



**Senate General Government and Agency Review Committee  
Written Proponent Testimony – SB 248  
Ohio School Boards Association  
Buckeye Association of School Administrators  
Ohio Association of School Business Officials  
May 13, 2020**

Chairman Schuring, Vice Chair Rulli, Ranking Member O'Brien, and members of the Senate General Government and Agency Review Committee. Thank you for the opportunity to present written testimony today in support of Senate Bill (SB) 248. On behalf of the members of our three associations, this testimony is submitted by Will Schwartz with the Ohio School Boards Association (OSBA), Kevin Miller from the Buckeye Association of School Administrators and Barbara Shaner representing the Ohio Association of School Business Officials.

Our organizations represent public school district boards of education, superintendents, treasurers/CFOs, business managers, and other school business officials from around the state. Our members greatly appreciate Senator Schaffer's efforts to extend to Nov. 30, 2022, the existing moratorium on the requirement to construct storm shelters in public school buildings.

In 2015, an international building standards group, the International Code Council (ICC), adopted a standard recommending that certain buildings, based upon their function and geographic location, install storm shelters. In 2017, Ohio's Board of Building Standards (BBS), an entity under the administration of Ohio's Department of Commerce, adopted this standard as an administrative rule giving it the force of law. Since the administrative rules of Ohio's BBS govern the construction and maintenance of Ohio's school buildings, the resulting effect was that any construction or alteration of a school building must install a storm shelter as part of that effort. This requirement became effective Nov. 1, 2017, though legislation passed in 2018<sup>1</sup> and 2019<sup>2</sup> implemented and subsequently extended a moratorium on this requirement. Without legislative action, this moratorium expires on September 15, 2020.

Ohio's storm shelter requirements are specific, demanding, cumbersome, and costly. They require space for toilet and hand-washing facilities; at least five square feet per person; an environment to withstand winds up to 250 miles per hour (mph); and mechanical or natural ventilation. These excessive requirements assume that students and staff may need to shelter in place for long periods of time as with a hurricane. They also come at a staggering cost. In 2019, the Ohio Facilities Construction Commission estimated that an additional \$589,000 **per school building** would be needed to comply with the new storm shelter requirements.<sup>3</sup> A typical district construction plan that includes multiple buildings would then demand millions of extra dollars to comply with this burdensome mandate.

These standards apply not only to Ohio but also to 22 other states, and this categorization is based on a geographic area identified by the ICC that is within the 250 mph wind speed zone. Many of these states, however, have opted not to comply with the requirement, including neighboring Indiana and Michigan

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<sup>1</sup> Substitute House Bill 21 of the 132nd General Assembly.

<sup>2</sup> Amended Substitute House Bill 166 of the 133rd General Assembly.

<sup>3</sup> <https://ofcc.ohio.gov/Portals/0/Documents/Resources/Publications/School%20Storm%20Shelter%20Report%20-%20Submitted%20by%20OFCC%20December%202019.pdf?ver=2020-01-13-141712-003>.

who cited costs and minimal casualties in schools related to wind damage. In Ohio, the most recent fatality suffered while in a school building from a tornado occurred in 1887.<sup>4</sup>

As the representatives of Ohio's public school districts and the students they serve, we advocate for the ultimate safety, security and well-being of Ohio's students. That means addressing our students' most immediate needs and prioritizing our resources to meet those needs. Costly mandates like requiring the installation of storm shelters jeopardize these efforts. Our districts have also just suffered an unprecedented cut in state funding and are bracing for further cuts at the state and local levels. Now is not the time for Ohio to impose another unfunded mandate on our school districts.

Chairman Schuring and members of the Senate General Government and Agency Review Committee, thank you for your time and attention. We urge your support for SB 248. Please contact us with any questions you may have.

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<sup>4</sup> Ohio Department of Public Safety, Ohio Emergency Management Agency, 2019 State of Ohio Enhanced Hazard Mitigation Plan, February 2019, Section 2.3.