

1 HB385
2 198036-3
3 By Representatives Robertson, Collins, Moore (P), Pettus,
4 Oliver, Reynolds, Baker, Marques, Sorrells, Simpson, Kiel,
5 Estes, Stadthagen, Shedd, Farley, Rowe, Treadaway and Wood (D)
6 RFD: Education Policy
7 First Read: 09-APR-19

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2 ENROLLED, An Act,

3 Relating to public K-12 education and school safety
4 plans; to amend Sections 16-1-44 and 36-19-10 of the Code of
5 Alabama 1975; to redesignate comprehensive school safety plans
6 as school emergency operations plans; to redesignate code red
7 school safety plans and code red drills as school lockdown
8 safety plans and school lockdown drills; and to require that
9 each school lockdown safety plan include additional
10 four-tiered specific plans of action for school personnel to
11 follow in case of an alert.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Sections 16-1-44 and 36-19-10 of the Code
14 of Alabama 1975, are amended to read as follows:

15 "§16-1-44.

16 "(a) (1) Each local board of education shall develop
17 and adopt a comprehensive school ~~safety~~ emergency operations
18 plan for each school under the authority of the board.

19 "(2) The local board or its agent shall examine the
20 conditions and operations of each school under the authority
21 of the local board to determine hazards to student and staff
22 safety and shall propose changes, if needed to promote the
23 prevention of dangerous problems and circumstances.

24 "(3) In developing the plan for each school, the
25 local board or its agent shall involve community law

1 enforcement, and safety officials, including community fire
2 and emergency management assigned to the school.

3 "(b) (1) The board shall incorporate into ~~the~~ each
4 comprehensive school emergency operations plan the following:

5 "a. ~~A protocol~~ Protocols for addressing each type of
6 serious threats to the safety of school property, students,
7 employees, or administrators ~~including~~ which shall include,
8 but not be limited to: ~~, a specific code red school safety~~
9 ~~plan~~ Security-related threats addressed within a school
10 lockdown plan, fire-related threats addressed within a fire
11 safety plan, and severe weather-related threats addressed
12 within a severe weather safety plan.

13 "b. A protocol for responding to emergency events
14 that compromise the safety of school property, students, and
15 employees.

16 "(2) Each protocol shall include procedures for
17 notification and responding to threats and emergency events,
18 respectively, including such action as notification of
19 appropriate law enforcement and emergency response personnel
20 for assistance, and informing parents of affected students.

21 "(3) Each comprehensive school Emergency Operations
22 Plan shall include and use the following four alert levels,
23 along with set plans of notification, action, and procedures
24 for school personnel to follow in each circumstance:

1 "1. Heightened Awareness. This means a potential may
2 exist for an unusual situation and all parties should have
3 heightened awareness to react as needed.

4 "2. Secure Your Area of Responsibility. This means a
5 specific incident has occurred, such as a medical emergency or
6 a threat to one's self, and school personnel shall secure
7 their area of responsibility in order to decrease risk of
8 further incidents.

9 "3. Secure Perimeter. A potential threat or danger
10 does exist or has occurred within the community or
11 neighborhood, and all parties should be aware to react as
12 needed.

13 "4. Lockdown. Recognition of potential immediate
14 danger. Take immediate action using the safest and best option
15 for survival.

16 "(c) (1) The board shall update the ~~safety~~ emergency
17 operations plan whenever a major modification to the building
18 requires changes in the procedures outlined in the plan, and
19 at other necessary times. The ~~code-red~~ school emergency
20 operations safety plan shall be reviewed and revised annually,
21 as needed, by the local board of education in consultation
22 with the principal, administrative staff, faculty, and
23 employees of the school.

24 "(2) Upon request of law enforcement or safety
25 officials, or both, the local board shall provide a copy of

1 the current school ~~site and safety~~ emergency operations plan,
2 which shall be kept in a secure place and not considered
3 public record.

4 "(d) The local board shall grant access to each
5 school under its control to law enforcement and fire
6 department personnel to enable them to prepare for responding
7 to threats and emergency events affecting the school. ~~Such~~
8 ~~access shall occur outside of student instructional hours and~~
9 ~~an employee of the board shall be present.~~

10 "(e) The principal or his or her designee shall
11 instruct and train students concerning procedures to be used
12 for emergency drills and evacuations. The principal or his or
13 her designee shall ensure that all safety and security drills
14 and procedures are conducted and performed no less than what
15 is required by state or federal law, or both. The doors and
16 exits of each school may be locked from the outside but shall
17 allow for immediate egress by those inside the building during
18 school hours and at all school functions. An emergency drill
19 shall include, but not be limited to, safety, security, severe
20 weather, fire, and ~~code red~~ school lockdown drills.

21 "(f) In conjunction with drills or evacuations
22 required by subsection (e), a principal or his or her designee
23 shall instruct students in safety precautions to be taken in
24 case of a severe weather watch, alert, or warning. A principal
25 or his or her designee shall designate, in accordance with

1 standards prescribed by the local superintendent of education
2 in conjunction with local public safety officials and the fire
3 marshal, or appropriate local fire safety official in counties
4 that do not have a fire marshal, appropriate locations to be
5 used to shelter students in case of a severe weather watch,
6 alert, or warning.

7 "(g) In the event of ~~a perceived~~ an immediate threat
8 to a school involving acts of violence, such as terrorism, a
9 person possessing a firearm or a deadly weapon, or any other
10 threat of violence, ~~the principal, or his or her designee,~~ any
11 person who perceives the threat, or his or her designee, may
12 institute a ~~code red safety~~ lockdown alert level for the
13 school. In addition to the requirements of subsection (e), the
14 principal or his or her designee shall conduct a ~~code red~~
15 school ~~safety~~ lockdown drill during the first six weeks of the
16 fall and spring semesters of each school year to provide
17 students with instruction in the procedures to follow in the
18 case of a ~~code red~~ school lockdown. The principal or his or
19 her designee shall hold an annual training session for
20 employees of the school regarding the ~~code red~~ school ~~safety~~
21 lockdown plan, drills, and procedures to be conducted during a
22 school year.

23 "(h) Appropriate disciplinary action shall be taken
24 against any principal or his or her designee who knowingly

1 neglects or refuses to comply with the requirements of this
2 section.

3 "(i) This section shall be read in pari materia with
4 other laws relating to school safety and emergency planning.

5 "§36-19-10.

6 "The Fire Marshal, and his or her deputies and
7 assistants shall require officials and teachers of public and
8 private schools and educational institutions to have at least
9 one emergency drill each month and to have all doors and exits
10 at such schools and educational institutions open out and that
11 all such doors and exits shall be unlocked during school hours
12 and that the doors and exits of factories, asylums, hospitals,
13 churches, halls, theatres, amphitheatres, and other places in
14 which numbers of persons live, work, or congregate from time
15 to time, for any purpose or purposes, shall open out. For the
16 purposes of this section, an emergency drill shall include,
17 but not be limited to, a fire drill, severe weather drill, or
18 ~~code red~~ school lockdown drill as provided in Section
19 16-1-44."

20 Section 2. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 23-MAY-19.

Jeff Woodard
Clerk

Senate 31-MAY-19 Passed
