

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: FINAL **READING: AMENDMENTS TO BOARD POLICY 8410, CRITICAL INCIDENT RESPONSE/EMERGENCY OPERATIONS PROCEDURES**

COMMITTEE: PERSONNEL, STUDENT, SCHOOL, AND COMMUNITY SUPPORT

LINK TO STRATEGIC BLUEPRINT: SAFE, HEALTHY & SUPPORTIVE LEARNING ENVIRONMENT

On May 8, 2019, the Board approved Revised Agenda Item G-1 (Policy 8410 Revisions) authorizing the Superintendent to initiate rulemaking proceedings to amend Board Policy 8410, *Critical Incident Response/Emergency Operations Procedures*, to provide for the establishment of uniform lockdown protocols for active shooter and hostage scenarios in accordance with Section 1006.07(4), F.S., including but not limited to providing that (1) drills for active shooter and hostage situations be conducted at least as often as other emergency drills such as fire drills; (2) conducting an annual review of the M-DCPS Emergency Operations Plan (EOP) for necessary updates; (3) ensuring the establishment of protocols that include standardized and updated training for an active shooter or hostage scenario for all personnel, including, but not limited to, new hires, substitute teachers, and staff; and (4) ensuring that the training for active shooter and hostage scenarios is developmentally appropriate and adapted for students with varying exceptionalities, medical needs and younger-aged students, no later than the date of the first drill conducted for the 2019-2020 school year.

The proposed revisions to the Policy also include additional statutory requirements related to emergency notifications and provisions that reflect current practice regarding District emergency communications. The title of the policy is proposed to be changed to *Emergency Management, Preparedness, and Response*, to better reflect the substance of the policy.

The Notice of Intended Action was published in the *Miami Daily Business Review* on May 13, 2019, and posted in various places for public information and mailed to various organizations representing persons affected by the amended Policies and to individuals requesting notification. The time to request a hearing or protest the adoption of these amendments has elapsed.

Attached are the Notice of Intended Action and policy amendments. Changes are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt the proposed amendments to Board Policy 8410, *Critical Incident Response/Emergency Operations Procedures*, and authorize the Superintendent to file the amended policy with The School Board of Miami-Dade County, Florida, to be effective June 19, 2019.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 8, 2019, its intention to amend Board Policy 8410, *Critical Incident Response/Emergency Procedures*, at its regular meeting on June 19, 2019.

PURPOSE AND EFFECT: Proposed amendments to Board Policy 8410, *Critical Incident Response/Emergency Procedures*, incorporate statutory requirements in 1006.07(4), F.S., related to school emergencies and school district emergency responses and management, including requiring that the District Emergency Operations Plan be annually reviewed and updated as necessary. The Policy also addresses requirements that the Superintendent develop training and protocols for active shooter and hostage training and drills for all District staff, and particularly for students with special needs. The policy is proposed to be renamed *Emergency Management, Preparedness, and Response*.

SUMMARY: Proposed amendments to Board Policy 8410, *Critical Incident Response/Emergency Procedures*, incorporate statutory requirements in 1006.07(4), F.S., related to school emergencies and school district emergency responses and management, including requiring that the District Emergency Operations Plan be annually reviewed and updated as necessary. The Policy also addresses requirements that the Superintendent develop training and protocols for active shooter and hostage training and drills for all District staff, and particularly for students with special needs. The policy is proposed to be renamed *Emergency Management, Preparedness, and Response*.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1), (2), (5); 1001.42 (8); 1001.43 (1), (7) F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 1001.42(8)(a); 1001.43(7); 1006.07(4), F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF June 19, 2019, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided in Section 120.54(1), F.S., must do so in writing by June 4, 2019, to the Superintendent, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by the School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

COPIES OF THE PROPOSED AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.

1 CRITICAL INCIDENT RESPONSE/EMERGENCY PROCEDURES
2 EMERGENCY MANAGEMENT, PREPAREDNESS, AND RESPONSE

The School Board recognizes that its responsibility for the safety of students and staff requires that it formulate and prescribe emergency management and emergency preparedness procedures for District schools, in consultations with appropriate public safety agencies, including emergency notification procedures for life-threatening emergencies, including, but not limited to, fires; natural disasters; bomb threats, weapon-use, hostage, and active-shooter situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms (see Policy 8420.01); and exposure as a result of a manmade emergency; and that such emergencies are best met by preparedness and planning.

The active shooter situation training for each school must engage the participation of the District's School Safety Specialist, threat assessment team members, faculty, staff, and students and must be conducted by the law enforcement agency or agencies that are designated as first responders to each school's campus.

3

4 **Primary Emergency Response Agencies**

5 ~~The Superintendent shall establish a District Critical Incident Response Team~~
6 ~~(DCIRT). The DCIRT is responsible for assisting schools with emergencies/critical~~
7 ~~incidents as needed and coordinate District resources. The Superintendent shall~~
8 ~~develop and update as needed a Critical Incident Response Plan (CIRP)/Emergency~~
9 ~~Operations Plan (EOP) for all schools. The DCIRT, will be responsible for providing~~
10 ~~updates to the plan and training for school site administrators. Pursuant to Florida~~
11 ~~statutes, the CIRP/EOP should be confidential and exempt from public record.~~

12 The Superintendent shall establish a District Critical Incident Response Team
13 (DCIRT) that includes District personnel from cross disciplines and command staff
14 from the Miami-Dade Schools Police Department. The DCIRT is responsible for
15 assisting schools with any emergencies/critical incidents as defined in the District's
16 Emergency Operations Plan (EOP) or any other incident where schools and District
17 offices are impacted. The DCIRT's primary responsibility is to assist in the
18 coordination of response actions and to provide immediate District Resources as
19 needed. Members of the DCIRT will be a part any unified command structure and
20 will assist in briefing Superintendent. Members of the DCIRT should be trained
21 annually. The Superintendent shall also establish a notification system to notify the
22 DCIRT of any critical incident. The specific contacts for the agency are listed in the
23 EOP, which is incorporated into this policy by reference.

24

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2 The primary emergency response agencies that are responsible for notifying the
3 District for each type of emergency are as follows:

4 A. Fires:

5 1. Miami-Dade County Fire Department

6 2. Municipal Fire Departments

7 B. Natural Disasters

8 Miami-Dade County Emergency Management

9 C. Bomb Threats

10 1. Miami-Dade County Police Department

11 2. Municipal Police Departments

12 D. Weapon-Use, Hostage, and Active Shooter Situations

13 1. Miami-Dade County Police Department

14 2. Municipal Police Departments

15 E. Hazardous Materials or Toxic Chemical Spills

16 1. Miami-Dade County Emergency Management

17 2. Miami-Dade County Police Department

18 3. Municipal Police Departments

19 F. Weather Emergencies, Including Hurricanes, Tornadoes, and Severe Storms

20 Miami-Dade County Emergency Management

21 G. Exposure as a Result of a Manmade Emergency

22 Miami-Dade County Emergency Management

23

24 The individuals responsible for contacting the primary emergency response agencies
25 listed above are:

26 A. Principal

- 1 B. Assistant Principal
- 2 C. District Safety Specialist
- 3 D. Chief of Miami-Dade County Schools Police Department
- 4 E. School Safety Officer/School Resource Officer and/or other legally designated
5 Security Officials and Personnel

6

7 **Emergency Operations Plan**

8 The Superintendent shall also, in conjunction with the School Safety Specialist, the
9 Miami Dade Schools Police Department, and other District stakeholders, develop
10 and annually review the EOP and update as necessary. The EOP shall include a
11 system of emergency preparedness and accompanying procedures that provide for
12 the following:

- 13 • a listing of the commonly used alarm system response for specific types of
14 emergencies and verification by each school that drills have been provided
15 as required by law and fire protection codes;
- 16 • drills for active shooter and hostage situations shall be conducted at least
17 as often as other emergency drills,
- 18 • protocols that include standardized and updated training for an active
19 shooter or hostage scenario for all personnel, including, but not limited to
20 newly hired personnel, substitute teachers and staff;
- 21 • developmentally appropriate and adapted active shooter and hostage
22 scenario training for students with varying exceptionalities, medical needs
23 and young students;
- 24 • a schedule to test the functionality and coverage capacity of all emergency
25 communication systems and determine if adequate signal strength is
26 available in all areas of school campuses; and

27 The EOP shall also include language that instructs all employees, and strongly
28 encourages students and members of the community, to promptly make reports
29 concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or
30 the threat of these activities, to local public safety agencies and/or school officials.
31 This includes contacting local law enforcement agencies, using the Florida
32 Department of Education's mobile suspicious reporting tool (FortifyFL) and/or any
33 other reporting applications or methods used or required by the District, contacting
34 the District's School Safety Specialist through established communication
35 procedures, or calling 911. In addition, employees must also report unsafe,
36 potentially harmful, dangerous, violent, or criminal activities, or the threat of these

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1 activities, to the Superintendent through established procedures. See also Policies
2 8405, 8420.01)

3 The DCIRT will be responsible for providing updates to all plans and training for
4 school site administrators. The EOP shall be provided to the Board and other
5 appropriate parties in accordance with this and all relevant Board policies and is
6 confidential and exempt from public record in accordance with Florida law.

7 F.S. 1001.43, 1006.07(4)