

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 410
 SPONSOR: Senator Dawson
 SUBJECT: Schools/Emergency Preparedness
 DATE: February 26, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	deMarsh-Mathues	O'Farrell	ED	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The Department of Education must adopt rules for emergency drills which must be followed by each district school board. The rules must require each school to conduct and document specific drills (at least 10 fire drills and at least 2 tornado drills per school year). The bill provides an effective date (July 1, 2001).

The bill amends s. 230.23(6), F.S.

II. Present Situation:

Chapter 2000-235, L.O.F., relating to school safety and security, contains provisions related to emergency drills and procedures which are codified in s. 230.23(6)(f), F.S. Prior to these changes, the law required the district school board to formulate and prescribe policies and procedures for emergency drills for all public schools, kindergarten through grade 12.¹ The 2000 legislative changes require policies and procedures for actual emergencies (including but not limited to fires, natural disasters, and bomb threats) for all schools in the district, and the district policies must include commonly used alarm system responses for specific types of emergencies. Also, district policies must include verification by each school that drills have been provided as required by law and fire protection codes. School boards must establish model emergency management and emergency preparedness procedures for life-threatening emergencies, including weather emergencies (e.g., hurricanes, tornadoes, and severe storms).

¹ Prior to the 1994 legislative session, s. 235.14, F.S., required the Department of Education to prescribe rules and instructions for emergency drills for all public schools (grades K-12), as well as for the Florida School for the Deaf and the Blind. The rules related to emergency evacuation drills were repealed in 1994.

Several other provisions of the 2000 school safety legislation relate to emergency drills. The 2000 Legislature directed OPPAGA to expand the Best Financial Management Practices to include additional areas, including school safety. The Commissioner of Education adopted the new best practices in October 2000, including evidence that each district has developed a checklist for each school that provides step-by-step crisis response procedures. This includes the development and implementation of procedures for emergency drills and actual emergencies. According to OPPAGA, the new best practices and indicators will be used in reviews beginning this year.

The Department of Education recently conducted a survey of schools and school districts.² According to the department, the districts noted the following:

- 98% of districts appear to have a critical incident/emergency plan in place; over half of these are district-wide plans that address all schools and some schools have their own plans.
- On average, the plans were last reviewed in 1998.
- On average, nine critical incident/emergency drills are conducted in Florida schools each year; seven of these drills are fire drills;
- 89% of the critical incident/emergency plans address tornados.

III. Effect of Proposed Changes:

Section 1. The bill requires the Department of Education to adopt rules for emergency drills which must be followed by each district school board. The rules must require each school to conduct and document specific drills (at least 10 fire drills and at least 2 tornado drills per school year).

Section 2. The bill provides an effective date (July 1, 2001).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

² *Critical Incidents/Emergency Planning Survey Results 2000-2001*, Florida Department of Education. (Information was collected in December 2000 and January 2001. Sixty-two of 67 school districts responded, while 62 of 180 schools responded.)

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. According to the Department of Education, school boards must conduct at least 10 fire drills per year, as required by the National Fire Protection Association Life Safety Code 101 (1997), adopted by reference in the department's administrative rule (6-2.001(1)(m), F.A.C.). The costs incurred by schools that do not currently conduct tornado drills may be mitigated to the extent that the drills are conducted in conjunction with the required fire drills.

VI. Technical Deficiencies:

None.

VII. Related Issues:

According to FEMA, disaster drills in schools are required in Oregon, Montana, and Missouri. Both Michigan and Kansas require a specified number of tornado drills by law for certain education facilities. Ohio law requires the tornado drills to be held in conjunction with required monthly fire drills. States that require fire drills by law include Arkansas, Michigan, Montana, Oregon, and Pennsylvania.

VIII. Amendments:

None.