

2012 -- S 2608

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY

Introduced By: Senators DiPalma, Ottiano, Miller, Tassoni, and DeVall

Date Introduced: March 01, 2012

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           **(b) Notwithstanding other provisions of this section, in ~~in~~ all schools or buildings used**  
10 **for educational purposes through twelfth (12<sup>th</sup>) grade by six (6) or more persons for four (4) or**  
11 **more hours per day or more than twelve (12) hours per week, ~~but colleges, universities, or~~**  
12 **postsecondary institutions, there shall be ~~fifteen (15)~~ fire drills, evacuation** drills or rapid  
13 dismissals **as follows: during the school year, at least eight (8) of which shall be held during the**  
14 **months of September, October, and November. The remaining seven (7) drills or rapid dismissals**  
15 **shall be held at the discretion of the principal or person in charge of the school. At least four (4)**  
16 **drills or rapid dismissals shall be obstructed by means of which at least one or more exits and**  
17 **stairways in the school building are blocked off or not used and at least two (2) of the obstructed**  
18 **drills shall be held during the months of September and October. There shall be two (2)**  
19 **evacuation drills and two (2) lockdown drills included among the fifteen (15) mandatory drills in**

1 ~~each school year.~~

2 (1) For schools or buildings used for educational purposes through the fifth (5<sup>th</sup>) grade,  
3 there shall be a minimum of the (10) drills per school year. The ten (10) drills includes two (2)  
4 evacuation drills and two (2) lockdown drills. One fire drill or rapid dismissal and one lockdown  
5 drill shall be held within the first thirty (30) days of school and a minimum of one per month  
6 thereafter;

7 (2) For sixth (6<sup>th</sup>) through twelfth (12<sup>th</sup>) grade, there shall be a minimum of six (6) drills.  
8 The six (6) drills shall include one evacuation and two (2) lockdown drills. One fire drill or rapid  
9 dismissal and one lockdown drill shall be held within the first thirty (30) days of school and a  
10 minimum of one per quarter thereafter.

11 (3) For schools that house a combination of the aforementioned grades, the school shall  
12 be required to hold the requisite number of fire drills based upon the lowest grade served.

13 (c) Evacuation drills shall be designed and conducted for use when conditions outside the  
14 school building are safer than conditions inside the building. Lockdown drills shall be designed  
15 and conducted for use to protect school building occupants from potential dangers in the building.  
16 Superintendents and/or principals or their equivalents may increase the number of drills that are  
17 required each year.

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

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

27 ~~(c)~~(3) For purposes of this section "residence facility" means dormitory, fraternity,  
28 sorority, or any other type of residence hall, whether on campus or off campus, owned or leased  
29 by a college, university, postsecondary institutions, public schools, or private school with  
30 accommodations for twenty (20) or more students.

31 ~~(d)~~(4) Notwithstanding other provisions of this section, fire drills shall be required in  
32 colleges or universities only for buildings which are used for a residence facility.

33 (e) Neglect by any principal or any person in charge of any public or private school or  
34 educational institution to comply with the provisions of this section shall be a misdemeanor

1 punishable by a fine not exceeding five hundred dollars (\$500).

2 SECTION 2. Sections 23-28.12-15 and 23-28.12-36 of the General Laws in Chapter 23-  
3 28.12 entitled "Schools" are hereby amended to read as follows:

4 **23-28.12-15. Fire alarm systems.** -- (a) It shall be the duty of the principal or other  
5 person in charge of every public school or private school ~~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 the school building in the shortest~~  
8 ~~possible time and without confusion or panic. There shall be fifteen (15) such drills or rapid~~  
9 ~~dismissals during the school year, at least eight (8) of which shall be held during the months of~~  
10 ~~September, October, and November. The remaining seven (7) drills or rapid dismissals shall be~~  
11 ~~held at the discretion of the principal or person in charge of the school. At least four (4) drills or~~  
12 ~~rapid dismissals shall be obstructed, which means that one or more exits and stairways in the~~  
13 ~~school building are blocked off or not used, and at least two (2) of these obstructed drills shall be~~  
14 ~~held during the months of September and October.~~

15 (b) ~~Neglect by any principal or any person in charge of any public or private school or~~  
16 ~~educational institution to comply with the provisions of this section shall be a misdemeanor~~  
17 ~~punishable by a fine not exceeding fifty dollars (\$50.00). Written reports, on forms supplied by~~  
18 ~~the department of elementary and secondary education, of each fire drill shall be completed~~  
19 ~~immediately upon termination of every drill and shall be available for review by the fire marshal,~~  
20 ~~assistant deputy fire marshal, or local fire authority. The fire marshal, assistant deputy fire~~  
21 ~~marshal, or local fire authority may require that a fire drill be conducted in his or her presence.,~~  
22 college, university or post secondary institutions or educational institution within the state, having  
23 more than twenty-five (25) pupils, to instruct and train the pupils by means of drills, so that they  
24 may, in a sudden emergency, be able to leave school buildings and dormitories in the shortest  
25 possible time and without confusion or panic.

26 (b) Notwithstanding other provisions of this section, in all schools or buildings used for  
27 educational purposes through the twelfth (12<sup>th</sup>) grade by six (6) or more persons for four (4) or  
28 more hours per day or more than twelve (12) hours per week, there shall be fire drills, evacuation  
29 drills or rapid dismissals as follows:

30 (1) For schools or buildings used for educational purposes through the fifth (5<sup>th</sup>) grade,  
31 there shall be a minimum of ten (10) drills per school year. The ten (10) drills includes two (2)  
32 evacuation drills and two (2) lockdown drills. One fire drill or rapid dismissal and one lockdown  
33 drill shall be held within the first thirty (30) days of school and a minimum of one per month  
34 thereafter;

1           (2) For sixth (6<sup>th</sup>) through twelfth (12<sup>th</sup>) grade, there shall be a minimum of six (6) drills.  
2           The six (6) drills shall include one evacuation and two (2) lockdown drills. One fire drill or rapid  
3           dismissal and one lockdown drill shall be held within the first thirty (30) days of school and a  
4           minimum of one per quarter thereafter

5           (3) For schools that house a combination of the aforementioned grades, the school shall  
6           be required to hold the requisite number of fire drills based upon the lowest grade served.

7           (c) Evacuation drills shall be designed and conducted for use when conditions outside the  
8           school building are safer than conditions inside the building. Lockdown drills shall be designed  
9           and conducted for use to protect school building occupants from potential dangers in the building.  
10          Superintendents and/or principals or their equivalents may increase the number of drills that are  
11          required each year.

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

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

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

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

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

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

1           **23-28.12-36. Fire alarm systems -- Fire drills -- Penalties.** -- (a) It shall be the duty of  
2 the principal or other person in charge of every public school or private school ~~or educational~~  
3 ~~institution within the state, having more than twenty five (25) pupils, to instruct and train the~~  
4 ~~pupils by means of drills, so that they may in a sudden emergency be able to leave the school~~  
5 ~~building in the shortest possible time and without confusion or panic. There shall be fifteen (15)~~  
6 ~~such drills or rapid dismissals during the school year, at least eight (8) of which shall be held~~  
7 ~~during the months of September, October, and November. The remaining seven (7) such drills or~~  
8 ~~rapid dismissals shall be held at the discretion of the principal or person in charge of the school.~~  
9 ~~At least four (4) drills or rapid dismissals shall be obstructed, which means that one or more exits~~  
10 ~~and stairways in the school building are blocked off or not used and at least two (2) of these~~  
11 ~~obstructed drills shall be held during the months of September and October.~~

12           ~~(b) Neglect by any principal or any person in charge of any public or private school or~~  
13 ~~education institution to comply with the provisions of this section shall be a misdemeanor~~  
14 ~~punishable by a fine of not exceeding fifty dollars (\$50.00).~~, college, university, or postsecondary  
15 institutions or educational institution within the state, having more than twenty-five (25) pupils,  
16 to instruct and train the pupils by means of drills, so that they may, in a sudden emergency, be  
17 able to leave school buildings and dormitories in the shortest possible time and without confusion  
18 or panic.

19           (b) Notwithstanding other provisions of this section, in all schools or buildings used for  
20 educational purposes through the twelfth (12<sup>th</sup>) grade by six (6) or more persons for four (4) or  
21 more hours per day or more than twelve (12) hours per week, there shall be fire drills, evacuation  
22 drills or rapid dismissals as follows:

23           (1) For schools or buildings used for educational purposes through the fifth (5<sup>th</sup>) grade,  
24 there shall be a minimum of ten (10) drills per school year. The ten (10) drills includes two (2)  
25 evacuation drills and two (2) lockdown drills. One fire drill or rapid dismissal and one lockdown  
26 drill shall be held within the first thirty (30) days of school and a minimum of one per month  
27 thereafter;

28           (2) For sixth (6<sup>th</sup>) through twelfth (12<sup>th</sup>) grade, there shall be a minimum of six (6) drills.  
29 The six (6) drills shall include one evacuation and two (2) lockdown drills. One fire drill or rapid  
30 dismissal and one lockdown drill shall be held within the first thirty (30) days of school and a  
31 minimum of one per quarter thereafter;

32           (3) For schools that house a combination of the aforementioned grades, the school shall  
33 be required to hold the requisite number of fire drills based upon the lowest grade served.

34           Evacuation drills shall be designed and conducted for use when conditions outside the

1 school building are safer than conditions inside the building. Lockdown drills shall be designed  
2 and conducted for use to protect school building occupants from potential dangers in the building.  
3 Superintendents and/or principals or their equivalents may increase the number of drills that are  
4 required each year.

5 (c)(l) 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 full  
11 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 (3) For purposes of this section “residence facility” means dormitory, fraternity, sorority,  
15 or any other type of residence hall, whether on campus or off campus, owned or leased by a  
16 college, university, postsecondary institutions, public schools, or private school with  
17 accommodations for twenty (20) or more students.

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

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

23 ~~(e)~~(e) 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

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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, the hours spent  
4 in the facility.

5           This act would take effect upon passage.

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