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COMMITTEE REPORT

April 25, 2018

**S. 709**

Introduced by Senator Hembree

S. Printed 4/25/18--H.

Read the first time April 3, 2018.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (S. 709) to amend the Code of Laws of South Carolina, 1976, by adding Article 4 to Chapter 23, Title 59 so as to require fire and safety inspections at all public, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59‑17‑160. (A) Prior to the beginning of the 2019‑2020 School Year, the State Department of Education and the Office of the State Fire Marshal shall collaborate and develop model fire and safety policies and program guidelines that must be made available to each school district and charter school in the state. The provisions of this section do not apply to charter schools whose instruction is primarily delivered online.

(B) Each school district board of trustees and the governing body of each charter school shall adopt a policy and program for school facility fire and safety, including inspections, before the beginning of the 2020‑2021 School Year. The policy and program must:

(1) be adopted in open meetings in which the public may provide comment on the terms of the policies and programs;

(2) include routine self‑assessments; and

(3) be published on the district’s or charter school’s Internet website in a prominent location that is easily accessible by the public.

(C) Prior to July 1, 2021, each district and charter school shall submit its fire and safety policy and program to the Office of the State Fire Marshal and the State Department of Education. The office and department shall collaborate in the review of the school policies and programs. Within one hundred twenty days of the receipt of a policy or program, the office and department must jointly provide written comments to the district on how the policies and programs may be improved.

(D) Local school district boards of trustees and charter school governing bodies may request technical assistance in the development of fire and safety policies and programs.”

SECTION 2. Section 59‑63‑910 of the 1976 Code is amended to read:

“Section 59‑63‑910. (A) All ~~teachers or superintendents in charge of the schools of the State which are supported in whole or in part by taxation~~ public schools, including charter schools whose instruction is not primarily delivered online, shall conduct fire, active shooter/intruder, and severe weather/earthquake drills ~~at least once each month~~. ~~Any teacher or superintendent failing to observe the provisions of this section shall be fined not less than ten dollars nor more than twenty‑five dollars for each offense. Such fine shall be deducted from his salary and turned over to the county treasurer for ordinary county purposes~~ Within each school year, schools must conduct at least two fire drills, two active shooter/intruder drills, and two severe weather/earthquake drills, with at least one of each drill conducted each semester.

(B)(1) Before August 1, 2018, the State Department of Education and the South Carolina Law Enforcement Division shall develop guidelines for the conduct of active shooter/intruder training required in this section, and developmentally appropriate training materials. The department and the State Law Enforcement Division must consult with school‑employed mental health professionals and the State Fire Marshal in creating and updating the guidelines. These guidelines must be included in annual teacher collegial development required by Section 59‑1‑425(A).

(2) Before January 1, 2019, the State Department of Education and the State Law Enforcement Division, with consultation from school‑employed mental health professionals, shall develop a developmentally appropriate active shooter/intruder drill instructional video that must be shown to all students at the beginning of each semester, and the department shall make this video available to all public school classrooms.”

SECTION 3. Section 59‑63‑920 of the 1976 Code is amended to read:

“Section 59‑63‑920. The principal or ~~supervising teacher~~ charter school leader of each school shall ~~indicate on his monthly pay voucher whether he has complied~~ comply with the requirements of Section 59‑63‑910~~, and should it appear that he has failed to do so the superintendent of education shall deduct from that teacher’s salary the minimum fine for the first offense and the maximum fine for each following offense~~ and document their compliance.”

SECTION 4. Section 59‑63‑930 of the 1976 Code is repealed.

SECTION 5. Article 9, Chapter 63, Title 59 of the 1976 Code is redesignated “Safety and Security Drills.”

SECTION 6. This act takes effect July 1, 2018. /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO REQUIRE FIRE AND SAFETY INSPECTIONS AT ALL PUBLIC SCHOOL FACILITIES AT LEAST ANNUALLY, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE OFFICE OF THE STATE FIRE MARSHAL.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 17, Title 59 of the 1976 Code is amended by adding:

“Section 59‑17‑160. Each school district board of trustees and the governing body of each charter school shall adopt a policy and program for school facility fire and safety, including inspections, before the beginning of the 2019‑2020 School Year. The policy and program must:

(1) be adopted in open meetings in which the public may provide comment on the terms of the policies and programs;

(2) include routine self‑assessments; and

(3) be published on the district’s or charter school’s Internet website in a prominent location that is easily accessible by the public.”

SECTION 2. Section 59‑63‑910 of the 1976 Code is amended to read:

“Section 59‑63‑910. All ~~teachers or superintendents~~ principals and charter school leaders in charge of the schools of the State which are supported in whole or in part by taxation shall conduct ~~fire~~ safety and security drills at least once each month. ~~Any teacher or superintendent failing to observe the provisions of this section shall be fined not less than ten dollars nor more than twenty‑five dollars for each offense. Such fine shall be deducted from his salary and turned over to the county treasurer for ordinary county purposes~~ No fewer than six of these drills must be fire drills.”

SECTION 3. Section 59‑63‑920 of the 1976 Code is amended to read:

“Section 59‑63‑920. The principal or ~~supervising teacher~~ charter school leader of each school shall ~~indicate on his monthly pay voucher whether he has complied~~ comply with the requirements of Section 59‑63‑910~~, and should it appear that he has failed to do so the superintendent of education shall deduct from that teacher’s salary the minimum fine for the first offense and the maximum fine for each following offense~~ and document their compliance.”

SECTION 4. Section 59-63-930 of the 1976 Code is repealed.

SECTION 5. Article 9, Chapter 63, Title 59 of the 1976 Code is redesignated “Safety and Security Drills.”

SECTION 6. This act takes effect upon approval of the Governor.

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