

SESSION OF 2023

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2278**

As Amended by House Committee on Education

**Brief\***

HB 2278, as amended, would require the Kansas State Department of Education (KSDE) to audit each school district's plans to maintain safe and secure buildings and to conduct on-site inspections to determine compliance with the district's safe and secure policies and procedures and state safe and secure school standards. The bill also would establish reporting requirements for the audits and inspections.

***Audits and Inspections***

The bill would require the KSDE to conduct an audit of each school district's policies and procedures for maintaining safe and secure school buildings during school year 2024-2025. The bill would require each audit to include all policies and procedures relating to the Kansas Safe and Secure Schools Standards adopted by the State Board of Education.

The bill would also require, beginning in school year 2024-2025 and in subsequent school years, the KSDE to conduct an on-site inspection of at least ten school districts to determine compliance with the district's policies and procedures for maintaining safe and secure schools buildings and the state standards. The districts selected for inspection must be selected in a manner that ensures diversity based on the size of each district's student enrollment.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

### ***Reports to the Legislature***

The bill would establish two reporting requirements on the KSDE:

- On or before January 15, 2026, the KSDE must prepare and submit a report on the results of the safe and secure plan audits to the standing committees on Education; and
- On or before January 15, 2026, and each January 15 thereafter, the KSDE must prepare and submit a report on the results of the on-site inspections to the same standing committees.

### ***Confidentiality; Legislative Review***

The bill would provide that the results of audits and on-site inspections and the reports prepared relating to these results are confidential and not subject to the requirements of the Kansas Open Records Act (KSA 45-215 *et seq.*). These confidentiality provisions will expire on July 1, 2028, unless the Legislature acts to reenact the provisions. The bill would further provide these provisions shall be reviewed by the Legislature prior to July 1, 2028.

### **Background**

Provisions of 2018 House Sub. for SB 109 (an appropriations bill) directed the State Board of Education to develop and adopt statewide standards for school safety and security plans to be adopted by each school district. This law prescribed items to be addressed by the standards, including training of school district employees on school safety and security policies and procedures, procedures for securing school buildings during an emergency situation, and coordination and incorporation of school safety and security plans with existing school district emergency response plans. The State Board was directed to consult with the Office of the

Adjutant General, the Kansas Bureau of Investigation, the Kansas Department of Health and Environment, the State Fire Marshal, and other state agencies it deemed necessary. The State Board also was permitted to consult with any local agencies and school boards. The bill required the adopted standards to be provided to school districts by January 1, 2019.

HB 2278 was introduced by the House Committee on Education at the request of Representative Thomas.

### ***House Committee on Education***

In the House Committee hearing, **proponent** testimony was provided by a representative of the Kansas Association of School Boards and the Kansas National Education Association. The proponent stated the audits would continue to enhance efforts to keep students, educators, and staff safe at school.

No other testimony was provided.

The House Committee amended the bill to delay, by one year, the school years and calendar dates specified for audits, inspections, and reporting requirements. The amendment also added confidentiality provisions for the results of audits and inspections and the related reports of these results.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KSDE indicates enactment of the bill would require expenditures totaling \$255,000 from the State General Fund, beginning in FY 2024. Of this amount, \$240,000 would be for 3.00 FTE auditors at a cost of \$80,000 each (including fringe benefits), as well as \$15,000 for other operating expenditures for these

positions, including computers, travel and subsistence expenditures, and other administrative expenses. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*. [Note: The bill, as amended by House Committee, would delay the requirements for audits, inspections, and reporting by one year.]

Education; schools; State Department of Education; Safe and Secure school standards; audits; confidentiality; Legislature