



## Virginia Department of Criminal Justice Services— Virginia Center for School and Campus Safety

### Guidance on Required Evacuation/Fire and Lock-Down Drills

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**NOTE:** *This document includes references and summaries of the Code of Virginia and the Virginia Administrative Code related to school safety. The information provided is not offered, nor should be construed as legal advice or a legal interpretation of statutes and regulations. Local school districts are encouraged to consult with legal counsel for legal advice.*

**LEGAL REFERENCES:** *Code of Virginia §§ 22.1-137 and 22.1-137.2, Statewide Fire Prevention Code (SFPC) Sections 404.2.3 and 405.1, and Board of Education’s Regulations Establishing Standards for Accrediting Public Schools in Virginia (Standards of Accreditation ) Section 8VAC20-131-260.*

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The 2016 Virginia General Assembly passed House Bill 1279 which amended §§ 22.1-137 and 22.1-137.2 of the *Code of Virginia* dealing with evacuation/fire drills and lockdown drills.

The *Code of Virginia* mandates separate and distinct codes for a fire evacuation drill and a lockdown drill [Statewide Fire Prevention Code (SFPC) Section 404.2.3]. The method of signaling emergency response behaviors should be distinct, well understood, and practiced by everyone at the school or on the campus.

#### **EVACUATION/FIRE DRILLS**

House Bill 1279, which became effective on July 1, 2016, amended *Code of Virginia* § 22.1-137 to require that every public school conduct a fire drill at least twice during the first 20 days of school and conduct at least two additional fire drills during the remainder of the school year.

The *Virginia Statewide Fire Prevention Code (SFPC)* (Sections 404.2.3 and 405.1) has a more stringent requirement of an initial fire drill within the first 10 days of the school session and one fire drill per month. You may be aware that the State Fire Marshall at the Department of Housing and Community Development recently advised that a school that holds an initial fire drill within the first 10 days of the school session, another fire drill within the first 20 days of the school session, and one fire drill per month, will be in compliance with both the Code of Virginia and the SFPC.

However, Section 8VAC20-131-260 of the Board of Education’s *Regulations Establishing Standards for Accrediting Public Schools in Virginia (Standards of Accreditation)* requires that every public school conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school year. **Therefore, in order to comply with the *Standards of Accreditation*, every public school will still need to conduct at least one fire drill per week during the first month of school and at least one fire drill each month for the remainder of the 2016-17 school year.**

## LOCKDOWN DILLS

House Bill 1279 also amended *Code of Virginia* § 22.1-137.2 to require that every public school hold a lock-down drill at least twice during the first 20 days of school and hold at least two additional lock-down drills during the remainder of the school year. Section 22.1-137.2 of the *Code* further requires that lock-down plans and drills be in compliance with the *SFPC*.

However, Section 8VAC20-131-260 of the *Standards of Accreditation* requires that every public school conduct at least two simulated lock-down drills and crisis emergency evacuation activities each school year, one in September and one in January. **Therefore, in order to comply with the *Code of Virginia* and the *Standards of Accreditation*, every public school will need to conduct two lock-down drills during the first 20 days of school – one of which must occur in September – and two additional lock-down drills during the remainder of the school year – one of which must occur in January.**

## CONTACT INFORMATION

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