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SCHOOLS (105 ILCS 128/) School Safety Drill Act.

(105 ILCS 128/1)

Sec. 1. Short title. This Act may be cited as the School Safety Drill Act.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/5)

Sec. 5. Definitions. In this Act:

"First responder" means and includes all fire departments and districts, law enforcement agencies and officials, emergency medical responders, and emergency management officials involved in the execution and documentation of the drills administered under this Act.

"School" means a public or private facility that offers elementary or secondary education to students under the age of 21. As used in this definition, "public facility" means a facility operated by the State or by a unit of local government. As used in this definition, "private facility" means any non-profit, non-home-based, non-public elementary or secondary school that is in compliance with Title VI of the Civil Rights Act of 1964 and attendance at which satisfies the requirements of Section 26-1 of the School Code. While more than one school may be housed in a facility, for purposes of this Act, the facility shall be considered a school. When a school has more than one location, for purposes of this Act, each different location shall be considered its own school.

"School safety drill" means a pre-planned exercise conducted by a school in accordance with the drills and requirements set forth in this Act.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/10)

Sec. 10. Purpose. The purpose of this Act is to establish minimum requirements and standards for schools to follow when conducting school safety drills and reviewing school emergency and crisis response plans and to encourage schools and first responders to work together for the safety of children. Communities and schools may exceed these requirements and standards.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/15)

Sec. 15. Types of drills. Under this Act, the following school safety drills shall be instituted by all schools in this State:

(1) School evacuation drills, which shall address and prepare students and school personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation incidents are based on the needs of particular communities and may include without limitation the following:

- (A) fire;
- (B) suspicious items;
- (C) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives; and
- (D) bomb threats.

(2) Bus evacuation drills, which shall address and prepare students and school personnel for situations that occur when conditions outside of a bus are safer than inside the bus. Evacuation incidents are based on the needs of particular communities and may include without limitation the following:

- (A) fire;
- (B) suspicious items; and
- (C) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives.

(3) Law enforcement drills, which shall address and prepare students and school personnel for situations calling for the involvement of law enforcement when conditions inside a school building are safer than outside of a school building and it is necessary to protect building occupants from potential dangers in a school building. Law enforcement drills may involve situations that call for the reverse-evacuation or the lock-down of a school building. Evacuations incidents may include without limitation the following:

- (A) shooting incidents;
- (B) bomb threats;
- (C) suspicious persons; and
- (D) incidents involving hazardous materials.

(4) Severe weather and shelter-in-place drills, which shall address and prepare students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place incidents shall be based on the needs and environment of particular communities and may include without limitation the following:

(A) severe weather, including, but not limited to, shear winds, lightning, and earthquakes;

(B) incidents involving hazardous materials, including, but not limited to, chemical, incendiary, and explosives; and

(C) incidents involving weapons of mass destruction, including, but not limited to, biological, chemical, and nuclear weapons.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/20)

Sec. 20. Number of drills; incidents covered; local authority participation.

(a) During each academic year, schools must conduct a minimum of 3 school evacuation drills to address and prepare students and school personnel for fire incidents. These drills must meet all of the following criteria:

(1) One of the 3 school evacuation drills shall require the participation of the appropriate local fire department or district.

(A) Each local fire department or fire district must contact the appropriate school administrator or his or her designee no later than September 1 of each year in order to arrange for the participation of the department or district in the school evacuation drill.

(B) Each school administrator or his or her designee must contact the responding local fire official no later than September 15 of each year and propose to the local fire official 4 dates within the month of October, during at least 2 different weeks of October, on which the drill shall occur. The fire official may choose any of the 4 available dates, and if he or she does so, the drill shall occur on that date.

(C) The school administrator or his or her designee and the local fire official may also, by mutual agreement, set any other date for the drill, including a date outside of the month of October.

(D) If the fire official does not select one of the 4 offered dates in October or set another date by mutual agreement, the requirement that the school include the local fire service in one of its mandatory school evacuation drills shall be waived. Schools, however, shall continue to be strongly encouraged to include the fire service in a school evacuation drill at a mutually agreed-upon time.

(E) Upon the participation of the local fire service, the appropriate local fire official shall certify that the school evacuation drill was conducted.

(F) When scheduling the school evacuation drill, the school administrator or his or her designee and the local fire department or fire district may, by mutual agreement on or before September 14, choose to waive the provisions of subparagraphs (B), (C), and

(D) of this paragraph (1).

Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department or district.

(2) Schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation suspicious items or bomb threats.

(3) All drills shall be conducted at each school building that houses school children.

(b) During each academic year, schools must conduct a minimum of one bus evacuation drill. This drill shall be accounted for in the curriculum in all public schools and in all other educational institutions in this State that are supported or maintained, in whole or in part, by public funds and that provide instruction in any of the grades kindergarten through 12. This curriculum shall include instruction in safe bus riding practices for all students. Schools may conduct additional bus evacuation drills. All drills shall be conducted at each school building that houses school children.

(c) During each academic year, schools must conduct a law enforcement drill to address incidents, including without limitation reverse evacuations, lock-downs, shootings, bomb threats, or hazardous materials. Such drills must be conducted according to the school district's or private school's emergency and crisis response plans, protocols, and procedures, with the participation of the appropriate law enforcement agency. Law enforcement drills may be conducted on days and times when students are not present in the school building.

(1) A law enforcement drill must meet all of the following criteria:

(A) During each calendar year, the appropriate local law enforcement agency shall contact the appropriate school administrator to request to participate in a law enforcement drill and may actively participate on-site in a drill.

(B) Upon the participation of a local law enforcement agency in a law enforcement drill, the appropriate local law enforcement official shall certify that the law enforcement drill was conducted.

(2) Schools may conduct additional law enforcement drills at their discretion.

(3) (Blank).

(d) During each academic year, schools must conduct a minimum of one severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents and may conduct additional severe weather and shelter-in-place drills to account for other incidents, including without limitation earthquakes or hazardous materials. All drills shall be conducted at each school building that houses school children.

(Source: P.A. 94-600, eff. 8-16-05; 95-1015, eff. 12-15-08.)

(105 ILCS 128/25)

Sec. 25. Annual review.

(a) Each public school district, through its school board or the board's designee, shall conduct a minimum of one annual meeting at which it will review each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill programs. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings.

(b) Each school board or the board's designee is required to participate in the annual review and to invite each of the following parties to the annual review and provide each party with a minimum of 30-days' notice before the date of the annual review:

- (1) The principal of each school within the school district or his or her official designee.
- (2) Representatives from any other education-related organization or association deemed appropriate by the school district.
- (3) Representatives from all local first responder organizations to participate, advise, and consult in the review process, including, but not limited to:
 - (A) the appropriate local fire department or district;
 - (B) the appropriate local law enforcement agency;
 - (C) the appropriate local emergency medical services agency if the agency is a separate, local first responder unit; and
 - (D) any other member of the first responder or emergency management community that has contacted the district superintendent or his or her designee during the past year to request involvement in a school's emergency planning or drill process.

(4) The school board or its designee may also choose to invite to the annual review any other persons whom it believes will aid in the review process, including, but not limited to, any members of any other education-related organization or the first responder or emergency management community.

(c) Upon the conclusion of the annual review, the school board or the board's designee shall sign a one page report, which may be in either a check-off format or a narrative format, that does the following:

- (1) summarizes the review's recommended changes to the existing school safety plans and drill plans;
- (2) lists the parties that participated in the annual review, and includes the annual review's attendance record;
- (3) certifies that an effective review of the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings has occurred;
- (4) states that the school district will implement those plans, protocols, procedures, and programs, during the academic year; and
- (5) includes the authorization of the school board or

the board's designee.

(d) The school board or its designee shall send a copy of the report to each party that participates in the annual review process and to the appropriate regional superintendent of schools. If any of the participating parties have comments on the certification document, those parties shall submit their comments in writing to the appropriate regional superintendent. The regional superintendent shall maintain a record of these comments. The certification document may be in a check-off format or narrative format, at the discretion of the district superintendent.

(e) The review must occur at least once during the fiscal year, at a specific time chosen at the school district superintendent's discretion.

(Source: P.A. 96-734, eff. 8-25-09.)

(105 ILCS 128/30)

Sec. 30. Reporting; duties of the State Fire Marshal, regional superintendents, and the State Board of Education.

(a) The Office of the State Fire Marshal shall accept, directly, one-page annual review compliance reports from private schools. The Office of the State Fire Marshal shall create a mechanism for the reporting and filing of these reports and give notice to the private schools as to how this reporting shall be made. The Office of the State Fire Marshal shall make these records available directly to the State Board of Education.

(b) Each regional superintendent of schools shall provide an annual school safety review compliance report to the State Board of Education as a part of its regular annual report to the State Board, which shall set forth those school districts that have successfully completed their annual review and those school districts that have failed to complete their annual review. These reports shall be delivered to the State Board of Education on or before October 1 of each year.

(c) The State Board of Education shall file and maintain records of the annual school safety review compliance reports received from each of the regional superintendents of schools. The State Board shall be responsible for ensuring access to the records by the Office of the State Fire Marshal and other State agencies. The State Board shall provide an annual report to the Office of the Governor and the Office of the State Fire Marshal concerning the compliance of school districts with the annual school safety review requirement.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/35)

Sec. 35. Reporting and recording mechanism for fires. The Office of the State Fire Marshal, in conjunction with the State Board of Education, shall create a reporting and recording mechanism concerning fires that occur in schools located in this State. The recording system shall be based in the Office of the State Fire Marshal.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/40)

Sec. 40. Common rules. The State Board of Education and the Office of

the State Fire Marshal shall cooperate together and coordinate with all appropriate education, first responder, and emergency management officials to (i) develop and implement one common set of rules to be administered under this Act and (ii) develop clear and definitive guidelines to school districts, private schools, and first responders as to how to develop school emergency and crisis response plans, how to develop school emergency and crisis response plans, how to exercise and drill based on such plans, and how to incorporate lessons learned from these exercises and drills into school emergency and crisis response plans.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/910)

Sec. 910. The School Code is amended by repealing Sections 2-3.129, 10-20.22, 10-20.23, 10-20.32, 27-26, and 34-18.19.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/915)

Sec. 915. The Fire Drill Act is repealed.

(Source: P.A. 94-600, eff. 8-16-05.)

(105 ILCS 128/990)

Sec. 990. (Amendatory provisions; text omitted).

(Source: P.A. 94-600, eff. 8-16-05; text omitted.)

(105 ILCS 128/999)

(This Act was approved by the Governor on August 16, 2005, so the actual effective date of this Act is August 16, 2005)

Sec. 999. Effective date. This Act takes effect June 1, 2005.

(Source: P.A. 94-600, eff. 8-16-05.)

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