Ohio Legislative Service Commission

Bill Analysis

Carrie Burggraf

Sub. H.B. 178

130th General Assembly
(As Reported by H. Education)

Reps. Phillips, Hayes, Mallory, Strahorn, Reece, Fedor, Heard, Antonio, Bishoff

BILL SUMMARY

- Requires the principal or director of each public or private school to conduct (1) if the school has smoke detectors or a sprinkler system, six school fire drills and three school safety drills each year, or (2) if the school does *not* have smoke detectors or a sprinkler system, nine fire drills and three safety drills each year.
- Requires the principal or director to conduct one additional "theoretical" safety drill during the school year for faculty and staff.
- Adds rapid evacuation procedures to school safety drills.
- Requires safety drills that include student participation to (1) be conducted in conjunction with the local police chief or similar chief law enforcement officer, (2) be conducted pursuant to the school's comprehensive safety plan, and (3) for at least one of the three safety drills, involve a scenario where students are secured in the school building rather than rapidly evacuated.
- Requires the principal or director to conduct at least one fire drill or one safety drill during each month of the school year.
- Permits a school's principal or director to determine the exact date and time that each drill will be conducted and to conduct a fire drill and a safety drill during the same month of the school year.
- Requires a school's principal or director to provide certification by mail, facsimile, or electronic submission of the date and time that each safety drill was conducted during the previous school year and that each drill will be conducted during the current school year.

CONTENT AND OPERATION

Background on school fire and safety drills

Current law requires the principal or director of each public or private school that has an average daily attendance of 20 or more students to conduct fire drills. Fire drills must be held at least nine times during the school year. Schools must also provide for tornado drills.[1] Although the statute does not specify how many tornado drills must be conducted in a school year, a rule of the State Fire Marshall requires a tornado drill once each month whenever school is in session between April 1 and July 31.[2]

In addition, the principal or director of each public or private school must conduct a school safety drill. A school safety drill must instruct students in procedures to follow in situations where students must be secured in their building (rather than evacuated), such as a threat to the school involving terrorism, a person in possession of a deadly weapon or dangerous ordnance on school property, or other act of violence. At least one safety drill must be conducted each year on or before December 1.[3] The principal or director of each school must then provide written certification of the date and time that the required safety drill was conducted to the police chief or similar law enforcement officer by December 5 of each year.[4]

The bill makes several changes to the current law regarding school fire and safety drills.

School fire drills

Under the bill, if a public or private school has smoke detectors or a sprinkler system in all classroom buildings of the school, the principal or person in charge of that school must conduct at least six fire drills during the school year.[5] However, if the school does *not* have smoke detectors or a sprinkler system in each classroom building, the principal or director must conduct at least nine fire drills during the school year, which is the number of fire drills prescribed by current law for all schools.

---

[1] R.C. 3737.73(A) and (B).

[2] Ohio Administrative Code 1301:7-7-04(I)(2)(d).

[3] R.C. 3737.73(D).

[4] R.C. 3737.73(D)(2)(b).

[5] R.C. 3737.73(A).

Additionally, if the school does *not* have smoke detectors or a sprinkler system, the principal or director may choose to combine the nine required fire drills with the three required safety drills, so long as at least one of the safety drills provides a scenario where students are secured in the building rather than evacuated (see "**School safety drills**" below).[6]

School safety drills

The bill requires the principal or director of each public or private school to conduct at least three school safety drills during the school year, as well as one additional "theoretical" safety drill for faculty and staff.[7] The three safety drills that require student participation must be conducted in conjunction with the local police chief, similar chief law enforcement officer, sheriff, or a designee from the local law enforcement agency.[8] Meanwhile, the bill specifies that the theoretical safety drill does not need to include student participation and may be conducted at the annual training session for faculty and staff regarding safety drills.[9]

The bill also broadens the scope of safety drills to include instruction in procedures to follow where students must rapidly evacuate a building, as well as those where students must be secured in their building as under current law. However, at least one of the three safety drills that include student participation must still include a scenario where students are secured in the building rather than evacuated.[10]

All safety drills must be conducted pursuant to the school's comprehensive safety plan, which each school is required to adopt, submit, and continually update under current law.[11]

Notice of safety drills

The bill modifies the safety drill certification that each principal or director must submit to the police chief or similar law enforcement officer by December 5 of each year. Rather than certifying the one safety drill required under current law, the bill requires that the certification must include the date and time for both (1) the safety

---

[6] R.C. 3737.73(F).

[7] R.C. 3737.73(D)(1)(a) and (b).

[8] R.C. 3737.73(D)(1)(a).

[9] See R.C. 3737.73(D)(3), unchanged by the bill.

[10] R.C. 3737.73(D)(1)(a) and (F).

[11] R.C. 3737.73(D)(1)(c). See also R.C. 3313.536, not in the bill.

drills that were conducted during the *previous* school year and (2) each drill that will be conducted during the *current* school year. It also permits the certification to be provided by facsimile or electronic submission, in addition to by mail as under current law.[12]

Timing of fire drills and safety drills

Under the bill, the principal or director of each school must conduct at least one fire drill or one safety drill during each month of the school year. Additionally, the bill specifically permits the principal or director to conduct a fire drill and a safety drill during the same month, as well as to determine the exact date and time that each drill will be conducted.[13] Therefore, at least one type of drill must be conducted each month of the school year, but the exact date and time of each drill is left to the discretion of the school's principal or director, who may also choose to conduct both a fire drill and a safety drill in the same month, if desired.

HISTORY

ACTION	DATE
Introduced	05-28-13
Reported, H. Education	12-11-13

H0178-RH-130.docx/emr

[12] R.C. 3737.73(D)(2)(b) and (D)(4).

[13] R.C. 3737.73(E).