

2013 -- S 0014 SUBSTITUTE A AS AMENDED

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LC00204/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY

Introduced By: Senators DiPalma, Gallo, Metts, Ottiano, and E O`Neill

Date Introduced: January 16, 2013

Referred To: Senate Education

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) It
4 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.

9 Notwithstanding other provisions of this section, in ~~in~~ all schools or buildings used for
10 educational purposes through the twelfth grade by six (6) or more persons for four (4) or more
11 hours per day or more than twelve (12) hours per week ~~but colleges, universities, or~~
12 ~~postsecondary institutions~~, there shall be not less than one emergency egress drill conducted
13 every month the facility is in session with all occupants of the building participating in said drill.
14 One additional emergency egress drill shall be conducted in buildings that are not open on a year-
15 round basis within the first (1st) thirty (30) days of operation ~~fifteen (15) drills or rapid dismissals~~
16 during the school year, at least eight (8) of which shall be held during the months of September,
17 October, and November. ~~The remaining seven (7) drills or rapid dismissals shall be held at the~~
18 discretion of the principal or person in charge of the school. At least one out of every four (4)
19 emergency egress drills or rapid dismissals shall be obstructed by means of which at least one or

1 more exits and stairways in the school building are blocked off or not used ~~and at least two (2) of~~
2 ~~the obstructed drills shall be held during the months of September and October.~~ In addition,
3 there ~~There~~ shall be two (2) evacuation drills and two (2) lockdown drills ~~included among the~~
4 ~~fifteen (15) mandatory drills in each school year.~~ Evacuation drills shall be designed and
5 conducted for use when conditions outside the school building are safer than conditions inside the
6 building. Lockdown drills shall be designed and conducted for use to protect school building
7 occupants from potential dangers in the building, and one shall be held in September and one in
8 January, and in conjunction with the local police whenever possible.

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

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

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

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

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

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

32 SECTION 2. Sections 23-28.12-15 and 23-28.12-36 of the General Laws in Chapter 23-
33 28.12 entitled "Schools" are hereby amended to read as follows:

34 **23-28.12-15. Fire alarm systems.** -- (a) ~~It shall be the duty of the principal or other~~

1 ~~person in charge of every public school or private school or educational institution within the~~
2 ~~state, having more than twenty five (25) pupils, to instruct and train the pupils by means of drills,~~
3 ~~so that they may in a sudden emergency be able to leave the school building in the shortest~~
4 ~~possible time and without confusion or panic. There shall be fifteen (15) such drills or rapid~~
5 ~~dismissals during the school year, at least eight (8) of which shall be held during the months of~~
6 ~~September, October, and November. The remaining seven (7) drills or rapid dismissals shall be~~
7 ~~held at the discretion of the principal or person in charge of the school. At least four (4) drills or~~
8 ~~rapid dismissals shall be obstructed, which means that one or more exits and stairways in the~~
9 ~~school building are blocked off or not used, and at least two (2) of these obstructed drills shall be~~
10 ~~held during the months of September and October. It shall be the duty of the principal or other~~
11 person in charge of every public school or private school, college, university, or postsecondary
12 institution or educational institution within the state, having more than twenty-five (25) pupils, to
13 instruct and train the pupils by means of drills, so that they may, in a sudden emergency, be able
14 to leave school buildings and dormitories in the shortest possible time and without confusion or
15 panic. Notwithstanding other provisions of this section, in all schools or buildings used for
16 educational purposes through the twelfth (12th) grade by six (6) or more persons for four (4) or
17 more hours per day or more than twelve (12) hours per week, there shall be not less than one
18 emergency egress drill conducted every month the facility is in session with all occupants of the
19 building participating in said drill. One additional emergency egress drill shall be conducted in
20 buildings that are not open on a year-round basis within the first (1st) thirty (30) days of operation.
21 At least one out of every four (4) emergency egress drills or rapid dismissals shall be obstructed
22 by means of which at least one or more exits and stairways in the school building are blocked off
23 or not used. In addition, there shall be two (2) evacuation drills and two (2) lockdown drills.
24 Evacuation drills shall be designed and conducted for use when conditions outside the school
25 building are safer than conditions inside the building. Lockdown drills shall be designed and
26 conducted for use to protect school building occupants from potential dangers in the building, and
27 one shall be held in September and one in January, and in conjunction with the local police
28 whenever possible.

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

1 full week of the summer session.

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

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

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

10 ~~(b)~~(e) Neglect by any principal or any person in charge of any public or private school or
11 educational institution to comply with the provisions of this section shall be a misdemeanor
12 punishable by a fine not exceeding fifty dollars (\$50.00).

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

18 **23-28.12-36. Fire alarm systems -- Fire drills -- Penalties. --** (a) ~~It shall be the duty of~~
19 ~~the principal or other person in charge of every public school or private school or educational~~
20 ~~institution within the state, having more than twenty-five (25) pupils, to instruct and train the~~
21 ~~pupils by means of drills, so that they may in a sudden emergency be able to leave the school~~
22 ~~building in the shortest possible time and without confusion or panic. There shall be fifteen (15)~~
23 ~~such drills or rapid dismissals during the school year, at least eight (8) of which shall be held~~
24 ~~during the months of September, October, and November. The remaining seven (7) such drills or~~
25 ~~rapid dismissals shall be held at the discretion of the principal or person in charge of the school.~~
26 ~~At least four (4) drills or rapid dismissals shall be obstructed, which means that one or more exits~~
27 ~~and stairways in the school building are blocked off or not used and at least two (2) of these~~
28 ~~obstructed drills shall be held during the months of September and October.~~ It shall be the duty of
29 the principal or other person in charge of every public school or private school, college,
30 university, or postsecondary institutions or educational institution within the state, having more
31 than twenty-five (25) pupils, to instruct and train the pupils by means of drills, so that they may in
32 a sudden emergency be able to leave school buildings and dormitories in the shortest possible
33 time and without confusion or panic. Notwithstanding other provisions of this section, in all
34 schools or buildings used for educational purposes through the twelfth (12th) grade by six (6) or

1 more persons for four (4) or more hours per day or more than twelve (12) hours per week, there
2 shall be not less than one emergency egress drill conducted every month the facility is in session
3 with all occupants of the building participating in said drill. One additional emergency egress drill
4 shall be conducted in buildings that are not open on a year-round basis within the first (1st) thirty
5 (30) days of operation. At least one out of every four (4) emergency egress drills or rapid
6 dismissals shall be obstructed by means of which at least one or more exits and stairways in the
7 school building are blocked off or not used. In addition, there shall be two (2) evacuation drills
8 and two (2) lockdown drills. Evacuation drills shall be designed and conducted for use when
9 conditions outside the school building are safer than conditions inside the building. Lockdown
10 drills shall be designed and conducted for use to protect school building occupants from potential
11 dangers in the building, and one shall be held in September and one in January, and in
12 conjunction with the local police whenever possible.

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

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

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

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

28 ~~(b)~~(e) Neglect by any principal or any person in charge of any public or private school or
29 education institution to comply with the provisions of this section shall be a misdemeanor
30 punishable by a fine of not exceeding fifty dollars (\$50.00).

31 ~~(e)~~(f) Written reports, on forms supplied by the department of elementary and secondary
32 education, of each fire drill shall be completed immediately upon termination of every drill and
33 shall be available for review by the fire marshal, assistant deputy fire marshal, or local fire
34 authority. The fire marshal, assistant deputy fire marshal, or local fire authority may require that a

1 fire drill be conducted in his or her presence.

2 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

1 This act would amend the fire safety statutes to establish greater detail and specifications
2 regarding the type, manner, and frequency of safety drills in educational facilities which would be
3 dependent upon certain factors such as the grade level of the educational facility and the hours
4 spent in the facility.

5 This act would take effect upon passage.

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