

To: Board of Education

From: Anna Stubblefield, assistant superintendent, educational support, ext. 1760
David Cunningham, executive director, human resources & legal counsel, ext. 4937

Re: Board Policy Committee Recommendations

Date: October 20, 2016

Background:

The Board of Education's policy committee has met to discuss three policies that are being recommended for amendment.

Policies Recommended for Amendment:

EBC Security and Safety

The committee is recommending grammatical changes, addition of language that ensures the reporting requirements do not violate the terms of the memorandum of understanding with local law enforcement the district will enter into effective July 1, 2017 in compliance with Kansas law. The policy is also being modified to allow the superintendent to designate a person to receive building reports.

JCDBB Weapons

The committee has modified this policy by broadening the definition of the term "weapon" to include a "destructive device." There are technical changes regarding agencies to whom reports are filed. Finally, there is recommended language implementing the new legal requirements allowing air guns on school property.

JDDB Reporting to Law Enforcement

This policy is being amended to include the provision that any necessary reporting shall not violate the terms of the memorandum of understanding with local law enforcement the district will enter into effective July 1, 2017 in compliance with Kansas law.

Recommendation:

The Board Policy Committee recommends the review of the referenced policies. Once the review is complete and any suggested changes are considered, the committee will submit the final recommendations for amendment at the November 14, 2016 board meeting.

Motion:

"I move the Board of Education approve the review of the referenced policies for possible amendment and adoption at its November 14, 2016 meeting."

1 Security devices may be installed at district attendance centers. Other
2 measures may be taken to prevent trespassing on school grounds and intrusions
3 or disturbances from occurring in school buildings. The district shall cooperate
4 with law enforcement in security matters and shall, as required by law *and by*
5 *this policy*, report felonies and misdemeanors committed at school, on school
6 property or at school-sponsored activities.

7 Security Services

8 ~~— The superintendent, after informing the board, may contract for security~~
9 ~~services.~~

10 Reporting Crimes at School to Law Enforcement

11 *Unless reporting would violate the terms of any memorandum of*
12 *understanding between the district and local law enforcement, ~~Any~~ any district*
13 *employee who knows or has reason to believe any of the following has occurred*
14 *at school; on school property; or at a school-sponsored activity, program or*
15 *event shall immediately report this information to local law enforcement.*

16 *Reportable acts shall include:*

- 17 • ~~an~~ any act which may constitute the commission of a felony or a
18 misdemeanor;
- 19 • ~~an~~ any act which involves the possession, use, or disposal of explosives,
20 firearms, or other weapons as defined in current law.

21 ~~The district employee shall notify the building administrator that a~~
22 ~~report has been made. It is recommended that the building administrator also~~
23 ~~be notified.~~

24 Reporting Certain Students to Administrators and Staff

1 Administrative, professional, or paraprofessional employees of a school who
2 have information that ~~a pupil falls into one of the~~ *any of the following* has
3 *occurred* shall report the information and the identity of the ~~pupil~~ *student*
4 *responsible* to the superintendent. *For purposes of this policy, the*
5 *superintendent may appoint a designee.*

6 *Reportable events include:*

- 7 • ~~Any pupil who has been~~ *A student being* expelled for conduct which
8 endangers the safety of others;
- 9 • ~~Any student who has been~~ *A student being* expelled for commission of a
10 felony *type offenses*;
- 11 • ~~Any~~ *A student who has been* *being* expelled for possession of a weapon;
- 12 • ~~Any~~ *A student who has been* *being* adjudged to be a juvenile offender *for an*
13 *offense, which and whose offense*, if committed by an adult, would
14 constitute a felony, except a felony theft offense involving no direct threat
15 to human life;
- 16 • ~~Any~~ *A student who has been* *being* tried and convicted as an adult ~~for~~ *of* any
17 felony, except theft involving no direct threat to human life.

18 (See K.S.A. 72-8222)

19 The superintendent shall investigate the ~~accuracy of the information~~
20 *matter* and, if it is *confirmed* ~~determined the student falls into one of these~~
21 ~~categories~~, the superintendent shall provide *appropriate* information and the
22 identity of the student *responsible* to all employees who are involved *in* or
23 likely to be directly involved in teaching or providing related services to the

1 ~~pupil-student.~~

2 Annual Reports of Suspensions and Expulsions

3 The principal of each ~~school~~ *building* shall prepare all reports required
4 by law. ~~and provide them~~ *Reports will be presented* to the board and the state
5 board of education annually. Reports shall not include any personally
6 identifiable information about students. These reports and this policy may be
7 made available upon request to parents, patrons, students, employees, and
8 others ~~who request this information.~~

9 Staff Immunity

10 No board of education, board member, superintendent of schools or
11 school employee shall be liable for damages in a civil action resulting from a
12 person's good faith acts or omission in complying with the requirements or
13 provisions of the Kansas school safety and security act.

Approved: July 1, 2001

Amended: October 27, 2003

Reviewed by Board Policy Committee: October 2, 2006

Amended: December 11, 2006

Reviewed by Board Policy Committee: December 2, 2009

Amended: January 11, 2010

Amended: October 24, 2016

JCDBB Weapons (see JCDBBC, JDD, JDDDB, EBC, KGD and KGE) JCDBB

1 A student shall not possess a weapon *and/or destructive device* at
2 school, on school property or at a school supervised event.

3 Definition of a Weapon (K.S.A. 72-89a01)

4 As used in this policy, the term “weapon” *and/or “destructive*
5 *device” means shall include, but not be limited to:*

- 6 • any object which will or is designed to or may readily be converted to
7 expel a projectile by the action of an explosive;
- 8 • the frame or receiver of any object described in the preceding example;
- 9 • any firearm muffler or firearm silencer;
- 10 • any explosive, incendiary or poison gas:
 - 11 o bomb,
 - 12 o grenade,
 - 13 o rocket having a propellant charge of more than four ounces,
 - 14 o missile having an explosive or incendiary charge of more than 1/4
 - 15 ounce,
 - 16 o mine or
 - 17 o similar device;
- 18 • any object which will, or which may be readily converted to, expel a
19 projectile by the action of an explosive or other propellant, and which has
20 any barrel with a bore of more than 1/2 inch in diameter;
- 21 • any combination of parts either designed or intended for use in converting
22 any device into a destructive device described in the two immediately
23 preceding examples, and from which a destructive device may be readily
24 assembled;
- 25 • any bludgeon, sand club, metal knuckles or throwing star;
- 26 • any knife, commonly referred to as a switchblade, which has a blade that
27 opens automatically by hand pressure applied to a button, spring or other
28 device in the handle of the knife, or any knife having a blade that opens or
29 falls or is ejected into position by the force of gravity or by an outward,
30 downward or centrifugal thrust or movement.

- 1 • any electronic device designed to discharge immobilizing levels of
2 electricity, commonly known as a stun gun.

3 As used in this policy, the term “weapon” shall not include:

- 4 • an antique firearm
- 5 • any device which is neither designed nor redesigned for use as a weapon
- 6 • any device, although originally designed for use as a weapon, which is
7 redesigned for use as a signaling, pyrotechnic, line throwing, safety, or
8 similar device,
- 9 • surplus ordinance sold, loaned or given by the secretary of the army
10 pursuant to the provisions of section 4684(2), 4685 or 4686 of title 10 of
11 the United States code [federal law] or
- 12 • class C common fireworks.

13 Penalties for Possession

14 Possession of a weapon *and/or destructive device* shall result in
15 expulsion from school for a period of not less than one calendar year, except
16 that the superintendent may recommend this expulsion requirement be
17 modified on a case-by-case basis. (see JDC). Expulsion hearings for
18 possession of a weapon *and/or destructive device* shall be conducted by the
19 superintendent.

20 A student determined to be in possession of a weapon *and/or*
21 *destructive device* at school, on school property or at a school supervised
22 activity shall be reported to the appropriate law enforcement agency(ies), and
23 if a juvenile, to ~~DCF or the Commissioner of Juvenile Justice.~~ *the Secretary*
24 *for DCF or the Secretary of KDOC as appropriate.*

25 *Possession of an air gun at school, on school property, or at a*
26 *school supervised activity is prohibited except for the time during which*

1 *students are participating in an air gun related activity sponsored by an*
2 *organization held at school or when in transit to or from such activities.*
3 *“Air gun” means any device which will or is designed to or may be readily*
4 *converted to, expel a projectile by the release of compressed air or gas, and*
5 *which is of 0.18 caliber or less and has a muzzle velocity that does not exceed*
6 *700 feet per second.*
7 *Any individual desiring to participate in activities conducted by an*
8 *organization may be required to sign, or have a parent or legal guardian sign,*
9 *a liability waiver. The liability waiver shall be in such form as prescribed by*
10 *the chief administrative officer of the school and shall contain the*
11 *appropriate language so as to relieve the school district, the school and all*
12 *school personnel from liability for any claims arising out of the acts or*
13 *omissions of any individual or any school personnel relating to activities*
14 *conducted by this organization.*

Approved: July 1, 2001

Amended: October 22, 2001; February 11, 2002

Reviewed by Board Policy Committee: October 18, 2004

Amended: December 13, 2004

Reviewed by Board Policy Committee: February 27, 2008

Amended: October 28, 2013

Amended: October 24, 2016

JDDB Reporting to Law Enforcement (See EBC and JDD)

JDDB

1 *Unless reporting would violate the terms of any memorandum of understanding*
2 *between the district and local law enforcement, w*~~h~~*enever a student engages in*
3 *conduct which constitutes the commission of any misdemeanor or felony at school, on*
4 *school property, or at a school supervised activity and/or has been found 1) in*
5 *possession of a weapon, 2) in possession of a controlled substance or illegal drug, or*
6 *3) to have engaged in behavior at school which has resulted in or was substantially*
7 *likely to have resulted in serious bodily injury to others, the principal shall report*
8 *such act to the appropriate law enforcement agency.*

Approved: March 21, 2016

Reviewed by Board Policy Committee: August 31, 2016

Amended: October 24, 2016