

As Introduced

**130th General Assembly
Regular Session
2013-2014**

H. B. No. 178

Representative Phillips

**Cosponsors: Representatives Hayes, Mallory, Strahorn, Reece, Fedor,
Heard, Antonio**

—

A B I L L

To amend section 3737.73 of the Revised Code with 1
respect to school safety drills. 2

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

Section 1. That section 3737.73 of the Revised Code be 3
amended to read as follows: 4

Sec. 3737.73. (A) No principal or person in charge of a 5
public or private school or educational institution having an 6
average daily attendance of twenty or more pupils, and no person 7
in charge of any children's home or orphanage housing twenty or 8
more minor persons, shall willfully neglect to instruct and train 9
such children by means of drills or rapid dismissals, so that such 10
children in a sudden emergency may leave the building in the 11
shortest possible time without confusion. The principal or person 12
in charge of a school or educational institution shall conduct 13
drills or rapid dismissals at least ~~nine~~ five times during the 14
school year, pursuant to division (E) of this section, which shall 15
be at the times and frequency prescribed in rules adopted by the 16
fire marshal. ~~However, no drill or rapid dismissal under this~~ 17
~~division need be conducted in any month that a school safety drill~~ 18

~~required under division (D) of this section is conducted as long~~ 19
~~as a total of nine drills or rapid dismissals under this division~~ 20
~~are conducted in the school year.~~ The principal or person in 21
charge of a children's home or orphanage shall conduct drills or 22
rapid dismissals at least once each month while the home is in 23
operation. In the case of schools, no principal or person in 24
charge of a school shall willfully neglect to keep the doors and 25
exits of such building unlocked during school hours. The fire 26
marshal may order the immediate installation of necessary fire 27
gongs or signals in such schools, institutions, or children's 28
homes and enforce this division and divisions (B) and (C)(3) of 29
this section. 30

(B) In conjunction with the drills or rapid dismissals 31
required by division (A) of this section, principals or persons in 32
charge of public or private primary and secondary schools, or 33
educational institutions, shall instruct pupils in safety 34
precautions to be taken in case of a tornado alert or warning. 35
Such principals or persons in charge of such schools or 36
institutions shall designate, in accordance with standards 37
prescribed by the fire marshal, appropriate locations to be used 38
to shelter pupils in case of a tornado, tornado alert, or warning. 39

(C)(1) The fire marshal or the fire marshal's designee shall 40
annually inspect each school, institution, home, or orphanage 41
subject to division (A) of this section to determine compliance 42
with that division, and each school or institution subject to 43
division (B) of this section to ascertain whether the locations 44
comply with the standards prescribed under that division. Nothing 45
in this section shall require a school or institution to construct 46
or improve a facility or location for use as a shelter area. 47

(2) The fire marshal or the fire marshal's designee shall 48
issue a warning to any person found in violation of division (A) 49
or (B) of this section. The warning shall indicate the specific 50

violation and a date by which such violation shall be corrected. 51

(3) No person shall fail to correct violations by the date 52
indicated on a warning issued under division (C)(2) of this 53
section. 54

(D)(1) ~~On or before April 1, 2007, and on or before each~~ 55
~~first day of December thereafter, the~~ The principal or person in 56
charge of each public or private school or educational institution 57
shall conduct ~~a school safety drill~~ drills at least four times 58
during the school year, pursuant to division (E) of this section, 59
to provide pupils with instruction in the procedures to follow in 60
situations where pupils must be secured in the school building, 61
~~such as~~ or rapidly evacuated in response to a threat to the school 62
involving an act of terrorism; a person possessing a deadly weapon 63
or dangerous ordnance, as defined in section 2923.11 of the 64
Revised Code, on school property; or other act of violence. 65

(2)(a) The principal or person in charge of each public or 66
private school or educational institution shall provide to the 67
police chief or other similar chief law enforcement officer of the 68
municipal corporation, township, or township or joint police 69
district in which the school or institution is located, or, in 70
absence of any such person, the county sheriff of the county in 71
which the school or institution is located advance written notice 72
of each school safety drill required under division (D)(1) of this 73
section and shall keep a written record of the date and time of 74
each drill conducted. The advance notice shall be provided not 75
later than seventy-two hours prior to the date the drill will be 76
conducted and shall include the date and time the drill will be 77
conducted and the address of the school or educational 78
institution. The notice shall be provided by mail, facsimile, or 79
electronic submission. 80

(b) Not later than ~~April 5, 2007, and not later than~~ the 81
fifth day of ~~December~~ November each year ~~thereafter,~~ the principal 82

or person in charge of each public or private school or 83
educational institution shall provide written certification by 84
mail of the date and time each school safety drill required under 85
division (D)(1) of this section was conducted during the previous 86
school year, as well as the date and time each drill will be 87
conducted during the current school year, to the police chief or 88
other similar chief law enforcement officer of the municipal 89
corporation, township, or township or joint police district in 90
which the school or institution is located, or, in the absence of 91
any such person, the county sheriff of the county in which the 92
school or institution is located. If such certification is not 93
provided, the principal or person in charge of the school or 94
institution shall be considered to have failed to ~~conduct the~~ 95
~~drill~~ meet this requirement and shall be subject to division 96
(D)(4) of this section. 97

(3) The principal or person in charge of each public or 98
private school or educational institution shall hold annual 99
training sessions for employees of the school or institution 100
regarding the conduct of school safety drills. 101

(4) The police chief or other similar chief law enforcement 102
officer of a municipal corporation, township, or township or joint 103
police district, or, in the absence of any such person, the county 104
sheriff shall issue a warning to any person found in violation of 105
division (D)(1) of this section. Each warning issued for a 106
violation of division (D)(1) of this section shall require the 107
principal or person in charge of the school or institution to 108
correct the violation by conducting ~~the~~ a school safety drill not 109
later than the thirtieth day after the date the warning is issued. 110
The violation shall not be considered corrected unless, not later 111
than forty days after the date the warning is issued, the 112
principal or person in charge of the school or institution 113
provides written certification of the date and time ~~the~~ this drill 114

was conducted, as well as the date and time each remaining drill 115
will be conducted during the current school year, to the police 116
chief or other similar chief law enforcement officer or county 117
sheriff who issued the warning. 118

(5) No person shall fail to correct violations by the date 119
indicated on a warning issued under division (D)(4) of this 120
section. 121

(E) The principal or person in charge of each public or 122
private school or educational institution shall conduct the drills 123
or rapid dismissals required under division (A) of this section 124
and the school safety drills required under division (D) of this 125
section during alternating months of the school year so that a 126
drill or rapid dismissal under division (A) of this section is not 127
conducted during the same month as a school safety drill under 128
division (D) of this section. 129

Section 2. That existing section 3737.73 of the Revised Code 130
is hereby repealed. 131