



Department of Commerce

Division of State Fire Marshal
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Drills or Rapid Dismissals and School Safety Drills FAQ

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Laws regarding emergency drills that must be conducted by schools and educational institutions are located in the Ohio Revised Code (hereinafter, "Rev. Code") in section 3737.73. Recently, the Ohio Legislature passed a bill that amends that section of the Rev. Code. That legislation was House Bill 178 (hereinafter, "HB 178"), which became effective March 23, 2015. Although HB 178 addresses many topics and other provisions of the Rev. Code may address emergency drills in schools, the following addresses only frequently asked questions regarding HB 178 and the changes it imposes on Rev. Code § 3737.73 regarding emergency drills that must be conducted in schools and educational institutions.

1. Where can I find the new law that was enacted?

You can access the enacted version of House Bill 178 by going to the Ohio Legislative Services Commission website: <http://www.lsc.ohio.gov> and choosing the "Bills/Resolutions & Related Documents" radio button. Then choose the "Prior General Assemblies" link (bottom of page). Choose the "130 GA" button and enter the bill number (178) in the appropriate box. The 'HB 178' link that comes up will be the enacted version of the legislation affecting school emergency drills.

2. Where is the actual law regarding school drills located in the Ohio Revised Code?

The provisions of House Bill 178 (from the 130th General Assembly) which address drills or rapid dismissals and school safety drills are codified in Rev. Code § 3737.73.

That Rev. Code section can also be accessed at: <http://codes.ohio.gov/orc/>

3. Does the new law affect my school?

If your school or educational institution – public or private – has an average daily attendance of twenty or more pupils, then yes, the new law affects your school.

4. When do the new requirements become effective?

The provisions of House Bill 178 are effective as of March 23, 2015.

5. What Ohio Fire Code (hereinafter, “OFC”) provisions apply to drills or rapid dismissals?

Generally, Ohio Fire Code Rule 4 (and in particular Sections 404 and 405) apply.

6. What is the difference between a “drill or rapid dismissal” and a “school safety drill”?

These terms are not defined in the Ohio Revised Code, but can generally be distinguished as follows:

“Drills or rapid dismissals” is a broader and more general category of drills that contemplates the education of students in the most effective means of evacuating from school buildings in response to a sudden emergency. General “drills or rapid dismissals” contemplate any emergency.

“School safety drills,” on the other hand, are a subcategory within the general drills or rapid dismissals category that specifically address evacuation when a sudden emergency is caused by an act of violence – such as an act of terrorism or a person possessing a deadly weapon or dangerous ordnance.

7. Does my school have to conduct both ‘drills or rapid dismissals’ and ‘school safety drills’?

Yes. All schools or educational institutions with an average daily attendance of twenty or more pupils (hereinafter, “school” or “schools”) have to conduct drills or rapid dismissals.

Likewise, all schools have to conduct school safety drills.

8. How many drills or rapid dismissals must my school conduct?

It depends.

Does your school have a smoke detector or sprinkler system in all classroom buildings?

If yes, your school has to conduct 6 drills or rapid dismissals during the school year.

If no, your school has to conduct 9 drills or rapid dismissals during the school year.

9. How many school safety drills does my school have to conduct?

All schools have to conduct school 3 school safety drills during the school year. In addition, all schools are required to conduct one theoretical school safety drill.

The theoretical school safety drill is to provide instruction to school faculty and staff regarding procedures to be followed in response to a sudden emergency caused by an act of violence – such as an act of terrorism or a person possessing a deadly weapon or dangerous ordnance. The theoretical drill does not have to include student participation and can be conducted during annual training sessions schools are required to have.

10. Can I combine “drills or rapid dismissals” with my “school safety drills”?

It depends. Is your school required to have 6 drills or rapid dismissals or 9 drills or rapid dismissals (see question 7, above)?

If 6, then you cannot combine the 6 required drills or rapid dismissals with the 3 required school safety drills.

If 9, then you can combine the 9 required drills or rapid dismissals with the 3 required school safety drills.

11. How often must I conduct drills or rapid dismissals or school safety drills?

Monthly. Regardless of how many of each type of drill you must conduct (6 or 9 drills or rapid dismissals; or 3 three school safety drills) you must conduct at least one drill or rapid dismissal or one school safety drill during each month of the school year.

12. When must I conduct drills or rapid dismissals?

a. When does my first drill or rapid dismissal have to be conducted?

Within 10 days of the beginning of classes.

b. Can I conduct all of my drills or rapid dismissals at 11:00a.m., or at the end of the day?

No. It is not permissible to always conduct drills at the same time of day, such as during homeroom, or at 11:10 a.m., or to always conduct rapid dismissals at the end of the day.

In order to be compliant with the OFC, drills and rapid dismissal must be varied. This is important so that drills are not expected by building occupants, so that the unusual conditions that would occur in the event of an actual fire are simulated, and so that occupants will not be able to distinguish between drills and actual emergencies, thereby accurately reflecting preparedness for an actual emergency.

13. When must I conduct school safety drills?

There is no specific time or deadline provided in the Revised Code provisions regarding school drills that discusses when school safety drills must be conducted – as long as three such drills are conducted during the school year. However, school safety drills do have to be conducted in conjunction with the district’s or school’s emergency management plan adopted under Rev. Code §3313.536.

14. Who is responsible for conducting drills or rapid dismissals and school safety drills?

Principals or persons in charge (hereinafter collectively, “principal”) of a school are required to conduct drills or rapid dismissals and school safety drills.

15. Do I have to document or keep records of drills or rapid dismissals and school safety drills that I conduct and what type of documents must I keep?

Yes. Both *drills or rapid dismissals* and school safety drills must be documented.

Records regarding drills or rapid dismissals must contain the following information:

- a) Identity of the person conducting the drill.
- b) Date and time of the drill.
- c) Notification method used.
- d) Staff members on duty and participating.
- e) Number of occupants evacuated.
- f) Special conditions simulated.
- g) Problems encountered.
- h) Weather conditions when occupants were evacuated.
- i) Time required to accomplish complete evacuation.

Records regarding *school safety drills* must contain the following information:

- a) Date and time each school safety drill was conducted during the prior school year.
- b) Date and time each school safety drill will be conducted during the current school year.

16. What do I have to do with the records documenting the drills or rapid dismissals or school safety drills that I have conducted and when?

A copy of the records regarding *drills or rapid dismissals* must be submitted to the state fire marshal for verification. If required by the fire code official, the records must also be submitted to the firefighting agency having jurisdiction that conducts inspections of the school. The records must be submitted at the middle point of the school year and again at the end of the school year.

Written certification of the date and time *school safety drills* are going to be conducted during the school year and of the date and time school safety drills were conducted during the prior school year must be provided to appropriate law enforcement. The written certification must be submitted to appropriate law enforcement no later than December 5 of each year.

Appropriate law enforcement official is the police chief or other similar chief law enforcement officer of the municipal corporation, township, or township or joint police district in which the school or institution is located, or, in the absence of any such person, the county sheriff of the county in which the school or institution is located.

17. What happens if a principal does not conduct the required drills or rapid dismissals?

The fire marshal or his designee shall issue a warning letter to the person in violation (i.e., the person who failed to conduct the drills or rapid dismissals). The warning letter will set forth a time in which the failure must be corrected. If the violation is not corrected by the time set forth in the letter (i.e., if the drill or rapid dismissal is not conducted by the time set forth in the warning letter) the person who failed to conduct the drill will be fined \$1,000.00.

18. What happens if a principal does not conduct the required school safety drills?

If the principal or person in charge does not provide the written certification regarding the required school safety drills, the appropriate law enforcement official will issue a warning letter to the person in violation. The warning letter will require that the person correct the violation by conducting the school safety drill within 30 days of the date the warning letter is issued. Within 40 days of the date the warning letter is issued, the person shall provide written certification of the date and time the school safety drill(s) was conducted. The certification must also include the date and time each remaining school safety drill will be conducted during the current year. Any person who fails to correct violations by the date indicated in a warning letter issued by appropriate law enforcement will be fined \$1,000.00.

19. Do I have to have law enforcement present when I conduct the required drills or rapid dismissals or school safety drills?

There is no provision in Rev. Code § 3737.73 that requires law enforcement to be present when drills or rapid dismissals are conducted.

School safety drills, however, must be conducted in conjunction with appropriate law enforcement and law enforcement must be given at least 72 hours advance written notice of the school safety drills.

20. Do I have to have the state fire marshal or fire code official present when I conduct the required drills or rapid dismissals or school safety drills?

Generally, no, it is not necessary to have fire officials present during drills or rapid dismissals or school safety drills.

However, the Ohio Fire Code provides that a fire code official can require prior notification regarding drills or rapid dismissals (i.e., “emergency evacuation drills”). Therefore, if the fire code official for your school requires notification, you must notify the fire code official prior to conducting emergency evacuation drills.

21. How do drills or rapid dismissals and school safety drills affect tornado drills?

Tornado drills are separate from school safety drills. There are no provisions of Rev. Code 3737.73 to allow tornado drills to be conducted in conjunction with school safety drills.

However, Rev. Code 3737.73 does require that in conjunction with drills or rapid dismissals, students must be instructed in safety precautions to be taken in case of a tornado alert or warning.