



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 322

132nd General Assembly
(As Introduced)

Reps. Miller and Kent, Boggs, Ashford, Fedor

BILL SUMMARY

- Specifies that the "administrator" of a public and nonpublic school must develop an emergency management plan for all buildings in which students regularly attend or receive instruction, rather than just those buildings under the administrator's control.
- Specifies that the existing requirement to conduct annual emergency management tests applies only to preschool programs or school-age child care programs, and establishes a new requirement that districts and schools must conduct annual "emergency management rehearsals."
- Provides that a school safety drill that is a "rehearsal of concept" drill conducted in accordance with the bill's provisions fulfills the requirement to conduct an emergency management rehearsal.
- Makes other changes regarding the administration of school safety drills.
- Requires each educational service center (ESC) to employ, or assign an existing employee to serve as, the emergency response planner for all school districts and schools located in the county in which the ESC serves.
- Requires an ESC's emergency response planner to serve on the executive committee for each countywide emergency management agency that the ESC serves.
- Requires each countywide emergency management agency to include the emergency response planner from the ESC that serves the county and a representative from each school district and school in the county when developing an all-hazards emergency operations plan for the county.

- Makes an appropriation.
- Declares an emergency.

CONTENT AND OPERATION

Emergency management plans

The bill makes several changes regarding the development and administration of school emergency management plans. Under existing law, the "administrator" of a school district, community school, STEM school, college-preparatory boarding school, career-technical education program, chartered nonpublic school, educational service center, preschool program or school-age child care program, and any other facility that provides educational services to children is subject to regulation by the Department of Education must develop and adopt a comprehensive emergency plan.¹

Development of emergency management plans

The bill specifies that an administrator must develop an emergency management plan for any building in which students regularly attend or receive instruction, rather than just those buildings under the administrator's control as required under current law.²

Annual test and rehearsal

Currently, all administrators must prepare and conduct at least one annual "emergency management test," which is a regularly scheduled drill, exercise or activity that is designed to assess and evaluate an emergency management plan. The bill maintains this requirement for preschool programs and school-age child care programs.³

However, for a district or school, the bill requires the administrator to prepare and conduct an "emergency management rehearsal" rather than an emergency management test.⁴ The bill specifies that this rehearsal is a regularly scheduled "rehearsal of concept" (ROC) drill that is designed to assess and evaluate a school's plan, including rehearsal of the most critical parts (such as the communications response plan

¹ R.C. 3313.536(B).

² R.C. 3313.536(B)(1).

³ R.C. 3313.536(E)(1).

⁴ R.C. 3313.536(E)(2).

or the integrated response plan), and a physical walkthrough of the plan.⁵ This ROC drill must be conducted in accordance with rules adopted by the State Board of Education. The bill also specifies that a "school safety drill" conducted under separate continuing law (see below) fulfills this requirement as long as it meets the State Board's ROC drill requirements.⁶

School safety drills

Public and private schools are required under continuing law to conduct school safety drills to instruct students in procedures to follow in situations where students must be secured in their building (rather than evacuated), such as a threat to the school involving terrorism, a person in possession of a deadly weapon or dangerous ordnance on school property, or other act of violence. Currently, each school must conduct at least three school safety drills during the school year, as well as one additional "theoretical" safety drill for faculty and staff.⁷ The bill makes several changes to the school safety drill requirements.

Rehearsal of concept drill

First, the bill requires that, in addition to the four school safety drills currently required, each public and private school must conduct a separate "rehearsal of concept" (ROC) drill pursuant to the school's emergency management plan. It must be conducted in conjunction with the appropriate local law enforcement agency. Student participation is not required.⁸

Deadline for "theoretical" safety drills and rehearsal of concept drills

The bill requires that public and private schools conduct "theoretical" safety drills and rehearsal of concept drills no later than December 15 of each school year. Current law does not establish a date by which "theoretical" safety drills must occur and instead specifies that they must occur at least once each school year.⁹

⁵ R.C. 3313.536(A)(3).

⁶ R.C. 3313.536(E)(2).

⁷ R.C. 3737.73(D)(1)(a) and (b)(i).

⁸ R.C. 3737.73(D)(1)(b)(ii).

⁹ R.C. 3737.73(D)(1)(b).



Emergency response planners employed by educational service centers

The bill requires each educational service center (ESC) to employ, or assign an existing employee to serve as, the emergency response planner for all school districts and schools located in the county which the ESC serves. (Many ESCs provide services in more than one county. It may not be clear whether an ESC may use the same employee as the emergency response planner for all of the counties it serves.) A person considered for this position must have experience in planning, conducting, or assessing emergency response operations.¹⁰

The planner must do both of the following:

(1) Provide assistance and guidance to the county's districts and schools with regard to (a) developing and adopting the district's or school's comprehensive emergency management plan and complying with all related requirements and (b) conducting safety drills pursuant to the district's or school's emergency management plan and complying with all related requirements; and

(2) Serve on the executive committee for each countywide emergency management agency that the ESC serves and help to integrate school safety into the county's emergency operations plan and annual exercise of that plan.¹¹

Development of county all-hazards emergency operations plans

The bill requires each countywide emergency management agency, when developing an all-hazards emergency operations plan for the county in accordance with continuing law and conducting the annual exercise of that plan, to include the emergency response planner from the ESC that serves the county. The agency also must include a representative from each school district and school that has school buildings in which students regularly attend or receive instruction within the county. The bill states their inclusion is required "in order to integrate school safety into the county's plan and annual exercise."¹²

Under current law, a countywide emergency management agency may be established by the board of county commissioners of a county and the chief executive of all or a majority of the other political subdivisions within the county for the purpose of

¹⁰ R.C. 3313.5319(A).

¹¹ R.C. 3313.5319(B) and 5502.26(A).

¹² R.C. 5502.26(A).



establishing a program for emergency management in the county which must include, among other things, an emergency operations plan.¹³

Appropriation

The bill appropriates \$75,000 for each of fiscal years 2018 and 2019 to the Department of Education for grants of \$1,500 for each ESC that has five or more client school districts to use in the employment of emergency response planners.¹⁴

HISTORY

ACTION	DATE
Introduced	08-15-17

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¹³ R.C. 5502.26.

¹⁴ Sections 3 and 4.

