

Testimony Regarding SB 128

House Education Committee

Doug Jorgensen, State Fire Marshal

March 11, 2019

The 2018 session of the legislature changed the requirements for school drills in House Substitute for Senate Bill No. 109. The change was made at the very end of the session and implemented through the final appropriations bill for the Office of the State Fire Marshal and not through a stand-alone bill or statute change.

STATE FIRE MARSHAL (a) On July 1, 2018, the expenditure limitation established for the fiscal year ending June 30, 2019, by the state finance council by section 178(d) of chapter 104 of the 2017 Session Laws of Kansas on the fire marshal fee fund (234-00-2330-2000) is hereby increased from \$5,067,836 to \$5,287,336. (b) On July 1, 2018, the amount of \$1,000,000 authorized by section 143(b) of the 2017 Session Laws of Kansas to be transferred by the director of accounts and reports from the fire marshal fee fund (234-00- 2330-2000) of the state fire marshal to the state general fund on July 1, 2018, and January 1, 2019, is hereby decreased to \$500,000. (c) Notwithstanding the provisions of K.S.A. 31-133, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2019, as authorized by chapter 104 of the 2017 Session Laws of Kansas, this or other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2019 to require administrators of public and private schools and educational institutions, except community colleges, colleges and universities, to conduct at least 16 emergency preparedness drills during the school year at some time during school hours, aside from the regular dismissal at the close of the day's session, and to prescribe the manner in which such emergency preparedness drills are to be conducted: Provided, That such emergency preparedness drills shall include at least: (1) Four fire drills; (2) three tornado drills conducted pursuant to the tornado procedures established by administrators of public and private schools and educational institutions, except community colleges, colleges and universities and subject to approval by the state fire marshal; and (3) nine crisis drills that shall include, but not be limited to, intruder response drills and lockdown drills.

Our office and the State Board of Education were unaware of the change until our office reviewed the final appropriations bill. I then contacted the Board of Education to let them know. The legislative changes moved the number of safety drills in K-12 schools for Fiscal Year 2019 from 15 to 16. It did not change the number and types of drills for Preschool/Pre-K facilities, which need to be included in future discussions. Since the changes were made in an appropriations bill it is only in effect from July 1, 2018 thru June 30th, 2019. If there is no legislative action this session on the subject the number and types of drills will revert back to the 15 per year with no crisis drills. Our office and the Board of Education are very aware of the concerns Superintendents, Principals and other school personnel have with the change and number of required drills. I believe it works out to a drill every 11 school days during the school year session.

To help bring some consistency going forward, our office has been working with the State Department of Education to find some middle ground on the number of required school drills. Our office contacted the state fire chief's association, state firefighter's association, and state fire marshal's association asking what they thought about reducing the number of drills for PreK-12 schools. Our office shared a suggestion with the groups on having no more than 9 drills per school year, one per month. There would be two tornado drills, one in September and one in March. There would be 3-4 fire drills and 3-4 crisis drills alternating for the rest of the months. The majority of the fire service agreed with that proposal and would support it in their local communities. Most did lean towards 4 fire and 3 crisis drills.

Our office supports the bill as amended by Senate Committee of the Whole.