

1 HB91
2 147541-3
3 By Representative Baker
4 RFD: Education Policy
5 First Read: 05-FEB-13
6 PFD: 02/01/2013

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2 ENROLLED, An Act,

3 To amend Sections 16-1-44 and 36-19-10, Code of
4 Alabama 1975, relating to school safety plans and mandatory
5 fire drills; to require the inclusion of a code red school
6 safety plan in the comprehensive school safety plan to address
7 events involving acts of violence or the threat of violence;
8 to designate safety, security, severe weather, fire, and code
9 red drills collectively as emergency drills; to provide for
10 the designation of a code red safety alert level for a school
11 experiencing perceived immediate threats of violence; to
12 provide for code red school safety drills at the beginning of
13 each school semester; and to require emergency drills, in lieu
14 of fire drills, as required by the State Fire Marshal, to be
15 conducted at least once each month in K-12 educational
16 institutions.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Sections 16-1-44 and 36-19-10 of the Code
19 of Alabama 1975, are amended to read as follows:

20 "§16-1-44.

21 "(a) (1) Each local board of education shall adopt a
22 comprehensive school safety plan for each school under the
23 authority of the board.

24 "(2) The local board or its agent shall examine the
25 conditions and operations of each school under the authority

1 of the local board to determine hazards to student and staff
2 safety and shall propose changes, if needed to promote the
3 prevention of dangerous problems and circumstances.

4 "(3) In developing the plan for each school, the
5 local board or its agent shall involve community law
6 ~~enforcement, safety community fire and emergency management~~
7 ~~officials, teachers, and nonteaching employees who are~~
8 enforcement, safety officials including community fire and
9 emergency management assigned to the school.

10 "(b) (1) The board shall incorporate into the plan
11 the following:

12 "a. A protocol for addressing serious threats to the
13 safety of school property, students, employees, or
14 administrators including, but not limited to, a specific code
15 red school safety plan.

16 "b. A protocol for responding to ~~any~~ emergency
17 events that compromise the safety of school property,
18 students, and employees.

19 "(2) Each protocol shall include procedures for
20 responding to threats and emergency events, respectively,
21 including such action as notification of appropriate law
22 enforcement and emergency response personnel for assistance,
23 and informing parents of affected students.

24 "(c) (1) The board shall update the safety plan
25 whenever a major modification to the building requires changes

1 in the procedures outlined in the plan, and at other necessary
2 times. The code red school safety plan shall be reviewed and
3 revised annually, as needed, by the local board of education
4 in consultation with the principal, administrative staff,
5 faculty, and employees of the school.

6 "(2) Upon request of law enforcement or safety
7 officials, or both, the local board shall provide a copy of
8 the current school site and safety plan, which shall be kept
9 in a secure place and not considered public record.

10 "(d) The local board shall grant access to each
11 school under its control to law enforcement and fire
12 department personnel to enable them to prepare for responding
13 to threats and emergency events affecting the school. Such
14 access shall occur outside of student instructional hours and
15 an employee of the board shall be present.

16 "(e) The principal or his or her designee shall
17 instruct and train students concerning procedures to be used
18 for emergency drills and evacuations. The principal or his or
19 her designee shall ensure that all safety and security drills
20 and procedures are conducted and performed no less than what
21 is required by state or federal law, or both. The doors and
22 exits of each school may be locked from the outside but shall
23 allow for immediate egress by those inside the building during
24 school hours and at all school functions. An emergency drill

1 shall include, but not be limited to, safety, security, severe
2 weather, fire, and code red drills.

3 "(f) In conjunction with drills or evacuations
4 required by subsection (e), a principal or his or her designee
5 shall instruct students in safety precautions to be taken in
6 case of a severe weather watch, alert, or warning. A principal
7 or his or her designee shall designate, in accordance with
8 standards prescribed by the local superintendent of education
9 in conjunction with local public safety officials and the fire
10 marshal, or appropriate local fire safety official in counties
11 that do not have a fire marshal, appropriate locations to be
12 used to shelter students in case of a severe weather watch,
13 alert, or warning.

14 "(g) In the event of a perceived immediate threat to
15 a school involving acts of violence, such as terrorism, a
16 person possessing a firearm or a deadly weapon, or any other
17 threat of violence, the principal, or his or her designee, may
18 institute a code red safety alert level for the school. In
19 addition to the requirements of subsection (e), the principal
20 or his or her designee shall conduct a code red school safety
21 drill at least once each during the first six weeks of the
22 fall and spring semesters of each school year to provide
23 students with instruction in the procedures to follow in the
24 case of a ~~threat to the school involving acts of violence,~~
25 ~~such as terrorism, a person possessing a firearm or a deadly~~

1 ~~weapon, or any other act of violence~~ code red. The principal
2 or his or her designee shall hold an annual training ~~sessions~~
3 session for employees of the school regarding the code red
4 school safety plan, drills, and procedures to be conducted
5 during a school year.

6 "(h) Appropriate disciplinary action shall be taken
7 against any principal or his or her designee who knowingly
8 neglects or refuses to comply with the requirements of this
9 section.

10 "(i) This section shall be read in pari materia with
11 other laws relating to school safety and emergency planning.

12 "§36-19-10.

13 "The Fire Marshal, his deputies and assistants shall
14 require officials and teachers of public and private schools
15 and educational institutions to have at least one ~~fire~~
16 emergency drill each month and to have all doors and exits at
17 such schools and educational institutions open out and that
18 all such doors and exits shall be unlocked during school hours
19 and that the doors and exits of factories, asylums, hospitals,
20 churches, halls, theatres, amphitheatres and other places in
21 which numbers of persons live, work or congregate from time to
22 time, for any purpose or purposes, shall open out. For the
23 purposes of this section, an emergency drill shall include,
24 but not be limited to, a fire drill, severe weather drill, or
25 code red drill as provided in Section 16-1-44."

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

