

HOUSE BILL No. 5555

April 13, 2016, Introduced by Rep. Kosowski and referred to the Committee on Education.

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
by amending section 19 (MCL 29.19), as amended by 2014 PA 481.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. (1) The chief administrative officer and the teachers
2 of all schools, including state supported schools, and the owner,
3 or owner's representative, of all school dormitories shall have a
4 fire drill each month and ensure unrestricted emergency egress
5 during school hours and when the school is open to the public. Each
6 teacher in a school, including a state supported school, and the
7 owner or owner's representative of a school dormitory shall comply
8 with these requirements and keep a record of the drills.

9 (2) Except as provided in subsection (3), a minimum of 8 fire
10 drills is required for each school year. If weather conditions do

1 not permit fire drills to be held at least once a month, then at
2 least 5 fire drills shall be held in the fall of each year and 3
3 fire drills shall be held during the remaining part of the school
4 year.

5 (3) A minimum of 5 fire drills is required for each school
6 year for a school that operates any of grades kindergarten to 12.
7 Three of the fire drills shall be held by December 1 of the school
8 year, and 2 shall be held during the remaining part of the school
9 year, with a reasonable spacing interval between each drill.

10 (4) A minimum of 2 tornado safety drills is required for each
11 school year at the schools and facilities described in subsection
12 (1). At least 1 of the tornado safety drills shall be conducted
13 during March of the school year. These drills shall be conducted
14 for the purpose of preventing injuries caused by severe weather.

15 (5) ~~A minimum of~~ **THE GOVERNING BODY OF A SCHOOL THAT OPERATES**
16 **ANY OF GRADES KINDERGARTEN TO 12 SHALL ENSURE THAT NOT FEWER THAN 3**
17 drills in which the occupants **OF THE SCHOOL BUILDING** are restricted
18 to the interior of the **SCHOOL** building **ARE CONDUCTED** and **THAT** the
19 **SCHOOL** building **IS** secured ~~is required for each school year at a~~
20 ~~school that operates any of grades kindergarten to 12.~~ **DURING THE**
21 **DRILLS**. At least 1 of these drills shall be conducted by December 1
22 of the school year, and at least 1 shall be conducted after January
23 1 of the school year, with a reasonable spacing interval between
24 each drill. A drill conducted under this subsection shall include
25 security measures that are appropriate to an emergency such as the
26 release of a hazardous material or the presence of a potentially
27 dangerous individual on or near the premises. The governing body of

1 a school shall seek input from the administration of the school and
2 local public safety officials on the nature of the drills to be
3 conducted under this subsection. **WITHIN 5 DAYS AFTER THE CONCLUSION**
4 **OF A DRILL UNDER THIS SUBSECTION, THE GOVERNING BODY OF A SCHOOL**
5 **SHALL NOTIFY THE DEPARTMENT OF STATE POLICE THAT THE DRILL HAS BEEN**
6 **CONDUCTED.**

7 (6) A school that operates any of grades kindergarten to 12
8 shall conduct at least 1 of the drills required by this section
9 during a lunch or recess period, or at another time when a
10 significant number of the students are gathered but not in the
11 classroom.

12 (7) For a school that operates any of grades kindergarten to
13 12, the governing body of the school shall ensure that
14 documentation of a completed school safety drill is posted on its
15 website within 30 school days after the drill is completed and is
16 maintained on the website for at least 3 years. For a school
17 operated by a school district or intermediate school district, the
18 documentation may be posted on the district website. The
19 documentation posted on the website shall include at least all of
20 the following:

- 21 (a) The name of the school.
22 (b) The school year of the drill.
23 (c) The date and time of the drill.
24 (d) The type of drill completed.
25 (e) The number of completed drills for that school year for
26 each type of drill required under subsections (3) to (5).
27 (f) The signature of the school principal or his or her

1 designee acknowledging the completion of the drill.

2 (g) The name of the individual in charge of conducting the
3 drill, if other than the school principal.

4 (8) Not later than September 15 of each school year, the chief
5 administrator of a school that operates any of grades kindergarten
6 to 12, or his or her designee, shall provide a list of the
7 scheduled drill days for the school buildings operated by the
8 school, school district, intermediate school district, or public
9 school academy to the county emergency management coordinator
10 appointed under section 9 of the emergency management act, 1976 PA
11 390, MCL 30.409. A scheduled drill that is not conducted on a
12 scheduled drill day due to conditions not within the control of
13 school authorities, such as severe storms, fires, epidemics,
14 utility power unavailability, water or sewer failure, or health
15 conditions as defined by the city, county, or state health
16 authorities, ~~will~~ **SHALL** not result in a violation of this section
17 ~~as long as~~ **IF** the school conducts the minimum number of drills
18 required under subsections (3), (4), and (5), the school
19 reschedules the drill to occur within 10 school days after the
20 scheduled date of the canceled drill, and the chief administrator
21 notifies the county emergency management coordinator of the
22 rescheduled date for the drill. The county emergency management
23 coordinator shall provide this information to the appropriate local
24 emergency management coordinator appointed under ~~that section,~~
25 **SECTION 9 OF THE EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.409,**
26 if any, and, consistent with applicable federal, state, and local
27 emergency operations plans, to the department of state police

1 district coordinator and the county sheriff for the county or the
2 chief of police or fire chief for the municipality where the school
3 is located, or the designee of the sheriff, chief of police, or
4 fire chief. The information provided under this subsection is
5 exempt from disclosure under the freedom of information act, 1976
6 PA 442, MCL 15.231 to 15.246.

7 (9) A public school that operates any of grades kindergarten
8 to 12 shall not conduct a drill required under this section at a
9 time that would interfere with the conduct of a state-mandated
10 assessment.

11 (10) The state fire marshal, a fire chief, or a firefighter in
12 uniform acting under orders and directions of the fire chief may
13 cause fire drills to be held in school houses, school dormitories,
14 and other public buildings as the state fire marshal considers
15 advisable. The state fire marshal may order the installation of
16 other protective apparatus or equipment that conforms to recognized
17 and approved modern practices.

18 (11) The department of state police emergency management and
19 homeland security division shall develop a model to be used by a
20 school in conducting a drill under subsection (5).

21 (12) The governing body of a school that operates any of
22 grades kindergarten to 12 shall adopt and implement a cardiac
23 emergency response plan for the school. The cardiac emergency
24 response plan shall address and provide for at least all of the
25 following:

26 (a) Use and regular maintenance of automated external
27 defibrillators, if available.

1 (b) Activation of a cardiac emergency response team during an
2 identified cardiac emergency.

3 (c) A plan for effective and efficient communication
4 throughout the school campus.

5 (d) If the school includes grades 9 to 12, a training plan for
6 the use of an automated external defibrillator and in
7 cardiopulmonary resuscitation techniques.

8 (e) Incorporation and integration of the local emergency
9 response system and emergency response agencies with the school's
10 plan.

11 (f) An annual review and evaluation of the cardiac emergency
12 response plan.

13 (13) As used in this section:

14 (a) "School" does not include a postsecondary educational
15 institution as defined in section 19a.

16 (b) "School dormitory" does not include a postsecondary
17 educational institution dormitory as defined in section 19a.

18 Enacting section 1. This amendatory act takes effect 90 days
19 after the date it is enacted into law.