

2016 -- H 7298

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LC004059
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS -- FIRE DRILLS

Introduced By: Representatives MacBeth, Messier, McLaughlin, Serpa, and Hearn

Date Introduced: January 22, 2016

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-4 of the General Laws in Chapter 16-21 entitled "Health and
2 Safety of Pupils" is hereby amended to read as follows:

3 **16-21-4. Fire, evacuation and lockdown drills required -- Failure to comply. --** (a)(1)

4 It shall be the duty of the principal or other person in charge of every public school or private
5 school, college, university, or postsecondary institutions or educational institution within the
6 state, having more than twenty-five (25) pupils, to instruct and train the pupils by means of drills,
7 so that they may in a sudden emergency be able to leave school buildings and dormitories in the
8 shortest possible time and without confusion or panic. Provided, that when conducting drills,
9 emphasis shall be placed on orderly evacuation rather than on speed.

10 (2) Notwithstanding other provisions of this section, in all schools or buildings used for
11 educational purposes through the twelfth grade by six (6) or more persons for four (4) or more
12 hours per day or more than twelve (12) hours per week, there shall be not less than one
13 emergency egress drill conducted every month the facility is in session with all occupants of the
14 building participating in said drill; provided, that a building principal or the person in charge of
15 any such public or private school or educational institution may delay or postpone such a drill
16 during the months of December, January, and February, if the principal or person in charge
17 determines that such drills should be postponed or deferred due to severe inclement weather. In
18 the event such drills are postponed or deferred during the entirety of any of said months, such
19 drills shall be performed within a reasonable amount of time thereafter when the building

1 principal or person in charge determines such drills may be held safely in light of weather
2 conditions. The total number of drills required by this section shall be met prior to the end of the
3 school year. No drills shall be deferred until at least three (3) drills have been conducted in the
4 school year. One additional emergency egress drill shall be conducted in buildings that are not
5 open on a year- round basis within the first (1st) thirty (30) days of operation. At least one out of
6 every four (4) emergency egress drills or rapid dismissals shall be obstructed by means of which
7 at least one or more exits and stairways in the school building are blocked off or not used. In
8 addition, there shall be two (2) evacuation drills and two (2) lockdown drills. Evacuation drills
9 shall be designed and conducted for use when conditions outside the school building are safer
10 than conditions inside the building. Lockdown drills shall be designed and conducted for use to
11 protect school building occupants from potential dangers in the building, and one shall be held in
12 September and one in January, and in conjunction with the local police whenever possible.

13 (3) A principal or other person in charge of a public or private school or educational
14 institution shall consider the safety of pupils and the risk of exposing students to severe inclement
15 weather in scheduling or deferring any drills required by this section.

16 (b) (1) In colleges, universities, postsecondary institutions, and residence facilities in
17 public schools or private schools there shall be at least four (4) drills or rapid dismissals during
18 the academic year for each school building or residence facility, at least two (2) of which shall be
19 held between the months of September through December. The remaining two (2) drills shall be
20 held between the months of January through June. Any college, university, or postsecondary
21 institution that holds a summer session shall hold a drill or rapid dismissal during the first full
22 week of the summer session.

23 (2) At least one drill or rapid dismissal shall be obstructed so that at least one or more
24 exits or stairways in the school building or dormitory are blocked off or not used.

25 (c) For purposes of this section "residence facility" means dormitory, fraternity, sorority,
26 or any other type of residence hall, whether on campus or off campus, owned or leased by a
27 college, university, postsecondary institutions, public schools, or private school with
28 accommodations for twenty (20) or more students.

29 (d) Notwithstanding other provisions of this section, fire drills shall be required in
30 colleges or universities only for buildings which are used for a residence facility.

31 (e) Neglect by any principal or any person in charge of any public or private school or
32 educational institution to comply with the provisions of this section shall be a misdemeanor
33 punishable by a fine not exceeding five hundred dollars (\$500).

34 (f) Written reports, on forms supplied by the department of elementary and secondary

1 education, of each fire drill shall be completed immediately upon termination of every drill and
2 shall be available for review by the fire marshal, assistant deputy fire marshal, or local fire
3 authority. The fire marshal, assistant deputy fire marshal, or local fire authority may require that a
4 fire drill be conducted in his or her presence.

5 SECTION 2. Section 23-28.12-36 of the General Laws in Chapter 23-28.12 entitled
6 "Schools" is hereby amended to read as follows:

7 **23-28.12-36. Fire alarm systems -- Fire drills -- Penalties.** -- (a) It shall be the duty of
8 the principal or other person in charge of every public school or private school, college,
9 university, or postsecondary institutions or educational institution within the state, having more
10 than twenty-five (25) pupils, to instruct and train the pupils by means of drills, so that they may,
11 in a sudden emergency, be able to leave school buildings and dormitories in the shortest possible
12 time and without confusion or panic. Provided, that when conducting drills, emphasis shall be
13 placed on orderly evacuation rather than on speed.

14 (2) Notwithstanding other provisions of this section, in all schools or buildings used for
15 educational purposes through the twelfth (12th) grade by six (6) or more persons for four (4) or
16 more hours per day or more than twelve (12) hours per week, there shall be not less than one
17 emergency egress drill conducted every month the facility is in session with all occupants of the
18 building participating in said drill; provided that a building principal or person in charge of any
19 public or private school or educational institution may delay or postpone such a drill during the
20 months of December, January, and February, if the principal or person in charge determines that
21 such drills should be postponed or deferred due to severe inclement weather. In the event such
22 drills are postponed or deferred during the entirety of any of said months, such drills shall be
23 performed within a reasonable amount of time thereafter when the building principal or person in
24 charge determines such drills may be held safely in light of weather conditions. The total number
25 of drills required by this section shall be met prior to the end of the school year. No drills shall be
26 deferred until at least three (3) drills have been conducted in the school year.

27 One additional emergency egress drill shall be conducted in buildings that are not open
28 on a year-round basis within the first (1st) thirty (30) days of operation. At least one out of every
29 four (4) emergency egress drills or rapid dismissals shall be obstructed by means of which at least
30 one or more exits and stairways in the school building are blocked off or not used. In addition,
31 there shall be two (2) evacuation drills and two (2) lockdown drills. Evacuation drills shall be
32 designed and conducted for use when conditions outside the school building are safer than
33 conditions inside the building. Lockdown drills shall be designed and conducted for use to protect
34 school building occupants from potential dangers in the building, and one shall be held in

1 September and one in January, and in conjunction with the local police whenever possible.

2 (3) A principal or other person in charge of a public or private school or educational
3 institution shall consider the safety of pupils and the risk of exposing students to severe inclement
4 weather in scheduling or deferring any drills required by this section.

5 (b) (1) In colleges, universities, postsecondary institutions, and residence facilities in
6 public schools or private schools there shall be at least four (4) drills or rapid dismissals during
7 the academic year for each school building or residence facility, at least two (2) of which shall be
8 held between the months of September through December. The remaining two (2) drills shall be
9 held between the months of January through June. Any college, university, or postsecondary
10 institution that holds a summer session shall hold a drill or rapid dismissal during the first (1st)
11 full week of the summer session.

12 (2) At least one drill or rapid dismissal shall be obstructed so that at least one or more
13 exits or stairways in the school building or dormitory are blocked off or not used.

14 (c) For purposes of this section, "residence facility" means a dormitory, fraternity,
15 sorority, or any other type of residence hall, whether on campus or off campus, owned or leased
16 by a college, university, postsecondary institution, public school, or private school with
17 accommodations for twenty (20) or more students.

18 (d) Notwithstanding other provisions of this section, fire drills shall be required in
19 colleges or universities only for buildings that are used as a residence facility.

20 (e) Neglect by any principal or any person in charge of any public or private school or
21 education institution to comply with the provisions of this section shall be a violation punishable
22 by a fine of not exceeding two hundred dollars (\$200).

23 (f) Written reports, on forms supplied by the department of elementary and secondary
24 education, of each fire drill shall be completed immediately upon termination of every drill and
25 shall be available for review by the fire marshal, assistant deputy fire marshal, or local fire
26 authority. The fire marshal, assistant deputy fire marshal, or local fire authority may require that a
27 fire drill be conducted in his or her presence.

28 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS -- FIRE DRILLS

1 This act would permit school building principals to delay holding fire and emergency
2 egress evacuation drills in the months of December, January, and February due to severe
3 inclement weather. In the event a month passes by, and because of weather no drills are held for
4 that month, the drill would need to be made up within a reasonable amount of time thereafter
5 when weather permits.

6 This act would take effect upon passage.

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