

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2318

SPONSOR: Senator Dawson

SUBJECT: School Emergency Preparedness

DATE: April 10, 2000 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

**I. Summary:**

The bill requires the school board to establish emergency management and emergency preparedness procedures to be followed by schools for the following life-threatening emergencies:

- weapon use/hostage situations;
- hazardous materials/toxic spills;
- weather emergencies (including hurricanes, tornadoes, and severe storms); and
- exposure as a result of a manmade emergency.

The Department of Education must adopt rules prescribing minimum standards and procedures for emergency management and preparedness drills.

District school boards must establish emergency procedures for life-threatening medical emergencies and adopt policies that prescribe procedures for emergency management and preparedness drills for each elementary and secondary school in the district. The bill provides an effective date (July 1, 2000.)

This bill amends s. 230.23, F.S., and s. 232.465, F.S. The bill also transfers s. 235.14, F.S., renumbers it as s. 232.475, F.S., and amends the provisions.

**II. Present Situation:**

The need for a current crisis plan and the frequent rehearsal of the plan for a wide variety of emergency situations was noted by both the Senate School Safety Task Force and the Select Commission on School Safety, convened by the Florida School Boards Association, Inc., and the Florida Sheriffs Association.<sup>1</sup> Following the damage caused by Hurricane Andrew in 1992, the Florida Department of Education developed a guide entitled, *Natural Disaster and Crisis*

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<sup>1</sup> *Keeping Schools Safe*, Florida Select Commission on School Safety, Florida School Boards Association and the Florida Sheriff's Association, 1999.

*Management in School Districts and Community Colleges*, for disaster preparedness planning and management for all types of disasters. The Department of Education has recently sponsored a series of regional meetings on critical incident prevention, planning and preparedness. The meetings were a result of a partnership with the Florida Association of District School Superintendents, the Florida School Boards Association, the Florida Department of Law Enforcement, the Office of the Attorney General, and the Department of Community Affairs/Division of Emergency Management.

Some school districts have developed emergency management plans that provide specific protocols for handling different types of emergencies. Seminole County School District's emergency management plan, for example, includes procedures for handling bomb threats, chemical spills, guns and weapons possession on campus, hostage situations, weather emergencies, fires, and explosions.

Chapter 252, F.S., provides for emergency management, and sets forth the responsibilities of the Division of Emergency Management within the Florida Department of Community Affairs. The law (s. 252.34(4), F.S.) defines the term "emergency management" as the preparation for, the mitigation of, the response to, and the recovery from emergencies and disasters. The term "manmade emergency" is defined in s. 252.34(6), F.S., as an emergency caused by an action against persons or society, including but not limited to sabotage. Chapter 633, F.S., requires the Department of Insurance to establish uniform firesafety standards that apply to specific buildings, including public schools. The law (s. 633.022(1)(b), F.S.) provides that the Department of Insurance must use the firesafety standards adopted by the State Board of Education for public schools.

The powers and duties of district school boards are set forth in s. 232.23, F.S., and requires the boards to provide proper attention to health, safety, and other matters relating to the welfare of children in specific areas. The law (s. 235.14, F.S.) requires school boards to develop and prescribe policies and procedures for emergency drills for all the public schools (kindergarten through grade 12). The rules related to emergency evacuation drills were repealed in 1994.

Chapter 381, F.S., contains the general provisions for public health and includes s. 381.0056, F.S., the School Health Services Act. Each county health department must develop a school health services plan with the assistance of the district school board and the local school health advisory committee. A school health services plan describes the services to be provided, the responsibility for services, the anticipated expenditures, and evidence of cooperative planning by local school districts and county health departments. The law specifies the minimum provisions of the plan, including meeting the emergency health needs in each school. The law (s. 232.465, F.S.) requires each district school board to establish emergency procedures, in accordance with 381.0056(5), F.S., for life-threatening emergencies.

### III. Effect of Proposed Changes:

**Section 1.** The bill amends s. 230.23, F.S., relating to powers and duties of the school board, to require the school board to establish emergency management and emergency preparedness procedures, in accordance with ss. 381.0056(5), 232.465, and 232.475, F.S. The procedures are to be followed by schools for the following life-threatening emergencies:

- weapon use/hostage situations;
- hazardous materials/toxic spills;
- weather emergencies (including hurricanes, tornadoes, and severe storms); and
- exposure as a result of a manmade emergency.

**Section 2.** The bill amends s. 232.465, F.S., relating to the provision of medical services, to require each district school board to establish emergency procedures, in accordance with s. 381.0056(5), F.S., for life-threatening medical emergencies.

**Section 3.** The bill transfers s. 235.14, F.S., renumbers it as s. 232.475, F.S. The Department of Education must adopt rules prescribing minimum standards and procedures for emergency management and preparedness. The standards and procedures must be adopted by each district school board. These provisions require each school to conduct and document no fewer than 10 fire drills and no fewer than 2 tornado drills per school year. The board must also establish model emergency management and preparedness procedures for:

- weapon use/hostage situations.
- hazardous materials/toxic spills.
- weather emergencies.
- exposure as a result of a manmade emergency.

District school boards are also required to adopt policies that prescribe procedures for emergency management and for emergency preparedness drills for each elementary and secondary school in the district. The policies must be based on minimum standards and model policies established by the department for this section.

**Section 4.** The bill provides an effective date of July 1, 2000.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None. Current law (ss. 232.465 and 235.14, F.S.) requires each school board to develop and adopt policies and procedures for emergency drills for all the public schools for kindergarten through grade 12 and emergency procedures for life-threatening emergencies.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Department of Education will incur some costs associated with the rulemaking process. The expertise of the various agencies involved with the critical prevention, planning and preparedness activities, as well as others, may be used to develop the rules. For example, the Federal Emergency Management Agency (FEMA) has developed the Multi-Safety Program for Schools that outlines a specific plan of action for schools. Also, FEMA has initiated Project Impact, a pilot in seven communities, that brings the community together to participate in disaster prevention. FEMA has developed a guidebook related to the project.

District school boards will be required to adopt policies and procedures for drills that are in accordance with Department of Education standards and policies. According to the Department of Education, school boards currently conduct at least 10 fire drills per year, as required by the National Fire Protection Association Life Safety Code 101 (1997), and a few school districts now conduct tornado drills.

School health plans will need to include infectious material exposure control as a component.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

According to FEMA, disaster drills in schools are required in Oregon, Montana, and Missouri. Both Michigan and Ohio require tornado drills by law for certain education facilities.

**VIII. Amendments:**

None.