

# KCSS



## SCHOOL SAFETY COORDINATORS TRAINING

2023-2024

### GIANT STEP TAKEN IN KENTUCKY'S ONGOING SCHOOL SAFETY EFFORTS

# GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2019 REGULAR SESSION

SENATE BILL NO. 1

AS ENACTED

THURSDAY, FEBRUARY 28, 2019



*Matthew Be...*



KSBA



## **School Safety Coordinators (Update)**

**June 6, 2023**

**9 a.m.-12 p.m. (EDT)**

### **AGENDA**

**9:00 Welcome**

Reminder of Responsibilities under School Safety and Resiliency Act  
School Security and Risk Assessment – Training New Principals  
Jon Akers – Executive Director, Kentucky Center for School Safety  
Ben Wilcox – State School Security Marshal

**9:15 Legislative Update/Overview**

Eric Kennedy – KSBA Legislative Update

**9:35 Narcan/Naloxone & Vaping Concerns**

Camille Croweak - Department for Behavioral Health  
Tara Rueckert - Department for Behavioral Health

**9:55 Break**

**10:05 STOP Tipline & Social Media Threats**

Jennifer Taylor – School Safety Analyst, Kentucky Office of Homeland Security

**10:20 Response to a Tragedy/Reunification & Advance Planning**

Patricia Greer - Kentucky Center for School Safety  
Wanda Absher – Consultant, Kentucky Center for School Safety

**10:45 4<sup>th</sup> Amendment (Search & Seizure) Concerns/Common Issues**

John Powell, KSBA General Counsel

**11:15 Current Practice/Protocol – Marshal's Office**

Ben Wilcox – State School Security Marshal

**11:40 Questions/Comments from Chat Room**

**11:55 Closing Remarks**

Jon Akers – Executive Director, Kentucky Center for School Safety

**12:00 Adjourn**

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# Legislative Update & Overview

Presented by:

Eric Kennedy, Director of Advocacy  
Kentucky School Boards Association



# LEGISLATIVE UPDATES

Presented to KCSS School Safety Coordinator Training  
June 6, 2023



# HB 3

- **RE: Juvenile justice reforms**
- “Prior to developing the diversion agreement, the court designated worker . . . shall contact the school district that the child attends to obtain background information from school personnel . . .
- Upon developing a diversion agreement, the court designated specialist shall make all details of the agreement accessible to all members of the [FAIR] team through an electronic platform provided by the Administrative Office of the Courts”

# HB 3; *continued*

- **RE: Juvenile justice reforms**

- “If the child enters into a diversion agreement . . .for truancy and there is no action implemented by the [FAIR] team within ninety (90) days, the . . . team shall report to the court . . .and shall provide a plan for action. . . The court shall review on the record any diversion agreement and any report . . .to verify [FAIR] team member attendance, team accountability, and performance.”

- “[an] intentional violation of an order issued [for parental involvement] shall be referred to the county attorney for prosecution . . . if the case relates to truancy.”

- [Bill here](#)

# HB 331

- **RE: AEDs in schools**

- Requires each school's emergency plan to cover medical emergencies, and include a cardiac emergency response plan, and show the location of all AEDs
- Requires athletic coaches, directors, etc., to run a simulation of the cardiac response plan each season
- Requires each school to have an AED in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions



# HB 331; *continued*

- **RE: AEDs in schools**
- Requires development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of an AED
- Updates requirements for all athletic coaches to be trained in CPR annually
- [Bill here](#)

# HB 331; continued



## Most KY schools don't follow emergency planning law, putting teens at risk

■ FOR SUBSCRIBERS INVESTIGATIONS April 18, 2023

[Courier-Journal](#), April 18, 2023



## Sample Athletic Emergency Action Plan

The following sample emergency action plan is just an example. Relevant changes should be made based on each institution's staffing availability, athlete age group, and site location. Depending on the setting, the institution may not have an athletic trainer present at all times. You should make relevant notes and plans throughout the EAP to ensure that proper protocol can be followed no matter who is available. Also, you should take state and federal laws and policies into consideration when developing your own emergency action plan, e.g. when planning for heat illnesses or concussions.

### Table of Contents

2	Overview of Emergency Action Plans (EAPs) <ul style="list-style-type: none"><li>- Introduction</li><li>- Components of an EAP</li><li>- Emergency Personnel</li><li>- Emergency Communication</li><li>- Emergency Equipment</li><li>- Medical Transportation</li><li>- Non-medical Transportation</li></ul>
6	Emergency Contact List
7	Accident/Injury Contact Phone Tree
8	Sample Campus Map

^A sample EAP from the [Korey Stringer Institute](#) at the University of Connecticut. KSBA makes no claims regarding this document. Districts should consult with board counsel, athletic directors, KHSAA, and other appropriate professionals.

# HB 538

- **RE: Student discipline; suspension and expulsion options/rules**
- Requires expulsion for at least 12 months if a student makes threats that pose a danger to other students or staff (with optional modification on case-by-case basis)
- Requires local policy re: student who assaults other students or staff off campus

# HB 538; *continued*

- **RE: Student discipline; suspension and expulsion options/rules**
- Allows a student to be placed in an alternative setting in lieu of expulsion, or at the expiration of a term of expulsion, which may be an all-virtual program
- Clarifies that an expulsion may be for a term longer than 12 months
- Allows a principal to develop processes for removing disruptive students from the classroom, and for alternative placements of “chronically disruptive” students
- [Bill here](#)

# SB 101

- **RE: School district police departments – required costs**
- Includes local school boards who have established their own police departments in the list of agencies who are **required to reimburse other police departments** for prior training costs when the school district hires an officer from the other department any time within 5 years from the time the training had occurred
- Allows local boards to require officers they hire to enter into a 5-year contract, and receive reimbursement if the officer resigns to work for another Kentucky police department during that time
- [Bill here](#)

# SB 229

- **RE: Reporting suspected child abuse & neglect**
- Amends KRS 620.030 'to remove the requirement that a supervisor make an additional report to the property authorities ...; to require an oral report of child abuse and notification of a supervisor; and to add the requirement that a supervisor cooperate with the investigation of a report...'
- [Bill here](#)

# SB 229; *continued*

➔ Section 2. KRS 620.030 is amended to read as follows:

- (1) Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or to the Department of Kentucky State Police, the cabinet or its designated representative, the Commonwealth's attorney, or the county attorney by telephone or otherwise. ~~Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.~~ If the cabinet receives a report of abuse or neglect allegedly committed by a person other than a parent, guardian, fictive kin, person in a position of authority, person in a position of special trust, or person exercising custodial control or supervision, the cabinet shall refer the matter to the Commonwealth's attorney or the county attorney and the local law enforcement agency or the Department of Kentucky State Police. Nothing in this section shall relieve individuals of their obligations to report.

# SB 229; continued

has attended such child as a part of his or her professional duties, shall:

1. Immediately make an oral report in accordance with subsection (1) of this section;
2. Immediately notify the supervisor of the institution, school, facility, agency, or designated agent of the person in charge; and<sup>[,]</sup>

(b) Upon notification, the supervisor or the designated agent, if any, shall facilitate the cooperation of the institution, school, facility, or agency with the investigation of the report.

(c) Any person who knowingly causes intimidation, retaliation, or obstruction in the investigation of the report shall be guilty of a Class A misdemeanor.

(d) This section shall not require more than one (1) report from any institution, school, facility, or agency.



# NOTE: Last session's HB 678 (2022 RS)

- **RE: School District Facility Projects – Approval Processes**
- Last year's HB 678 generally allows local school boards to undertake facility projects without first obtaining normally required prior approvals from KDE, for a two-year window of time set to end on June 30, 2024
- NOTHING in this bill repealed or waived the substantive requirements for building safety found in [KRS 158.163\(3\)\(d\)](#)
- [Bill here](#)

# Narcan/Naloxone & Vaping Concerns

Presented by:

Camille Croweak & Tara Rueckert  
Department of Behavioral Health



CABINET FOR HEALTH  
AND FAMILY SERVICES

# Youth Vaping (Nicotine & THC)

## June 6, 2023

# Session Objectives

## Why?

- Describe youth vaping trends in the state
- Describe vaping (nicotine and THC) and cannabis industry trends

## What?

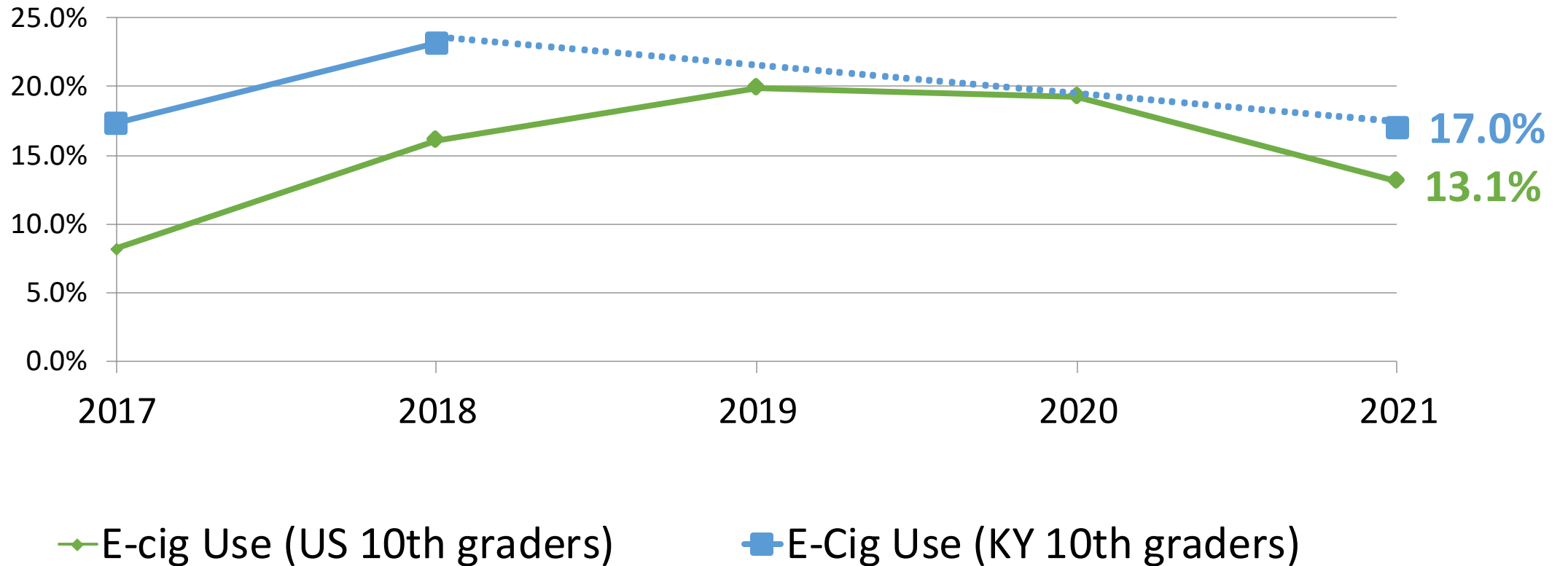
- Highlight the importance of addressing nicotine & THC youth vaping simultaneously

## How?

- Introduce concrete tools communities can use to address youth vaping

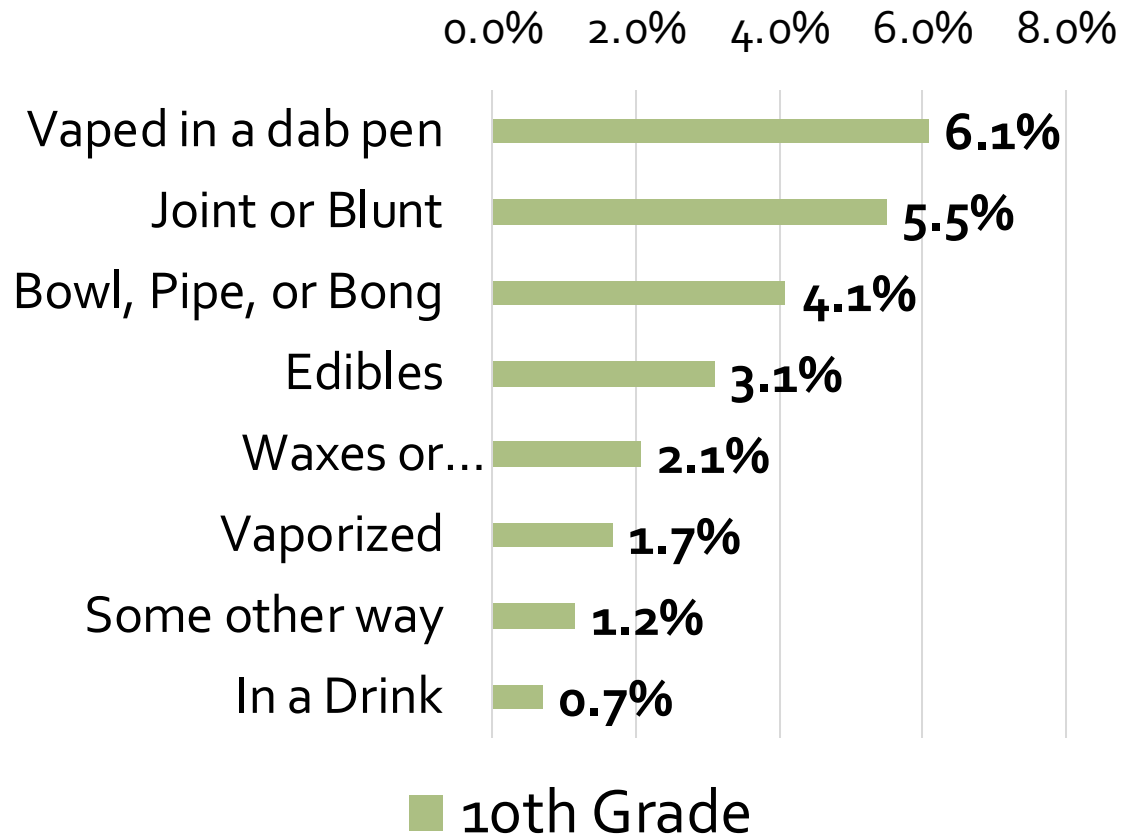
# Trends in Youth E-Cigarette Use (Nicotine)

Percent of 10<sup>th</sup> graders using e-cigarettes in the past 30 days (US vs. KY)



DATA SOURCE: KIP Survey (2017 - 2021) & Monitoring the Future (2017 - 2021)

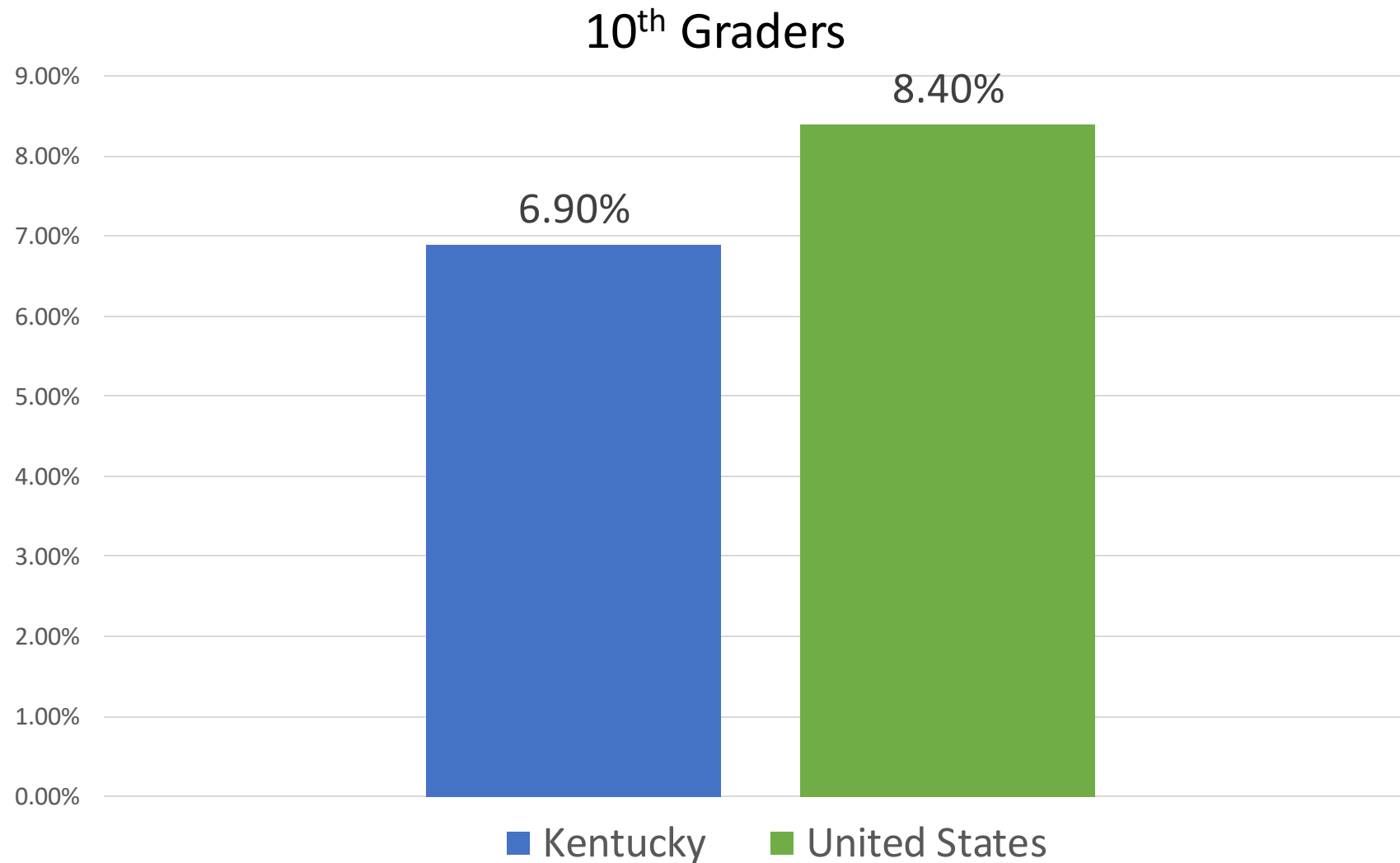
# Youth Use of Cannabis in Kentucky



- Vaping cannabis is the most popular method of cannabis consumption among KY youth
- Rates of cannabis vaping in KY are higher among
  - Females
  - Racial and ethnic minorities (REM)
  - Sexual and gender minorities (SGM)
  - Those Questioning/Unsure about their sexuality or gender



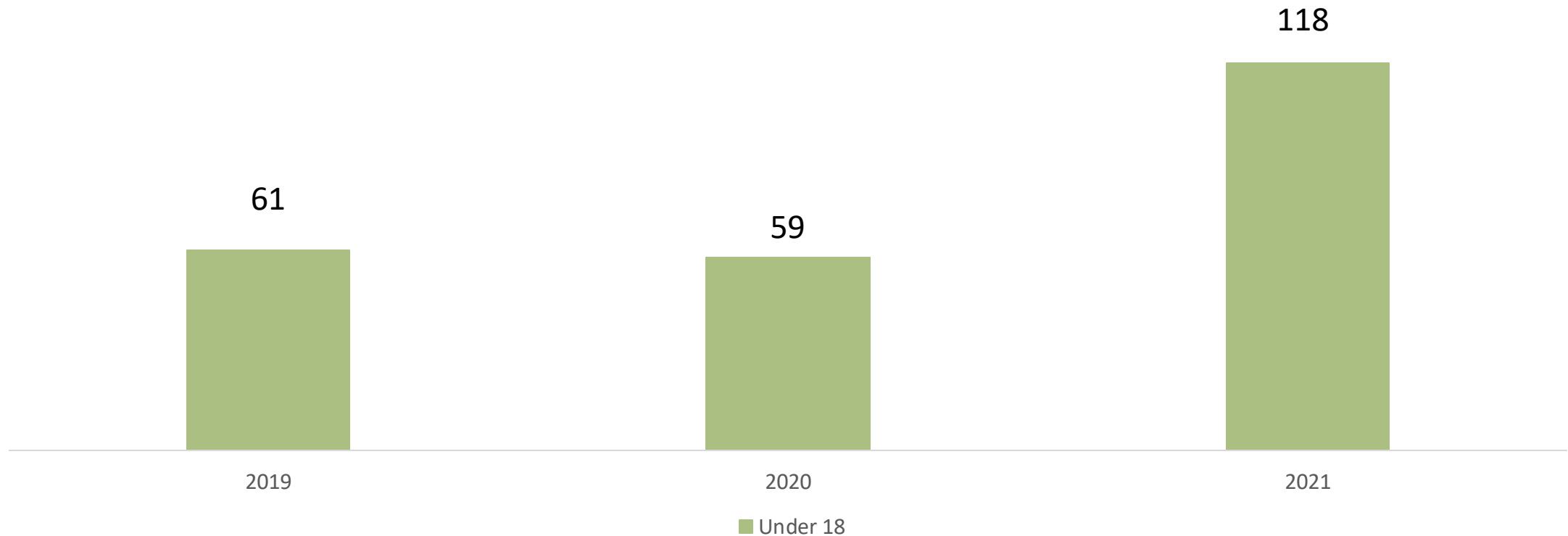
# Prevalence of Past 30 Day Vaping THC



DATA SOURCE: KIP Survey (2021), Monitoring the Future (2021)

# Youth Exposure to Cannabis Products

Calls to Poison Control Have Doubled in 2 Years



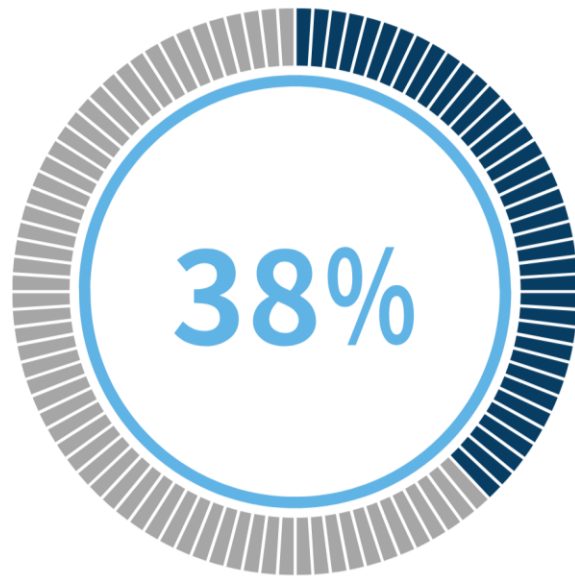
DATA SOURCE: KIPRC (2021)



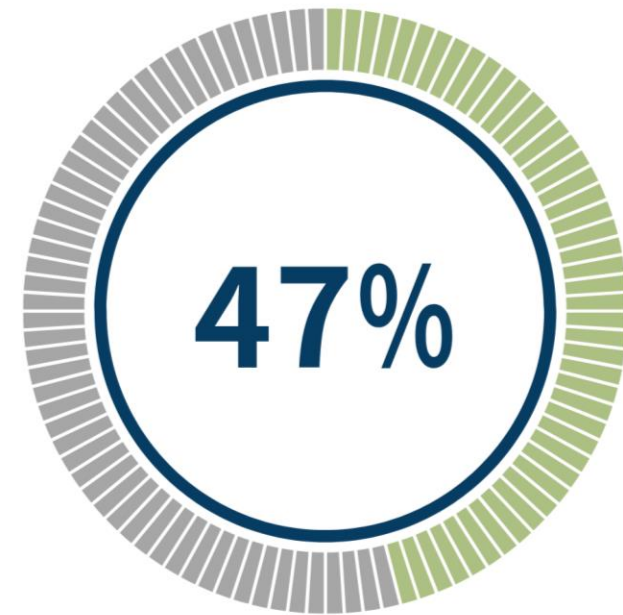
# Risk Perception

10<sup>th</sup> graders reporting  
no risk or a slight risk of people  
harming themselves  
if they use e-cigarettes some days  
but not everyday.

10<sup>th</sup> graders reporting  
no risk or a slight risk of people  
harming themselves  
if they use cannabis once or twice  
a week



More Kentucky  
youth perceive  
vaping cannabis  
as low risk



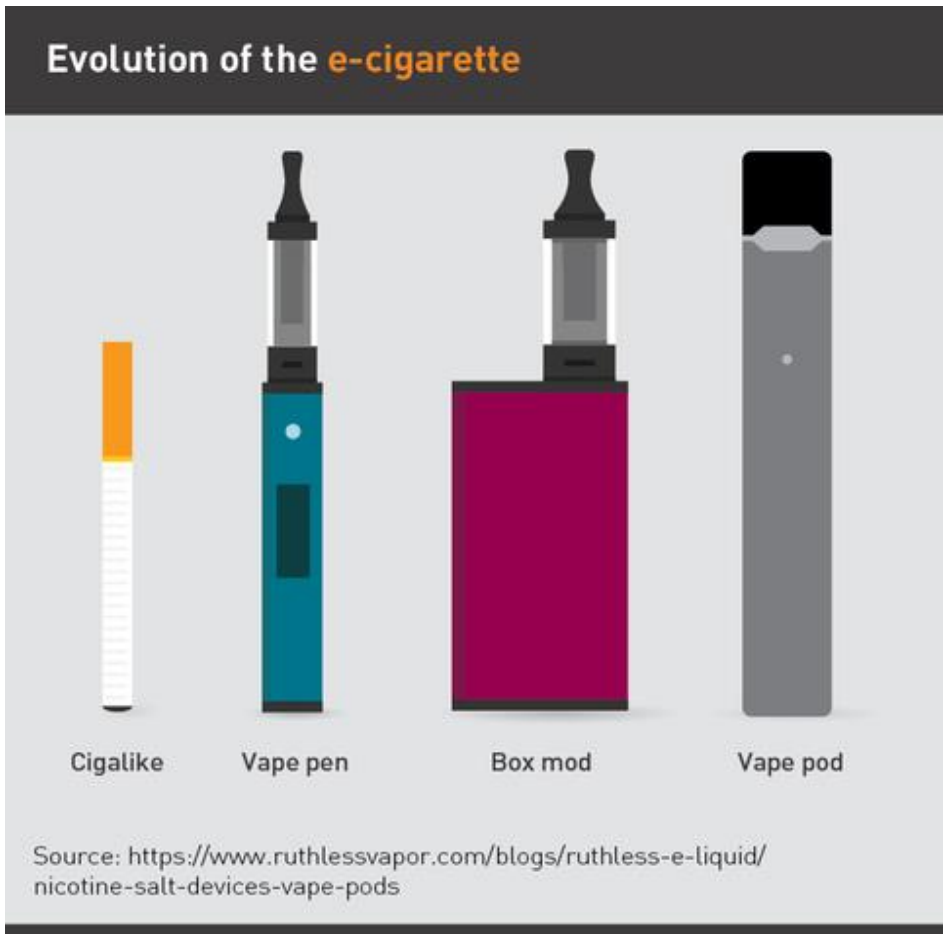
# Power of Positive Peer Norms

## Protective Factors for Nicotine and Cannabis Vaping among Kentucky Youth

- 10<sup>th</sup> graders who reported their friends felt like vaping nicotine was **wrong/very wrong** were **92.2% less likely** to report vaping nicotine in the past 30 days.
- 10<sup>th</sup> graders who reported that their friends felt like using cannabis was **wrong/very wrong** were **96% less likely** to report vaping cannabis in the past 30 days.



# Vaping (Nicotine) Products



FT Financial Times

## [Goodbye Juul, hello Elf Bar](#)

Disposable vapes are to Juul what TikTok is to Vine: wildly more successful ...'



IMAGE SOURCE: Stanford Research Into the Impact of Tobacco Advertising (SRITA) Collection

# Edible & Consumable Cannabis Products Sold in KY



Baddie Bar



Chocolate Chip Cookies



Sale!



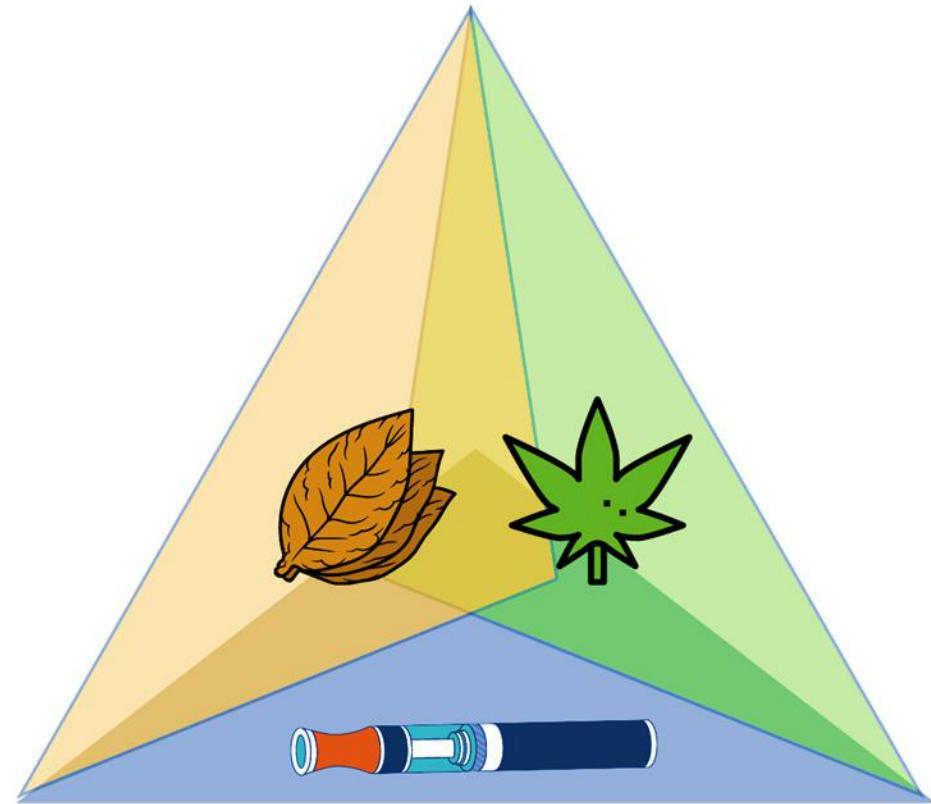
Fun Strawberry Cough 200 mg Delta 9 THC Syrup Sativa by Recreational LLC



Bubble Gum 50mg Delta 8 THC + 10mg Delta 9 THC Lollipop Suckers by Recreational LLC



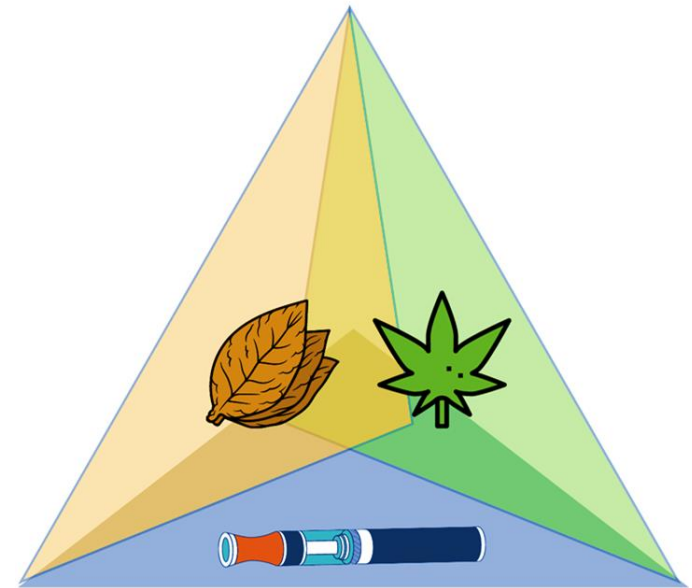
# Overlap of Tobacco, Cannabis, and E-cigarettes



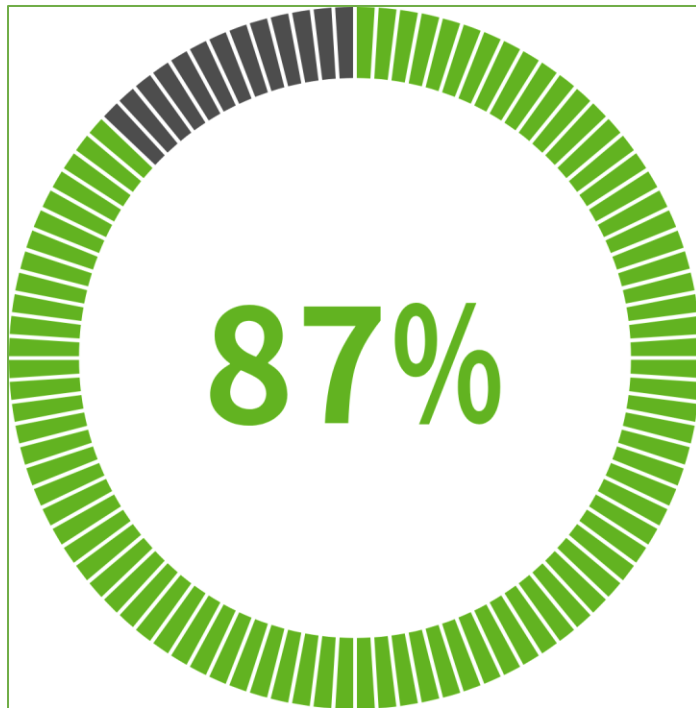
# Co-use Rates: Nicotine & Cannabis Vapor Product Use

42.7%

of Kentucky 10th graders who  
report vaping nicotine also report  
vaping cannabis



# Kentucky Youth Co-use Rates: Nicotine & Cannabis Vapor Product Use



of Kentucky 10th graders  
**who report vaping cannabis  
also report vaping nicotine.**

# Industry Overlap:



IMAGE SOURCE: Stanford Research Into the Impact of Tobacco Advertising (SRITA) Collection

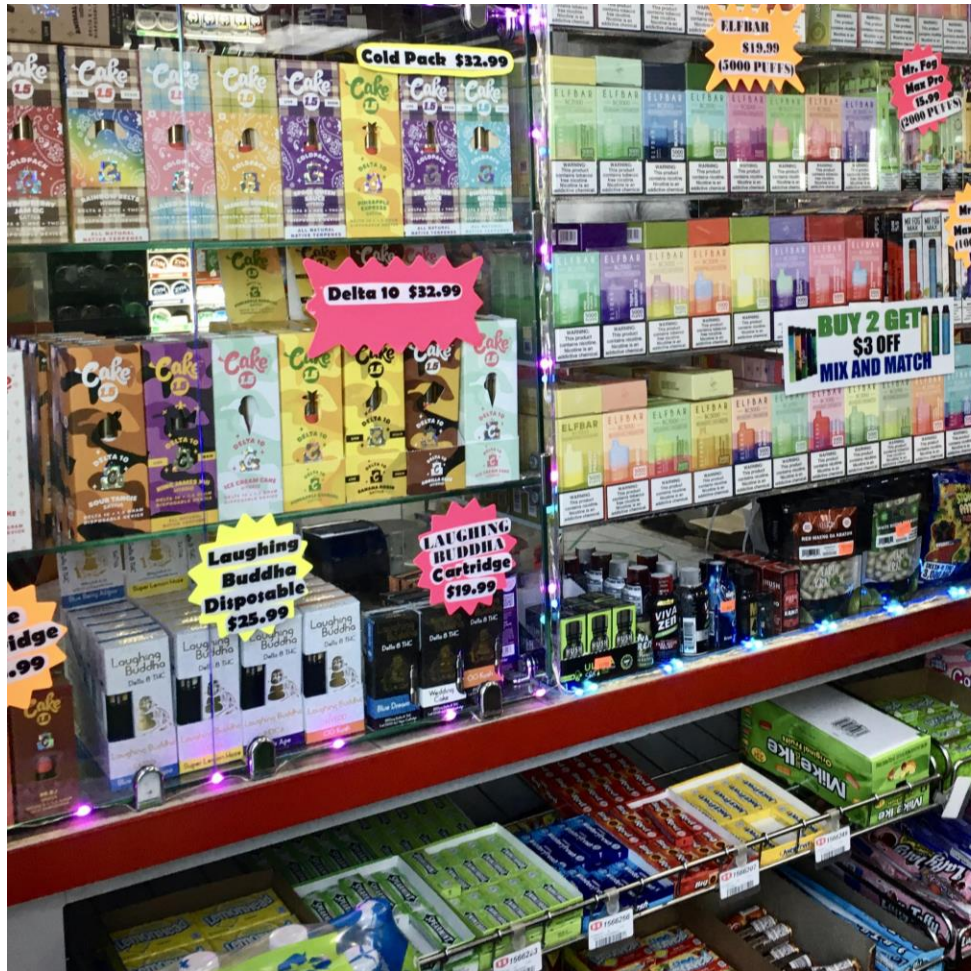


# Predatory Marketing to Youth:



IMAGE SOURCE: Stanford Research Into the Impact of Tobacco Advertising (SRITA) Collection

# Predatory Marketing to Youth in KY:



# Consequences of Co-Use

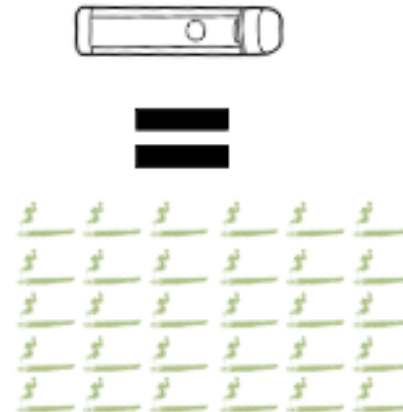
# Consequences of Co-Use

Increases the Risk for and Severity of Mental Health Symptoms

## NICOTINE & CANNABIS (THC)

Many vapes contain high levels of nicotine or THC, increasing the risk to your physical and mental health.

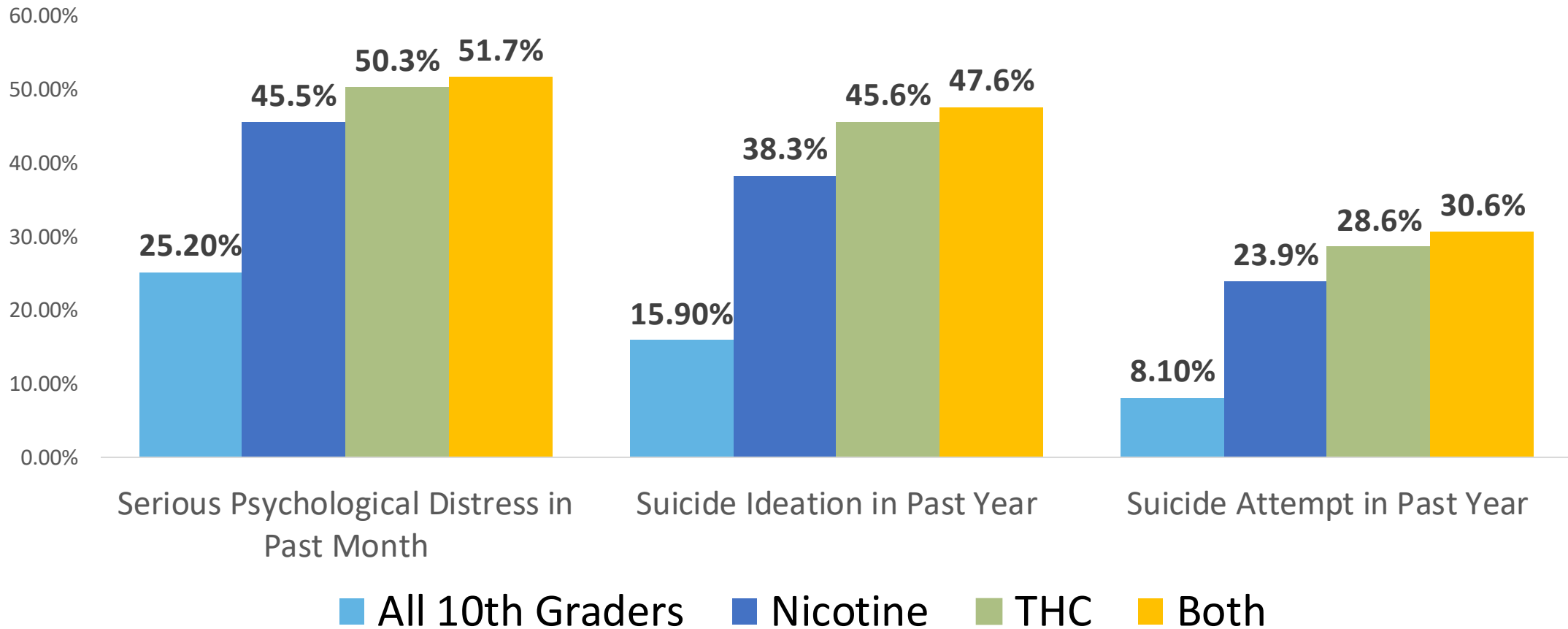
**1 Vape**  
can contain  
**4 to 30x**  
more THC than  
what is in a  
typical joint.



**1 Vape**  
can contain  
as much  
nicotine as  
**a pack of  
20 cigarettes.**



# Consequences of Co-Use: Mental Health and Suicide among Kentucky 10th Graders who Vaped in the Past Month



DATA SOURCE: KIP Survey (2021)

# Consequences of Co-Use

## Increases Exposure to Harmful Chemicals

### Harmful substances found in vapes:



MOLD



PESTICIDES



TOXIC  
CHEMICALS



HEAVY  
METALS

In the United States, vapor products are poorly regulated. That means the quality and safety of the products cannot be guaranteed.

It can be difficult to know exactly what is in the products or if the dose listed matches what is actually in the product.

**\*This is true even for nicotine, marijuana (Delta 9, Delta 8, HHC, THC-O), CBD, and "wellness" vaping products being sold in stores.**

# Consequences of Co-Use

Co-use increases the potential severity of legal consequences over nicotine use alone (KRS 218A.1422 and KRS 438.311)

## **Cannabis Possession**

- can be charged with a class B misdemeanor
- punishable with a fine up to \$250 and up to 45 days in jail.

## **Nicotine Possession**

- Law enforcement, including school resource officers, may not fine students for possession or use of tobacco products, and may not refer students to the judicial system for these infractions.

# NEW Evidence-Informed Curriculum

## You and Me Together, Vape-Free

- Part of the Stanford Tobacco Prevention Toolkit
- Theory-based and evidence-informed curriculum
- Created by the Stanford Reach Lab as well as by the Stanford Youth Action Board and educators across the U.S.
- Includes the latest e-cigarette products on the market and NEW animated slides
- Content on non-nicotine e-cigarettes, stress and coping, marketing, and **cannabis!**
- **An elementary school version is available now!**

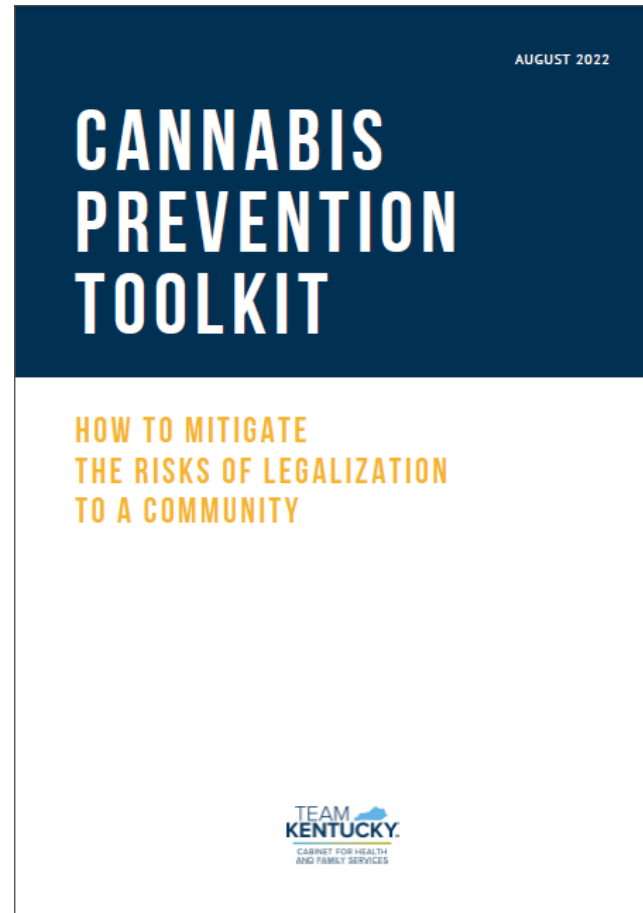
**Email** [tobprevtoolkit@stanford.edu](mailto:tobprevtoolkit@stanford.edu) to receive access to the new curriculum





# Cannabis Prevention Toolkit

- This toolkit is available for download and distribution through this [link](#).
- Contact Camille Croweak – [Camille.Croweak@ky.gov](mailto:Camille.Croweak@ky.gov) for assistance.



Please Take a Moment to Scan:



# THANK YOU!

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Nicotine Prevention Enhancement Systems (PES) Specialist  
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# STOP Tipline & Social Media Threats

Presented by:

Jennifer Taylor, School Safety Analyst  
Kentucky Office of Homeland Security

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# Kentucky Office of Homeland Security (KOHS)

## School Safety Tip Line

Kentucky Office of Homeland Security  
Executive Director Josh Keats  
Josiah.keats@ky.gov

Jennifer Taylor  
School Safety Analyst  
Jennifer.taylor@ky.gov



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## School Safety



- Following passage of the School Safety and Resilience Act in 2019, the KIFC became responsible for maintaining a statewide school safety tip line, ensuring receipt by appropriate school personnel, sharing with appropriate agencies, and providing open-source research regarding tips that are received.

**Text - Call - Scan:**  
866-EYE-ON KY (866-393-6659)  
or  
Go to your school's website and click on the STOP logo




Kentucky Intelligence FUSION CENTER  
KENTUCKY OFFICE OF HOMELAND SECURITY  
KICSS

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## School Safety

**Tip Received (via form, phone, text)**

```

graph TD
    A[Tip Received via form, phone, text] --> B[Fusion Center]
    A --> C[School]
    C --> D[District Sets Local Routing]
    
```

**Fusion Center**

**School**

**District Sets Local Routing**

- *Principals*
- *School Safety Coordinators (SSCs)*
- *School Resource Officers*

**Safe School Reporting Tool:**

<https://safeschools.ky.gov>

- Tips are routed to the Fusion Center and School simultaneously
- Schools and districts set all local routing of the tip by email
- School safety analyst engages with schools on tips received and can route requests for resources to the appropriate agencies

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**Safe School Reporting Tool**

SAFETY TIPLINE, ONLINE PREVENTION  
**STOP!**  
Bullying - Violence - Risky Behavior

Select Language ▾

Use this tip line to report bullying, violence or other school issues. You may report anonymously, or choose to be contacted.

If this is an EMERGENCY please dial 911.

Kentucky Office of Homeland Security is proud to provide an email tipline to all Kentucky schools.

The Safety Tipline, Online Prevention or S.T.O.P Tipline is designed for use as an "online" reporting/prevention tool. If students, parents or community members know of an unsafe situation in school (bullying, weapons, drugs or alcohol, etc.), they can anonymously pass on that information to school personnel by using this basic email format.

Required fields are marked with an Asterisk \*

**Tips can be submitted by:**

- Students
- Parents
- Community Members

Categories for tips include bullying, violence, and other.

Tips range from not liking lunch choices or how a teacher presents material to suicidal ideation, criminal behavior, and threat of targeted violence.

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# Tips by School Year

2019-2020 – 1136

2020-2021 – 657\*

2021-2022 – 2480

2022-2023 – 3438



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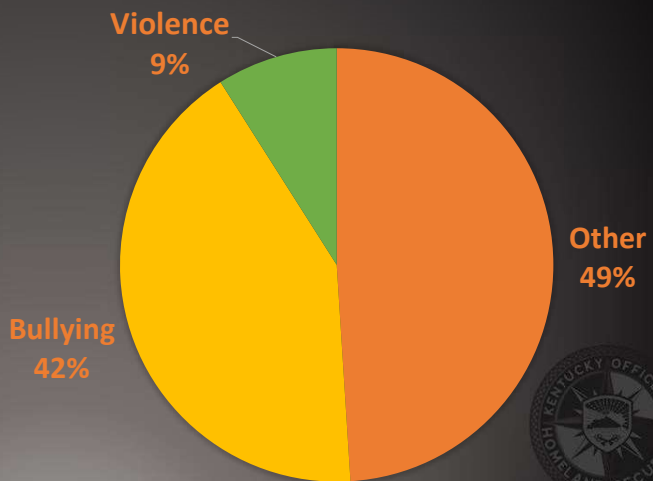
# 2022-2023 School Year

Other – 1692

Bullying – 1434

Violence – 9

Total: 3438



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# Important Information

- Check who receives your schools/districts tips.
  - Encourage all reporting.
  - Anonymous doesn't mean the person needing help.
  - Report success stories.
  - Report tips or threats received directly to school.
- Your dedication to our student's safety is greatly appreciated.



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## Information Sharing

**UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE**

**KANSAS CITY REGIONAL FUSION CENTER**

**SITUATIONAL AWARENESS BULLETIN** **23-34**

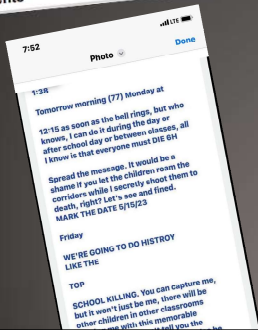
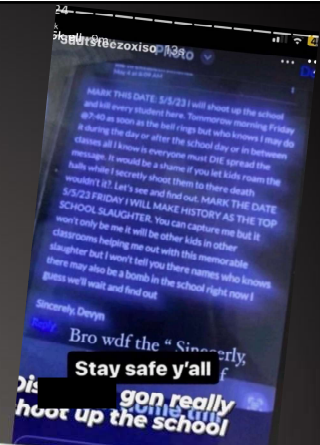
**12 MAY 2023**

**(U//LES) Hoax Bomb Threat Emails Sent to Higher Education Institutions**

**U//LES Scope Note:** The Kansas City Regional Fusion Center (KCRFC) prepared this bulletin to provide situational awareness of activities deemed pertinent to law enforcement responsibilities within the greater Kansas City metropolitan area. The KCRFC reviewed law enforcement resources (with permission) to provide an analysis of the specific trends impacting this jurisdiction.

Information Cutoff: 12 May 2023 1330 hours CST

**(U) Key Judgements**



**SOUTHEASTERN WISCONSIN Threat Analysis Center**

**WISCONSIN STATEWIDE Intelligence Center**

**(U) WSIC-STAC Special Edition – Urgent Intelligence**

**March 22, 2023**

**(U//FOUO) Note:** This update is intended to enhance partners' situational awareness and to assist agencies in determining any protective responses deemed necessary in their own communities. WSIC and STAC are prohibited from investigating activities absent a nexus with suspected criminal activity or observed behavior indicative of pre-attack planning.

**(U//FOUO) UPDATE - Hoax Active Shooter Calls to Schools in Wisconsin**



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Questions?

Jennifer Taylor

[Jennifer.taylor@ky.gov](mailto:Jennifer.taylor@ky.gov)

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# Response to Tragedy/Reunification & Advance Planning

Presented by:

Patricia Greer, Director of the Resource Center  
Kentucky Center for School Safety  
Murray State University

&

Wanda Absher  
Kentucky Center for School Safety

# Advanced Planning, Reunification & Response After a Tragedy

SSC Training  
June 6, 2022

## Advanced Planning



# Reunification Considerations

Plan

Document the Plan

Practice the Plan

Revise the Plan

Practice the Plan

**\*\*RELATIONSHIPS\*RELATIONSHIPS\*RELATIONSHIPS\***

# Reunification Considerations

Once we determine the most appropriate Family Reunification Site:

1. Secure the Site (MOA)
2. Evacuate to the Site (Hwy. Dept/How to Transport)
3. Notify Parents of location
  - a. Send It/OneCall
  - b. Text/Email
  - c. Radio
  - d. Television
  - e. Website
  - f. Social Media

# Reunification Considerations

## 4. Reunification Set Up (Flow)

Determine Roles and Responsibilities (Supplies)

a. Greeting Area, Check-in Area, Staging Area, etc.

b. Security at Site

[KCSS Website:](#)

\*Family Reunification Plan Guide/Template

\*Sample Reunification Forms

\*Sample Reunification Map (Layout)

\*Sample Parent EM Information Guide



## Sample Parent Guide



## School Emergency Parent Information

**Question: When and why are students and staff asked to Lockdown, Shelter-In-Place or Evacuate?**

**Answer:** A school crisis can take several forms including an environmental event, such as a chemical spill or gas leak; a weather emergency, such as a tornado warning; or an intruder in or near the school. The nature of a school crisis dictates whether school officials will put in place a lockdown, shelter-in-place, evacuation, or any combination of these protocols, to ensure the safety and well-being of students and staff.

In the event of an emergency at your child's school, it is important to know the following terms:

**Lockdown:** A lockdown takes place if an internal or external threat is identified at or near the school. All school doors are locked, and students are confined to classrooms. NO entry into or exit from the school, including parent check-outs will be allowed during a lockdown.

**Shelter-In-Place:** Students take refuge in designated areas to protect them from hazardous materials or severe weather. No entry into or exit from the school, including parent check-outs, will be allowed until an "all-clear" determination is made.

**Evacuation:** In the event of certain building emergencies, students will be relocated to a reunification site. Students will be released only to parents/guardians with a photo identification who are on the official school release and permission list. This procedure is necessary to account for the whereabouts of all students.

**Question: What should I do during a school emergency?**

**Answer:** When an emergency occurs that affects the school, a parent can get important information by doing one of the following:

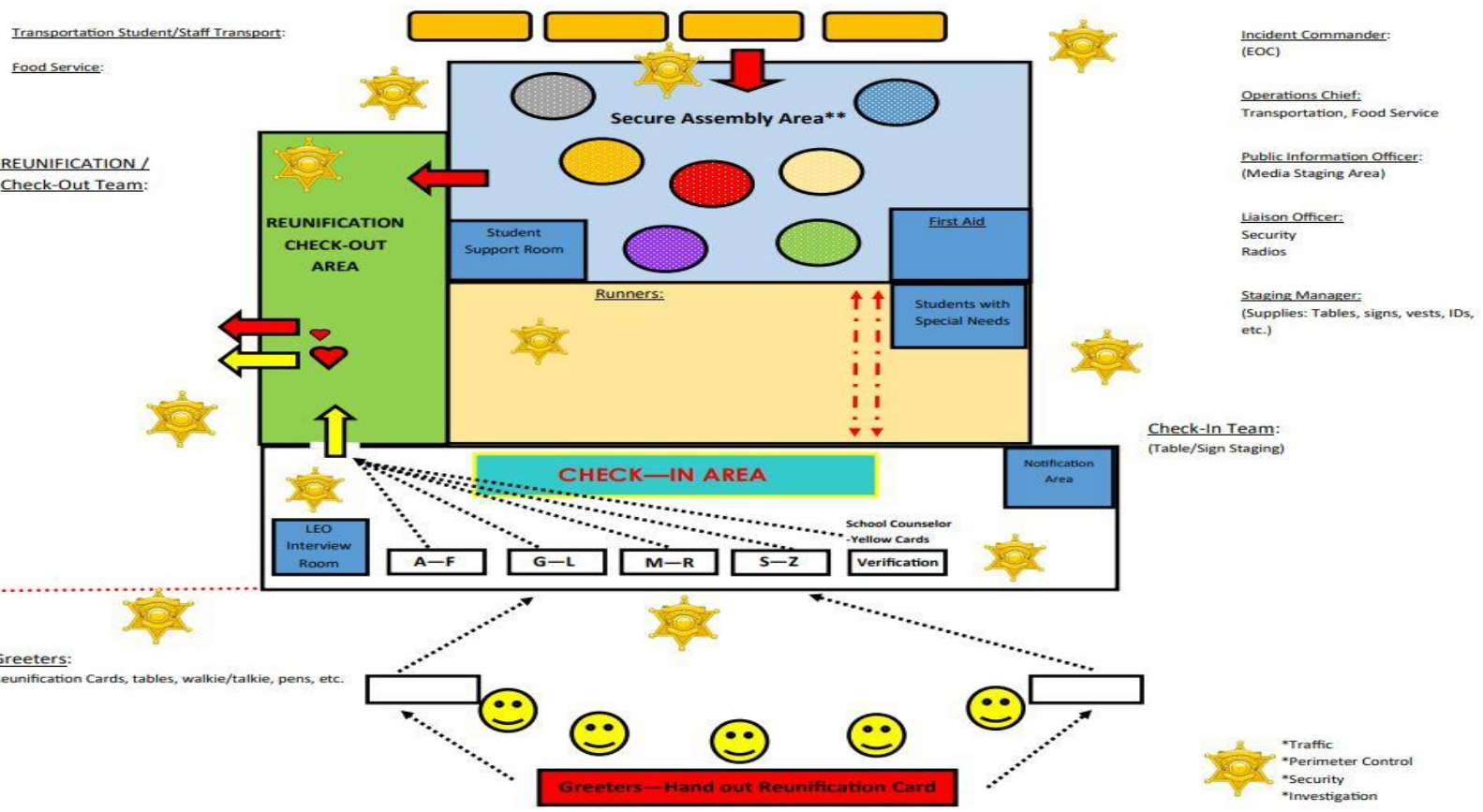
- Visit the \_\_\_\_\_ School district website at (website address) The home page will give critical information.
- Check your phone for messages from the school through our Messenger software or through our One-Call system.
- Tune in to local television networks.

In a school emergency, the first instinct as a parent or guardian is to pick up the telephone and start calling the school or rush to the school and get your student(s). The truth is this only complicates matters from a safety and security standpoint. Parents too close to an incident often hinder the rescue attempts of police and fire officials on the scene. The best action parents can take in an emergency is to stay close to their phone to receive messages or instructions, and to monitor local television reports for updates and instructions.

**Question: How can I be reunited with my child(ren)?**

**Answer:** Whether students are at their regular school or relocated to another site for family reunification, the reunification site will be announced by a districtwide "One-Call" message and posted on the district's website. Local radio and television stations will also announce the location to pick up your child(ren). The reunification process can be time-consuming, so parents are urged to be patient.

# Sample Parent Guide





## Reunification Information (PLEASE PRINT CLEARLY)

Have photo identification out and ready to show school district personnel.

Student Name .....

Student Grade ..... Student Cell Phone Number .....

Name of person picking up student .....

Signature .....

Phone number of person picking up student .....

Relationship to student being picked up .....

Photo identification matches name of person picking up student? Y or N

### Parent completes:

Print Student Name Again .....

Student Grade .....

Student Birthday .....

School personnel completes upon release of student

TIME

INITIALS

OTHER

## Reunification

First, we want to thank you for your patience during this reunification. We share the same goal during this process: Getting you and your student back together as quickly as possible. The reason we're going through this is that an event has occurred at the school that mandates we personally reunite you with your child.

## Instructions

1. Please complete the information on the other side of this card.
2. Prepare identification (If you don't have ID with you, please move to the side of the line, it may take a little longer to verify your identity.)
3. Select the check-in line based on either student last name or student grade.
4. After check-in, staff will split this card and a runner will be sent to recover your student. Please step over to the Reunification Location.
5. If there has been injury or other concerns, you may be asked to meet a counselor.
6. Please don't shout at school or district staff. We'll get through this as quickly as possible.

### Parent Guardian Sign Off

I have read and understand these instructions.

Print Your Name ..... Date .....

Signature .....



# Información de Reunificación (POR FAVOR IMPRIMA CLARAMENTE)

Tenga identificación con foto disponible para mostrarle al personal del distrito escolar.

Nombre del Estudiante .....

Grado del Estudiante..... Número del Celular del Estudiante .....

Nombre de la persona que recoge al estudiante .....

Firma .....

Número de teléfono de la persona que recoge al estudiante .....

Relación al estudiante recogido.....

¿La identificación de foto encaja con el nombre de la persona que recoge al estudiante? Sí o No

## Para completar por el padre:

Imprima el Nombre del Estudiante Otra Vez .....

Grado del Estudiante .....

Cumpleaños del Estudiante.....

El personal escolar completa tras la liberación del estudiante.

OTRO

TIEMPO

INICIALES

Danf

## Reunificación

Primero, queremos agradecerle su paciencia durante esta reunificación. Compartimos la misma meta durante este proceso: Reunirlo a Ud. y a su estudiante lo más rápido posible. La razón por la cual estamos haciendo esto es que un acontecimiento ha ocurrido en la escuela que nos manda a juntarle personalmente con su niño.

## Instrucciones

1. Por favor complete la información del otro lado de esta tarjeta.
2. Prepare su identificación (si usted no tiene identificación con usted, por favor muévase al lado de la línea/fila, puede tomar un poco verificar su identidad.)
3. Seleccione la fila de registro basada en apellido del estudiante o grado del estudiante.
4. Después del registro, el personal partirá esta tarjeta en dos y un corredor será enviado para traer a su estudiante. Por favor camine hacia la ubicación de reunificación.
5. Si ha habido una lesión u otras preocupaciones, puede pedirle reunirse con un consejero.
6. Por favor no le grite al personal de la escuela o del distrito. Completaremos esto lo más rápido posible.

## Firma del Padre o Tutor

He leído y entiendo estas instrucciones.

Imprima su Nombre.....Fecha.....

Firma.....



# Response After Tragedy

## Considerations

1. How will you provide transparency to stakeholders?
2. When can you return to school?
3. What mental health services will you provide?
  - a. Students
  - b. Staff
  - c. Tier 1, 2, and 3
  - d. How will people access the services?
  - e. How will you track services?
4. What is expected in the classroom?
  - a. Academic
  - b. Behavior
  - c. Social Emotional
5. What is expected with Extra Curriculars?
  - a. Are you canceling?
  - b. When will you participate?
  - c. Will you host events?
6. What will be provided during breaks?
  - a. Short Term Breaks?
  - b. Summer Break?

# Website



- FEATURED TOPICS
- RESOURCES BY ROLE
- SCHOOL SAFETY ISSUES
- EMERGENCY PROCEDURES
- SAFE SCHOOL ASSESSMENTS
- TRAINING & COMPLIANCE
- RESOURCES & RESPONDERS
- REPORTS



## Safe Schools Coordinator

- Ask KCSS
- Back to School Safety Checklist
- Emergency Procedures
- Hotlines
- KCSS Annual Report
- KCSS Calendar
- KCSS Materials Request Form
- KCSS News
- KCSS Resources
- KCSS Resources Handout
- KY Safe Schools Week
- Memorandum of Agreement Samples
- Professional KY Listserv
- Reunification Resources
- Safe School Assessments and Reports
- Safe Schools Planning Calendar by Month
- Safety Requirements for Schools
- School Safety Data Report
- School Safety Issues
- Suicide and Prevention Response
- Threat Assessment Protocol
- Training and Compliance
- Winter Safety at School

# 4<sup>th</sup> Amendment (Search & Seizure) Concerns/Common Issues

Presented by:

John Powell, General Counsel  
Kentucky School Boards Association

# Quick Overview of Search and Seizure

Presented by **John Powell**, KSBA

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# 4<sup>th</sup> Amendment to the US Constitution

- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

# Policy 09.436

- No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law. Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

# Expectation of Privacy

- “In any realistic sense, students within the school environment have a lesser expectation of privacy than members of the population generally. . . . However . . . students properly are afforded some constitutional protections. In an often quoted statement, the Court said that students do not ‘shed their constitutional rights ... at the schoolhouse gate.’” *New Jersey v. T.L.O.*, 469 U.S. 325, (1985) quoting *Tinker v. Des Moines Ind. . School District*, 393 U.S. 503, (1969).

# Standard Required

- Law enforcement must have probable cause
  - Probable cause is a higher standard than reasonable suspicion. Probable cause means that the police officer not only has a suspicion that a crime has been or is being committed, but also has actual knowledge that the crime has been or is being committed.
- School employees must have reasonable suspicion
  - Reasonable suspicion is a reasonable presumption that a crime/violation has been, is being, or will be committed. It is a reasonable belief based on facts or circumstances informed by experience. Reasonable suspicion is seen as more than a guess but less than probable cause.



# Reasonable Suspicion

- “Determining the reasonableness of any search involves a twofold inquiry: first, one must consider whether the action was justified at its inception; second, one must determine whether the search as actually conducted was reasonably related in scope to the circumstances which justified the interference in the first place.” *New Jersey v. T.L.O.*, 469 U.S. 325, (1985).

# Inception

- “A student search is justified in its inception when there are reasonable grounds for suspecting that the search will garner evidence that a student has violated or is violating the laws or the rules of the school, or is in imminent danger of injury on school premises.” *Brannum v. Overton Cnty. Sch. Bd.*, 516 F.3d 489, (6<sup>th</sup> Cir. 2008).

# Scope

- When reasonable at inception the search will be “permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.” *New Jersey v. T.L.O.*
- “[T]he nature and immediacy of the concern that prompted the search is considered.” *Brannum v. Overton Cnty. Sch. Bd.*
- School employees must have “a moderate chance of finding wrongdoing.” *Safford United Sch. Dist. v. Redding*, 557 U.S. 364 (2009)

# Considerations

- Student's age, history and record at school
- Seriousness of the violation
- Timeliness of search
- Credibility of sources
- Intrusiveness of search

# Considerations

- Search ONLY where what you are looking for might be located
- Anything found during a reasonable search is legal
- Document the facts supporting the reasonable suspicion
- Reasonableness of the search will be judged on what school employee knew when the search occurred, not after (NO FISHING EXPEDITIONS)

# Consensual Searches

- Waiver of rights must be knowing and voluntary
- Get waiver in writing
- No undue influence or threats allowed
- Student should be permitted to call parents if requested

# Search of Person

- Governed by reasonableness standard
- Pat down of outer clothing generally accepted
- When possible, the pat down should be conducted by a school employee that is the same sex as the student
- A witness should be present for the pat down
- Policy 09.436 requires school principal to grant authority to conduct pat down
- Strip searches are NOT RECOMMENDED and Policy 09.436 doesn't allow it – See *Safford United Sch. Dist. v. Redding*, 557 U.S. 364 (2009)

# Lockers

- Students have an expectation of privacy
- Reasonable suspicion standard applies
- Courts have held that lockers can be searched if students are given notice or urgent circumstances exist
- Best practice is to have student present when locker is searched
- Note that the expectation of privacy is greater with backpacks and purses



# Drug Testing

- Random urinalysis testing for students participating in athletics, extracurricular activities or other school privileges (e.g., driving to school) is constitutional
- Must have reasonable suspicion to drug test a student otherwise
- See policy 09.423

# Laptop Computers and Tablets

- If the student owns the laptop and that school district permits use at school, then individualized reasonable suspicion is required to search (like with a backpack or cell phone)
- If the school district owns the laptop, school employees can probably search the laptop anytime (no case directly on point with this)

# Cell Phones

- The reasonableness standard applies
- Must be individualized suspicion because of the elevated expectation of privacy (can't search phone simply b/c student violated cell phone policy)
- Law enforcement officers are required to obtain a warrant
- Similar to other personal electronic devices
- Scope of search also matters (what data will be searched?)

# Possible Consequences of Illegal searches:

- Bad publicity
- Hinder necessary student discipline
- Cause the need for employee discipline
- Cause a potential criminal prosecution to be jeopardized
- Cause a Federal 1983 action with an award for punitive damages and/or attorney's fees
- Increase insurance premiums

# Current Practice/Protocol – Marshal's Office

Presented by:

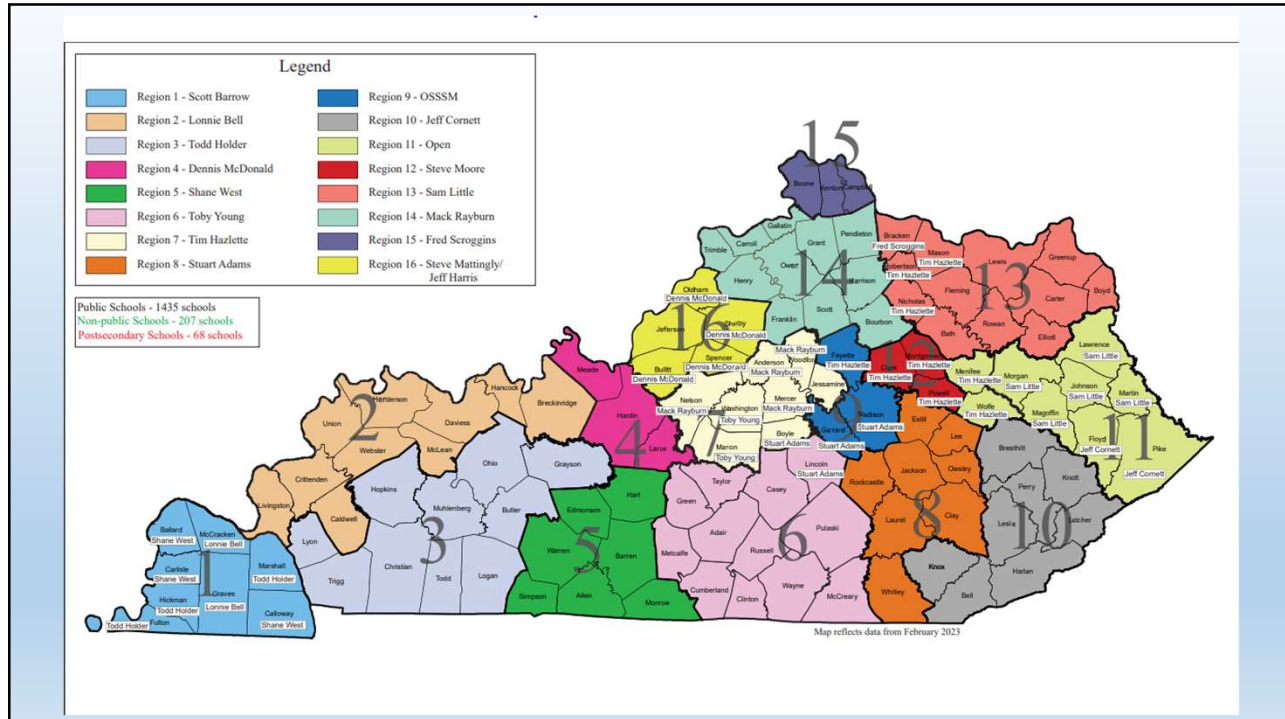
Ben Wilcox, State School Security Marshal



# OFFICE OF THE STATE SCHOOL SECURITY MARSHAL

## DEPARTMENT OF CRIMINAL JUSTICE TRAINING

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## COMPLIANCE SUPERVISORS

- West Region- Scott Barrow
- East Region- Steve Moore
- North Region- Steve Mattingly
  
- Compliance Link  
<https://www.docjt.ky.gov/state-school-security-marshall>



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## Risk Assessment Protocols

- Each school should have a copy of the most recent risk assessment.
- Schools should fill out assessments prior to compliance officer arrival.
- **Please contact your assigned compliance officer to help maintain communication.**
- Completed risk assessments are emailed to the SSC **ONLY**.
- Exemptions will be approved on an individual basis. Request will start with assigned compliance officer.

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## 2023-2024 Updates

- 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 risk assessment for the previous year.
- An email will be sent to all SSC's with a mailbox link and short form to complete. This will verify completion of the risk assessment for the previous year. This mailbox will be assessable by the OSSSM and KDE. Superintendent confirmation can be in electronic form.

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## 2023-2024 Updates

- Closed and locked door exemptions to KRS 158.162(3)(d)(5)
  - Exemptions for the 2022-2023 school year will expire on June 30, 2023
  - Compliance officers will start contacting schools in July of 2023 to re-submit exemptions for approval
- Onsite risk assessments for the 2023-2024 school year will begin as districts start back in-person classes
- A monthly report will be sent to the Kentucky Department of Education with schools that are found to be non-compliant of KRS 158.162(3)(d) Access Control

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## Updates Continued

- If a school is non-compliant with 158.162(3)(d):
  - It is the responsibility of the **SSC** to contact the compliance officer and advise that the school is ready to be reassessed.
    - Examples of preparation for reassessment:
      - Meeting with staff
      - Correction or upgrade to facility to bring school into compliance
  - The next monthly report will update schools that are now in compliance and those schools that will need to stay on the non-compliant list.

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- 501 KAR 7:010. OSSSM will investigate complaints received regarding the School Safety and Resiliency Act
- Complaints received will be assigned to a regional supervisor
- Supervisors will assign a compliance officer to investigate
- Supervisor or designee will contact the district SSC with the findings of the investigation
- The risk assessment will be updated to reflect the findings of the investigation if necessary

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OFFICE OF THE STATE  
SCHOOL SECURITY MARSHAL

DEPARTMENT OF CRIMINAL JUSTICE TRAINING

- Tips for successful risk assessments:
  - Know the mandates of the School Safety and Resiliency Act
  - Meet with assigned compliance officer if there are any questions
  - The School Safety and Resiliency Act requires SSC's to train principals on the risk assessment tool
  - Visit schools to make sure mandates are followed
  - Ensure principals are aware of the mandates and work to create a culture of safety and security
  - Provide support for school climate that embraces school safety
  - Reach out to the Marshal's office for assistance with training/presentations

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- Emergency Plans Shall include "A written cardiac emergency response plan."
- The emergency plan shall be provided to appropriate first responders and **all school staff**.
- The emergency plan shall be reviewed following the end of each school year by the **school nurse**, school council, the principal, and first responders and revised as needed.

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all: Licensed athletic trainers, school nurses, and athletic directors; and Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- Maintain a portable automated external defibrillator in a public, readily accessible, well-marked location in every middle and high school building and, as funds become available, at school-sanctioned middle and high school athletic practices and competitions and:
  - Adopt procedures for the use of the portable automated external defibrillator during an emergency;
  - Adopt policies for compliance with KRS 311.665 to 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable automated external defibrillator in accordance with KRS 311.667; and
- Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable automated external defibrillator. The plan shall:
- Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable automated external defibrillator, a cardiac emergency response plan, and access to and plan for emergency transport; and

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.

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## LEGISLATIVE CHANGES STARTING IN 2023

- House Bill 331- AED and Event Emergency Plans
- 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; and
- **The emergency response plan rehearsal by simulation required by subsection (2) of this section and the venue-specific emergency action plan rehearsal by simulation required by subsection (5) of Section 4 of this Act prior to the beginning of each athletic season.**

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## LEGISLATIVE CHANGES STARTING IN 2023

- Senate Bill 101- Peace Officer Contracts
- If a deputy sheriff or peace officer who has entered into a contract authorized under this subsection accepts employment as a peace officer with another law enforcement agency, **including a local school board that has established a police department under KRS 158.471**, that law enforcement agency shall **reimburse** the law enforcement agency that initially hired the deputy sheriff or peace officer for the **actual costs** incurred and expended by the law enforcement agency that initially hired the deputy sheriff or peace officer which are associated with the initial hiring of that officer, including but not limited to the application process, training costs, equipment costs, salary and fringe benefits. The law enforcement agency that initially hired the deputy sheriff or peace officer shall be **reimbursed** for the costs from the time of the deputy sheriff or peace officer's initial application until graduation from the Department of Criminal Justice Training.

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## LEGISLATIVE CHANGES STARTING IN 2023

- Senate Bill 101- Peace Officer Contracts
- (a) The local board of education may, as a condition of employment, require a newly appointed department officer to enter into an employment contract for a period of no longer than five (5) years from the date of appointment. (b) If a department officer who entered into a contract authorized under this subsection accepts employment as a peace officer with another law enforcement agency, that **law enforcement agency shall reimburse the local board of education** that initially hired the department officer for the actual costs incurred and expended by the local board of education that are associated with the initial hiring of that department officer, including but not limited to the application process, training costs, equipment costs, salary, and fringe benefits. The local board of education that initially hired the department officer shall be reimbursed for the costs from the time of the department officer's initial application until appointment.

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## CONTACT:



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