

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 989 School Emergency Procedures

SPONSOR(S): K-12 Subcommittee, Rodrigues

TIED BILLS: HB 991 **IDEN./SIM. BILLS:** SB 790

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee	10 Y, 0 N, As CS	Beagle	Ahearn
2) Education Committee	18 Y, 0 N	Beagle	Mizereck

SUMMARY ANALYSIS

Florida law requires each district school board to formulate policies and procedures for emergency response drills and actual emergencies. These policies must include procedures for responding to various emergencies, such as fires, natural disasters, and bomb threats.

The *Safety and Security Best Practices* (Best Practices) is a self-assessment tool that each school district must use to annually assess the effectiveness of district emergency response policies. Each district school superintendent must make recommendations to the school board for improving emergency response policies based upon the self-assessment results. The self-assessment results and superintendent's recommendations must be addressed in a publicly noticed school board meeting and revisions made to policies and procedures must be reported to the Commissioner of Education within 30 days.

The bill revises provisions relating to school district policies and procedures for emergency drills and actual emergencies to instead require that such policies and procedures encompass "emergency lock down drills" and "emergency evacuation drills." The bill defines:

- "Evacuation drill" as an "activity in which students and faculty practice the safest and quickest way to evacuate a school facility in case of an emergency."
- "Lockdown drill" as an "activity in which students and faculty practice securing a school facility or rooms within the facility in case of an emergency in which hiding from a hostile danger is generally deemed safer than evacuating the building."

Emergency policies and procedures must require that emergency lockdown drills be conducted at least as often as emergency evacuation drills. However, the bill states that school districts are not required to increase the total annual number of emergency drills conducted at a school. The bill encourages local law enforcement or fire personnel to participate annually in at least one emergency lockdown drill per school, review its execution, and submit recommendations to the school for improving lockdown procedures. The bill requires each school to designate the principal or a staff member as the person responsible for overseeing the school's emergency drills and submitting after-drill reports to the school district.

The bill does not have a fiscal impact on state or local governments.

The bill takes effect July 1, 2013.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Emergency Drills and Procedures

Florida law requires each district school board to formulate policies and procedures for emergency response drills and actual emergencies. These policies must include procedures for responding to various emergencies, such as fires, natural disasters, and bomb threats. Commonly used alarm system responses for specific types of emergencies must be incorporated into such policies.¹

The *Safety and Security Best Practices* (Best Practices) is a self-assessment tool that each school district must use to annually assess the effectiveness of district emergency response policies. The self-assessment is developed by the Office of Program Policy Analysis and Government Accountability. Among other “best practices,” the self-assessment suggests that school districts:

- Implement procedures for emergency drills including procedures for verifying that regular drills are conducted and varying the time and conditions for such drills to prepare for a range of scenarios.
- Develop a checklist with step-by-step emergency procedures for use in every classroom which includes evacuation, lockdown, and shelter-in-place procedures developed in collaboration with local law enforcement, fire, and emergency response personnel.
- Share emergency plans, policies, procedures, and educational facilities floor plans with local law enforcement agencies and fire departments.
- Share emergency plans and procedures with designated school and school district personnel, identify training for all types of school staff and staff that require specialized training, and incorporate such training into the Master Plan for In-Service Training.
- Use the annual self-assessment to identify the potential hazards for each educational facility and implement procedures for practicing responses to identified hazards.
- Review the comprehensive school safety plan and emergency procedures and revise them if necessary.²

Each district school superintendent must make recommendations to the school board for improving emergency response policies based upon the self-assessment results. The self-assessment results and superintendent’s recommendations must be addressed in a publicly noticed school board meeting. The results of the self-assessment and any school board action on the superintendent’s recommendations must be reported to the Commissioner of Education within 30 days after the school board meeting.³

Effect of Proposed Changes

The bill revises provisions relating to school district policies and procedures for emergency drills and actual emergencies to instead require that such policies and procedures encompass “emergency lock down drills” and “emergency evacuation drills.” The bill defines:

- "Evacuation drill" as an “activity in which students and faculty practice the safest and quickest way to evacuate a school facility in case of an emergency in which evacuation is generally the safest option.”

¹ Section 1006.07(4)(a), F.S. Additionally, district school boards must establish model emergency management and preparedness procedures for weapon-use and hostage situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure resulting from manmade emergencies. Section 1006.07(4)(b), F.S.

² Section 1006.07(6), F.S.; Florida Department of Education, *District Safety and Security Best Practices*, <http://www.fldoe.org/EM/security-practices.asp> (last visited March 12, 2013).

³ Section 1006.07(6), F.S.

- "Lockdown drill" as an "activity in which students and faculty practice securing a school facility or rooms within the facility in case of an emergency in which hiding from a hostile danger is generally deemed safer than evacuating the building."

Emergency policies and procedures must require that emergency lockdown drills be conducted at least as often as emergency evacuation drills. However, the bill states that school districts are not required to increase the annual number of emergency drills conducted at a school. The bill encourages local law enforcement or fire personnel to participate annually in at least one emergency lockdown drill per school, review its execution, and submit recommendations to the school for improving lockdown procedures.

The bill requires each school to designate the school principal or a staff member as the person responsible for overseeing the school's emergency drills. After a drill is completed, the designated staff member must electronically submit to the school district an after-drill report that details the specific drill that was conducted. Such report must include any feedback and recommendations for improvement offered by the school or participating law enforcement or fire personnel. The most recent after-drill reports must be reviewed by the designated staff member before each drill.

B. SECTION DIRECTORY:

Section 1. Amends s. 1006.07, F.S., relating to District school board duties regarding student discipline and school safety; requires policies and procedures for certain emergency drills; and prescribes requirements for after-drill reporting.

Section 2. Provides an effective date of July 1, 2013.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 18, 2013, the K-12 Subcommittee adopted two amendments to HB 989 and reported the bill favorably as a committee substitute. The amendments removed provisions requiring the Department of Education to prescribe a format for after-drill reports and provisions duplicating existing law regarding annual review and revision of school district emergency policies.