

2024 -- S 2950 SUBSTITUTE A

LC005817/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO EDUCATION -- SCHOOL EMERGENCY DRILLS ACT

Introduced By: Senators Cano, Kallman, McKenney, Burke, Lauria, Murray, Valverde,
Pearson, DiMario, and Bissaillon

Date Introduced: April 05, 2024

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 21.8

4 SCHOOL EMERGENCY DRILLS ACT

5 **16-21.8-1. Short title.**

6 This chapter shall be known and may be cited as the "School Emergency Drills Act."

7 **16-21.8-2. Definitions.**

8 As used in this chapter:

9 (1) "Active shooter simulation" means any imitation of a school shooting situation that
10 depicts events using authentic or simulated items including, but not limited to, authentic or
11 simulated weapons, gunfire, imaginary fatalities or simulated blood or casualties.

12 (2) "Emergency drills" means drills that are designed to provide practice and instruction to
13 students and staff to remain safe. These include, but are not limited to, fire drills, lockdown drills,
14 and evacuation drills.

15 (3) "Evacuation drills" means drills that move students and staff from one place to another
16 and are designed and conducted to practice for situations where the primary objective is to ensure
17 that students and staff can quickly move away from the threat and where conditions outside the
18 school building are safer than conditions inside the school building, necessitating that students
19 evacuate the building and/or move farther from the school building than the distance required

1 during a fire drill.

2 (4) "Fire drill" means drills that move students and staff from one place to another and are
3 designed and conducted to practice for situations where the primary objective is to ensure that
4 students and staff can quickly move away from the threat and where conditions outside the school
5 building are safer than conditions inside the school building.

6 (5) "Trauma-informed" refers to trauma-informed practices that are consistent with the
7 requirements of this chapter, and shall include, but not be limited to, the requirements and principals
8 used to develop the trauma-informed school implementation plan pursuant to § 16-21-40 which is
9 designed to support the academic, behavioral, social and emotional needs of all students.

10 **16-21.8-3. Modifications.**

11 School administrators and school support personnel shall have the discretion to modify an
12 emergency drill or training for students they determine is appropriate. School administrator and
13 school support personnel may include and consult with a student's individualized education
14 program team or federal Section 504 plan team in making these modifications. Administrators and
15 school support personnel shall not be personally liable for any decision to provide modifications
16 for a student to an emergency drill under this subsection.

17 **16-21.8-4. Active shooter simulation.**

18 Students, teachers, and staff are prohibited from being required to participate in active
19 shooter simulations. Law enforcement personnel may choose to run an active shooter simulation,
20 including simulated gun fire drills; provided that, the drill is scheduled only on days when students
21 are not present.

22 **16-21.8-5. Parental notification of emergency drills.**

23 Each September, at the commencement of the school year, schools shall provide parents or
24 guardians with a written notification containing an overview of all emergency drills training,
25 together with a description of each drill and its components.

26 **16-21.8-6. Debriefing after actual emergency events.**

27 (a) As used herein, the term "emergency event" refers to an incident that prompts a school
28 to implement an emergency response that is not a scheduled drill.

29 (b) Schools and school districts shall develop and implement a debriefing plan to be utilized
30 after an actual emergency event for each school where the school administrator deems it necessary
31 to inform parents or guardians based on the severity of the event. The plan shall include best
32 practices and procedures as provided by the Rhode Island state police, municipal law enforcement,
33 and school mental health professionals and shall be conducted within a timeframe that is as
34 expeditious as possible following an actual emergency event and if possible, the debriefing shall

1 take place on the same day as the actual emergency event and if not on the same day then the
2 debriefing shall take place on the next school day. School staff and students shall be given an
3 opportunity for debriefing in conjunction with school mental health professionals and provided,
4 further, school administrators shall be required to debrief with local emergency responders.

5 SECTION 2. Sections 16-21-4, 16-21-24 and 16-21-40 of the General Laws in Chapter 16-
6 21 entitled "Health and Safety of Pupils" are hereby amended to read as follows:

7 **16-21-4. Fire, evacuation and lockdown drills required — Failure to comply.**

8 (a)(1) It shall be the duty of the principal or other person in charge of every public school
9 or private school, college, university, or postsecondary institutions or educational institution within
10 the state, having more than twenty-five (25) pupils, to instruct and train the pupils by means of
11 drills, so that they may in a sudden emergency be able to leave school buildings and dormitories in
12 the shortest possible time and without confusion or panic.

13 (2) Notwithstanding other provisions of this section, in all schools or buildings used for
14 educational purposes through the twelfth grade by six (6) or more persons for four (4) or more
15 hours per day or more than twelve (12) hours per week, there shall be not less than one emergency
16 egress drill conducted every month the facility is in session with all occupants of the building
17 participating in said drill. One additional emergency egress drill shall be conducted in buildings
18 that are not open on a year-round basis within the first (1st) thirty (30) days of operation. At least
19 one out of every four (4) emergency egress drills or rapid dismissals shall be obstructed by means
20 of which at least one or more exits and stairways in the school building are blocked off or not used.
21 In addition, there shall be ~~two (2) evacuation drills and~~ two (2) lockdown drills. ~~Evacuation drills~~
22 ~~shall be designed and conducted for use when conditions outside the school building are safer than~~
23 ~~conditions inside the building.~~ Lockdown drills shall be designed and conducted for use to protect
24 school building occupants from potential dangers in the building, and one shall be held in
25 September and one in January, and in conjunction with the local police whenever possible.

26 (3) An administrator may, in the administrator's discretion, replace one fire drill with an
27 evacuation drill to incorporate emergency procedures for responding to explosive hazard(s) in the
28 school such as a bomb threat or gas leak, which hazard necessitates moving the students farther
29 from the school than the students would do for a fire drill.

30 (b)(1) In colleges, universities, postsecondary institutions, and residence facilities in public
31 schools or private schools there shall be at least four (4) drills or rapid dismissals during the
32 academic year for each school building or residence facility, at least two (2) of which shall be held
33 between the months of September through December. The remaining two (2) drills shall be held
34 between the months of January through June. Any college, university, or postsecondary institution

1 that holds a summer session shall hold a drill or rapid dismissal during the first full week of the
2 summer session.

3 (2) At least one drill or rapid dismissal shall be obstructed so that at least one or more exits
4 or stairways in the school building or dormitory are blocked off or not used.

5 (c) For purposes of this section “residence facility” means dormitory, fraternity, sorority,
6 or any other type of residence hall, whether on campus or off campus, owned or leased by a college,
7 university, postsecondary institutions, public schools, or private school with accommodations for
8 twenty (20) or more students.

9 (d) Notwithstanding other provisions of this section, fire drills shall be required in colleges
10 or universities only for buildings which are used for a residence facility.

11 (e) Neglect by any principal or any person in charge of any public or private school or
12 educational institution to comply with the provisions of this section shall be a misdemeanor
13 punishable by a fine not exceeding five hundred dollars (\$500).

14 (f) Written reports, on forms supplied by the department of elementary and secondary
15 education, of each fire drill shall be completed immediately upon termination of every drill and
16 shall be available for review by the fire marshal, assistant deputy fire marshal, or local fire
17 authority. The fire marshal, assistant deputy fire marshal, or local fire authority may require that a
18 fire drill be conducted in his or her presence.

19 (g) Lockdown drills may be announced in advance at the discretion of the school
20 administrator.

21 (h) Emergency drills shall be age appropriate and developmentally appropriate and shall
22 include and involve all school personnel, including school-based mental health professionals as
23 well as substitute teachers. School officials shall work towards and implement, wherever possible,
24 trauma-informed practices into emergency drills to address the concerns and well-being of students
25 and school personnel. As used herein, the term “emergency drills” has the same meaning as in
26 chapter 21.8 of title 16 (“school emergency drills act”).

27 **16-21-24. Requirements of school safety plans, school emergency response plans, and**
28 **school crisis response plans.**

29 (a) School safety plans, as required by this chapter, shall address, but not to be limited to,
30 prevention, mitigation, preparedness, response, and recovery. The school safety plans shall include,
31 at a minimum, the following policies and procedures:

32 (1) Appropriate prevention, mitigation, preparedness and intervention strategies which are
33 based on data to target priority needs and which make use of effective actions based on currently
34 accepted best practices and once developed, the appropriate parts of the state model plan pursuant

- 1 to general laws § 16-21-23.1 that include consistent, plain language and terminology;
- 2 (2) Formalized collaborative arrangements with state and local law enforcement and fire
3 fighter officials, designed to ensure that school safety officers and other security personnel are
4 adequately trained, including being trained to de-escalate potentially violent situations, and are
5 effectively and fairly recruited;
- 6 (3) Policies and procedures relating to school building security, including where
7 appropriate the use of school safety officers and/or security devices or procedures;
- 8 (4) Policies and procedures for annual school safety training and a review of the school
9 crisis response plan for staff and students;
- 10 (5) Protocols for school personnel and students responding to [swatting](#), bomb threats,
11 hostage-takings, intrusions, and kidnappings that include consistent, plain language and
12 terminology that is recommended by the model plan pursuant to general laws § 16-21-23.1. [For
13 purposes of this chapter, "swatting" means the action or practice of making a prank call to
14 emergency services in an attempt to bring about the dispatch of law enforcement personnel to a
15 particular address;](#)
- 16 (6) Policies and procedures for responding to violence by students, teachers, other school
17 personnel as well as visitors to the school that include consistent, plain language and terminology
18 that is recommended by the model plan pursuant to general laws § 16-21-23.1;
- 19 (7) Policies and procedures for responding to acts of violence by students, teachers, other
20 school personnel and visitors to the school that include consistent, plain language and terminology
21 that is recommended by the model plan pursuant to general laws § 16-21-23.1;
- 22 (8) Policies and procedures for contacting appropriate law enforcement officials and
23 EMS/Fire, in the event of a violent incident and that include consistent, plain language and
24 terminology that is recommended by the model plan pursuant to general laws § 16-21-23.1;
- 25 (9) Policies and procedures for notification and activation of the school crisis response
26 team that include consistent, plain language and terminology that is recommended by the model
27 plan pursuant to general laws § 16-21-23.1;
- 28 (10) Policies and procedures for contacting parents, guardians, or persons in parental
29 relation to the students of the city, town, or region in the event of a violent incident;
- 30 (11) Policies and procedures for the dissemination of informative materials regarding the
31 early detection of potentially violent behaviors, including, but not limited to, the identification of
32 family, community, and environmental factors, to teachers, administrators, school personnel,
33 persons in parental relation to students of the city, town, or region students and other persons
34 deemed appropriate to receive that information;

1 (12) Strategies for improving communication, including use of common, consistent plain
2 language by school district officials, school officials and emergency responders, among students
3 and between students and staff and reporting of potentially violent incidents, such as the
4 establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or
5 designating a mentor for students concerned with bullying or violence, and establishing anonymous
6 reporting mechanisms for school violence;

7 (13) A description of the duties of hall monitors and any other school safety personnel,
8 including the school crisis response team, and the training requirements of all personnel acting in
9 a school security capacity and policies and procedures for students, personnel who are in the
10 hallway during a lockdown [or similar emergency](#) situation that include consistent language and
11 terminology that is recommended by the department of elementary and secondary education;

12 (14) Policies and procedures for providing notice of threats of violence or harm to the
13 student or school employee who is the subject of the threat. The policy shall define “threats of
14 violence or harm” to include violent actions and threats of violent actions either individually or by
15 groups, but shall not include conduct or comments that a reasonable person would not seriously
16 consider to be a legitimate threat;

17 (15) Policies and procedures for disclosing information that is provided to the school
18 administrators about a student’s conduct, including, but not limited to, the student’s prior
19 disciplinary records, and history of violence, to classroom teachers, school staff, and school
20 security, if they have been determined by the principal to have a legitimate need for the information
21 in order to fulfill their professional responsibilities and for protecting such information from any
22 further disclosure; ~~and~~

23 (16) Procedures for determining whether or not any threats or conduct established in the
24 policy may be grounds for discipline of the student. School districts, school committees, school
25 officials, and school employees providing notice in good faith as required and consistent with the
26 committee’s policies adopted under this section are immune from any liability arising out of such
27 notification; [and](#)

28 [\(17\) Procedures for students and school staff to both prepare for and to participate in](#)
29 [emergency drills.](#)

30 (b) School safety plans, as required by this chapter, shall further include school emergency
31 response plans specific to each school building contained within each city, town, or regional school
32 district, and shall be developed and approved in consultation with local police and fire. The state
33 police shall provide consultation for those school districts that for whatever reason may not have
34 access to local police. School emergency response plans shall include, and address, but not be

1 limited to, the following elements:

2 (1) Policies and procedures for the safe evacuation of students, teachers, and other school
3 personnel as well as visitors to the school in the event of a serious violent incident or other
4 emergency, which shall include evacuation routes and shelter sites and procedures for addressing
5 medical needs, transportation, and emergency notification to persons in parental relation to a
6 student. For purposes of this subdivision, “serious violent incident” means an incident of violent
7 criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students
8 and/or staff;

9 (2) Designation of an emergency response team comprised of school personnel, local law
10 enforcement officials, and representatives from local regional and/or state emergency response
11 agencies, other appropriate incident response teams including a school crisis response team, and a
12 post-incident response team that includes appropriate school personnel, medical personnel, mental
13 health counselors, and others who can assist the school community in coping with the aftermath of
14 a violent incident;

15 (3) Procedures for assuring that crisis response and law enforcement officials have access
16 to floor plans, blueprints, schematics, or other maps of the school interior and school grounds, and
17 road maps of the immediate surrounding area;

18 (4) Establishment of internal and external communication systems in emergencies that
19 include consistent, plain language and terminology that is recommended by the model plan
20 established pursuant to general laws § 16-21-23.1;

21 (5) Definition and formalization of the chain of command in a manner consistent with the
22 national interagency incident management system/incident command system;

23 (6) Procedures for review and the conduct of drills and other exercises to test components
24 of the emergency response plan, including use of checklists as described in § 16-21-23.1;

25 (7) Policies and procedures for securing and restricting access to the crime scene in order
26 to preserve evidence in cases of violent crimes on school property; and

27 (8) Policies and procedures for ensuring timely access to mental health services for those
28 students and school employees affected by a violent incident.

29 **16-21-40. Trauma-informed schools act.**

30 (a) Schools play a critical role in addressing and mitigating the effects of child trauma by
31 recognizing the impact of adversity and trauma on students, parents, and staff, and embedding
32 policies and practices that foster well-being and resilience.

33 (b) Through alignment and integration with a multi-tiered system of support frameworks
34 designed to support the academic, behavioral, social, and emotional needs of all students, the

1 commissioner of elementary and secondary education shall develop a trauma-informed schools
2 implementation plan, as well as necessary administrative guidance, professional development
3 materials, and other resources to enable all elementary and secondary schools to:

4 (1) Establish and implement trauma-informed practices within all elementary and
5 secondary education schools throughout the state, that:

6 (i) Promote a shared understanding among teachers, teacher’s assistants, school leaders,
7 paraprofessionals, specialized instructional support personnel, and other staff that:

8 (A) Traumatic experiences are common among students;

9 (B) Trauma can impact student learning, behavior, and relationships in school;

10 (C) Traumatic experiences do not inherently undermine the capabilities of students to reach
11 high expectations in academics and life;

12 (D) Schoolwide learning environments, where all students and adults feel safe, welcomed,
13 and supported, can enable students to succeed despite traumatic experiences; and

14 (E) Services, supports, and programs provided to meet individual student needs should be
15 trauma-informed, where appropriate, and increase student connection to the schoolwide learning
16 environment. [Provided, effective July 1, 2024, this requirement shall include integrating trauma-](#)
17 [informed practices into emergency drills.](#)

18 (ii) Adopt disciplinary procedures and practices that:

19 (A) Accompany disciplinary actions with holistic assessments and positive behavioral
20 interventions and supports to address the underlying causes of student behavior, including trauma;

21 (B) Avoid harsh, punitive, or exclusionary disciplinary practices;

22 (C) Utilize evidence-based restorative practices with a focus on behavior modifications and
23 building community, and less punitive or exclusionary practices that erode a culture of trust;

24 (D) Implement procedures to call skilled mental health personnel when there is a mental
25 health breakdown, and resort to law enforcement only in extreme cases and/or when a student or
26 students are at risk of bodily harm; and

27 (E) Do not discriminate on the basis of race, color, national origin, sex (including sexual
28 orientation or gender identity), disability, English proficiency status, migrant status, or age.

29 (iii) Implement activities that engage teachers, teacher’s assistants, school leaders,
30 paraprofessionals, specialized instructional support personnel, and other staff, in a process of
31 school-based planning to:

32 (A) Promote a schoolwide culture of acceptance;

33 (B) Help all students feel safe and connected to the school community;

34 (C) Support all students to form positive relationships with adults and peers, understand

1 and manage emotions, achieve success academically and in extracurricular areas, and experience
2 physical and psychological health and well-being;

3 (D) Promote teamwork and effective communication among all staff and shared
4 responsibility for every student;

5 (E) Integrate evidence-based practices that build social-emotional skills into rigorous
6 academic instruction;

7 (F) Support trauma-sensitive and informed approaches to multi-tiered system of supports
8 (“MTSS”) function of team-based leadership, tiered delivery system, selection and implementation
9 of instruction and intervention, comprehensive screening and assessment system, and continuous
10 data-based decision-making; and

11 (G) Recognize and prevent adult implicit bias.

12 SECTION 3. This act shall take effect on July 1, 2024.

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LC005817/SUB A
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO EDUCATION -- SCHOOL EMERGENCY DRILLS ACT

1 This act would make revisions to the number, timing, and procedures to be followed when
2 schools grades K through 12 implement fire drills, evacuation drills, and other emergency drills,
3 designed to protect the health and safety of students. This act would direct schools to work towards
4 the implementation of trauma-informed practices in preparing and conducting those drills.

5 This act would take effect on July 1, 2024.

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