

RESOLUTION 03-02-2013

DIGEST

Miscellaneous: Emergency Drills for K-12 Schools

Amends Education Code sections 32001 and 35297 to expand the statute to require Earthquake Drills and Lockdown Drills in addition to Fire Drills in schools.

RESOLUTIONS COMMITTEE RECOMMENDATION

APPROVE IN PRINCIPLE

History:

No similar resolutions found.

Reasons:

This resolution amends Education Code sections 32001 and 35297 to expand the statute to require Earthquake Drills and Lockdown Drills in addition to Fire Drills in schools. This resolution should be approved in principle because it expands the requirements of emergency drills in schools to include Earthquake Drills and Lockdown Drills and also provides in classroom and evacuation components.

In light of the recent events and past incidents of school shootings, this resolution is both timely and necessary. Emergencies that teachers and students may potentially face are not limited to fires and this unfortunate reality necessitates expanding the scope of required emergency drills. Such drills aid in preparedness for such extraordinary events.

The additional of subdivision (b)(3) may prove problematic as to the term “surprise” as there may be significant opposition to the use of surprise drills. On balance, however, the benefit of ensuring preparedness through unannounced drills outweighs possible emotional effect on children of such unannounced drills. Indeed, experiencing unannounced drills will likely ensure that student’s know what to do despite experience of fear or apprehension and may help reduce fear should an actual event occur.

TEXT OF RESOLUTION

RESOLVED that the Conference of California Bar Associations recommends that legislation be sponsored to amend Education Code sections 32001 and 35297.

- 1 § 32001. Fire Life Safety Warning System; Sounding Alarm; Fire Drills, Earthquake Drills, and
- 2 Lockdown Drills
- 3 (a) Every public, private, or parochial school building having an occupant capacity of 50
- 4 or more pupils or students or more than one classroom shall be provided with a dependable and
- 5 operative ~~fire~~ emergency alarm system. Every person and public officer managing, controlling,
- 6 or in charge of any public, private, or parochial school shall cause the ~~fire~~ emergency alarm
- 7 signal to be sounded upon the discovery of fire or earthquake, unless the school is equipped with
- 8 an automatic fire detection, and alarm system, which may include, but for the purposes of this
- 9 section is not required to include, a sprinkler system, as described in Section 17074.52. Every

10 person and public officer managing, controlling, or in charge of any public, private, or parochial
11 school, other than a two-year community college, shall cause the ~~fire~~ emergency alarm signal to
12 be sounded not less than once every calendar month ~~and shall conduct a fire drill at least once~~
13 ~~every calendar month at the elementary level and at least four times every school year at the~~
14 ~~intermediate levels. A fire drill shall be held at the secondary level not less than twice every~~
15 ~~school year.~~

16 (b) Every public, private, or parochial school building having an occupant capacity of 50
17 or more pupils or students or more than one classroom shall conduct at least two emergency
18 drills per semester. For the purposes of this section, the fall semester includes the months of
19 August through December and the spring semester includes the months of January through June.

20 (1) The first emergency drill of each semester shall be an evacuation drill for either
21 earthquake or fire. All earthquake drills shall include and initial "drop, cover and hold" exercise.
22 During the drop, cover, and hold, each participant shall take cover under a table or desk,
23 dropping to his or her knees, with the head protected by the arms, and the back to the windows.
24 After the drop, cover, and hold portion, an evacuation drill shall be conducted. Each K-12 school
25 shall conduct at least one fire evacuation drill and at least one in-place earthquake drill with
26 evacuation per school year.

27 (2) The second emergency drill of each semester shall be a lock-down drill in order to
28 react to threats of violence on campus.

29 (3) At least one emergency drill during the school year shall be conducted as a surprise to
30 the students and to the majority of the school staff members.

1 § 35297

2 The earthquake emergency procedure system shall include, but not be limited to, all of
3 the following:

4 (a) A school building disaster plan, ready for implementation at any time, for maintaining
5 the safety and care of students and staffs.

6 (b) A drop procedure. As used in this article, "drop procedure" means an activity whereby
7 each student and staff member takes cover under a table or desk, dropping to his or her knees,
8 with the head protected by the arms, and the back to the windows. ~~A drop procedure practice~~
9 ~~shall be held at least once each school quarter in elementary schools and at least once a semester~~
10 ~~in secondary schools.~~

11 (c) Protective measures to be taken before, during, and following an earthquake.

12 (d) A program to ensure that the students and that both the certificated and classified staff
13 are aware of, and properly trained in, the earthquake emergency procedure system.

(Proposed new language underlined; language to be deleted stricken)

PROPONENT: Bar Association of San Francisco

STATEMENT OF REASONS

The Problem: Education Code section 32001 requires elementary schools to conduct fire drills
every month and requires intermediate schools to conduct fire drills four times per year. The fire

drill frequency requirements restrict each school's ability to conduct other types of emergency drills.

Education Code section 35297, subdivision (b) requires in-place "drop, cover, and hold" drills for earthquakes. However, there is no requirement for a subsequent evacuation drill after the in-place earthquake drill.

California schools face the threat of violence. However, there are no current requirements for lockdown drills. Violence is another type of emergency that our schools must be prepared to react to. The current fire drill and earthquake drill requirements are in two separate Education Code sections and the information should be combined into one section for easy reference.

The Solution: All school "life safety" emergency drill requirements should be in one Education Code section for ease of reference. This resolution merges the requirements for in-place "duck, cover, and hold" earthquake drills from Education Code section 35297, subdivision (b) into the fire drill requirements in section 32001. This resolution adds new requirements for lock-down drills into section 32001 so that the procedures for all types of school emergency drills will be in one code section for ease of reference.

Effective earthquake drills involve two parts. The first part is an in-place "duck, cover and hold" exercise; and the second part is an evacuation exercise. Earthquake drills require an evacuation component because there may be earthquake after-shocks and because the administration may need to tend to injured people and assess the structural safety of the buildings. Both fire and earthquake drills must include physical evacuation exercises so that everyone will know where the designated safety area is and will practice travelling there. This resolution will ensure that all K-12 schools practice emergency evacuations at least two times per year.

In contrast to fire and earthquake evacuation drills, lockdown drills are always conducted "in place." During a lockdown drill the occupants of the school are to remain in the classrooms in order to take shelter. The school staff members must then perform certain tasks. For example, the staff members may be required to lock the doors, close the window coverings, and await further instructions from the school administrators. When the lockdown drill is over, then the students and school staff members return to their prior activities and they do not evacuate to a designated outdoor meeting area. Planned emergency drills are acceptable, but surprise drills are desirable to replicate actual emergencies.

This resolution lessens the frequency of fire drills for elementary schools and intermediate schools to provide opportunities to also practice of earthquake evacuation drills and lockdown drills. For consistency purposes, this resolution establishes uniform requirements for all K-12 schools for the number of drills per school year, the type of drills, and the time of year when the drills shall take place.

CURRENT OR PRIOR RELATED LEGISLATION

None

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