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**Representatives Hughes, Flowers, Reidelbach, Latta, Evans, D., Bocchieri,
Yuko, Chandler, Wolpert, Setzer, Barrett, Williams, Carano, Cassell, Combs,
DeBose, Domenick, Evans, C., Fende, Gilb, Hagan, Harwood, Key,
McGregor, J., Otterman, Patton, T., Sayre, Smith, G., Stewart, D., Widener
Senators Fedor, Coughlin, Kearney, Roberts, Miller, D., Gardner**

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A B I L L

To amend sections 149.433, 3301.56, 3313.536, 1
3314.03, 3737.73, and 3737.99 of the Revised Code 2
to revise and expand the application of laws 3
governing school safety plans and school safety 4
drills. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 149.433, 3301.56, 3313.536, 3314.03, 6
3737.73, and 3737.99 of the Revised Code be amended to read as 7
follows: 8

Sec. 149.433. (A) As used in this section: 9

(1) "Act of terrorism" has the same meaning as in section 10
2909.21 of the Revised Code. 11

(2) "Infrastructure record" means any record that discloses 12
the configuration of a public office's or chartered nonpublic 13
school's critical systems including, but not limited to, 14
communication, computer, electrical, mechanical, ventilation, 15

water, and plumbing systems, security codes, or the infrastructure 16
or structural configuration of the building in which a public 17
office or chartered nonpublic school is located. "Infrastructure 18
record" does not mean a simple floor plan that discloses only the 19
spatial relationship of components of a public office or chartered 20
nonpublic school or the building in which a public office or 21
chartered nonpublic school is located. 22

(3) "Security record" means ~~either~~ any of the following: 23

(a) Any record that contains information directly used for 24
protecting or maintaining the security of a public office against 25
attack, interference, or sabotage; 26

(b) Any record assembled, prepared, or maintained by a public 27
office or public body to prevent, mitigate, or respond to acts of 28
terrorism, including any of the following: 29

(i) Those portions of records containing specific and unique 30
vulnerability assessments or specific and unique response plans 31
either of which is intended to prevent or mitigate acts of 32
terrorism, and communication codes or deployment plans of law 33
enforcement or emergency response personnel; 34

(ii) Specific intelligence information and specific 35
investigative records shared by federal and international law 36
enforcement agencies with state and local law enforcement and 37
public safety agencies; 38

(iii) National security records classified under federal 39
executive order and not subject to public disclosure under federal 40
law that are shared by federal agencies, and other records related 41
to national security briefings to assist state and local 42
government with domestic preparedness for acts of terrorism. 43

(c) A school safety plan adopted pursuant to section 3313.536 44
of the Revised Code. 45

(B) A record kept by a public office that is a security record or an infrastructure record is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(C) Notwithstanding any other section of the Revised Code, a ~~public office's or a public employee's~~ disclosure by a public office, public employee, chartered nonpublic school, or chartered nonpublic school employee of a security record or infrastructure record that is necessary for construction, renovation, or remodeling work on any public building or project or chartered nonpublic school does not constitute public disclosure for purposes of waiving division (B) of this section and does not result in that record becoming a public record for purposes of section 149.43 of the Revised Code.

Sec. 3301.56. (A) The director of each preschool program shall be responsible for the following:

(1) Ensuring that the health and safety of the children are safeguarded by an organized program of school health services designed to identify child health problems and to coordinate school and community health resources for children, as evidenced by but not limited to:

(a) Requiring immunization and compliance with emergency medical authorization requirements in accordance with rules adopted by the state board of education under section 3301.53 of the Revised Code;

(b) Providing procedures for emergency situations, including fire drills, rapid dismissals, ~~and~~ tornado drills, and school safety drills in accordance with section 3737.73 of the Revised Code, and keeping records of such drills or dismissals;

(c) Posting emergency procedures in preschool rooms and

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| making them available to school personnel, children, and parents; | 76 |
| (d) Posting emergency numbers by each telephone; | 77 |
| (e) Supervising grounds, play areas, and other facilities when scheduled for use by children; | 78 79 |
| (f) Providing first-aid facilities and materials. | 80 |
| (2) Maintaining cumulative records for each child; | 81 |
| (3) Supervising each child's admission, placement, and withdrawal according to established procedures; | 82 83 |
| (4) Preparing at least once annually for each group of children in the program a roster of names and telephone numbers of parents, guardians, and custodians of children in the group and, on request, furnishing the roster for each group to the parents, guardians, and custodians of children in that group. The director may prepare a similar roster of all children in the program and, on request, make it available to the parents, guardians, and custodians, of children in the program. The director shall not include in either roster the name or telephone number of any parent, guardian, or custodian who requests that the parent's, guardian's, or custodian's name or number not be included, and shall not furnish any roster to any person other than a parent, guardian, or custodian of a child in the program. | 84 85 86 87 88 89 90 91 92 93 94 95 96 |
| (5) Ensuring that clerical and custodial services are provided for the program; | 97 98 |
| (6) Supervising the instructional program and the daily operation of the program; | 99 100 |
| (7) Supervising and evaluating preschool staff members according to a planned sequence of observations and evaluation conferences, and supervising nonteaching employees. | 101 102 103 |
| (B)(1) In each program the maximum number of children per preschool staff member and the maximum group size by age category | 104 105 |

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| of children shall be as follows: | | | 106 |
| | Maximum | | 107 |
| | Group | Staff Member/ | 108 |
| Age Group | Size | Child Ratio | 109 |
| Birth to less than 12 months | 12 | 1:5, or 2:12 if | 110 |
| | | two preschool | 111 |
| | | staff members | 112 |
| | | are in the room | 113 |
| 12 months to less than 18 months | 12 | 1:6 | 114 |
| 18 months to less than 30 months | 14 | 1:7 | 115 |
| 30 months to less than 3 years | 16 | 1:8 | 116 |
| 3-year-olds | 24 | 1:12 | 117 |
| 4- and 5-year-olds not in school | 28 | 1:14 | 118 |

(2) When age groups are combined, the maximum number of children per preschool staff member shall be determined by the age of the youngest child in the group, except that when no more than one child thirty months of age or older receives child care in a group in which all the other children are in the next older age group, the maximum number of children per child-care staff member and maximum group size requirements of the older age group established under division (B)(1) of this section shall apply.

(3) In a room where children are napping, if all the children are at least eighteen months of age, the maximum number of children per preschool staff member shall, for a period not to exceed one and one-half hours in any twenty-four hour day, be twice the maximum number of children per preschool staff member established under division (B)(1) of this section if all the following criteria are met:

(a) At least one preschool staff member is present in the room;

(b) Sufficient preschool staff members are present on the

preschool program premises to comply with division (B)(1) of this section; 137
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(c) Naptime preparations have been completed and the children are resting or napping. 139
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(4) Any accredited program that uses the Montessori method endorsed by the American Montessori society or the association Montessori internationale as its primary method of instruction and is licensed as a preschool program under section 3301.58 of the Revised Code may combine preschool children of ages three to five years old with children enrolled in kindergarten. Notwithstanding anything to the contrary in division (B)(2) of this section, when such age groups are combined, the maximum number of children per preschool staff member shall be twelve and the maximum group size shall be twenty-four children. 141
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(C) In each building in which a preschool program is operated there shall be on the premises, and readily available at all times, at least one employee who has completed a course in first aid and in the prevention, recognition, and management of communicable diseases which is approved by the state department of health, and an employee who has completed a course in child abuse recognition and prevention. 151
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(D) Any parent, guardian, or custodian of a child enrolled in a preschool program shall be permitted unlimited access to the school during its hours of operation to contact the parent's, guardian's, or custodian's child, evaluate the care provided by the program, or evaluate the premises, or for other purposes approved by the director. Upon entering the premises, the parent, guardian, or custodian shall report to the school office. 158
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Sec. 3313.536. (A) The board of education of each city, exempted village, and local school district and the governing 165
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authority of each chartered nonpublic school shall adopt a 167
comprehensive school safety plan for each school building under 168
the board's or governing authority's control. The board or 169
governing authority shall examine the environmental conditions and 170
operations of each building to determine potential hazards to 171
student and staff safety and shall propose operating changes to 172
promote the prevention of potentially dangerous problems and 173
circumstances. In developing the plan for each building, the board 174
or governing authority shall involve community law enforcement and 175
safety officials, parents of students who are assigned to the 176
building, and teachers and nonteaching employees who are assigned 177
to the building. The board or governing authority shall consider 178
incorporating remediation strategies into the plan for any 179
building where documented safety problems have occurred. ~~The board~~ 180
~~shall file a copy of the safety plan with each law enforcement~~ 181
~~agency that has jurisdiction over the school building.~~ 182

The board or governing authority shall incorporate into the 183
plan both of the following: 184

~~(A)~~(1) A protocol for addressing serious threats to the 185
safety of school property, students, employees, or administrators; 186

~~(B)~~(2) A protocol for responding to any emergency events that 187
do occur and that compromise the safety of school property, 188
students, employees, or administrators. 189

Each protocol shall include procedures deemed appropriate by 190
the board or governing authority for responding to threats and 191
emergency events, respectively, including such things as 192
notification of appropriate law enforcement personnel, calling 193
upon specified emergency response personnel for assistance, and 194
informing parents of affected students. 195

(B) The board or governing authority shall update the safety 196
plan at least once every three years and whenever a major 197

modification to the building requires changes in the procedures 198
outlined in the plan. 199

(C) The board or governing authority shall file a copy of the 200
current safety plan and building blueprint with each of the 201
following: 202

(1) Each law enforcement agency that has jurisdiction over 203
the school building; 204

(2) Upon request, the fire department that serves the 205
political subdivision in which the school building is located; 206

(3) The attorney general, who shall post that information on 207
the Ohio law enforcement gateway or its successor. 208

Copies of the safety plan and building blueprint are not a 209
public record pursuant to section 149.433 of the Revised Code. 210

The board or governing authority, each law enforcement agency 211
and fire department to which copies of the safety plan and 212
building blueprint are provided, and the attorney general shall 213
keep the copies in a secure place. 214

(D) The board or governing authority shall grant access to 215
each school building under its control to law enforcement 216
personnel to enable the personnel to hold training sessions for 217
responding to threats and emergency events affecting the building, 218
provided that the access occurs outside of student instructional 219
hours and an employee of the board or governing authority is 220
present in the building during the training sessions. 221

Sec. 3314.03. A copy of every contract entered into under 222
this section shall be filed with the superintendent of public 223
instruction. 224

(A) Each contract entered into between a sponsor and the 225
governing authority of a community school shall specify the 226

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| following: | 227 |
| (1) That the school shall be established as either of the | 228 |
| following: | 229 |
| (a) A nonprofit corporation established under Chapter 1702. | 230 |
| of the Revised Code, if established prior to April 8, 2003; | 231 |
| (b) A public benefit corporation established under Chapter | 232 |
| 1702. of the Revised Code, if established after April 8, 2003; | 233 |
| (2) The education program of the school, including the | 234 |
| school's mission, the characteristics of the students the school | 235 |
| is expected to attract, the ages and grades of students, and the | 236 |
| focus of the curriculum; | 237 |
| (3) The academic goals to be achieved and the method of | 238 |
| measurement that will be used to determine progress toward those | 239 |
| goals, which shall include the statewide achievement tests; | 240 |
| (4) Performance standards by which the success of the school | 241 |
| will be evaluated by the sponsor. If the sponsor will evaluate the | 242 |
| school in accordance with division (D) of section 3314.36 of the | 243 |
| Revised Code, the contract shall specify the number of school | 244 |
| years that the school will be evaluated under that division. | 245 |
| (5) The admission standards of section 3314.06 of the Revised | 246 |
| Code and, if applicable, section 3314.061 of the Revised Code; | 247 |
| (6)(a) Dismissal procedures; | 248 |
| (b) A requirement that the governing authority adopt an | 249 |
| attendance policy that includes a procedure for automatically | 250 |
| withdrawing a student from the school if the student without a | 251 |
| legitimate excuse fails to participate in one hundred five | 252 |
| consecutive hours of the learning opportunities offered to the | 253 |
| student. | 254 |
| (7) The ways by which the school will achieve racial and | 255 |
| ethnic balance reflective of the community it serves; | 256 |

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state, and the audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) The facilities to be used and their locations;

(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code;

(11) That the school will comply with the following requirements:

(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year;

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school;

(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution;

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.358, 2151.421, 2313.18, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3313.50, 3313.536, 3313.608, 3313.6012, 3313.643, 3313.648, 3313.66, 3313.661, 3313.662, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.80,

3313.96, 3319.073, 3319.321, 3319.39, 3321.01, 3321.13, 3321.14, 287
3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 288
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 289
4123., 4141., and 4167. of the Revised Code as if it were a school 290
district and will comply with section 3301.0714 of the Revised 291
Code in the manner specified in section 3314.17 of the Revised 292
Code; 293

(e) The school shall comply with Chapter 102. and section 294
2921.42 of the Revised Code; 295

(f) The school will comply with sections 3313.61, 3313.611, 296
and 3313.614 of the Revised Code, except that the requirement in 297
sections 3313.61 and 3313.611 of the Revised Code that a person 298
must successfully complete the curriculum in any high school prior 299
to receiving a high school diploma may be met by completing the 300
curriculum adopted by the governing authority of the community 301
school rather than the curriculum specified in Title XXXIII of the 302
Revised Code or any rules of the state board of education; 303

(g) The school governing authority will submit within four 304
months after the end of each school year a report of its 305
activities and progress in meeting the goals and standards of 306
divisions (A)(3) and (4) of this section and its financial status 307
to the sponsor, the parents of all students enrolled in the 308
school, and the legislative office of education oversight. The 309
school will collect and provide any data that the legislative 310
office of education oversight requests in furtherance of any study 311
or research that the general assembly requires the office to 312
conduct, including the studies required under Section 50.39 of Am. 313
Sub. H.B. 215 of the 122nd general assembly and Section 50.52.2 of 314
Am. Sub. H.B. 215 of the 122nd general assembly, as amended. 315

(12) Arrangements for providing health and other benefits to 316
employees; 317

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year. The plan shall specify for each year the base formula amount that will be used for purposes of funding calculations under section 3314.08 of the Revised Code. This base formula amount for any year shall not exceed the formula amount defined under section 3317.02 of the Revised Code. The plan may also specify for any year a percentage figure to be used for reducing the per pupil amount of the subsidy calculated pursuant to section 3317.029 of the Revised Code the school is to receive that year under section 3314.08 of the Revised Code.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or is to be a new start-up school, and if it is a converted public school, specification of any duties or responsibilities of an employer that the board of education that operated the school before conversion is delegating to the governing board of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving

disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;

(c) Permit the enrollment of students who reside in any other district in the state.

(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;

(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;

(22) A provision recognizing both of the following:

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;

(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the

school that pose an imminent danger to the health and safety of 379
the school's students and employees and the sponsor refuses to 380
take such action; 381

(23) A description of the learning opportunities that will be 382
offered to students including both classroom-based and 383
non-classroom-based learning opportunities that is in compliance 384
with criteria for student participation established by the 385
department under division (L)(2) of section 3314.08 of the Revised 386
Code; 387

(24) The school will comply with section 3302.04 of the 388
Revised Code, including division (E) of that section to the extent 389
possible, except that any action required to be taken by a school 390
district pursuant to that section shall be taken by the sponsor of 391
the school. However, the sponsor shall not be required to take any 392
action described in division (F) of that section. 393

(25) Beginning in the 2006-2007 school year, the school will 394
open for operation not later than the thirtieth day of September 395
each school year, unless the mission of the school as specified 396
under division (A)(2) of this section is solely to serve dropouts. 397
In its initial year of operation, if the school fails to open by 398
the thirtieth day of September, or within one year after the 399
adoption of the contract pursuant to division (D) of section 400
3314.02 of the Revised Code if the mission of the school is solely 401
to serve dropouts, the contract shall be void. 402

(B) The community school shall also submit to the sponsor a 403
comprehensive plan for the school. The plan shall specify the 404
following: 405

(1) The process by which the governing authority of the 406
school will be selected in the future; 407

(2) The management and administration of the school; 408

(3) If the community school is a currently existing public school, alternative arrangements for current public school students who choose not to attend the school and teachers who choose not to teach in the school after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for oversight and monitoring of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department of education and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in 439
complying with laws applicable to the school and terms of the 440
contract; 441

(5) Take steps to intervene in the school's operation to 442
correct problems in the school's overall performance, declare the 443
school to be on probationary status pursuant to section 3314.073 444
of the Revised Code, suspend the operation of the school pursuant 445
to section 3314.072 of the Revised Code, or terminate the contract 446
of the school pursuant to section 3314.07 of the Revised Code as 447
determined necessary by the sponsor; 448

(6) Have in place a plan of action to be undertaken in the 449
event the community school experiences financial difficulties or 450
closes prior to the end of a school year. 451

(E) Upon the expiration of a contract entered into under this 452
section, the sponsor of a community school may, with the approval 453
of the governing authority of the school, renew that contract for 454
a period of time determined by the sponsor, but not ending earlier 455
than the end of any school year, if the sponsor finds that the 456
school's compliance with applicable laws and terms of the contract 457
and the school's progress in meeting the academic goals prescribed 458
in the contract have been satisfactory. Any contract that is 459
renewed under this division remains subject to the provisions of 460
sections 3314.07, 3314.072, and 3314.073 of the Revised Code. 461

(F) If a community school fails to open for operation within 462
one year after the contract entered into under this section is 463
adopted pursuant to division (D) of section 3314.02 of the Revised 464
Code or permanently closes prior to the expiration of the 465
contract, the contract shall be void and the school shall not 466
enter into a contract with any other sponsor. A school shall not 467
be considered permanently closed because the operations of the 468
school have been suspended pursuant to section 3314.072 of the 469

Revised Code. Any contract that becomes void under this division 470
shall not count toward any statewide limit on the number of such 471
contracts prescribed by section 3314.013 of the Revised Code. 472

Sec. 3737.73. (A) No principal or person in charge of a 473
public or private school or educational institution having an 474
average daily attendance of ~~fifty~~ twenty or more pupils, and no 475
person in charge of any children's home or orphanage housing 476
twenty or more minor persons, shall willfully neglect to instruct 477
and train such children by means of drills or rapid dismissals ~~at~~ 478
~~least once a month while such school, institution, or children's~~ 479
~~home is in operation~~, so that such children in a sudden emergency 480
may leave the building in the shortest possible time without 481
confusion. The principal or person in charge of a school or 482
educational institution shall conduct drills or rapid dismissals 483
at least nine times during the school year, which shall be at the 484
times and frequency prescribed in rules adopted by the fire 485
marshal. However, no drill or rapid dismissal under this division 486
need be conducted in any month that a school safety drill required 487
under division (D) of this section is conducted as long as a total 488
of nine drills or rapid dismissals under this division are 489
conducted in the school year. The principal or person in charge of 490
a children's home or orphanage shall conduct drills or rapid 491
dismissals at least once each month while the home is in 492
operation. In the case of schools, no ~~such person~~ principal or 493
person in charge of a school shall willfully neglect to keep the 494
doors and exits of such building unlocked during school hours. The 495
fire marshal may order the immediate installation of necessary 496
fire gongs or signals in such schools, institutions, or children's 497
homes and enforce this division and divisions (B) and (C)(3) of 498
this section. 499

(B) In conjunction with the drills or rapid dismissals 500

required by division (A) of this section, principals or persons in charge of public or private primary and secondary schools, or educational institutions, shall instruct pupils in safety precautions to be taken in case of a tornado alert or warning. Such principals or persons in charge of such schools or institutions shall designate, in accordance with standards prescribed by the fire marshal, appropriate locations to be used to shelter pupils in case of a tornado, tornado alert, or warning.

(C)(1) The fire marshal or ~~his~~ the fire marshal's designee shall annually inspect each school, institution, home, or orphanage subject to division (A) of this section to determine compliance with that division, and each school or institution subject to division (B) of this section to ascertain whether the locations comply with the ~~prescribed~~ standards prescribed under that division. Nothing in this section shall require a school or institution to construct or improve a facility or location for use as a shelter area.

~~(D)~~(2) The fire marshal or ~~his~~ the fire marshal's designee shall issue a warning to any person found in violation of division (A) or (B) of this section. The warning shall indicate the specific violation and a date by which such violation shall be corrected. ~~No~~

(3) No person shall fail to correct violations by the date indicated on a warning issued under ~~this~~ division (C)(2) of this section.

(D)(1) On or before April 1, 2007, and on or before each first day of December thereafter, the principal or person in charge of each public or private school or educational institution shall conduct a school safety drill to provide pupils with instruction in the procedures to follow in situations where pupils must be secured in the school building, such as a threat to the

school involving an act of terrorism; a person possessing a deadly 532
weapon or dangerous ordnance, as defined in section 2923.11 of the 533
Revised Code, on school property; or other act of violence. 534

(2)(a) The principal or person in charge of each public or 535
private school or educational institution shall provide to the 536
police chief or other similar chief law enforcement officer of the 537
municipal corporation, township, or township police district in 538
which the school or institution is located, or, in absence of any 539
such person, the county sheriff of the county in which the school 540
or institution is located advance written notice of each school 541
safety drill required under division (D)(1) of this section and 542
shall keep a written record of the date and time of each drill 543
conducted. The advance notice shall be provided not later than 544
seventy-two hours prior to the date the drill will be conducted 545
and shall include the date and time the drill will be conducted 546
and the address of the school or educational institution. The 547
notice shall be provided by mail, facsimile, or electronic 548
submission. 549

(b) Not later than April 5, 2007, and not later than the 550
fifth day of December each year thereafter, the principal or 551
person in charge of each public or private school or educational 552
institution shall provide written certification by mail of the 553
date and time each school safety drill required under division 554
(D)(1) of this section was conducted to the police chief or other 555
similar chief law enforcement officer of the municipal 556
corporation, township, or township police district in which the 557
school or institution is located, or, in the absence of any such 558
person, the county sheriff of the county in which the school or 559
institution is located. If such certification is not provided, the 560
principal or person in charge of the school or institution shall 561
be considered to have failed to conduct the drill and shall be 562
subject to division (D)(4) of this section. 563

(3) The principal or person in charge of each public or private school or educational institution shall hold annual training sessions for employees of the school or institution regarding the conduct of school safety drills. 564
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(4) The police chief or other similar chief law enforcement officer of a municipal corporation, township, or township police district, or, in the absence of any such person, the county sheriff shall issue a warning to any person found in violation of division (D)(1) of this section. Each warning issued for a violation of division (D)(1) of this section shall require the principal or person in charge of the school or institution to correct the violation by conducting the school safety drill not later than the thirtieth day after the date the warning is issued. The violation shall not be considered corrected unless, not later than forty days after the date the warning is issued, the principal or person in charge of the school or institution provides written certification of the date and time the drill was conducted to the police chief or other similar chief law enforcement officer or county sheriff who issued the warning. 568
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(5) No person shall fail to correct violations by the date indicated on a warning issued under division (D)(4) of this section. 583
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Sec. 3737.99. (A) Whoever violates section 3737.28 of the Revised Code may be summarily punished, by the officer concerned, by a fine of not more than one hundred dollars or commitment to the county jail until that person is willing to comply with the order of such officer. 586
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(B) Except as a violation of section 2923.17 of the Revised Code involves subject matter covered by the state fire code and except as such a violation is covered by division (G) of this section, whoever violates division (A) of section 3737.51 of the 591
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Revised Code is guilty of a misdemeanor of the first degree. 595

(C) Whoever violates section 3737.61 of the Revised Code is 596
guilty of a minor misdemeanor. 597

(D) Whoever violates section 3737.62 or 3737.64 of the 598
Revised Code is guilty of a misdemeanor of the fourth degree. 599

(E) Whoever violates section 3737.63 or division (A) or (B) 600
of section 3737.65 of the Revised Code is guilty of a misdemeanor 601
of the third degree. 602

(F) Whoever violates division (C)(3) or (D)(5) of section 603
3737.73 of the Revised Code shall be fined ~~not less than five nor~~ 604
~~more than twenty~~ one thousand dollars. 605

(G) Whoever violates section 3737.66 of the Revised Code is 606
guilty of a misdemeanor of the first degree. 607

(H) Whoever knowingly violates division (C) of section 608
3737.882 of the Revised Code is guilty of an unclassified felony 609
and shall be fined not more than twenty-five thousand dollars or 610
imprisoned for not more than fourteen months, or both. Whoever 611
recklessly violates division (C) of section 3737.882 of the 612
Revised Code is guilty of a misdemeanor of the first degree. 613

(I) Whoever knowingly violates division (F)(1), (2), or (3) 614
of section 3737.881 or section 3737.93 of the Revised Code is 615
guilty of a misdemeanor of the fourth degree. 616

(J) Whoever knowingly violates division (B) or (C) of section 617
3737.91 of the Revised Code is guilty of a misdemeanor of the 618
second degree. 619

Section 2. That existing sections 149.433, 3301.56, 3313.536, 620
3314.03, 3737.73, and 3737.99 of the Revised Code are hereby 621
repealed. 622

Section 3. It is the intent of the General Assembly to 623

encourage the United States Congress and the United States 624
Department of Homeland Security to broaden the definition of 625
"critical infrastructure" enacted in the "Homeland Security Act of 626
2002," 6 U.S.C. 101 et seq., to include school buildings as they 627
are a potential target of terrorist attacks. Including school 628
buildings as critical infrastructure would enable the Department 629
to prioritize the security of school buildings by integrating them 630
into its risk assessments and plans for protecting the national 631
safety and welfare. 632