Drill FAQs

The below FAQs are intended to provide context to the TEA adopted rule 103.1209 Mandatory School Drills. The rule as adopted is at the end of the FAQ section for reference and is also available on the TEA website.

1. When did these drills become a requirement and is there a deadline for implementation of these drills?

The rule for the required number of drills was passed and became effective September 6, 2020. This is TEA rule 103.1209 Mandatory School Drills. The rule is effective immediately and should be implemented beginning with the August through December 2020 semester. For more information about how to conduct drills while distance learning and during COVID-19 refer to the Texas School Safety Center (TxSSC) document titled Drill Guidance in the Drill and Exercise Toolkit.

2. Why is Lockout referred to as Secure (Lockout)? 103.1209. Mandatory School Drills (b)(2) and (c)(1)

Lockout was part of the Standard Response Protocol (SRP) created by the I Love U Guys Foundation. The I Love U Guys Foundation made the change this year from Lockout to Secure to reduce confusion between Lockout and Lockdown. The Texas Education Code specifically says Lockout, therefore the TxSSC is using the term Secure (Lockout) in written documents. TxSSC recommends districts begin incorporating the term Secure in their drills and signage as there will be a full migration to this new term to maintain consistency with the SRP.

3. Why is a district limited to only 8 drills per semester or 16 per school year? 103.1209. Mandatory School Drills (c)(1)

The limits are not on school districts. A school district must conduct the minimum number of drills stated in (c)(1) through (c)(6) and can do any number above those the districts deems necessary. The legislation placed a limit on the number of drills the rule could require to eight per semester and...
sixteen per school year. So, the limit listed in the rule and the legislation is directed at the maximum number of drills that TEA could require a district to perform not the maximum number that a district can perform. A district can choose to perform more to meet the safety and security needs of the district.

4. What is the required number of fire drills for a school? 103.1209. Mandatory School Drills (c)(6)

To effectively answer this question a district must first determine which of the following three scenarios applies to their district:

**Scenario A:** My district is in an area that does not have a local fire marshal and is under the direction of the state fire marshal.


The State Fire Marshal was part of the rule making process and has stated that in areas covered by the State Fire Marshal they will only require 2 fire evacuation drills per semester.

**Scenario B:** My District has a local fire marshal.

As indicated in the drill rule, it is important to determine what requirement the local fire marshal has regarding fire evacuation drills. The State Fire Marshal is not the authority over the local fire marshal and can not overrule the local requirements. A local entity may have adopted a different national fire code than what the state has adopted and may have amendments to their adopted code.

It is also important to note that some districts may be served by multiple local fire marshals depending on where their campuses are located. It is not uncommon for a school district to have campuses in multiple incorporated communities and in the county. Each community and the county may have a different fire marshal and may have different adopted codes or amendments.

Most local fire marshals do not amend or alter their adopted code when it comes to fire drill requirements for schools. Most national codes require one drill per month where 10 or more days of instruction occur, which has been the standard for quite some time. This is a common standard districts could adhere to if they are unable to contact their local fire marshal.
Scenario C: I am not sure if my district has a local fire marshal.

If the campus in question is in a city limits, contact the city fire department or city hall to determine if there is a local fire marshal or any locally adopted fire codes. If the campus in question is not in a city limits, contact the county sheriff or the county judge to determine if there is a local fire marshal.

An incorporated city of any size can adopt their own version of a national code and adopt local amendments to that code. A county with a population of 250,000 or more and any contiguous counties can adopt a national code and adopt local amendments. Counties with populations under 250,000 adhere to the code adopted by the State Fire Marshal’s Office. It would theoretically be possible that a city within a county could have a different adopted fire code than the county or could have the same adopted fire code but with local amendments.

Most national fire codes require one drill per month where 10 or more days of instruction occur, which has been the standard for quite some time. This is a common standard district could adhere to if they are unable to contact their local fire marshal or do not know if they have a fire marshal.

5. Are the fire evacuation drills required in addition to any that are required by our fire marshal? 103.1209. Mandatory School Drills (c)(6)

The fire evacuation drills required in the rule are a part of the total number of fire drills required. In other words, if your local fire marshal requires one fire drill per month with ten or more days of instruction then four of those drills would also satisfy the TEA rule of four per school year.

6. Do open enrollment charter schools have the same fire code facility/drill requirements as public schools? 103.1209. Mandatory School Drills (a)

The simple answer is yes. However, for more information on how many fire drills may be required please refer to question 4 of these FAQs.

7. If a school or district sends their students to a junior college for an early college high school program, are the requirements for drills the responsibility of the junior college or the school/district?

The fire code drill requirements are applicable to the owner or operator of the facility where the drill is conducted. Classes within a junior college facility would be subject to the fire code requirements of that facility, not of the school/district. It would be prudent to collaborate with the junior college to understand the drills being conducted to ensure school district students are familiar with the junior college protocols. Just because a student participates in a drill at a junior college does not waive them from participating in a drill at the school districts. Drills are to train individuals what to do at a given facility during an emergency and may differ drastically from facility to facility.
8. **Is the evacuation drill required to be a drill other than a fire drill?** 103.1209. Mandatory School Drills (c)(3)

Yes, the evacuation drill should be conducted as an evacuation for an event other than a fire. It should be based on the facilities hazard analysis and for a hazard the facility might face. For example, it could be an evacuation due to a gas leak or hazmat spill inside the facility. This evacuation may utilize the same routes as the fire drill but may have additional instructions, or it may require a different route based on where chemicals are stored in a facility. For instance, in a fire a set of classes may exit past chemistry labs as the fastest way out of the building, while during a hazmat chemical spill in the labs the same classes may require an alternate route to avoid the chemical spill in the labs. This is why it is imperative to understand and plan for the specific hazards in your facility.

9. **Do these requirements only apply to instructional facilities of the school or district or also to non-instructional or support facilities?**

The Texas Education Code section 37.114 discusses school property and not specifically campuses. This implies that the intent of the law was for all facilities and not just instructional campuses. It is certainly a best practice to have drills in place and practiced for all district facilities and personnel. This is another area where the local fire marshal may have specific requirements for other non-instructional facilities.

Please see the next two pages for the Mandatory School Drills rule as adopted by TEA: §103.1209. Mandatory School Drills.
§103.1209. Mandatory School Drills.

(a) Requirement. Each school district and open-enrollment charter school shall conduct emergency safety drills in accordance with Texas Education Code (TEC), §37.114.

(b) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

1. Drill--A set of procedures that test a single, specific operation or function. Drill examples include evacuating for a fire or locking down from an internal threat.

2. Secure (Lockout)--A response action schools take to secure the perimeter of school buildings and grounds during incidents that pose a threat or hazard outside of the school building. Secure (Lockout) uses the security of the physical facility to act as protection to deny entry.

3. Lockdown--A response action schools take to secure interior portions of school buildings and grounds during incidents that pose an immediate threat of violence inside the school. The primary objective is to quickly ensure all school students, staff, and visitors are secured away from immediate danger.

4. Evacuate--A response action schools take to quickly move students and staff from one place to another. The primary objective of an evacuation is to ensure that all staff, students, and visitors can quickly move away from the threat. Evacuation examples include a bomb threat or internal gas leak.

5. Shelter-in-place for hazmat--A response action schools take to quickly move students, staff, and visitors indoors, perhaps for an extended period of time, because it is safer inside the building than outside. Affected individuals may be required to move to rooms without windows or to rooms that can be sealed. Shelter-in-place for hazmat examples include train derailment with chemical release or smoke from a nearby fire.

6. Shelter for severe weather--A response action schools take to quickly move students, staff, and visitors indoors, perhaps for an extended period of time, because it is safer inside the building than outside. For severe weather, depending on the type and/or threat level (watch versus warning), affected individuals may be required to move to rooms without windows on the lowest floor possible or to a weather shelter.
(7) Fire evacuation drill--A method of practicing how a building would be vacated in the event of a fire. The purpose of fire drills in buildings is to ensure that everyone knows how to exit safely as quickly as possible.

(c) Frequency. TEC, §37.114(2), requires the commissioner of education to designate the number of mandatory school drills to be conducted each semester of the school year, not to exceed eight drills each semester and sixteen drills for the entire school year. Neither this rule, nor the law, precludes a school district or an open-enrollment charter school from conducting more drills as deemed necessary and appropriate by the district or charter school. Following is the required minimum frequency of drills by type.

1. Secure (Lockout)--One per school year.
2. Lockdown--Two per school year (once per semester).
3. Evacuate--One per school year.
4. Shelter-in-place for hazmat--One per school year.
5. Shelter for severe weather--One per school year.
6. Fire evacuation drill--Four per school year (two per semester). In addition, school districts and open-enrollment charter schools should consult with their local fire marshal and comply with their local fire marshal's requirements and recommendations.

Statutory Authority: The provisions of this §103.1209 issued under the Texas Education Code, §37.114.
Source: The provisions of this §103.1209 adopted to be effective September 6, 2020, 45 TexReg 6110.