

## 2016 Kansas Statutes

**72-89d02. Definitions.** As used in K.S.A. 2016 Supp. 72-89d01 through 72-89d07, and amendments thereto:

- (a) "Appointing authority" means a group of persons empowered by statute to make human resource decisions that affect the employment of officers.
- (b) "Campus police officer" means a school security officer designated by the board of education of any school district pursuant to K.S.A. 72-8222, and amendments thereto.
- (c) "Chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.
- (d) "Commissioner" means the commissioner of education.
- (e) "Complaint" means a written document that a parent files with a local board as provided for in this act.
- (f) "Department" means the state department of education.
- (g) "Emergency safety intervention" means the use of seclusion or physical restraint, but does not include the use of time-out.
- (h) "Hearing officer" means the state department employee designated to conduct an administrative review.
- (i) "Incident" means each occurrence of the use of an emergency safety intervention.
- (j) "Law enforcement officer" and "police officer" means a full-time or part-time salaried officer or employee of the state, a county or a city, whose duties include the prevention or detection of crime and the enforcement of criminal or traffic law of this state or any Kansas municipality. This term includes a campus police officer.
- (k) "Legitimate law enforcement purpose" means a goal within the lawful authority of an officer that is to be achieved through methods or conduct condoned by the officer's appointing authority.
- (l) "Local board" means the board of education of a district or the governing body of any accredited nonpublic school.
- (m) "Mechanical restraint" means any device or object used to limit a student's movement.
- (n) "Parent" means: (1) A natural parent; (2) an adoptive parent; (3) a person acting as a parent as defined in K.S.A. 72-1046(d)(2), and amendments thereto; (4) a legal guardian; (5) an education advocate for a student with an exceptionality; (6) a foster parent, unless the student is a child with an exceptionality; or (7) a student who has reached the age of majority or is an emancipated minor.
- (o) "Physical escort" means the temporary touching or holding the hand, wrist, arm, shoulder or back of a student who is acting out for the purpose of inducing the student to walk to a safe location. Physical escort shall not be considered an emergency safety intervention.
- (p) "Physical restraint" means bodily force used to substantially limit a student's movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.
- (q) "School" means any learning environment, including any nonprofit institutional day or residential school or accredited nonpublic school, that receives public funding or which is subject to the regulatory authority of the state board of education.
- (r) "School resource officer" means a law enforcement officer or police officer employed by a local law enforcement agency who is assigned to a district through an agreement between the local law enforcement agency and the district.
- (s) "School security officer" means a person who is employed by a board of education of any school district for the purpose of aiding and supplementing state and local law enforcement agencies in which the school district is located, but is not a law enforcement officer or police officer.
- (t) "Seclusion" means placement of a student in a location where all the following conditions are met:
  - (1) The student is placed in an enclosed area by school personnel;
  - (2) the student is purposefully isolated from adults and peers; and
  - (3) the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.
- (u) "State board" means the Kansas state board of education.
- (v) "Time-out" means a behavioral intervention in which a student is temporarily removed from a learning activity without being secluded.

**History:** L. 2015, ch. 72, § 2; L. 2016, ch. 77, § 1; July 1.