

102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2400

Introduced 2/17/2021, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

105 ILCS 128/20
105 ILCS 128/25

Amends the School Safety Drill Act. Provides that parents or guardians must receive prior notice of a law enforcement drill not less than 5 days prior to the drill. Provides that a law enforcement drill (i) must not include simulations that mimic an actual school shooting incident or active shooter event, (ii) must be announced in advance to all school personnel and students prior to the commencement of the drill, (iii) must include content that is age appropriate and developmentally appropriate, (iv) must include and involve school personnel, including school-based mental health professionals, and (v) must include trauma-informed approaches to address the concerns and well-being of students and school personnel. Requires a school district to include in its annual review of each school building's emergency and crisis response plans, protocols, and procedures an examination of the efficacy and effects of law enforcement drills. Effective immediately.

LRB102 11779 CMG 17114 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Safety Drill Act is amended by
5 changing Sections 20 and 25 as follows:

6 (105 ILCS 128/20)

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

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

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

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

21 (B) Each school administrator or his or her
22 designee must contact the responding local fire
23 official no later than September 15 of each year and

1 propose to the local fire official 4 dates within the
2 month of October, during at least 2 different weeks of
3 October, on which the drill shall occur. The fire
4 official may choose any of the 4 available dates, and
5 if he or she does so, the drill shall occur on that
6 date.

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

11 (D) If the fire official does not select one of the
12 4 offered dates in October or set another date by
13 mutual agreement, the requirement that the school
14 include the local fire service in one of its mandatory
15 school evacuation drills shall be waived. Schools,
16 however, shall continue to be strongly encouraged to
17 include the fire service in a school evacuation drill
18 at a mutually agreed-upon time.

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

23 (F) When scheduling the school evacuation drill,
24 the school administrator or his or her designee and
25 the local fire department or fire district may, by
26 mutual agreement on or before September 14, choose to

1 waive the provisions of subparagraphs (B), (C), and
2 (D) of this paragraph (1).

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

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

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

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

22 (b-5) Notwithstanding the minimum requirements established
23 by this Act, private schools that do not utilize a bus to
24 transport students for any purpose are exempt from subsection
25 (b) of this Section, provided that the chief school
26 administrator of the private school provides written assurance

1 to the State Board of Education that the private school does
2 not plan to utilize a bus to transport students for any purpose
3 during the current academic year. The assurance must be made
4 on a form supplied by the State Board of Education and filed no
5 later than October 15. If a private school utilizes a bus to
6 transport students for any purpose during an academic year
7 when an assurance pursuant to this subsection (b-5) has been
8 filed with the State Board of Education, the private school
9 shall immediately notify the State Board of Education and
10 comply with subsection (b) of this Section no later than 30
11 calendar days after utilization of the bus to transport
12 students, except that, at the discretion of the private
13 school, students chosen for participation in the bus
14 evacuation drill need include only the subgroup of students
15 that are utilizing bus transportation.

16 (c) During each academic year, schools must conduct a law
17 enforcement drill to address a school shooting incident. No
18 later than 90 days after the first day of each school year,
19 schools must conduct at least one law enforcement drill that
20 addresses an active threat or an active shooter within a
21 school building. Such drills must be conducted according to
22 the school district's or private school's emergency and crisis
23 response plans, protocols, and procedures to evaluate the
24 preparedness of school personnel and students. Law enforcement
25 drills must be conducted on days and times when students are
26 normally present in the school building and must involve

1 participation from all school personnel and students present
2 at school at the time of the drill, except that administrators
3 or school support personnel in their discretion may exempt
4 students from the drill. The appropriate local law enforcement
5 agency shall observe the administration of the drill. All
6 drills must be conducted at each school building that houses
7 school children.

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

10 (A) During each calendar year, the appropriate
11 local law enforcement agency shall contact the
12 appropriate school administrator to request to
13 participate in a law enforcement drill. The school
14 administrator and local law enforcement agency shall
15 set, by mutual agreement, a date for the drill.

16 (A-5) The drill shall require the on-site
17 participation of the local law enforcement agency. If
18 a mutually agreeable date cannot be reached between
19 the school administrator and the appropriate local law
20 enforcement agency, then the school shall still hold
21 the drill without participation from the agency.

22 (B) Upon the participation of a local law
23 enforcement agency in a law enforcement drill, the
24 appropriate local law enforcement official shall
25 certify that the law enforcement drill was conducted
26 and notify the school in a timely manner of any

1 deficiencies noted during the drill.

2 (C) The drill must not include simulations that
3 mimic an actual school shooting incident or active
4 shooter event.

5 (D) Parents or guardians must receive prior notice
6 of the law enforcement drill not less than 5 days prior
7 to drill.

8 (E) All drill must be announced in advance to all
9 school personnel and students prior to the
10 commencement of the drill.

11 (F) Drill content must be age appropriate and
12 developmentally appropriate.

13 (G) Drills must include and involve school
14 personnel, including school-based mental health
15 professionals.

16 (H) Drills must include trauma-informed approaches
17 to address the concerns and well-being of students and
18 school personnel.

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

21 (3) (Blank).

22 (d) During each academic year, schools must conduct a
23 minimum of one severe weather and shelter-in-place drill to
24 address and prepare students and school personnel for possible
25 tornado incidents and may conduct additional severe weather
26 and shelter-in-place drills to account for other incidents,

1 including without limitation earthquakes or hazardous
2 materials. All drills shall be conducted at each school
3 building that houses school children.

4 (Source: P.A. 100-443, eff. 8-25-17; 100-996, eff. 1-1-19.)

5 (105 ILCS 128/25)

6 Sec. 25. Annual review.

7 (a) Each public school district, through its school board
8 or the board's designee, shall conduct a minimum of one annual
9 meeting at which it will review each school building's
10 emergency and crisis response plans, protocols, and
11 procedures, including procedures regarding the school
12 district's threat assessment team, the efficacy and effects of
13 law enforcement drills, and each building's compliance with
14 the school safety drill programs. The purpose of this annual
15 review shall be to review and update the emergency and crisis
16 response plans, protocols, and procedures and the school
17 safety drill programs of the district and each of its school
18 buildings. This review must be at no cost to the school
19 district. In updating a school building's emergency and crisis
20 response plans, consideration may be given to making the
21 emergency and crisis response plans available to first
22 responders, administrators, and teachers for implementation
23 and utilization through the use of electronic applications on
24 electronic devices, including, but not limited to,
25 smartphones, tablets, and laptop computers.

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

6 (1) The principal of each school within the school
7 district or his or her official designee.

8 (2) Representatives from any other education-related
9 organization or association deemed appropriate by the
10 school district.

11 (3) Representatives from all local first responder
12 organizations to participate, advise, and consult in the
13 review process, including, but not limited to:

14 (A) the appropriate local fire department or
15 district;

16 (B) the appropriate local law enforcement agency;

17 (C) the appropriate local emergency medical
18 services agency if the agency is a separate, local
19 first responder unit; and

20 (D) any other member of the first responder or
21 emergency management community that has contacted the
22 district superintendent or his or her designee during
23 the past year to request involvement in a school's
24 emergency planning or drill process.

25 (4) The school board or its designee may also choose
26 to invite to the annual review any other persons whom it

1 believes will aid in the review process, including, but
2 not limited to, any members of any other education-related
3 organization or the first responder or emergency
4 management community.

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

9 (1) summarizes the review's recommended changes to the
10 existing school safety plans and drill plans;

11 (2) lists the parties that participated in the annual
12 review, and includes the annual review's attendance
13 record;

14 (3) certifies that an effective review of the
15 emergency and crisis response plans, protocols, and
16 procedures and the school safety drill programs of the
17 district and each of its school buildings has occurred;

18 (4) states that the school district will implement
19 those plans, protocols, procedures, and programs, during
20 the academic year; and

21 (5) includes the authorization of the school board or
22 the board's designee.

23 (d) The school board or its designee shall send a copy of
24 the report to each party that participates in the annual
25 review process and to the appropriate regional superintendent
26 of schools. If any of the participating parties have comments

1 on the certification document, those parties shall submit
2 their comments in writing to the appropriate regional
3 superintendent. The regional superintendent shall maintain a
4 record of these comments. The certification document may be in
5 a check-off format or narrative format, at the discretion of
6 the district superintendent.

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

10 (f) A private school shall conduct a minimum of one annual
11 meeting at which the school must review each school building's
12 emergency and crisis response plans, protocols, and procedures
13 and each building's compliance with the school safety drill
14 programs of the school. The purpose of this annual review
15 shall be to review and update the emergency and crisis
16 response plans, protocols, and procedures and the school
17 safety drill programs of the school. This review must be at no
18 cost to the private school.

19 The private school shall invite representatives from all
20 local first responder organizations to participate, advise,
21 and consult in the review process, including, but not limited
22 to, the following:

23 (1) the appropriate local fire department or fire
24 protection district;

25 (2) the appropriate local law enforcement agency;

26 (3) the appropriate local emergency medical services

1 agency if the agency is a separate, local first responder
2 unit; and

3 (4) any other member of the first responder or
4 emergency management community that has contacted the
5 school's chief administrative officer or his or her
6 designee during the past year to request involvement in
7 the school's emergency planning or drill process.

8 (Source: P.A. 101-455, eff. 8-23-19.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.