

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: 702 KAR 1:180, School Security Risk Assessment Tool (Second Reading)

Date: June 2020

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To review the proposed new regulation, 702 KAR 1:180, School risk assessment tool and the risk assessment tool incorporated by reference therein.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends that the Kentucky Board of Education (KBE) approve 702 KAR 1:180, School risk assessment tool and the risk assessment tool incorporated by reference therein. Approval of the risk assessment tool is necessary as it is required to be used by compliance officers from the Office of the State School Security Marshal to collect school level information.

APPLICABLE STATUTE OR REGULATION:

KRS 156.029, 156.070, 156.160, 158.442, 158.443, 158.444

BACKGROUND:

Existing Policy:

Senate Bill 1 (2019) amended KRS 158.443(9) to require the Kentucky Center for School Safety (KCSS) to approve a school security risk assessment tool to be incorporated by reference within an administrative regulation. KRS 158.444 requires the Kentucky Board of Education (KBE) to promulgate regulations related to school safety. This is the second reading of the proposed regulation incorporating a risk assessment tool into a Kentucky Board of Education (KBE) regulation. The measure received its first reading at the KBE's February meeting. In the interim, the General Assembly passed Senate Bill 8 (RS 2020), which made changes to the school safety requirements established by Senate Bill 1 (RS 2019) and required changes to the risk assessment tool. The revised tool was approved by the Kentucky Center for School Safety's (KCSS) board of directors at its April 29, 2020 meeting.

Summary of Issue:

In accordance with KRS 158.442, the KCSS is required to "advise the KBE on administrative policies and administrative regulations relating to school safety and security." Further, KRS 158.443(9)(b) requires the KCSS board of directors to "approve a school security risk assessment tool and updates as necessary in accordance with KRS 158.4410 to be incorporated by reference within an administrative regulation promulgated in accordance with KRS Chapter 13A." KRS

158.444 requires the KBE to promulgate appropriate regulations related to school safety. Accordingly, this administrative regulation incorporates by reference the school security risk assessment tool approved by the KCSS board of directors. The risk assessment tool has been revised since the KBE's first reading. The present version was approved by the KCSS board of directors at its April 29 meeting.

The risk assessment tool is used by compliance officers from the Office of the State School Security Marshal to collect school level information. It is broken down into several sections. The first section documents school demographic information such as school name, address, date, and number of faculty and students. The second section collects information related to whether the school is in compliance with statutory safety requirements. The Office of the State School Security Marshal intends on using a third section to collect "Current Trends" information. This information is not required by statute, but will be used to identify safety trends and best practices. Because the information collected in section three is not statutorily required and subject to change, the third section will not be incorporated into the KBE's regulation. The final section will be used by compliance officers to provide an assessment summary and results.

Budget Impact:

There is no budgetary impact to the Kentucky Department of Education or school districts for the assessment. However, districts may need to expend funds to comply with the legislatively required school security measures evaluated by the assessment tool.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

Pursuant to KRS 158.443(9)(b) the KCSS is required to approve the security risk assessment tool. This regulation incorporates by reference the risk assessment tool approved by the KCSS at its April 30 meeting. The regulation will receive a second reading by the Local Superintendents Advisory Council (LSAC) at its May 26, 2020 meeting. Comments from this group will be received prior to the June KBE meeting.

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