall operate within the fiscal policies of the *administrator of the center* ~~[university]~~ and in compliance with policies established by the board of directors per the request for proposal and contract; and
  - (b) Employ the staff of the center who shall have the retirement and employee benefits granted other similar ~~[university]~~ employees *of the administrator of the center.*
- (7) ~~(6)~~ The board of directors shall annually approve:
  - (a) A work plan for the center;
  - (b) A budget for the center;
  - (c) Operating policies as needed; and
  - (d) Recommendations for grants ~~[beginning in the 1999-2000 school year and subsequent years,]~~ to local school districts and schools to assist in the development of programs and individualized approaches to

work with violent, disruptive, or academically at-risk students, and consistent with provisions of KRS 158.445.

- ~~(8)(7)~~ The board of directors shall prepare a biennial budget request to support the Center for School Safety and to provide program funds for local school district grants.
- (9) *The board of directors shall additionally:*
- (a) *Approve a school safety coordinator training program developed by the Center for School Safety in accordance with Section 2 of this Act;*
  - (b) *Approve a school security risk assessment tool and updates as necessary in accordance with Section 4 of this Act to be incorporated by reference within an administrative regulation promulgated in accordance with KRS Chapter 13A; and*
  - (c) *Within one (1) year of the effective date of this Act, review the organizational structure and operations of the Center for School Safety and provide recommendations, as needed, for improvements in its organizational and operational performance.*
- ~~(10)(8)~~ The board shall develop model interagency agreements between local school districts and other local public agencies, including, among others, health departments, departments of social services, mental health agencies, and courts, in order to provide cooperative services and sharing of costs for services to students who are at risk of school failure, are at risk of participation in juvenile crime, or have been expelled from the school district.

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) *There is established within the Department of Criminal Justice Training the office of the state school security marshal. The state school security marshal shall enhance school safety by monitoring school safety and security initiatives, developing reasonable training and other guidelines, developing a school security risk assessment tool pursuant to subsection (5) of this section, and ensuring compliance with the provisions of subsection (7) of this section and subsection (3) of Section 14 of this Act.*
- (2) *The office of the state school security marshal shall conduct on-site reviews to ensure compliance with subsection (7) of this section and subsection (3) of Section 14 of this Act as deemed necessary by the state school security marshal.*
- (3) *The state school security marshal shall be appointed by and report to the commissioner of the Department of Criminal Justice Training.*
- (4) *By September 1 of each year the state security marshal shall present an annual report to the board of the Center for School Safety which shall consist of a summary of the findings and recommendations made regarding the school safety and security activity of the previous school year and other items of significance as determined by the Center for School Safety or the Department of Criminal Justice Training. Once presented, the annual report information shall also be submitted to the Legislative Research Commission and the Kentucky Board of Education.*
- (5) *By July 1, 2020, the state school security marshal shall develop and update as necessary a school security risk assessment tool in collaboration with the Center for School Safety and the Kentucky Department of Education to be used by local school districts to identify threats, vulnerabilities, and appropriate safety controls for each school within the district. The tool shall be approved by the board of directors of the Center for School Safety pursuant to subsection (9)(b) of Section 3 of this Act and used by local school administrators when completing a school security risk assessment in accordance with this section.*
- (6) *The assessment tool shall enable administrators to evaluate school security compared to best practices and standards in a minimum of the following areas:*
  - (a) *School emergency and crisis preparedness planning;*
  - (b) *Security, crime, and violence prevention policies and procedures;*
  - (c) *Physical security measures;*
  - (d) *Professional development training needs;*
  - (e) *Support service roles in school safety, security, and emergency and crisis preparedness planning;*
  - (f) *School resource officer staffing, operational practices, and related services;*

- (g) *School and community collaboration on school security; and*
  - (h) *An analysis of the cost effectiveness of recommended physical security controls.*
- (7) *No later than July 15, 2021, and each subsequent year, the local district superintendent shall send verification to the state school security marshal and the Kentucky Department of Education that all schools within the district have completed the school security risk assessment for the previous year. School security risk assessments shall be excluded from the application of KRS 61.870 to 61.884 pursuant to KRS 61.878(1)(m).*
- (8) *Beginning with the 2021-2022 school year and each subsequent year, any school that has not completed a school security risk assessment in the previous year shall be required to provide additional mandatory training as established by the Department of Criminal Justice Training for all staff employed at the school.*

➔SECTION 5. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) *Beginning with the 2019-2020 school year, each local school district superintendent shall appoint a district-level school administrator to serve as the district's school safety coordinator and primary point of contact for public school safety and security functions.*
- (2) *The district's school safety coordinator shall:*
- (a) *Complete the school safety coordinator training program developed by the Center for School Safety within six (6) months of his or her date of appointment;*
  - (b) *Designate a school safety and security threat assessment team at each school of the district consisting of two (2) or more staff members in accordance with policies and procedures adopted by the local board of education to identify and respond to students exhibiting behavior that indicates a potential threat to school safety or security. Members of a threat assessment team may include school administrators, school counselors, school resource officers, school-based mental health services providers, teachers, and other school personnel;*
  - (c) *Provide training to school principals within the district on procedures for completion of the school security risk assessment required pursuant to Section 4 of this Act;*
  - (d) *Review all school security risk assessments completed within the district and prescribe recommendations as needed in consultation with the state school security marshal;*
  - (e) *Advise the local school district superintendent by July 1, 2021, and annually thereafter of completion of required security risk assessments;*
  - (f) *Formulate recommended policies and procedures, which shall be excluded from the application of KRS 61.870 to 61.884, for an all-hazards approach including conducting emergency response drills for hostage, active shooter, and building lockdown situations in consultation and coordination with appropriate public safety agencies to include but not be limited to fire, police, and emergency medical services for review and adoption as part of the school emergency plan required by KRS 158.162. The recommended policies shall encourage the involvement of students, as appropriate, in the development of the school's emergency plan; and*
  - (g) *Ensure each school campus is toured at least once per school year, in consultation and coordination with appropriate public safety agencies, to review policies and procedures and provide recommendations related to school safety and security.*
- (3) *The school district, school safety coordinator, and any school employees participating in the activities of a school safety and security threat assessment team, acting in good faith upon reasonable cause in the identification of students pursuant to subsection (2)(b) of this section shall be immune from any civil or criminal liability that might otherwise be incurred or imposed from:*
- (a) *Identifying the student and implementing a response pursuant to policies and procedures adopted under subsection (2)(b) of this section; or*
  - (b) *Participating in any judicial proceeding that results from the identification.*

➔SECTION 6. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) *Local boards of education, school district superintendents, and local and state law enforcement agencies shall cooperate to assign one (1) or more certified school resource officers to each school within a school district as funds and qualified personnel become available.*
- (2) *Local boards of education utilizing a school resource officer employed by a law enforcement agency or the Department of Kentucky State Police shall enter into a memorandum of understanding with the law enforcement agency or the Department of Kentucky State Police that specifically states the purpose of the school resource officer program and clearly defines the roles and expectations of each party involved in the program. The memorandum shall provide that the school resource officer shall not be responsible for school discipline matters that are the responsibility of school administrators or school employees.*
- (3) *Local boards of education utilizing a school resource officer employed directly by the local board of education shall adopt policies and procedures that specifically state the purpose of the school resource officer program and clearly define the roles and expectations of school resource officers and other school employees.*
- (4) *On or before January 1, 2020, the Kentucky Law Enforcement Council, in collaboration with the Center for School Safety, shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish three (3) levels of training for certification of school resource officers first employed as a school resource officer on or after the effective date of this Act: School Resource Officer Training I (SRO I), School Resource Officer Training II (SRO II), and School Resource Officer Training III (SRO III). Each level shall consist of forty (40) hours of training, with SRO I to be completed within one (1) year of the date of the officer's employment and SRO II and SRO III within the subsequent two (2) years.*
- (5) *Course curriculum for school resource officers employed on or after the effective date of this Act shall include but not be limited to:*
  - (a) *Foundations of school-based law enforcement;*
  - (b) *Threat assessment and response;*
  - (c) *Youth drug use and abuse;*
  - (d) *Social media and cyber security;*
  - (e) *School resource officers as teachers and mentors;*
  - (f) *Youth mental health awareness;*
  - (g) *Diversity and bias awareness training;*
  - (h) *Trauma-informed action;*
  - (i) *Understanding students with special needs; and*
  - (j) *De-escalation strategies.*
- (6) *Effective January 1, 2020, all school resource officers with active certification status shall successfully complete forty (40) hours of annual in-service training that has been certified or recognized by the Kentucky Law Enforcement Council for school resource officers.*
- (7) *In the event of extenuating circumstances beyond the control of an officer that prevent the officer from completing the in-service training within one (1) year, the commissioner of the Department of Criminal Justice Training or a designee may grant the officer an extension of time, not to exceed one hundred eighty (180) days, in which to complete the training.*
- (8) *Any school resource officer who fails to successfully complete training requirements within the specified time periods, including any approved time extensions, shall lose his or her school resource officer certification and shall no longer work in a school.*
- (9) *When a school resource officer is deficient in required training, the commissioner of the Department of Criminal Justice Training or his or her designee shall notify the council, which shall notify the officer and the officer's employing agency.*
- (10) *A school resource officer who has lost school resource officer certification due solely to the officer's failure to meet the training requirements of this section may regain certification status as a school resource officer and return to a school setting upon successful completion of the training deficiency.*

- (11) *No later than November 1 of each year, the local school district superintendent shall report to the Center for School Safety the number and placement of school resource officers in the district. The report shall include the source of funding and method of employment for each position.*

➔Section 7. KRS 15.330 is amended to read as follows:

- (1) The council is vested with the following functions and powers:
- (a) To prescribe standards for the approval and continuation of approval of schools at which law enforcement and telecommunications training courses required under KRS 15.310 to 15.510, 15.530 to 15.590, and 15.990 to 15.992 shall be conducted, including but not limited to minimum standards for facilities, faculty, curriculum, and hours of attendance related thereto;
  - (b) To prescribe minimum qualifications for instructors at such schools, except that institutions of higher education shall be exempt from council requirements;
  - (c) To prescribe qualifications for attendance and conditions for expulsion from such schools;
  - (d) To prescribe minimum standards and qualifications for voluntary career development programs for certified peace officers and telecommunicators, including minimum standards for experience, education, and training, and to issue certificates to those meeting the minimum standards;
  - (e) To approve, to issue, and to revoke for cause certificates to schools and instructors as having met requirements under KRS 15.310 to 15.404;
  - (f) To approve law enforcement officers, telecommunicators, and other persons as having met requirements under KRS 15.310 to 15.510, 15.530 to 15.590, and 15.990 to 15.992;
  - (g) To inspect and evaluate schools at any time and to require of schools, instructors, and persons approved or to be approved under the provisions of KRS 15.310 to 15.510, 15.530 to 15.590, and 15.990 to 15.992, any information or documents;
  - (h) To promulgate reasonable rules and administrative regulations in accordance with KRS Chapter 13A to accomplish the purposes of KRS 15.310 to 15.404 *and Section 6 of this Act*;
  - (i) To monitor the Law Enforcement Foundation Program as prescribed in KRS 15.410 to 15.510;
  - (j) To adopt bylaws for the conduct of its business not otherwise provided for; and
  - (k) The council shall have the authority to certify police officers as set out in this chapter.
- (2) The provisions of KRS 15.310 to 15.510, 15.530 to 15.590, and 15.990 to 15.992 do not apply to the Department of Kentucky State Police except for the certification requirement established by this chapter.

➔Section 8. KRS 15.380 is amended to read as follows:

- (1) The following officers employed or appointed as full-time, part-time, or auxiliary officers, whether paid or unpaid, shall be certified:
- (a) Department of Kentucky State Police officers, but for the commissioner of the Department of Kentucky State Police;
  - (b) City, county, and urban-county police officers;
  - (c) Court security officers and deputy sheriffs, except those identified in KRS 70.045 and 70.263(3);
  - (d) State or public university police officers appointed pursuant to KRS 164.950;
  - (e) School ~~resource~~<sup>security</sup> officers *as defined in Section 1 of this Act and employed or appointed under Section 6 of this Act* ~~[by local boards of education who are special law enforcement officers appointed under KRS 61.902];~~
  - (f) Airport safety and security officers appointed under KRS 183.880;
  - (g) Department of Alcoholic Beverage Control investigators appointed under KRS 241.090;
  - (h) Division of Insurance Fraud Investigation investigators appointed under KRS 304.47-040;
  - (i) Fire investigators appointed or employed under KRS 95A.100 or 227.220; and

- (j) County detectives appointed in a county containing a consolidated local government with the power of arrest in the county and the right to execute process statewide in accordance with KRS 69.360.
- (2) The requirements of KRS 15.380 to 15.404 for certification may apply to all state peace officers employed pursuant to KRS Chapter 18A and shall, if adopted, be incorporated by the Personnel Cabinet for job specifications.
- (3) Additional training in excess of the standards set forth in KRS 15.380 to 15.404 for all peace officers possessing arrest powers who have specialized law enforcement responsibilities shall be the responsibility of the employing agency.
- (4) The following officers may, upon request of the employing agency, be certified by the council:
  - (a) Deputy coroners;
  - (b) Deputy constables;
  - (c) Deputy jailers;
  - (d) Deputy sheriffs under KRS 70.045 and 70.263(3);
  - (e) Officers appointed under KRS 61.360;
  - (f) Officers appointed under KRS 61.902, except those who are school ~~resource~~[security] officers **as defined in Section 1 of this Act and who shall be certified under subsection (1)(e) of this section**~~employed by local boards of education~~;
  - (g) Private security officers;
  - (h) Employees of a correctional services division created pursuant to KRS 67A.028 and employees of a metropolitan correctional services department created pursuant to KRS 67B.010 to 67B.080; and
  - (i) Investigators employed by the Department of Charitable Gaming in accordance with KRS 238.510; and
  - (j) Commonwealth detectives employed under KRS 69.110 and county detectives employed under KRS 69.360.
- (5) The following officers shall be exempted from the certification requirements but may upon their request be certified by the council:
  - (a) Sheriffs;
  - (b) Coroners;
  - (c) Constables;
  - (d) Jailers;
  - (e) Kentucky Horse Racing Commission security officers employed under KRS 230.240; and
  - (f) Commissioner of the State Police.
- (6) Federal peace officers cannot be certified under KRS 15.380 to 15.404.

➔Section 9. KRS 15.420 is amended to read as follows:

As used in KRS 15.410 to 15.510, unless the context otherwise requires:

- (1) "Cabinet" means the Justice and Public Safety Cabinet;
- (2) (a) "Police officer" means:
  - 1. A local officer, limited to:
    - a. A full-time:
      - i. Member of a lawfully organized police department of county, urban-county, or city government; or
      - ii. Sheriff or full-time deputy sheriff, including any sheriff providing court security or appointed under KRS 70.030; or
    - b. A school ~~resource~~[security] officer **as defined in Section 1 of this Act**; and

2. A state officer, limited to:
  - a. A public university police officer;
  - b. A Kentucky state trooper;
  - c. A Kentucky State Police arson investigator;
  - d. A Kentucky State Police hazardous device investigator;
  - e. A Kentucky State Police legislative security specialist;
  - f. A Kentucky vehicle enforcement officer;
  - g. A Kentucky Horse Park mounted patrol officer, subject to KRS 15.460(1)(f);
  - h. A Kentucky state park ranger, subject to KRS 15.460(1)(f);
  - i. An agriculture investigator;
  - j. A charitable gaming investigator;
  - k. An alcoholic beverage control investigator;
  - l. An insurance fraud investigator;
  - m. An Attorney General investigator; and
  - n. A Kentucky Department of Fish and Wildlife Resources conservation officer, subject to KRS 15.460(1)(e);

who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state;

- (b) "Police officer" does not include any sheriff who earns the maximum constitutional salary for this office, any special deputy sheriff appointed under KRS 70.045, any constable, deputy constable, district detective, deputy district detective, special local peace officer, auxiliary police officer, or any other peace officer not specifically authorized in KRS 15.410 to 15.510;

- (3) "Police department" means the employer of a police officer;
- (4) "Retirement plan" means a defined benefit plan consisting of required employer contributions pursuant to KRS 61.565, 61.702, or any other provision of law;
- (5) "Unit of government" means any city, county, combination of cities and counties, public university, state agency, local school district, or county sheriff's office of the Commonwealth; and
- (6) "Validated job task analysis" means the core job description that describes the minimum entry level requirements, qualifications, and training requirements for peace officers in the Commonwealth, and that is based upon an actual survey and study of police officer duties and responsibilities conducted by an entity recognized by the council as being competent to conduct such a study.

➔Section 10. KRS 15.450 is amended to read as follows:

- (1) The secretary or his or her designated representative shall administer the Law Enforcement Foundation Program fund pursuant to the provisions of KRS 15.410 to 15.510 and may promulgate any administrative regulations as necessary to carry out the responsibilities under KRS 15.410 to 15.510. Administrative hearings promulgated by administrative regulation under authority of this section shall be conducted in accordance with KRS Chapter 13B.
- (2) The secretary or the designated representative may withhold or terminate payments to any unit of government that does not comply with the requirements of KRS 15.410 to 15.510 or the administrative regulations issued by the cabinet under KRS 15.410 to 15.510.
- (3) The cabinet shall, from moneys appropriated and accruing to the fund as provided under KRS 15.430, receive reimbursement for the salaries and other costs of administering the fund, including, but not limited to, council operations and expenses ***and the salary and associated operating expenses of the office of the state school security marshal***. The amount to be reimbursed for any given year shall be determined by the council and shall not exceed five percent (5%) of the total amount of funds for that year.

- (4) The cabinet shall furnish periodically to the council any reports as may be deemed reasonably necessary.

➔Section 11. KRS 15A.063 is amended to read as follows:

- (1) The Juvenile Justice Oversight Council is created for the purpose of providing independent review of the state juvenile justice system and providing recommendations to the General Assembly. The council is to actively engage in the implementation of the juvenile justice reforms in 2014 Ky. Acts ch. 132, collect and review performance measurement data, and continue to review the juvenile justice system for changes that improve public safety, hold youth accountable, provide better outcomes for children and families, and control juvenile justice costs.
- (2) (a) The membership of the council shall include the following:
1. The secretary of the Justice and Public Safety Cabinet, ex officio;
  2. The commissioner of the Department for Behavioral Health, Developmental and Intellectual Disabilities, ex officio;
  3. The commissioner of the Department for Community Based Services, ex officio;
  4. The commissioner of the Department of Juvenile Justice, ex officio;
  5. The commissioner of the Department of Education, ex officio;
  6. The director of the Administrative Office of the Courts, ex officio;
  7. The Public Advocate, ex officio;
  8. The Senate chair of the Committee on Judiciary, nonvoting ex officio;
  9. The House chair of the Committee on Judiciary, nonvoting ex officio; and
  10. Five (5) at-large members appointed by the Governor, as follows:
    - a. One (1) member representing public schools or an education group or organization;
    - b. One (1) District Judge nominated by the Chief Justice of the Kentucky Supreme Court;
    - c. One (1) member representing law enforcement;
    - d. One (1) member of the County Attorneys' Association nominated by the Attorney General; and
    - e. One (1) member representing community-based organizations, whether for-profit or nonprofit, with experience in programs for juveniles, including substance abuse prevention and treatment, case management, mental health, or counseling.
- (b) The chairs of the House and Senate Judiciary Committees shall serve as co-chairs.
- (c) At-large members shall be appointed by August 1, 2014, and shall serve a term of two (2) years, and may be reappointed.
- (d) Each ex officio member, except for legislative members, may designate a proxy by written notice to the council prior to call of order of each meeting, and the proxy shall be entitled to participate as a full voting member.
- (e) Except as otherwise provided by law, members shall not be compensated for being members of the council but shall be reimbursed for ordinary travel expenses, including meals and lodging, incurred while performing council business.
- (f) The council shall meet at least quarterly. A quorum, consisting of a majority of the membership of the council, shall be required for the transaction of business. Meetings shall be held at the call of the chair, or upon the written request of two (2) members to the chair.
- (3) The council shall:
- (a) Oversee the implementation of the reforms contained in 2014 Ky. Acts ch. 132, including:
1. Review of the performance measures to be adopted and recommend modifications;
  2. Ensure all policies are implemented in accordance with the time frames established;

3. Ensure the fiscal incentive program established pursuant to KRS 15A.062 is implemented and continue to review the program; and
  4. Review the Department of Juvenile Justice facilities plan submitted following a reduction of population and make recommendations to the General Assembly as to the plan and any changes to the reinvestment of savings achieved from the closure of any facilities;
- (b) Collect and review performance data and recommend any additional performance measures needed to identify outcomes in the juvenile justice system;
  - (c) Review the information received from the Department of Education pursuant to KRS 156.095, and determine whether any action is necessary, including additional performance measures, funding, or legislation;
  - (d) Continue review of juvenile justice areas determined appropriate by the council, including:
    1. Status offense reform;
    2. Necessary training for school resource officers ~~and school security officers,~~ as defined in KRS 158.441, in juvenile justice best practices, research and impacts on recidivism and long-term outcomes;
    3. Graduated sanctions protocols in public schools, including their current use and their development statewide;
    4. A minimum age of criminal responsibility;
    5. Competency;
    6. Reforms to the family resource and youth service centers in the Cabinet for Health and Family Services;
    7. Population levels in Department of Juvenile Justice facilities, and the potential for closure of facilities while maintaining staffing ratios necessary to comply with applicable accreditation standards; and
    8. Whether juvenile court hearings should be open to the public; and
  - (e) Report by November 2014, and by November of each year thereafter, to the Interim Joint Committee on Judiciary and the Governor and make recommendations to the General Assembly for any additional legislative changes the council determines appropriate.
- (4) The council shall be attached to the Justice and Public Safety Cabinet for administrative purposes.
  - (5) The council shall terminate on July 1, 2022, unless the General Assembly extends the term of the council.

➔Section 12. KRS 61.900 is amended to read as follows:

As used in KRS 61.902 to 61.930:

- (1) "Commission" means a commission issued to an individual by the secretary of justice and public safety, entitling the individual to perform special law enforcement duties on public property;
- (2) "Council" means the Kentucky Law Enforcement Council;
- (3) "Cabinet" means the Justice and Public Safety Cabinet;
- (4) "Public property" means property currently owned or used by any organizational unit or agency of state, county, city, metropolitan government, or a combination of these. The term shall include property currently owned or used by public airport authorities;
- (5) "Secretary" means the secretary of the Justice and Public Safety Cabinet;
- (6) "Special law enforcement officer":
  - (a) Means one whose duties include the protection of specific public property from intrusion, entry, larceny, vandalism, abuse, intermeddling, or trespass;
  - (b) Means one whose duties include the prevention, observation, or detection of, or apprehension for, any unlawful activity on specific public property;

- (c) Means one whose special duties include the control of the operation, speed, and parking of motor vehicles, bicycles, and other vehicles, and the movement of pedestrian traffic on specific public property;
- (d) Means one whose duties include the answering of any intrusion alarm on specific public property;
- (e) Shall include the Capitol police, the Capital Plaza police, *school resource officers*, ~~public school district security officers~~, *as defined in Section 1 of this Act who are employed directly by a local board of education*, public airport authority security officers, and the officers of the other public security forces established for the purpose of protecting specific public property; and
- (f) Shall not include members of a lawfully organized police unit or police force of state, county, city, or metropolitan government, or a combination of these, who are responsible for the detection of crime and the enforcement of the general criminal law enforcement of the state; it shall not include any of the following officials or officers:
  1. Sheriffs, sworn deputy sheriffs, city marshals, constables, sworn deputy constables, and coroners;
  2. Auxiliary and reserve police appointed under KRS 95.160 or 95.445, or citation and safety officers authorized by KRS 83A.087 and 83A.088;
  3. State park rangers and officers of the Division of Law Enforcement within the Department of Fish and Wildlife Resources;
  4. Officers of the Transportation Cabinet responsible for law enforcement;
  5. Officers of the Department of Corrections responsible for law enforcement;
  6. Fire marshals and deputy fire marshals;
  7. Other officers not mentioned above who are employed directly by state government and are responsible for law enforcement;
  8. Federal peace officers;
  9. Those campus security officers who are commissioned under KRS 164.950;
  10. Private security guards, private security patrolmen, and investigators licensed pursuant to state statute; and
  11. Railroad policemen covered by KRS 277.270 and 277.280; and
- (7) "Sworn public peace officer" means one who derives plenary or special law enforcement powers from, and is a full-time employee of, the federal government, the Commonwealth, or any political subdivision, agency, department, branch, or service of either, or of any municipality.

➔Section 13. KRS 209A.020 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

- (1) "Cabinet" means the Cabinet for Health and Family Services;
- (2) "Dating violence and abuse" has the same meaning as in KRS 456.010;
- (3) "Domestic violence and abuse" has the same meaning as in KRS 403.720;
- (4) "Law enforcement officer" means a member of a lawfully organized police unit or police force of county, city, or metropolitan government who is responsible for the detection of crime and the enforcement of the general criminal laws of the state, as well as a sheriff, sworn deputy sheriff, campus police officer, law enforcement support personnel, public airport authority security officer, other public and federal peace officer responsible for law enforcement, special local peace officer appointed pursuant to KRS 61.360, school resource officer *as defined in Section 1 of this Act, KRS 158.441*, ~~public school district security officer~~, and any other enforcement officer as defined by law;
- (5) "Professional" means a physician, osteopathic physician, coroner, medical examiner, medical resident, medical intern, chiropractor, nurse, dentist, optometrist, emergency medical technician, paramedic, licensed mental health professional, therapist, cabinet employee, child-care personnel, teacher, school personnel, ordained minister or the denominational equivalent, victim advocate, or any organization or agency employing any of these professionals;

(6) "Victim" means an individual who is or has been abused by a spouse or former spouse or an intimate partner who meets the definition of a member of an unmarried couple as defined in KRS 403.720, or a member of a dating relationship as defined in KRS 456.010; and

(7) "Victim advocate" has the same meaning as in KRS 421.570.

➔Section 14. KRS 158.162 is amended to read as follows:

(1) As used in this section:

(a) "Emergency management response plan" or "emergency plan" means a written document to prevent, mitigate, prepare for, respond to, and recover from emergencies; and

(b) "First responders" means local fire, police, and emergency medical personnel.

(2) (a) Each local board of education shall require the school council or, if none exists, the principal in each public school building in its jurisdiction to adopt an emergency plan to include procedures to be followed in case of fire, severe weather, or earthquake, or if a building lockdown as defined in KRS 158.164 is required.

(b) Following adoption, the emergency plan, along with a diagram of the facility, shall be provided to appropriate first responders.

(c) The emergency plan shall be reviewed following the end of each school year by the school council, the principal, and first responders and shall be revised as needed.

(d) The principal shall discuss the emergency plan with all school staff prior to the first instructional day of each school year and shall document the time and date of any discussion.

(e) The emergency plan and diagram of the facility shall be excluded from the application of KRS 61.870 to 61.884.

(3) Each local board of education shall require the school council or, if none exists, the principal in each public school building to:

(a) Establish primary and secondary evacuation routes for all rooms located within the school and shall post the routes in each room by any doorway used for evacuation;

(b) Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of safe zones in each room of the school;

(c) Develop practices for students to follow during an earthquake; and

(d) Develop and adhere to practices to control the access to each school building. Practices ~~shall~~<sup>may</sup> include but not be limited to:

1. Controlling outside access to exterior doors during the school day;

2. Controlling the ~~main~~<sup>front</sup> entrance of the school *with* electronically *locking doors, a camera, and an intercom system*~~or with a greeter~~;

3. Controlling access to individual classrooms~~[- If a classroom is equipped with hardware that allows the door to be locked from the outside but opened from the inside, the door should remain locked during instructional time];~~

4. *Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;*

5. *Requiring classroom doors to remain closed and locked during instructional time;*

6. *Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;*

7. Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and

8.~~5~~ Providing a visitor's badge to be visibly displayed on a visitor's outer garment.

- (4) *All schools shall be in compliance with the provisions of subsection (3)(d) of this section as soon as practicable but no later than July 1, 2022.*
- (5) Each local board of education shall require the principal in each public school building in its jurisdiction to conduct, at a minimum, emergency response drills to include one (1) severe weather drill, one (1) earthquake drill, and one (1) lockdown drill within the first thirty (30) instructional days of each school year and again during the month of January. Required fire drills shall be conducted according to administrative regulations promulgated by the Department of Housing, Buildings and Construction. Whenever possible, first responders shall be invited to observe emergency response drills.
- ~~(6)(5)~~ No later than November 1 of each school year, a local district superintendent shall send verification to the Kentucky Department of Education that all schools within the district are in compliance with the requirements of this section.
- (7) *A district with a school not in compliance with the requirements of subsection (3)(d) of this section by July 1, 2022, shall not be eligible for approval for new building construction or expansion in the 2022-2023 school year and any subsequent year without verification of compliance, except for facility improvements that specifically address school safety and security issues required by this section or in essential cases for the protection of student or staff health and safety.*

→Section 15. KRS 156.095 is amended to read as follows:

- (1) The Kentucky Department of Education shall establish, direct, and maintain a statewide program of professional development to improve instruction in the public schools.
- (2) Each local school district superintendent shall appoint a certified school employee to fulfill the role and responsibilities of a professional development coordinator who shall disseminate professional development information to schools and personnel. Upon request by a school council or any employees of the district, the coordinator shall provide technical assistance to the council or the personnel that may include assisting with needs assessments, analyzing school data, planning and evaluation assistance, organizing districtwide programs requested by school councils or groups of teachers, or other coordination activities.
- (a) The manner of appointment, qualifications, and other duties of the professional development coordinator shall be established by Kentucky Board of Education through promulgation of administrative regulations.
- (b) The local district professional development coordinator shall participate in the Kentucky Department of Education annual training program for local school district professional development coordinators. The training program may include, but not be limited to, the demonstration of various approaches to needs assessment and planning; strategies for implementing long-term, school-based professional development; strategies for strengthening teachers' roles in the planning, development, and evaluation of professional development; and demonstrations of model professional development programs. The training shall include information about teacher learning opportunities relating to the core content standards. The Kentucky Department of Education shall regularly collect and distribute this information.
- (3) The Kentucky Department of Education shall provide or facilitate optional, professional development programs for certified personnel throughout the Commonwealth that are based on the statewide needs of teachers, administrators, and other education personnel. Programs may include classified staff and parents when appropriate. Programs offered or facilitated by the department shall be at locations and times convenient to local school personnel and shall be made accessible through the use of technology when appropriate. They shall include programs that: address the goals for Kentucky schools as stated in KRS 158.6451, including reducing the achievement gaps as determined by an equity analysis of the disaggregated student performance data from the state assessment program developed under KRS 158.6453; engage educators in effective learning processes and foster collegiality and collaboration; and provide support for staff to incorporate newly acquired skills into their work through practicing the skills, gathering information about the results, and reflecting on their efforts. Professional development programs shall be made available to teachers based on their needs which shall include but not be limited to the following areas:
- (a) Strategies to reduce the achievement gaps among various groups of students and to provide continuous progress;
- (b) Curriculum content and methods of instruction for each content area, including differentiated instruction;

- (c) School-based decision making;
  - (d) Assessment literacy;
  - (e) Integration of performance-based student assessment into daily classroom instruction;
  - (f) Nongraded primary programs;
  - (g) Research-based instructional practices;
  - (h) Instructional uses of technology;
  - (i) Curriculum design to serve the needs of students with diverse learning styles and skills and of students of diverse cultures;
  - (j) Instruction in reading, including phonics, phonemic awareness, comprehension, fluency, and vocabulary;
  - (k) Educational leadership; and
  - (l) Strategies to incorporate character education throughout the curriculum.
- (4) The department shall assist school personnel in assessing the impact of professional development on their instructional practices and student learning.
- (5) The department shall assist districts and school councils with the development of long-term school and district improvement plans that include multiple strategies for professional development based on the assessment of needs at the school level.
- (a) Professional development strategies may include, but are not limited to, participation in subject matter academies, teacher networks, training institutes, workshops, seminars, and study groups; collegial planning; action research; mentoring programs; appropriate university courses; and other forms of professional development.
  - (b) In planning the use of the four (4) days for professional development under KRS 158.070, school councils and districts shall give priority to programs that increase teachers' understanding of curriculum content and methods of instruction appropriate for each content area based on individual school plans. The district may use up to one (1) day to provide district-wide training and training that is mandated by state or federal law. Only those employees identified in the mandate or affected by the mandate shall be required to attend the training.
  - (c) State funds allocated for professional development shall be used to support professional development initiatives that are consistent with local school improvement and professional development plans and teachers' individual growth plans. The funds may be used throughout the year for all staff, including classified and certified staff and parents on school councils or committees. A portion of the funds allocated to each school council under KRS 160.345 may be used to prepare or enhance the teachers' knowledge and teaching practices related to the content and subject matter that are required for their specific classroom assignments.
- (6) (a) By August 1, 2010, the Kentucky Cabinet for Health and Family Services shall post on its Web page suicide prevention awareness information, to include recognizing the warning signs of a suicide crisis. The Web page shall include information related to suicide prevention training opportunities offered by the cabinet or an agency recognized by the cabinet as a training provider.
- (b) By ~~September 15, 2018, and~~ September 15 of each year ~~thereafter~~, every public *school shall provide* ~~middle and high school administrator shall disseminate~~ suicide prevention awareness information *in person, by live streaming, or via a video recording* to all *students in grades six (6) through twelve (12)* ~~middle and high school students~~. The information may be obtained from the Cabinet for Health and Family Services or from a commercially developed suicide prevention training program.
- (c) 1. Beginning with the 2018-2019 school year, and every other year thereafter, a minimum of one (1) hour of high-quality suicide prevention training, *including the recognition of signs and symptoms of possible mental illness*, shall be required for all *school district employees with job duties requiring direct contact with students in grades six (6) through twelve (12)* ~~high school and middle school principals, guidance counselors, and teachers~~. The training shall be provided

either in person, by live streaming, or via a video recording and may be included in the four (4) days of professional development under KRS 158.070.

2. When a staff member subject to the training under subparagraph 1. of this paragraph is initially hired during a school year in which the training is not required, the local district shall provide suicide prevention materials to the staff member for review.
- (d) The requirements of paragraphs (b) and (c) of this subsection shall apply to public charter schools as a health and safety requirement under KRS 160.1592(1).
- (7) ***By November 1, 2019, and November 1 of each year thereafter, a minimum of one (1) hour of training on how to respond to an active shooter situation shall be required for all school district employees with job duties requiring direct contact with students. The training shall be provided either in person, by live streaming, or via a video recording prepared by the Kentucky Department of Education in collaboration with the Kentucky Law Enforcement Council and the Center for School Safety and may be included in the four (4) days of professional development under KRS 158.070.***
  - (a) ***When a staff member subject to the training requirements of this subsection is initially hired after the training has been provided for the school year, the local district shall provide materials on how to respond to an active shooter situation.***
  - (b) ***The requirements of this subsection shall also apply to public charter schools as a health and safety requirement under KRS 160.1592(1).***
- (8)
  - (a) The Kentucky Department of Education shall develop and maintain a list of approved comprehensive evidence-informed trainings on child abuse and neglect prevention, recognition, and reporting that encompass child physical, sexual, and emotional abuse and neglect.
  - (b) The trainings shall be Web-based or in-person and cover, at a minimum, the following topics:
    1. Recognizing child physical, sexual, and emotional abuse and neglect;
    2. Reporting suspected child abuse and neglect in Kentucky as required by KRS 620.030 and the appropriate documentation;
    3. Responding to the child; and
    4. Understanding the response of child protective services.
  - (c) The trainings shall include a questionnaire or other basic assessment tool upon completion to document basic knowledge of training components.
  - (d) Each local ***board of education***~~school board~~ shall adopt one (1) or more trainings from the list approved by the Department of Education to be implemented by schools.
  - (e) All current school administrators, certified personnel, office staff, instructional assistants, and coaches and extracurricular sponsors who are employed by the school district shall complete the implemented training or trainings by January 31, 2017, and then every two (2) years after.
  - (f) All school administrators, certified personnel, office staff, instructional assistants, and coaches and extracurricular sponsors who are employed by the school district hired after January 31, 2017, shall complete the implemented training or trainings within ninety (90) days of being hired and then every two (2) years after.
  - (g) Every public school shall prominently display the statewide child abuse hotline number administered by the Cabinet for Health and Family Services, and the National Human Trafficking Reporting Hotline number administered by the United States Department for Health and Human Services.
- ~~(9)~~~~(8)~~ The Department of Education shall establish an electronic consumer bulletin board that posts information regarding professional development providers and programs as a service to school district central office personnel, school councils, teachers, and administrators. Participation on the electronic consumer bulletin board shall be voluntary for professional development providers or vendors, but shall include all programs sponsored by the department. Participants shall provide the following information: program title; name of provider or vendor; qualifications of the presenters or instructors; objectives of the program; program length; services provided, including follow-up support; costs for participation and costs of materials; names of previous users of the program, addresses, and telephone numbers; and arrangements required. Posting

information on the bulletin board by the department shall not be viewed as an endorsement of the quality of any specific provider or program.

- ~~(10)(9)~~ The Department of Education shall provide training to address the characteristics and instructional needs of students at risk of school failure and most likely to drop out of school. The training shall be developed to meet the specific needs of all certified and classified personnel depending on their relationship with these students. The training for instructional personnel shall be designed to provide and enhance skills of personnel to:
- (a) Identify at-risk students early in elementary schools as well as at-risk and potential dropouts in the middle and high schools;
  - (b) Plan specific instructional strategies to teach at-risk students;
  - (c) Improve the academic achievement of students at risk of school failure by providing individualized and extra instructional support to increase expectations for targeted students;
  - (d) Involve parents as partners in ways to help their children and to improve their children's academic progress; and
  - (e) Significantly reduce the dropout rate of all students.
- ~~(11)(10)~~ The department shall establish teacher academies to the extent funding is available in cooperation with postsecondary education institutions for elementary, middle school, and high school faculty in core disciplines, utilizing facilities and faculty from universities and colleges, local school districts, and other appropriate agencies throughout the state. Priority for participation shall be given to those teachers who are teaching core discipline courses for which they do not have a major or minor or the equivalent. Participation of teachers shall be voluntary.
- ~~(12)(11)~~ The department shall annually provide to the oversight council established in KRS 15A.063, the information received from local schools pursuant to KRS 158.449.

➔SECTION 16. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) ***For purposes of this section:***
- (a) ***"School counselor" means an individual who holds a valid school counselor certificate issued in accordance with the administrative regulations of the Education Professional Standards Board;***
  - (b) ***"School-based mental health services provider" means a licensed or certified school counselor, school psychologist, school social worker, or other qualified mental health professional as defined in KRS 202A.011; and***
  - (c) ***"Trauma-informed approach" means incorporating principles of trauma awareness and trauma-informed practices, as recommended by the federal Substance Abuse and Mental Health Services Administration, in a school in order to foster a safe, stable, and understanding learning environment for all students and staff and ensuring that all students are known well by at least one (1) adult in the school setting.***
- (2) ***The General Assembly recognizes that all schools must provide a place for students to feel safe and supported to learn throughout the school day, and that any trauma a student may have experienced can have a significant impact on the ability of a student to learn. The General Assembly directs all public schools to adopt a trauma-informed approach to education in order to better recognize, understand, and address the learning needs of students impacted by trauma and to foster a learning environment where all students, including those who have been traumatized, can be safe, successful, and known well by at least one (1) adult in the school setting.***
- (3) (a) ***Beginning July 1, 2021 or as funds and qualified personnel become available, each school district and each public charter school shall employ at least one (1) school counselor in each school with the goals of having one (1) school counselor for every two hundred fifty (250) students and the school counselor spending sixty percent (60%) or more of his or her time in direct services to students.***
- (b) ***A school counselor or school-based mental health services provider at each school shall facilitate the creation of a trauma-informed team to identify and assist students whose learning, behavior, and relationships have been impacted by trauma. The trauma-informed team may consist of school***

*administrators, school counselors, school-based mental health services providers, family resource and youth services coordinators, school nurses, and any other school or district personnel.*

- (c) *Each school counselor or school-based mental health services provider providing services pursuant to this section, and the trauma-informed team members described in paragraph (b) of this subsection, shall provide training, guidance, and assistance to other administrators, teachers, and staff on:*
1. *Recognizing symptoms of trauma in students;*
  2. *Utilizing interventions and strategies to support the learning needs of those students; and*
  3. *Implementing a plan for a trauma-informed approach as described in subsection (5) of this section.*
- (d) 1. *School districts may employ or contract for the services of school-based mental health services providers to assist with the development and implementation of a trauma-informed approach and the development of a trauma-informed team pursuant to this subsection and to enhance or expand student mental health support services as funds and qualified personnel become available.*
2. *School-based mental health services providers may provide services through a collaboration between two (2) or more school districts or between school districts and educational cooperatives or any other public or private entities including but not limited to local or regional mental health day treatment programs.*
- (e) *No later than November 1, 2019, and each subsequent year, the local school district superintendent shall report to the department the number and placement of school counselors in the district. The report shall include the source of funding for each position, as well as a summary of the job duties and work undertaken by each counselor and the approximate percent of time devoted to each duty over the course of the year.*
- (4) *On or before July 1, 2020, the Department of Education shall make available a toolkit that includes guidance, strategies, behavioral interventions, practices, and techniques to assist school districts and public charter schools in developing a trauma-informed approach in schools.*
- (5) *On or before July 1, 2021, each local board of education and board of a public charter school shall develop a plan for implementing a trauma-informed approach in its schools. The plan shall include but not be limited to strategies for:*
- (a) *Enhancing trauma awareness throughout the school community;*
  - (b) *Conducting an assessment of the school climate, including but not limited to inclusiveness and respect for diversity;*
  - (c) *Developing trauma-informed discipline policies;*
  - (d) *Collaborating with the Department of Kentucky State Police, the local sheriff, and the chief of police to create procedures for notification of student-involved trauma; and*
  - (e) *Providing services and programs designed to reduce the negative impact of trauma, support critical learning, and foster a positive and safe school environment for every student.*

➔Section 17. KRS 70.062 is amended to read as follows:

- (1) The sheriff in each county is encouraged to receive training on issues pertaining to school and student safety, and shall be invited to meet annually with local school superintendents to discuss emergency response plans and emergency response concerns.
- (2) *The sheriff in each county is encouraged to collaborate with the local school district on policies and procedures for communicating to the school district any instances of student-involved trauma.*

➔Section 18. KRS 95.970 is amended to read as follows:

- (1) The chief of police in each city is encouraged to receive training on issues pertaining to school and student safety and shall be invited to meet annually with local superintendents to discuss emergency response plans and emergency response concerns.
- (2) *The chief of police in each city is encouraged to collaborate with the local school district on policies and procedures for communicating to the school district any instances of student-involved trauma.*

➔SECTION 19. A NEW SECTION OF KRS CHAPTER 16 IS CREATED TO READ AS FOLLOWS:

- (1) *The Department of Kentucky State Police is encouraged to receive training on issues pertaining to school and student safety and shall be invited to meet annually with local superintendents to discuss emergency response plans and emergency response concerns.*
- (2) *The Department of Kentucky State Police is encouraged to collaborate with local school districts on policies and procedures for communicating to the school district any instances of student-involved trauma.*

➔Section 20. KRS 508.078 is amended to read as follows:

- (1) A person is guilty of terroristic threatening in the second degree when, other than as provided in KRS 508.075, he or she intentionally:
  - (a) With respect to a school function, threatens to commit any act likely to result in death or serious physical injury to any student group, teacher, volunteer worker, or employee of a public or private elementary or secondary school, vocational school, or institution of postsecondary education, or to any other person reasonably expected to lawfully be on school property or at a school-sanctioned activity, if the threat is related to their employment by a school, or work or attendance at school, or a school function. A threat directed at a person or persons or at a school does not need to identify a specific person or persons or school in order for a violation of this section to occur;
  - (b) *Makes false statements by any means, including by electronic communication, for the purpose of:*
    1. *Causing evacuation of a school building, school property, or school sanctioned activity;*
    2. *Causing cancellation of school classes or school sanctioned activity; or*
    3. *Creating fear of serious bodily harm among students, parents, or school personnel;*
  - (c) Makes false statements that he or she has placed a weapon of mass destruction at any location other than one specified in KRS 508.075; or
  - (d)~~(e)~~ Without lawful authority places a counterfeit weapon of mass destruction at any location other than one specified in KRS 508.075.
- (2) A counterfeit weapon of mass destruction is placed with lawful authority if it is placed as part of an official training exercise by a public servant, as defined in KRS 522.010.
- (3) A person is not guilty of commission of an offense under this section if he or she, innocently and believing the information to be true, communicates a threat made by another person to school personnel, a peace officer, a law enforcement agency, a public agency involved in emergency response, or a public safety answering point and identifies the person from whom the threat was communicated, if known.
- (4) Terroristic threatening in the second degree is a Class D felony.

➔SECTION 21. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) *By July 1, 2019, the Kentucky Office of Homeland Security, after collaborating with the Center for School Safety, the Kentucky Department of Education, the Department of Criminal Justice Training, and the Department of Kentucky State Police, shall make available to each local school district an anonymous reporting tool that allows students, parents, and community members to anonymously supply information concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials. The reporting tool shall be accessible at least by telephone call, electronic e-mail, and a mobile device application.*
- (2) *The reporting tool shall notify the reporting individual of the following:*
  - (a) *The reporting individual may supply the information anonymously; and*
  - (b) *If the individual chooses to disclose his or her identity, that information shall be shared with the appropriate law enforcement agency and school officials. Law enforcement and school officials shall be required to maintain the information as confidential.*
- (3) *Information reported using the tool shall immediately be sent to the administration of each school district affected and the law enforcement agencies responsible for protection of those school districts, including but not limited to the local sheriff's office, the local city police department, and the Kentucky State Police.*

- (4) *Law enforcement dispatch centers, school districts, schools, and other entities identified by the Kentucky Office of Homeland Security shall be made aware of the reporting tool.*
- (5) *The Kentucky Office of Homeland Security, in collaboration with the Center for School Safety, the Kentucky Department of Education, the Department of Criminal Justice Training, and the Department of Kentucky State Police, shall develop and provide a comprehensive training and awareness program on the use of the anonymous reporting tool.*

➔SECTION 22. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

*The superintendent of each local school district shall require the principal of each school within the district to provide written notice to all students, parents, and guardians of students within ten (10) days of the first instructional day of each school year of the provisions of KRS 508.078 and potential penalties under KRS 532.060 and 534.030 upon conviction.*

➔SECTION 23. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO READ AS FOLLOWS:

- (1) *The board of directors of any public school district foundation, or foundation formed exclusively to benefit a particular public school, organized as a nonstock, nonprofit corporation under KRS Chapter 273 and that is either in existence on the effective date of this Act or incorporated after the effective date of this Act, may accept gifts or donations that are restricted by the grantor to be used in furtherance of lawful school safety, security, and student health purposes to the extent allowed by applicable federal tax laws. The board of directors shall use gifts or donations exclusively for the purpose for which they are granted.*
- (2) *The General Assembly hereby finds and declares that private financial and philanthropic support of public school districts by all members of the community fosters greater student success, safety, and wellbeing. To advance these goals, the General Assembly hereby encourages the organization of foundations to support public school districts in any district for which no foundation exists on the effective date of this Act, under KRS Chapter 273 relating to nonstock, nonprofit corporations.*
- (3) *Pursuant to KRS 160.580, a local board of education may directly accept gifts or donations that are restricted by the grantor to be used in furtherance of lawful school safety, security, and student health purposes to the extent allowed by applicable laws and shall use any accepted gift or donation for the purpose for which it was granted.*

➔Section 24. Sections 1 to 23 of this Act shall be known and may be cited as the School Safety and Resiliency Act.

➔Section 25. The Office of Education Accountability is directed to conduct a study on the actual usage of school guidance counselors' time in schools. The Office of Education Accountability shall report its findings to the Interim Joint Committee on Education no later than December 1, 2019.

➔Section 26. Whereas school safety is the top priority for the General Assembly, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

**Signed by Governor March 11, 2019.**