

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0388.02 Brita Darling

HOUSE BILL 09-1009

HOUSE SPONSORSHIP

King S.,

SENATE SPONSORSHIP

(None),

House Committees
Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING PUBLIC SCHOOLS TO CONDUCT EMERGENCY**
102 **SAFETY DRILLS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Requires public elementary, secondary, and postsecondary schools to conduct certain emergency safety drills beginning in the 2010-11 academic year.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 **SECTION 1. Legislative declaration.** (1) The general assembly
2 hereby finds and declares that:

3 (a) Colorado elementary, secondary, and postsecondary public
4 schools rely on many people and organizations to respond in a
5 coordinated manner to emergencies;

6 (b) School staff and students must practice emergency response
7 procedures and lifesaving protocols, developed with community partners,
8 to better prepare and protect themselves and others during emergencies;
9 and

10 (c) These important emergency response procedures and
11 lifesaving protocols, including all-hazard drills, should be part of a
12 flexible, but mandatory, school safety program to better protect students
13 and staff, while minimizing lost instruction time for students.

14 (2) The general assembly therefore finds that schools will benefit
15 from regular lifesaving protocol drills involving both students and school
16 staff, including earthquake drills, lockdown drills, reverse evacuation
17 drills, shelter-in-place drills, and severe weather drills, in addition to the
18 fire safety drills that schools currently conduct.

19 **SECTION 2.** 22-5-107, Colorado Revised Statutes, is amended
20 to read:

21 **22-5-107. Duties of board of cooperative services.** In addition
22 to any other duty required to be performed by law, the board of
23 cooperative services shall have the same duties as those for boards of
24 education as set forth in ~~section 22-32-109 (1) (a) to (1) (m), (1) (q), and~~
25 ~~(1) (r) and section 22-9-106~~ SECTIONS 22-9-106; 22-32-109 (1) (a) TO (1)
26 (m), (1) (q), AND (1) (r); AND 22-32-109.1 (4.5).

27 **SECTION 3.** 22-30.5-505, Colorado Revised Statutes, is

1 amended BY THE ADDITION OF A NEW SUBSECTION to read:

2 **22-30.5-505. State charter school institute - institute board -**
3 **appointment - powers and duties - rules.** (14) THE INSTITUTE SHALL
4 ADOPT AND IMPLEMENT A POLICY REQUIRING EACH INSTITUTE CHARTER
5 SCHOOL TO CONDUCT LIFESAVING PROTOCOL DRILLS AS DESCRIBED IN
6 SECTION 22-32-109.1 (4.5).

7 **SECTION 4.** 22-32-109.1, Colorado Revised Statutes, is
8 amended BY THE ADDITION OF A NEW SUBSECTION to read:

9 **22-32-109.1. Board of education - specific powers and duties**
10 **- safe schools.** (4.5) **Mandatory lifesaving protocol drills.** (a) IN
11 ADDITION TO THE PROVISIONS OF PARAGRAPH (g) OF SUBSECTION (4) OF
12 THIS SECTION, EACH BOARD OF EDUCATION SHALL ADOPT A POLICY
13 REQUIRING EACH PUBLIC SCHOOL OF THE SCHOOL DISTRICT TO CONDUCT
14 LIFESAVING PROTOCOL DRILLS BEGINNING IN THE 2010-11 ACADEMIC
15 YEAR.

16 (b) FOR PURPOSES OF THIS SUBSECTION (4.5), UNLESS THE
17 CONTEXT OTHERWISE REQUIRES:

18 (I) "EARTHQUAKE DRILL" MEANS A DRILL IN WHICH THE
19 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER TO PROTECT THE
20 OCCUPANTS FROM FALLING DEBRIS AND OTHER HAZZARDS ASSOCIATED
21 WITH AN EARTHQUAKE.

22 (II) "LIFESAVING PROTOCOL DRILL" MEANS AN EMERGENCY
23 SAFETY DRILL, INCLUDING AN EARTHQUAKE DRILL, A LOCKDOWN DRILL,
24 A REVERSE EVACUATION DRILL, A SEVERE WEATHER DRILL, AND A
25 SHELTER-IN-PLACE DRILL.

26 (III) "LOCKDOWN DRILL" MEANS A DRILL IN WHICH THE
27 OCCUPANTS OF A SCHOOL BUILDING ARE RESTRICTED TO THE INTERIOR OF

1 THE SCHOOL BUILDING AND THE SCHOOL BUILDING IS SECURED. A
2 LOCKDOWN DRILL INCLUDES SECURITY MEASURES THAT ARE APPROPRIATE
3 IN AN EMERGENCY, SUCH AS THE PRESENCE OF AN ARMED INDIVIDUAL ON
4 OR NEAR THE PREMISES.

5 (IV) "REVERSE EVACUATION DRILL" MEANS A DRILL IN WHICH
6 PERSONS SEEK SHELTER AND SAFETY INSIDE A SCHOOL BUILDING WHEN
7 SAID PERSONS ARE OUTSIDE THE SCHOOL BUILDING AND ARE FACED WITH
8 A THREAT, SUCH AS AN ARMED INDIVIDUAL OR A DANGEROUS ANIMAL.

9 (V) "SEVERE WEATHER DRILL" MEANS A DRILL IN WHICH
10 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER APPROPRIATE TO THE
11 SEVERE WEATHER THREAT, SUCH AS A BLIZZARD, ELECTRICAL STORM, OR
12 TORNADO.

13 (VI) "SHELTER-IN-PLACE DRILL" MEANS A DRILL IN WHICH THE
14 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER IN THE SCHOOL
15 BUILDING FROM AN EXTERNAL THREAT FROM HAZARDOUS MATERIALS.

16 (c) THE POLICY SHALL REQUIRE, AT A MINIMUM, THAT:

17 (I) EACH PUBLIC SCHOOL CONDUCT AT LEAST TWO DIFFERENT
18 TYPES OF LIFESAVING PROTOCOL DRILLS DURING EACH ACADEMIC YEAR,
19 AT LEAST ONE OF WHICH SHALL BE CONDUCTED WITHIN SIXTY DAYS AFTER
20 THE START OF THE ACADEMIC YEAR;

21 (II) EACH PUBLIC SCHOOL SHALL PROVIDE ADVANCE NOTICE OF A
22 LIFESAVING PROTOCOL DRILL TO LAW ENFORCEMENT, FIRE PROTECTION,
23 AND EMERGENCY MANAGEMENT AGENCIES IN THE COMMUNITY IN WHICH
24 THE SCHOOL IS LOCATED AND MAY SEEK ADVICE AND EVALUATION FROM
25 SUCH AGENCIES AND FROM SCHOOL RESOURCE OFFICERS OR SECURITY
26 OFFICERS.

27 (d) PUBLIC SCHOOLS MAY OBTAIN ASSISTANCE FROM THE SCHOOL

1 SAFETY RESOURCE CENTER CREATED IN SECTION 24-33.5-1803, C.R.S., IN
2 DEVELOPING APPROPRIATE EMERGENCY PROCEDURES, INCLUDING
3 EFFECTIVE LIFESAVING PROTOCOL DRILL PROCEDURES.

4 **SECTION 5.** Article 5 of title 23, Colorado Revised Statutes, is
5 amended BY THE ADDITION OF A NEW SECTION to read:

6 **23-5-140. School safety - lifesaving protocol drills - definitions.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

9 (a) "EARTHQUAKE DRILL" MEANS A DRILL IN WHICH THE
10 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER TO PROTECT THE
11 OCCUPANTS FROM FALLING DEBRIS AND OTHER HAZZARDS ASSOCIATED
12 WITH AN EARTHQUAKE.

13 (b) "INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
14 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102
15 (10) (a), A JUNIOR COLLEGE, AN AREA VOCATIONAL SCHOOL, OR A
16 TECHNICAL COLLEGE.

17 (c) "LIFESAVING PROTOCOL DRILL" MEANS AN EMERGENCY SAFETY
18 DRILL, INCLUDING AN EARTHQUAKE DRILL, A LOCKDOWN DRILL, A
19 REVERSE EVACUATION DRILL, A SEVERE WEATHER DRILL, AND A
20 SHELTER-IN-PLACE DRILL.

21 (d) "LOCKDOWN DRILL" MEANS A DRILL IN WHICH THE OCCUPANTS
22 OF A SCHOOL BUILDING ARE RESTRICTED TO THE INTERIOR OF THE SCHOOL
23 BUILDING AND THE SCHOOL BUILDING IS SECURED. A LOCKDOWN DRILL
24 INCLUDES SECURITY MEASURES THAT ARE APPROPRIATE IN AN
25 EMERGENCY, SUCH AS THE PRESENCE OF AN ARMED INDIVIDUAL ON OR
26 NEAR THE PREMISES.

27 (e) "REVERSE EVACUATION DRILL" MEANS A DRILL IN WHICH

1 PERSONS SEEK SHELTER AND SAFETY INSIDE A SCHOOL BUILDING WHEN
2 SAID PERSONS ARE OUTSIDE THE SCHOOL BUILDING AND ARE FACED WITH
3 A THREAT, SUCH AS AN ARMED INDIVIDUAL OR A DANGEROUS ANIMAL.

4 (f) "SCHOOL BUILDING" MEANS A BUILDING, INCLUDING BUT NOT
5 LIMITED TO A CLASSROOM BUILDING AND A SCHOOL DORMITORY, THAT IS
6 A PUBLIC BUILDING OF AN INSTITUTION OF HIGHER EDUCATION.

7 (g) "SEVERE WEATHER DRILL" MEANS A DRILL IN WHICH
8 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER APPROPRIATE TO THE
9 SEVERE WEATHER THREAT, SUCH AS A BLIZZARD, ELECTRICAL STORM, OR
10 TORNADO.

11 (h) "SHELTER-IN-PLACE DRILL" MEANS A DRILL IN WHICH THE
12 OCCUPANTS OF A SCHOOL BUILDING SEEK SHELTER IN THE SCHOOL
13 BUILDING FROM AN EXTERNAL THREAT FROM HAZARDOUS MATERIALS.

14 (2) BEGINNING IN THE 2010-11 ACADEMIC YEAR, EACH
15 INSTITUTION OF HIGHER EDUCATION SHALL CONDUCT A MINIMUM OF TWO
16 DIFFERENT TYPES OF LIFESAVING PROTOCOL DRILLS DURING EACH
17 ACADEMIC YEAR, AT LEAST ONE OF WHICH SHALL BE CONDUCTED WITHIN
18 SIXTY DAYS AFTER THE START OF THE ACADEMIC YEAR. THE INSTITUTION
19 OF HIGHER EDUCATION SHALL PROVIDE ADVANCE NOTICE OF A LIFESAVING
20 PROTOCOL DRILL TO LAW ENFORCEMENT, FIRE PROTECTION, AND
21 EMERGENCY MANAGEMENT AGENCIES IN THE COMMUNITY IN WHICH THE
22 INSTITUTION OF HIGHER EDUCATION IS LOCATED AND MAY SEEK ADVICE
23 AND EVALUATION FROM SUCH AGENCIES AND FROM SCHOOL RESOURCE
24 OFFICERS OR SECURITY OFFICERS.

25 (3) INSTITUTIONS OF HIGHER EDUCATION MAY OBTAIN ASSISTANCE
26 FROM THE SCHOOL SAFETY RESOURCE CENTER CREATED IN SECTION
27 24-33.5-1803, C.R.S., IN DEVELOPING APPROPRIATE EMERGENCY

1 PROCEDURES, INCLUDING EFFECTIVE LIFESAVING PROTOCOL DRILL
2 PROCEDURES.

3 **SECTION 6.** 24-33.5-1803 (3) (b), Colorado Revised Statutes,
4 is amended to read:

5 **24-33.5-1803. School safety resource center - created - duties.**

6 (3) The center has the following duties:

7 (b) To assist schools in establishing practices and strategies for
8 use in responding to an emergency or crisis situation, INCLUDING BUT NOT
9 LIMITED TO DEVELOPING EFFECTIVE PROCEDURES FOR LIFESAVING
10 PROTOCOL DRILLS CONDUCTED PURSUANT TO SECTION 22-30.5-505 (14),
11 22-32-109.1 (4.5), OR 23-5-140, C.R.S.;

12 **SECTION 7. Act subject to petition - effective date.** This act
13 shall take effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly that is
15 allowed for submitting a referendum petition pursuant to article V,
16 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
17 sine die is on May 6, 2009); except that, if a referendum petition is filed
18 against this act or an item, section, or part of this act within such period,
19 then the act, item, section, or part, if approved by the people, shall take
20 effect on the date of the official declaration of the vote thereon by
21 proclamation of the governor.