

## KENTUCKY SCHOOL UPDATES

# SCHOOL SAFETY AND SCHOOL HEALTH

## THE BASICS OF THE LAW

- The 1998 General Assembly passed a **school safety bill** to provide every student access to a safe, secure, and orderly school that is conducive to learning. It has many provisions including the following:
  - ✓ Schools and districts must have **plans, policies, and procedures** for assisting students who are at risk of school failure and who engage in disruptive or disorderly behavior.
  - ✓ The **Kentucky Center for School Safety (KCSS)** is located at Eastern Kentucky University. KCSS is a collaborative effort that includes the Kentucky School Boards Association, the University of Kentucky and Murray State University. Its mission includes serving as a central point for data collection, analysis, and research, distributing information about research and safety programs, and providing technical assistance and training for schools and communities. This center is governed by a board of directors appointed by the governor, representing most agencies that deal with children. This board reports to the Secretary of the Education, Arts, and Humanities Cabinet in the governor's office.
  - ✓ The Kentucky Department of Education is responsible for **establishing and maintaining a statewide data collection system** for information related to school violence, possession of weapons or drugs, student arrests, and the number of suspensions, expulsions, and uses of corporal punishment. It is responsible for setting discipline code guidelines and for awarding grants to districts to establish alternative education programs. The department also works collaboratively with the Kentucky Center for School Safety to develop, promote, and disseminate information about school safety.
  - ✓ **Schools and school districts must assess their school safety and student discipline** guidelines and develop school safety plans. The Kentucky Center for School Safety encourages schools and districts to review and revise these plans on a regular basis. Districts are also encouraged to engage the community and other agencies in planning for possible emergencies, working to keep schools safe and communicating with the public.
  - ✓ School boards must adopt **district codes of acceptable student behavior and discipline codes**, reference them in all school handbooks for parents and students, and post them in all schools. Those policies must include immediately addressing situations when students have or sell drugs or controlled substances at school or who have physically assaulted, battered, or abused staff or students at school or school functions; or who bring weapons to school, which requires disciplinary

actions up to and including expulsions. Student who bring weapons to school must be expelled for a period not less than one calendar year. All school employees and parents shall be provided a copy of the codes.

- ✓ School boards must establish a process for a two-way communication system for teachers and staff to notify administrators of an emergency.
  - ✓ Students who have been expelled must be offered educational services in an alternative school program, unless there is clear and convincing evidence that they posed a threat to the safety of students or school staff or that the student cannot be placed in a state-funded agency program.
  - ✓ Exceptional children cannot be suspended or expelled if the behavior is related to their disability, unless there is a threat to the safety of other students, staff, or themselves. In that case, they must be placed in an alternative program or receive alternative services.
  - ✓ Primary school students shall not be suspended unless their presence poses a safety threat to other children, staff, or themselves.
  - ✓ Principals are required to report to law enforcement officials any assault causing serious injury or involving a weapon, sexual offense, kidnapping, drug or illegal controlled substance offense, or school property damage.
  - ✓ Certain school staff have access to more information from the courts about violent offenders who are enrolled in their school. Courts must notify principals within five days when students are convicted of such offenses.
- In an effort to assure student safety, all newly hired certified staff (teachers, principals, and other administrators) are required to have both state and national criminal records checks. State criminal records checks are required for all classified employees (secretaries, custodians, bus drivers, and so on) and volunteers who have contact with students on a regularly scheduled or continuous basis, or who have supervisory responsibility for students at school or on school-sponsored trips.
  - In 2001 a new law defined the crime of **terroristic threatening** in the first, second, and third degrees. It increased penalties for bomb threats or other false statements that would cause the evacuation of buildings (such as fire alarms) and for making threats about killing or injuring people on school property or at school functions. It also increased penalties for use of bombs or weapons of mass destruction resulting in injury to others, and use of such weapons in schools or government agencies even if no one is injured.
  - Senate Bill 85 enacted in 2004 doubled the fines for speeding in a school zone where flashing lights have been installed.

- **Safe and Drug-Free Schools**, a provision of the federal No Child Left Behind law, (Title IV, Part A) allows parents of students who are victims of violence at school or who attend a “persistently dangerous school” to transfer to a safer public school. States must define “persistently dangerous.” Schools applying for Title IV funds must involve parents in establishing and carrying out these programs.

## RESULTS

- School districts each receive \$20,000 plus a per pupil amount to improve school safety and student discipline through alternative education programs and other services. Funds have been reduced from a high of \$12 million/year to \$10.3 in 2006-07 and 2007-08. These funds have been included in the “flexible fund” category, meaning school districts can use some of these funds for other programs.
- The Kentucky Center for School Safety has a clearinghouse and website for safe school information, provides support for student “anti-violence” groups, has developed a School-Centered Emergency Management Guide along with a training program, and is working to support and improve alternative education sites throughout the state. See below for contact information.
- The Kentucky Center for School Safety has collected data since 1998-99. Reports are available on the website. Statewide, overall board policy violations (offenses that break board policy but do not break the law) decreased between 2003-04 and 2004-05 (85,714 to 83,002). However that is an increase from 80,949 in 2002-03. Law violations (offenses that break the law) also declined from 6,028 to 5,376 from 2003-04 to 2004-05, continuing a decrease from 2002-03 when it was 7,692. Possession of firearms incidents decreased from 49 to 23 during that time period although possession of other weapons remained relatively stable (259 in 2002-2003 to 255 in 2004-2005) In 2004-05 211 students were expelled for law violations compared to 271 in 2003-04 and 237 in 2002-03. Out-of-school suspensions for board violations increased from 76,888 in 2002-03 to 79,717 in 2004-05. Drug abuse violations declined significantly from 2003-04 to 2004-05 (3,198 in 2003-04 to 2,501 in 2004-05 and slightly from 2002-03, when there were 2,617 drug abuse violations.
- Males are approximately three times more likely than females to receive disciplinary actions for both board and law violations (74% v. 26% for board violations and 72% v. 28% for law violations in 2004-2005).
- A disproportionate number of African-American students receive disciplinary actions for board violations; African-American students received 20.55% of all disciplinary actions while constituting only 10.48% of the student population in 2004-05.

## WHAT'S NEW?

- The Kentucky Center for School Safety is collecting more detailed information about violations and disciplinary action including grade levels, student eligibility for the free or reduced lunch program, the time of day and location of incidences, and so on. This may help schools as they work to improve school safety.
- Parent Aggression Study: A state-wide survey of educators was conducted by the Kentucky Center for School Safety to: determine the extent of uncivil parental/guardian behavior being directed toward teachers and school officials; heighten public awareness if parental aggression was determined to have become a problem in schools; partner with the appropriate agencies to equip parents and educators (through professional training) to form cooperative and productive working relationships; and encourage local boards of education to revisit their “civility” policies in an effort to reacquaint parents and the community with this board policy.

The survey results revealed that the vast majority of educators have had more positive interactions with parents/guardians than negative. However, there are a number of parents who have behaved in an aggressive manner toward educators.

The Kentucky Center for School Safety will continue to work to promote safe and healthy learning environments for students and school personnel.

## School Health

- New state and federal laws require schools to plan **to improve student health**. Federal law requires school districts to adopt local wellness policies. State law requires districts to assess school nutrition and the physical activity environment and report to the local board, school councils and parents by November 30 each year. The local board must prepare a plan for improving nutrition and physical activity and present it to the community in a public meeting on or before January 31 each year. Schools districts are encouraged to incorporate this plan into their Comprehensive District Improvement Plan.
- **School councils in elementary schools** (any school with students in kindergarten through grade five or any combination of those grades) **must adopt a wellness policy**, providing for daily physical activity and encouraging healthy choices. Schools may use up to 30 minutes of the instructional day to meet this requirement. Councils must also adopt an assessment tool to measure each child's physical activity. (Federal law enacted 2004; state law enacted 2005.)
- The Kentucky Board of Education is required to specify the minimum nutritional standards for all foods and beverages that are sold to students during the school day in competition with school breakfast and lunch programs.
- "School-day-approved" beverages allowed by state law include water, 100% fruit juices, low fat milk and anything containing no more than 10 grams of sugar per serving.

- There is a limit of 17 ounces on the size of beverages sold to elementary students and 20 ounces for middle and high school students.
- Foods prohibited include anything that is more than 32 % sugar by weight and anything that contains more than 30% of its calories from fat. This applies to elementary, middle and high schools.
- These items cannot be available until at least 30 minutes after the last lunch period.
- Schools that violate these rules are will be subject to fines of up to six months of revenue from food and beverage sales not including school breakfast and lunch program. These rules begin with the 2006-07 school year.

## WHAT YOU CAN DO TO HELP

- ★ **Become familiar** with your district and school discipline codes and safety plans, recognize the challenges schools face, and support your school leaders as they work to maintain safe learning environments.
- ★ **Offer** to serve on the school or district committees studying safety and discipline issues.
- ★ **Visit the Kentucky Center for School Safety Web site** for the latest information and resources on school safety at <http://www.kysafeschools.org/>.
- ★ **Get a copy** of the Partnership for Successful Schools' two toolkits to use in your school. *Turn Up the Volume: The Students Speak* toolkit offers schools and school communities guidance on how to plan and carry out strategies for listening to and talking with students about how they experience school, teaching, and learning. *How Students Learn Best: In Safe and Welcoming Schools* outlines research on the relationship between safe and welcoming schools, employee strategies for creating a welcoming school environment, and characteristics of a welcoming school. See below for contact information.
- ★ **Provide** nutritious meals and snacks for your children to set an example and support the school health initiatives.
- ★ **Work** with your PTA/PTO/PTSA to plan programs that inform parents and solicit the assistance of parents in establishing a safe and orderly environment in your school.

### **FOR MORE INFORMATION, CONTACT**

- **Kentucky Center for School Safety**, Eastern Kentucky University, (877) 805-4277 or visit the Web site at <http://www.kysafeschools.org/>.
- **Kentucky Department of Education**, (502) 564-4772 or (502) 564-4770 or visit the Web site at <http://www.education.ky.gov/KDE/Default.htm>.
- **Prichard Committee for Academic Excellence**, P.O. Box 1658, Lexington, KY 40588-1658; (859) 233-9849 or (800) 928-2111; e-mail: [admin@prichardcommittee.org](mailto:admin@prichardcommittee.org) or visit the Web site at <http://www.prichardcommittee.org/>.

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