

1 HB91
2 147541-1
3 By Representative Baker
4 RFD: Education Policy
5 First Read: 05-FEB-13
6 PFD: 02/01/2013

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8 SYNOPSIS: Under existing law, each local board of
9 education is required to adopt a comprehensive
10 school safety plan and to conduct safety and
11 security drills.

12 This bill would require that the
13 comprehensive school safety plan include a specific
14 code red school safety plan for events involving
15 acts of violence or the threat of violence.

16 This bill would include safety, security,
17 severe weather, fire, and code red drills within
18 the collective designation of an emergency drill.

19 This bill would provide for the designation
20 of a code red safety alert level for a school
21 experiencing perceived immediate threats to the
22 school involving acts of violence, such as
23 terrorism, a person possessing a firearm or a
24 deadly weapon, or any other threat of violence.

25 This bill would provide for code red school
26 safety drills at the beginning of each semester of
27 the school year.

1 This bill would also require emergency
2 drills, in lieu of fire drills, as required by the
3 State Fire Marshal, to be conducted at least once
4 each month in K-12 educational institutions.

5
6 A BILL
7 TO BE ENTITLED
8 AN ACT

9
10 To amend Sections 16-1-44 and 36-19-10, Code of
11 Alabama 1975, relating to school safety plans and mandatory
12 fire drills; to require the inclusion of a code red school
13 safety plan in the comprehensive school safety plan to address
14 events involving acts of violence or the threat of violence;
15 to designate safety, security, severe weather, fire, and code
16 red drills collectively as emergency drills; to provide for
17 the designation of a code red safety alert level for a school
18 experiencing perceived immediate threats of violence; to
19 provide for code red school safety drills at the beginning of
20 each school semester; and to require emergency drills, in lieu
21 of fire drills, as required by the State Fire Marshal, to be
22 conducted at least once each month in K-12 educational
23 institutions.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Sections 16-1-44 and 36-19-10 of the Code
26 of Alabama 1975, are amended to read as follows:

27 "§16-1-44.

1 "(a) (1) Each local board of education shall adopt a
2 comprehensive school safety plan for each school under the
3 authority of the board.

4 "(2) The local board or its agent shall examine the
5 conditions and operations of each school under the authority
6 of the local board to determine hazards to student and staff
7 safety and shall propose changes, if needed to promote the
8 prevention of dangerous problems and circumstances.

9 "(3) In developing the plan for each school, the
10 local board or its agent shall involve community law
11 enforcement, ~~safety~~ community fire and emergency management
12 officials, teachers, and nonteaching employees who are
13 assigned to the school.

14 "(b) (1) The board shall incorporate into the plan
15 the following:

16 "a. A protocol for addressing serious threats to the
17 safety of school property, students, employees, or
18 administrators including, but not limited to, a specific code
19 red school safety plan.

20 "b. A protocol for responding to ~~any~~ emergency
21 events that compromise the safety of school property,
22 students, and employees.

23 "(2) Each protocol shall include procedures for
24 responding to threats and emergency events, respectively,
25 including such action as notification of appropriate law
26 enforcement and emergency response personnel for assistance,
27 and informing parents of affected students.

1 "(c) (1) The board shall update the safety plan
2 whenever a major modification to the building requires changes
3 in the procedures outlined in the plan, and at other necessary
4 times. The code red school safety plan shall be reviewed and
5 revised annually, as needed, by the local board of education
6 in consultation with the principal, administrative staff,
7 faculty, and employees of the school.

8 "(2) Upon request of law enforcement or safety
9 officials, or both, the local board shall provide a copy of
10 the current school site and safety plan, which shall be kept
11 in a secure place and not considered public record.

12 "(d) The local board shall grant access to each
13 school under its control to law enforcement and fire
14 department personnel to enable them to prepare for responding
15 to threats and emergency events affecting the school. Such
16 access shall occur outside of student instructional hours and
17 an employee of the board shall be present.

18 "(e) The principal or his or her designee shall
19 instruct and train students concerning procedures to be used
20 for emergency drills and evacuations. The principal or his or
21 her designee shall ensure that all safety and security drills
22 and procedures are conducted and performed no less than what
23 is required by state or federal law, or both. The doors and
24 exits of each school may be locked from the outside but shall
25 allow for immediate egress by those inside the building during
26 school hours and at all school functions. An emergency drill

1 shall include, but not be limited to, safety, security, severe
2 weather, fire, and code red drills.

3 "(f) In conjunction with drills or evacuations
4 required by subsection (e), a principal or his or her designee
5 shall instruct students in safety precautions to be taken in
6 case of a severe weather watch, alert, or warning. A principal
7 or his or her designee shall designate, in accordance with
8 standards prescribed by the local superintendent of education
9 in conjunction with local public safety officials and the fire
10 marshal, or appropriate local fire safety official in counties
11 that do not have a fire marshal, appropriate locations to be
12 used to shelter students in case of a severe weather watch,
13 alert, or warning.

14 "(g) In the event of a perceived immediate threat to
15 a school involving acts of violence, such as terrorism, a
16 person possessing a firearm or a deadly weapon, or any other
17 threat of violence, the principal, or his or her designee, may
18 institute a code red safety alert level for the school. In
19 addition to the requirements of subsection (e), the principal
20 or his or her designee shall conduct a code red school safety
21 drill at least once each during the first six weeks of the
22 fall and spring semesters of each school year to provide
23 students with instruction in the procedures to follow in the
24 case of a ~~threat to the school involving acts of violence,~~
25 ~~such as terrorism, a person possessing a firearm or a deadly~~
26 ~~weapon, or any other act of violence~~ code red. The principal
27 or his or her designee shall hold an annual training ~~sessions~~

1 session for employees of the school regarding the code red
2 school safety plan, drills, and procedures to be conducted
3 during a school year.

4 "(h) Appropriate disciplinary action shall be taken
5 against any principal or his or her designee who knowingly
6 neglects or refuses to comply with the requirements of this
7 section.

8 "(i) This section shall be read in pari materia with
9 other laws relating to school safety and emergency planning.

10 "§36-19-10.

11 "The Fire Marshal, his deputies and assistants shall
12 require officials and teachers of public and private schools
13 and educational institutions to have at least one ~~fire~~
14 emergency drill each month and to have all doors and exits at
15 such schools and educational institutions open out and that
16 all such doors and exits shall be unlocked during school hours
17 and that the doors and exits of factories, asylums, hospitals,
18 churches, halls, theatres, amphitheatres and other places in
19 which numbers of persons live, work or congregate from time to
20 time, for any purpose or purposes, shall open out. For the
21 purposes of this section, an emergency drill shall include,
22 but not be limited to, a fire drill, severe weather drill, or
23 code red drill as provided in Section 16-1-44."

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.