



**Proponent Testimony  
SB 248 (Schaffer)  
General Government & Agency Review Committee**

**Timothy “Ryan” Jenkins, Treasurer/CFO Pickerington Local School District**

Chairman Schuring, Vice Chair Rulli, Ranking Member O’Brien and members of the General Government & Agency Review Committee:

Thank you for the opportunity to submit this written proponent testimony in support of Senate Bill 248, which seeks to extend the moratorium on building code for constructing storm shelters in school buildings.

The Pickerington Local School District Board of Education is in the midst of approving the necessary legislation that will place an anticipated \$95MM bond issue on the November 3, 2020 ballot. As many of you may know, the Pickerington Schools have grown tremendously over the past 15-20 years. We are now the 14<sup>th</sup> largest school district in the state of Ohio (2018-2019 report card data shows our unweighted ADM is about 10,403 students). Due to student population growth in our District over the past 4-5 years, and based on anticipated future growth, we are planning to construct a new junior high school; add 24 classrooms to Pickerington Central HS; add 18 classrooms to Pickerington North HS; and renovate many of our other 12 school buildings across the district.

A fairly significant portion of the cost of our bond issue, nearly \$2.205 million, will be spent on storm shelters if the provisions of SB 248 are not enacted into law. That represents about 2.32% of the anticipated cost of the bond issue. As a district, that is also \$2.205 million that we would prefer to spend on the much needed additional space in our schools rather than spending it on space that ultimately we do not believe is needed to preserve safety and security in schools.

Put differently, the risk of a tornado striking a school building in Ohio is not great—the risk of a school fatality due to a tornado is rarer still. According to the OFCC “School Storm Shelter Report” issued to the 133<sup>rd</sup> General Assembly in December of 2019, “In an average year, Ohio experiences 17 tornadoes causing four fatalities....And although tornadoes have struck school buildings in Ohio, including in the spring of 2019, there has been just one recorded fatality (1887).” (Page 6 of the report).

Moreover, as part of its work, the OFCC engaged stakeholder groups to discuss the Storm Shelter requirement. On page 7, the report notes:

“From the school district official perspective, participants noted that school districts plan for and address a multitude of health and safety issues daily. Among the issues facing school administrators are active shooter situations, fire, bomb threats, bullying and cyberbullying, physical health outbreaks, and mental health issues. Each of these health and safety issues requires the allocation of resources – money, people, planning time– to reduce risk and provide the best, safest educational environment for students and staff.

In addition, while physical safety was important to all school districts providing input for this report, participants reported that tornado safety was not among the top concerns expressed by

citizens, parents and staff to school administrators.” (Emphasis added by me; page 7 of the report).

To be clear, the report stressed that stakeholders preferred *to give local communities the flexibility of optional storm shelter requirements*. The report notes though, that stakeholders realized that building codes typically are not options; hence the stakeholders opined that *should (if) storm shelter requirements should stay in place after the original moratorium* issued by HB 166 (with the moratorium set to expire in September of 2020), they encouraged code officials and design professionals to provide the enhanced safety at the least possible cost.

In my view, the OFCC report reinforces the view shared by a majority of school stakeholders that the storm shelter requirement creates expenses for local schools that does not match the risk for the disaster from the outset. In fact, the report also notes on page 8 that other surrounding states in the 250 mph wind zone have taken varying approaches, but outside of Illinois, *none of them have made it mandatory*--page 8 of the report notes, “Other states in the 250 mph wind zone have considered adoption but have not yet made it mandatory. . . . From all available accounts, resistance to mandatory adoption is primarily triggered by cost impact concerns.” (Emphasis added by me).

Pickerington Schools shares these same concerns—hence we seek to have SB 248 enacted into law to extend the moratorium on these shelters until at least November 30, 2022. The increased costs to the district simply do not seem to be commensurate with the risk of the loss of student life, or significant injury, due to a tornado or high wind event. While we strongly agree that student safety and security is our highest priority, we do not feel that mandatory storm shelters in our buildings make them safer (given the small probability of a tornado striking one of our buildings vs. the cost concerns of building the spaces).

One final point—the requirements of the building code would only apply to the *new sections* of North and Central High School. That is, the size of the shelters would only need to be big enough to house the students in those new wings at North and Central—there is no requirement to construct spaces big enough for the *entire school*. Additionally, the new junior high would need a space big enough for the whole school—but we are not required to retro-fit shelters into existing schools. I would make the point that this provision itself, which is recognition that the costs of shelters must be mitigated in light of probable risk, undergirds my argument.

As a district, are we telling the students who happen to be in those wings, “We want you to be safer than your fellow schoolmates?” Or are we telling students in the schools where we build shelters, “We want you to be safer than your classmates in other schools in the district?” Of course not!

Rather, we are all aware that this is a provision designed to help schools control the high costs of building these facilities when weighed against the miniscule probability that an event will happen in the first place. Said a different way, if the risk of a tornado or high wind event was so probable that we felt compelled to build shelters at all, then we would be irresponsible at best, and completely reckless at worst, to ever allow *just one wing*, or *just a couple of buildings*, to have this kind of safety measure while leaving similarly situated students in other parts of the building, or in other buildings in the district, unprotected from that same high risk.

The truth is the risk is simply not that great when compared to the significant costs to our communities. I do not believe that we are trading safety for finances in my request—rather, we are simply recognizing that the cost of mitigating unlikely risks cannot *vastly overshadow* the impact of the risk to begin with.

In closing, I would like to offer the suggestion that the stakeholders in each district or school retain local control in deciding whether they should incorporate storm shelters into their school buildings. For example, some schools utilize School Resource Officers (SROs) to assist with school safety issues—but there is no mandate that all schools have SROs. Some communities simply do not wish to make that choice for various reasons, none of which are because they don't care for their children as much as another community whose residents do want SROs. Rather, they have weighed the risks of *not* having an SRO versus the chances of a bad event occurring that necessitates the SRO to begin with, and have ostensibly reached the conclusion that the cost outweighs the risk.

My point: mandating that all schools address an occurrence whose cost so drastically outweighs the chances it occurs to begin with is not as prudent as allowing the stakeholders in a local district to make that decision themselves.

Thank you for your time and attention, and for considering this proponent testimony in support of SB 248. I urge you to pass this bill out of committee for consideration by the full Senate, and hope this bill eventually becomes law, thereby extending the moratorium on storm shelters until at least November 30, 2022.