

Legislative Analysis



SCHOOL LOCKDOWN DRILLS

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House Bill 4460 (Substitute H-2)
Sponsor: Rep. William VanRegenmorter
Committee: Education

First Analysis (11-28-05)

BRIEF SUMMARY: The bill would require that school officials conduct two lockdown drills each school year, reducing the minimum number of required fire drills from eight to six, (with at least four in the fall and two in the remainder of the year).

FISCAL IMPACT: The bill would have no fiscal impact on the state. There would be an indeterminate fiscal impact to school districts for the initial cost of training teachers and staff on the lockdown procedures.

THE APPARENT PROBLEM:

Currently under the law, school officials are required to conduct monthly fire drills so that students can learn to leave a building quickly and safely in the event of fire.

However, sometimes leaving a school in the case of an emergency is less safe than staying inside. For example, in the event of hazardous waste or toxic chemical accidents near schools, or if an armed and violent person is roaming a school neighborhood, it is often better that those in the school stay there, and seek what emergency planners call "shelter in place." In these instances and others when the threat to school safety comes from outside the building, schools are "locked down" to better ensure the safety of students and teachers.

In communities across the state, local emergency coordinators and private sector consultants have designed plans to contain disasters that originate outside of, but near to, schools. The plans address potential incidents that are likely to cause the worst damage, and call for responses that will reduce the risk of harm.

Much of the local effort in preparing for a disaster relies on educating students before the disaster hits. To that end, legislation has been proposed to require school officials to conduct "lockdown" drills, so that students can quickly and safely find "shelter in place."

THE CONTENT OF THE BILL:

House Bill 4460 would amend the Fire Prevention Code to require that school officials conduct two lockdown drills each school year.

The bill specifies that each year there be a minimum of two drills in which the occupants are restricted to the interior of the building and the building secured. The drill conducted

would have to include security measures that were appropriate to a hazardous material emergency or an emergency involving the presence of an armed individual on or near the premises. Further, the drill would have to be conducted in coordination with the local emergency management coordinator appointed under the state Emergency Management Act and consistent with applicable federal, state, and local emergency operations plans. The bill also requires that the governing body of a school, college, or university, or the owner of a school dormitory seek input from the administration of the school on the nature of the drills to be conducted.

Under the bill, the Department of State Police Emergency Management Division would be required to develop a model to help those conducting and coordinating the drills.

Finally, currently under the code, school officials are required to have a fire drill each month, and keep all doors and exits unlocked during school hours and when the school is open to the public. House Bill 4460 would eliminate the words "keep all doors and exits unlocked," and instead require that officials "ensure unrestricted emergency egress" during school hours and when the school is open to the public.

MCL 29.19

ARGUMENTS:

For:

As times change, and violence is ever more a part of our communities, new strategies can better ensure the safety of students and teachers in schools. It is important that school officials partner with state and local law enforcement agencies and emergency planning teams to reduce unacceptable risks, and lower the potential for human tragedy. Emergency management plans should be in place to address likely disasters, and the protocols described in the plans must be practiced by those who could someday be in danger. Requiring "lockdown" drills will help those in schools practice "shelter in place" protocols, and be better able to meet emergencies that develop outside of schools.

Against:

Some of those opposed to the legislation argue that school principals should have the authority to decide whether school-wide "lockdown" drills should include students and teachers, or teachers only. They point out that violence-prone students would take advantage of the lockdown information and could more easily hurt their fellow students. In effect, they argue, involving students in the emergency protocols is like training robbers how to rob a bank. Once aware of the techniques school officials use to combat violence, students will be better prepared to circumvent them. For example, an incident in an Alabama school involved students who pulled a fire alarm and knew which door other students would use as an exit. They waited outside that exit and shot at the students rushing out the door. To prevent unintended consequences, the bill should be amended so that training in the emergency protocols is limited to faculty and staff, if school officials decide that is the best approach in their buildings.

Against:

Although this is a good idea, the two "lock-down" drills proposed under the bill should not replace the two fire drills currently required under the law. Fire is a deadly force and the cause of frequent human tragedy. In order to ensure a quick and safe escape from a burning school building, students must practice taking leave of the school regularly and often throughout the school year.

POSITIONS:

The Department of Education supports the bill. (11-2-05)

The Michigan Department of State Police supports the bill. (11-2-05)

The Clinton County Sheriff's Office supports the bill. (11-2-05)

Mt. Pleasant Public Schools-West Intermediate supports the bill. (11-2-05)

Mt. Pleasant Police Department supports the bill. (11-2-05)

Joseph A. Young and Associates supports the bill. (11-2-05)

Grand Blanc Township Police Department supports the bill. (11-2-05)

Lansing Emergency Management is neutral on the bill. (11-2-05)

Michigan Association of Fire Chiefs opposes the bill. (11-2-05)

The State Fire Safety Board opposes the bill. (11-9-05)

The Michigan Joint Fire Service Council opposes the bill. (11-9-05)

The Michigan Association of Secondary School Principals opposes the bill. 11-9-05)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.