

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 336

48th Legislature, 1st Session, 2007

Short Title: School Emergency Drill Standards

Sponsor(s): Senators William E. Sharer and Mark L. Boitano

Analyst: David Harrell

Date: February 1, 2007

Bill Summary:

SB 336 amends the *Public School Code* relating to emergency drills in public and private schools to require that half of the drills during the year be shelter-in-place and the other half be evacuation drills for fire or other emergencies. The bill also requires that each emergency drill be observed by the appropriate authority – a member of the fire department, a police force with jurisdiction, the federal Department of Homeland Security, or some other authority that the Public Education Department (PED) thinks is appropriate – for the purpose of giving instruction and constructive criticism. Finally, SB 336 specifies that the school principal or a person acting in a similar capacity is responsible for implementing the law.

Fiscal Impact:

SB 336 makes no appropriation.

Issues:

This bill amends a section of statute that, until 2005, had been unchanged since 1979.

During the 2003 interim, the Legislative Education Study Committee (LESC) heard testimony from the School Safety Task Force on a wide range of school safety issues. One of the recommendations of the task force was that, to address the potential for dangerous or violent incidents that schools face in the wake of recent school shootings and the terrorist attacks on September 11, 2001, schools must practice emergency drills other than the standard fire drills. Thus, the committee endorsed legislation in 2004 to amend the fire drill statute to require, without increasing the total number of drills, that public and private schools conduct two shelter-in-place drills and one evacuation drill during the school year, as directed by PED, along with the standard fire drills. This legislation also requested that a member of the local fire department, whether paid or volunteer, be in attendance for the purpose of giving instruction and constructive criticism. As the State Fire Marshal explained, in a real emergency of any kind, the local fire department is likely to be the first on the scene and should, therefore, be afforded the opportunity to participate in or observe the drills. Although the Governor vetoed the 2004 bill, he signed identical legislation in 2005.

Now, SB 336 further amends this statute to divide the drills evenly between shelter-in-place and evacuation drills for fires or other emergencies (six of each). The bill also requires that each drill be observed by one of the authorities noted above; therefore, the provision in current law that PED determine penalties for anyone who fails to meet the provisions would apply not only to school personnel but also to a member of the fire department, a police force with jurisdiction, or the federal Department of Homeland Security.

The PED analysis of SB 336 notes that neither the department nor a school principal has the authority to require these officials to be present or to assess penalties against them for noncompliance.

Finally, the requirement in SB 336 that one of these officials be in attendance for each drill may pose administrative or fiscal issues for their respective departments.

Related Bills:

None