



ROBERT BROOKS

STATE REPRESENTATIVE • 60TH ASSEMBLY DISTRICT

Hearing Testimony

Assembly Committee on Criminal Justice and Public Safety

August 22, 2019

Chairman Spiros and members of the Assembly Committee on Criminal Justice and Public Safety, thank you for affording me the opportunity to testify on behalf of Assembly Bill 44, "The School Safety and Protection Act of 2019."

In the wake of recent incidents, local officials across the nation collaborated with law enforcement and fire officials to develop targeted measures designed to "harden" school facilities and increase the safety of students and staff. One strategy promoted by local, state, and federal law enforcement is the employment of barricades and blocking devices that deny room entry to those hoping to do harm to students.

Unfortunately, doors that open outward into hallways and common areas are difficult to secure against forced entry. There are several commercially available devices on the market today that allow users to turn an outward swinging door into a barricade. Under the current fire code, however, use of these simple, low-cost devices is prohibited.

I introduced Assembly Bill 44 at the behest of a school district in my Assembly district that expressed interest in employing temporary barricade devices. These devices were recommended to the district by local law enforcement, several of whom you will hear from today, with the approval of the fire department.

Assembly Bill 44 would allow schools to employ temporary barricade devices if:

- The school obtains approval from local law enforcement or the local fire department.
- The device is removable or unlockable from the outside by use of a special key, tool, or electrical or electronic means.
- It is only employed when someone has entered the school and has the intent to do harm and injure students, or training for such an event.
- The use of the device is specifically outlined in the school's safety plan.



ROBERT BROOKS

STATE REPRESENTATIVE • 60TH ASSEMBLY DISTRICT

The United States Department of Homeland Security has included door blockers—temporary barricades—in its list of recommended actions that schools could take to harden facilities and increase safety.

After conversing with stakeholders on all sides of this issue, we drafted an amendment to ameliorate some of their concerns. Amendment 1 to Assembly Bill 44, quite simply, states that a school district, prior to installing a barricade device, shall obtain in writing, the approval of “either the local fire department or local law enforcement agency.” Prior to the amendment, school districts were required to obtain written authorization from both law enforcement and the local fire department. We found this approach burdensome to local school districts.

Assembly Amendment 2 to Assembly Bill 44 establish the same guidelines for independent charter schools as private and public schools, as it relates to implementation of barricade devices.

At this time, I am happy to answer any questions you have regarding Assembly Bill 44.



DUEY STROEBEL

STATE SENATOR • 20TH DISTRICT

Testimony on Assembly Bill 44

August 22, 2019

Good Morning Chairman Spiros and committee members. Thank you for scheduling this Public Hearing today to discuss several bills, including Assembly Bill 44 which would allow a school district to install a barricade device. Representative Brooks and I began to work on this bill after being contacted by constituents from the Cedarburg area. You will have the opportunity to hear from them today as well.

Current fire code regulations prevent a school district from using a temporary barricade device. This bill would allow the use of a temporary device if the school district:

1. Obtained approval from local law enforcement or the local fire department.
2. The device is removable or unlockable from the outside by use of a special key, tool or electrical means.
3. Is only employed in the event of an active shooter or training for such an event.
4. The use of the device is specifically outlined in the school's safety plan.

If these devices are used as outlined by this bill we believe many school districts would be interested in using these devices to improve the safety of their staff and students. In a time when we are focused on school security, this bill is a positive concrete step that can help address the issue.

Some opponents of this bill will argue that the instances when these devices would be used are rare and these devices, if used incorrectly, could endanger students and staff during a school fire. Thankfully, the need for a barricade device is rare, but school fire fatalities are much rarer. As I looked for fire fatalities I came across a study from Safe Havens International that indicated they could not find a single school fire fatality from 1998 to 2012. When you balance these threats to our students I think it is clear that schools should have the option to use temporary barricade devices.

There are two simple amendments to this bill. Assembly Amendment 1 to this bill updates the language to require a school district to obtain approval from local law enforcement or the local fire department rather than both. This change was made to simplify the process for school districts. The second amendment clarifies the process for a charter school to install a temporary barricade device.

Thank you again for holding this hearing and I would be happy to address any questions members may have about this bill.

Wisconsin Legislative Council



Anne Sappenfield, Director
Jessica Karls-Ruplinger, Deputy Director

TO: REPRESENTATIVE ROBERT BROOKS

FROM: Melissa Schmidt, Senior Staff Attorney

RE: Assembly Amendment 2 to 2019 Assembly Bill 44

DATE: August 21, 2019

This memorandum, prepared at your request, explains Assembly Amendment 2 to 2019 Assembly Bill 44, related to installation of a barricade device on an interior door in a school building.

BACKGROUND

Charter Schools

Under current law, a charter school may be authorized either by a school board (“school board charter schools”) or by one of a list of entities named in the statutes (“independent charter schools”).¹ Charter schools are generally exempt from requirements in chs. 115 to 121, Stats., unless the language of a particular provision specifically applies to such schools. However, in practice, statutes that contain school board duties for, or responsibilities to, schools in the school district are generally applied to school board charter schools because they are authorized by contract with school boards and are part of a school district. [s. 118.40 (1m), (2m) – (2x), (7) (b), and (8), Stats.]

School Safety Plans

Each school board and private school governing body must have in effect a school safety plan that satisfies the following:

- Is developed with the active participation of appropriate parties, which may include local law enforcement, fire fighters, school administrators, teachers, pupil services professionals, and mental health professionals.
- Includes general guidelines specifying procedures for emergency prevention and mitigation, preparedness, response, and recovery.

¹ The following entities are authorized by statute to create an independent charter school: (1) the City of Milwaukee; (2) the University of Wisconsin (UW)-Milwaukee; (3) UW-Parkside; (4) Milwaukee Area Technical College (MATC); (5) any technical college district board; (6) any UW institution; (7) Gateway Technical College; (8) the Waukesha County executive; (9) the College of Menominee Nation; (10) Lac Courte Oreilles Ojibwa Community College; and (11) the Office of Educational Opportunity in the UW System. [s. 118.40 (2r) to (2x), Stats.]

- Specifies the process for reviewing the methods for conducting the drills required to comply with the plan.

Each school board and private school governing body must review its safety plan at least once every three years. Each school board and private school governing body must also determine who must receive school safety plan training and the frequency of that training. Any training must be based on the school district's or private school's prioritized needs, risks, and vulnerabilities. [s. 118.07 (4), Stats.]

While these statutory requirements related to school safety plans generally apply to a school board charter school, they do not apply to an independent charter school. [s. 118.40 (7) (b), Stats.]

THE BILL

The bill provides that the Department of Safety and Professional Services (DSPS) may not prohibit, and any city, village, or town may not enact or enforce an ordinance that prohibits, a school from installing a barricade device on an interior door in the school building. A "barricade device" is defined by the bill to mean an anchoring mechanism installed on the interior side of a door that, when engaged, does all of the following:

- Secures the door against forced entry.
- May be disengaged by an individual on the interior side of the door without the use of a key or special tool.
- May be disengaged by an individual on the exterior side of the door with a key or special tool or by electrical or electronic means.
- Does not alter any door closer hardware, panic hardware, or fire exit hardware.

Before installing a barricade device in a school building, the school must obtain approval in writing from the local fire department and local law enforcement agency with jurisdiction over the school building. With respect to school safety plans, the bill requires both of the following: (1) that school safety plans include guidelines for the use of any barricade device installed in a school building or facility; and (2) that school safety plan training include training on the use of any barricade device installed in a school building or facility. The bill's requirements related to school safety plans do not apply to an independent charter school.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 requires the operator of an independent charter school to do both of the following: (1) create guidelines for the use of any barricade device installed in a school building or facility; and (2) determine which persons are required to receive training on the use of the barricade devices.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

MS:ksm



**STATE OF WISCONSIN
DEPARTMENT OF JUSTICE**

**Josh Kaul
Attorney General**

Room 114 East, State Capitol
PO Box 7857
Madison WI 53707-7857
(608) 266-1221
TTY 1-800-947-3529

**PREPARED TESTIMONY OF OFFICE OF SCHOOL SAFETY
DEPUTY DIRECTOR GLENN REHBERG**

Assembly Committee on Criminal Justice and Public Safety
Thursday, August 22, 2019

Chairperson Spiros and Co-Chair Sortwell,

The Department of Justice's (DOJ's) Office of School Safety (OSS) appreciates the opportunity to provide testimony on 2019 Assembly Bill 44 and 2019 Senate Bill 53, which would bar the Department of Safety and Professional Services (DSPA) and local units of government from prohibiting, or enforcing an ordinance that would prohibit, the installation of a barricade device on an interior door in a school building.

We all have a shared interest in keeping our schools safe. The OSS takes its responsibility of creating model practices for school safety seriously and does not make recommendations lightly or without research. While we believe this legislation is well intentioned, we are nevertheless concerned that it could pose public safety risks and accessibility challenges, particularly for individuals with disabilities. After consultation with subject matter experts, last year the OSS advised against the use of barricade devices in a school setting in our Comprehensive School Safety Framework and as such, barricade devices are not eligible for OSS grant funding.

Importantly, there is no known incident where an attacker breached a locked classroom door. Conversely, there are numerous examples of perpetrators barricading themselves inside classrooms, which can delay first responder access. As such, the nationally recommended best practice remains that teachers keep their classroom doors locked and closed during instructional time. A locked door prevents individuals from entering, but it does not prevent individuals from exiting. In a crisis, a locked door could be reinforced with an impromptu barricade consisting of cabinets, desks, or bookcases.

In addition, no known barricade device is compliant with either the Americans with Disabilities Act (ADA) or national and state building and fire codes. School barricade devices can impede egress, which could be problematic in an emergency, and may be

Prepared Testimony of Office of School Safety Deputy Director Glenn Rehberg
Assembly Committee on Criminal Justice and Public Safety
Thursday, August 22, 2019
Page 2

inoperable by children and individuals with disabilities. It is for these reasons that disability rights advocates and fire marshals have raised concerns about barricade devices.

Lastly, in a worst-case scenario a barricade device could be used by a person intending to commit a crime to block law enforcement or teacher access to students or school personnel in a classroom. In addition, barricade devices may also complicate an escape by victims.

Again, we understand that proponents of barricade devices are interested in ensuring the safety of students across Wisconsin. However, we believe there are better options available for doing so. As such, we oppose this legislation.

If you have any questions or would like any additional information, please contact Chris McKinny, Department of Justice Government Affairs Director, at (608) 224-9207 or McKinnyCJ@doj.state.wi.us.

Thank you for consideration of this testimony.



M3 Insurance Solutions, Inc.
828 John Nolen Drive
Madison WI 53713
T 608.273.0655 F 608.273.1725
www.m3ins.com

TO: Chairman Spiros, Members
Assembly Committee on Criminal Justice and Public Safety

FROM: Ted Hayes, CSP, MSE, Senior Risk Manager, M3 Insurance

DATE: August 22, 2019

RE: Assembly Bill 44 – Installation of a barricade device on an interior door in a school building

Good morning Chairman Spiros and committee members. My name is Ted Hayes and I am here today as a Senior Risk Manager at M3 Insurance.

M3 Insurance is Wisconsin's largest privately held commercial insurance agency. Our expert team provides employee benefits, property & casualty, executive benefits, employer-sponsored retirement plans, and personal lines to clients across the country from our six Midwest offices. We were recently ranked a top 50 broker in the country, and celebrated our 50th year in business in 2018. Our company has a breadth of experience working with schools, serving as the insurance broker for 120 schools on the property & casualty side and 240 schools on the employee benefits side.

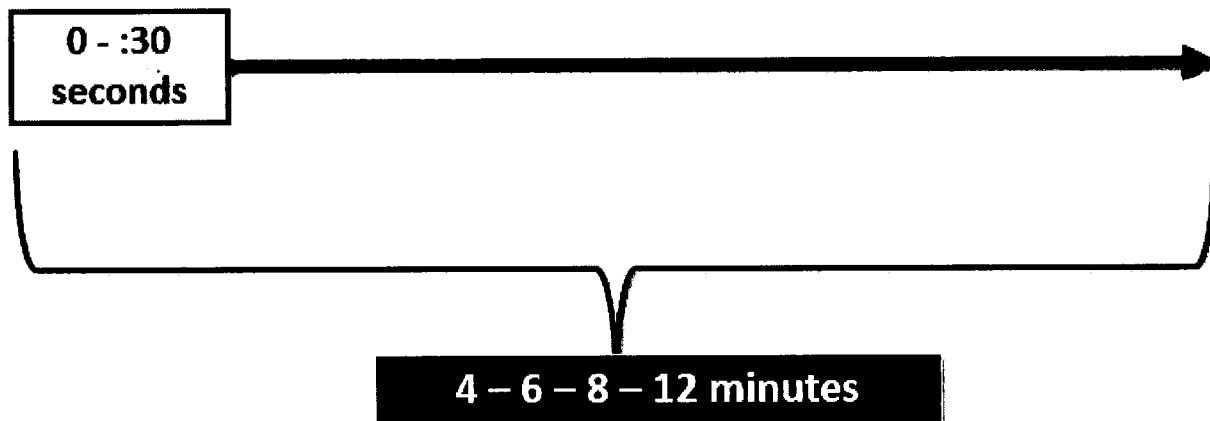
I am here today because we are committed to the schools that we serve, and we care about how our communities are managing any issue relating to school safety.

I have over 30 years of experience consulting businesses, school districts, and municipalities throughout the United States on how to conduct security assessments, provide armed intruder/active shooter training, and develop safety programs and risk management strategies. I've authored two books on the subject of preventing violence in schools using my decades of one-on-one experience with educators and administrative professionals.

In addition, I've served on the board of directors of the Wisconsin Association of School Business Officials (WASBO) and am a member of the WASBO Safety and Risk Management Committee.

Introduction

THE SHOOTING SPECTRUM



The Shooting Spectrum – whether an intruder/shooter crisis last 4-6-8-12 minutes, school personnel must know exactly what they will do to secure students and staff. The first thirty (30) seconds of the shooting spectrum is critical and may mean the difference between life and death.

Over 60% of active shooter situations are over within five (5) minutes. At the conclusion of the crisis, three (3) things tend to occur:

- The shooter leaves the area
- The shooter takes their own life (about 40% of the time)
- Law enforcement/concerned individual neutralizes the situation

Armed intruders/shooters in the school setting seek three (3) factors:

- ***'Easy targets of opportunity'*** – a shooter may have an intended target in mind – a student, a staff member, a group of individuals, etc. Oftentimes the 'intended' target does not present itself whereby the shooter will attack the most available 'easy target(s).'
- ***Little or no barricades or restrictions that will limit their movement*** – Shooters do not want to move their way through a locked door or around/through obstacles; this process is difficult and it takes time. For this reason, it is important that school personnel secure doors – both internal and external – all of the time, no exceptions.
- ***Little or no confrontation or supervision*** – An intruder/shooter does not want eyes on them or their actions – someone who comprehends what they are doing will stop their

actions or call law enforcement. For this reason, it is important that school personnel are versed on the physical and behavioral characteristics of an intruder/shooter.

Any time that school personnel can 'roadblock' these three factors, the chance of a deadly armed intruder/shooter crisis can be lessened.

Room Security Controls

Prior to this discussion regarding the use of room barricading devices, I would like to share eight (8) key security concerns that all schools should address for each room/area of the school:

1. ***How does staff activate the school's emergency crisis notification system? How do I call 9-1-1 from within the school?*** All or the majority of school personnel must have the means to immediately activate the school's emergency crisis notification system. The announcement must be loud, to the point, and repeated over and over again – 'shooter in the building, activate emergency plans' – or something to that effect.

The goal of a straightforward crisis notification message is to immediately warn students and staff of the developing crisis. A secondary goal is to alert the intruder/shooter that their actions have been observed with the hope that they will surrender or leave the building through an exterior exit door.

Knowing how to call 9-1-1 is critical to begin a prompt law enforcement response.

2. ***Where is the emergency crisis plan located in the room?*** The crisis plan must be short, direct, easy to locate, easy to understand, and list the exact crisis protocols for that room or area of the school. For this reason, Mike Bolender and I stress the use of the 'Room Security Controls' handout to be completed by respective school personnel.
3. ***What is your 'action script' for each room/area of your school?*** An 'action script' is the planned immediate response to a crisis – 'if this happens, I will do that.' School employees should develop and understand the 'action script' for their areas of responsibility before a crisis occurs to ensure they are prepared to immediately 'act not react' to a crisis.
4. ***How do I secure my door?*** As stated earlier, the best answer is all doors should be locked and secured at all times. Intruders/shooters usually seek the 'path of least resistance' – a locked door can and will significantly restrict their movements throughout the school. Studies show that on average an intruder/shooter may attempt to breach a locked door for an average of 4-6 seconds. If they cannot quickly access the room or area through the secured door, they may shoot through the door area and then move on.

What items will be used to barricade the door? Maintaining secured doors or immediately securing the door is the best room security control. If the decision is made to barricade the door, there are concerns that must be considered:

- Can the barricade object/device be installed quickly and safely?
- Is the barricade object/device readily available for use by school personnel?
- Is the barricade object/device maintained in a secure location where it can only be accessed by authorized individuals?
- Can the barricade object/device be easily removed, breached, or opened by authorized personnel located both inside and outside of the room/area?

5. **Has the 'fatal funnel' been identified in each room/area of the school building?** The 'fatal funnel' is the imaginary triangle originating at the room entrance where someone inside the room/area may be shot if the shooter fired a bullet(s) through the open or closed door.

- In each room/area, the 'fatal funnel' should be identified with the 'safe' areas of the room/area being labeled as areas to secure students and staff during a lockdown situation.
- If the 'safe areas' can be identified, the use of a door barricading device may be lessened.

6. **How do my room/area windows open?** When utilizing Run-Hide-Fight protocols, we do not recommend that a school employee lockdown in their room/area and hope that the law enforcement response is prompt. If it is safe to do so, move to safety away from the threat; oftentimes this means exiting the room/area through an external exit door or window. Factors to determine if a secondary exit evacuation is possible include:

- The 'rapid response' evacuation would take place safely away from the active threat.
- School employees have been trained how to safely open/break a window, how to exit out of the window, and how to safely evacuate once window has been exited.
- The window evacuation site is located as far away from the 'fatal funnel' as possible.
- The room/area entrance door is secured.
- A determination has been made of the age and physical abilities of students. Young children or students with emotional and physical needs may not be capable of evacuating quickly and safely.
- Secure evacuation sites have been identified 300-500 yards away from the school building.
- Law enforcement is aware of the shooter evacuation protocols, the location of the evacuation sites, etc.

Summarizing these lockdown protocols:

- Room/area doors should always be secured.
- Students and staff can quickly be moved out of the 'fatal funnel.'
- Students are placed in a low body position in the 'safe area' of the room.
- The school has a loud and direct emergency crisis notification announcement that is repeated over and over again.

Barricading Device Concerns

With the above-mentioned controls in place, there may be a percentage of rooms where a barricading device is a viable alternative.

Concerns of utilizing a barricading device may include:

- The barricading device must be secured when not in use. If the device is maintained in an accessible area of the room/area, someone could access the device, secure the door, and use the room for a sexual assault, an active killing, a hostage situation, etc.
- The majority of these devices may not be ADA, fire code, or building code compliant.
- The device must be controlled by the supervising adult in the room. The location and use of the device should not be widespread knowledge – especially among students.
- Can anyone within the room/area open and/or unlock the device without any special knowledge, instruction, or a key?
- Is the device used at a height that can be accessed by individuals with physical limitations?
- Has a formal plan been developed for the first responders to defeat the device if they must immediately access the room/area? Worse case scenarios may include:
 - Everyone in the room is injured and cannot remove the device
 - The adult in the room is incapacitated and the small children in the room cannot remove the device
- Is law enforcement able to immediately breach the device? Does law enforcement have immediate access to the equipment needed to breach the device?

If barricading devices are to be utilized, the following security controls should be considered:

- Purchase an ADA, fire code, and building code compliant lock and use it.
- The barricade device must be controlled by an adult in the room or 'person of need' at all times. The device cannot be left out in the open for others to access.
- Ensure the door(s) is immediately secured in any crisis situation. A secured door is the first and best lockdown control.
- It must be ensured that the intruder cannot find the barricading device and use it to barricade the door.

“Rapid response’ use of the barricading device must be practiced four (4) times a year – eight (8) times a year is better.

- Notify law enforcement of which rooms/areas are equipped with barricading devices so they can determine if and how to defeat the device. Label those rooms/areas to identify if the barricade option is in place.
- Communicate with law enforcement to determine where on the door the barricading device will be located. Law enforcement will need to know where the device is located on the door, how to breach the device, and what equipment will be used to breach the barricade device. For example, if using a ram, a green decal on the door will assist law enforcement in their determination of where to strike the door.

In summary, the use of a barricading device may save lives if an active shooter crisis is present at a school. I am confident that if schools implement the before mentioned security controls, a barricading device may enhance room security.

The concern that locking and barricading the door using a special device violates fire codes for evacuation may be short sighted. If there is a fluid crisis involving an active shooter in a school, the teacher/adult in the room must be concerned with the immediate security of their room/area and the safety of their students and themselves. This may entail a temporary violation of fire codes.

Locking and securing the door is the most important room security control. The use of barricading devices may enhance door security as long as it does not present significant exposure to anyone in the ‘fatal funnel’ and all students and staff are located in the safest pre-identified area of the room.

Special considerations for the use of barricading devices must be reviewed and approved by the jurisdiction’s fire marshal and law enforcement agency using the before mentioned criteria as a reference.

I would be happy to address any questions you have at this time. Thank you for the opportunity to provide comment.



FOR IMMEDIATE RELEASE
Tuesday, June 5, 2018

CONTACT: Kevin Walters
OFFICE: (615) 253-8941

SFMO Provides Guidance, Adopts New Codes To Enhance School Safety
Department Urges School Districts To Create Comprehensive Plans For Emergencies

NASHVILLE – In an effort to provide greater flexibility and clarity to Tennessee educators when planning for school safety emergencies, the Tennessee State Fire Marshal's Office (SFMO) today announces new guidance for classroom safety in addition to the adoption of the National Fire Protection Association 2018 Life Safety Code rules for classroom safety measures.

During annual inspections of classrooms, inspectors will no longer issue citations for barricade devices so long as the devices are not attached to a door nor deployed during an inspection. If a device is used for purposes other than security drills or lockdowns, this will be noted as a deficiency. Any alterations to classroom doors must comply with adopted codes.

"Tennessee school administrators and educators now have additional measures to help protect students in the event of an emergency," said Tennessee Department of Commerce & Insurance Assistant Commissioner Gary Farley. "Classroom safety remains a priority of Commissioner Julie Mix McPeak and our team, and we encourage our partners to create comprehensive safety plans that fit the needs of individual schools."

Fire safety measures have helped save lives in Tennessee schools. While Tennessee fire departments responded to an estimated annual average of 51 fires in educational facilities from 2013-17, **no** fire fatalities have been reported at a Tennessee school. The last school fire fatality in the U.S. occurred in 1958.

The SFMO shares this additional school safety information to aid school officials in providing the highest level of safety to students, staff, and visitors.

DOORS AND ESCAPE ROUTES

Keep exit path widths open at least 48 inches. Exit doors must be easily recognized and shouldn't be hidden with paint or decorations. Fire-rated doors cannot be propped open, locked, or chained and must have latches. SFMO inspectors will enforce the provisions of the adopted codes based on their observations during an inspection. If a classroom door or means of egress is obstructed at the time of inspection, the inspector will require the obstruction to be removed immediately. Any alterations to classroom doors must comply with adopted codes.

MORE

SOURCES OF ELECTRICITY

Extension cords should not be used as permanent wiring so schools should always consider available power sources when planning the classroom configuration. Be sure any power strip is UL-listed as an overload protector, and take care to always use appropriate wattage bulbs in any lamp.

FIRE AND SAFETY DRILLS

Fire drills and safety drills are one of the most important safety measures a school can take and are also recommended for homes. Two fire drills are required within the first 30 full school days and at least one once every 30 school days. Practice makes perfect! This will reduce panic and injuries.

FIRE ALARMS

Fire alarms are an indispensable tool of fire safety and provide early detection of potential fire and notification to evacuate. While a bad actor may use fire alarms to create confusion, disabling fire alarms, discontinuing fire drills or altering our response to fire alarms in buildings is not a safe solution. It's important to note that the Code allows for the elimination of manual fire alarm boxes with certain provisions.

EXIT SIGNS AND EMERGENCY LIGHTS

Exit and emergency lights must be in good working order at all times. You can assist your school in reporting any non-functioning exit signs or emergency lights, or those in disrepair, to the appropriate school official. Nothing should obstruct visibility of these signs.

SPRINKLERS

Items should never hang from, or obscure, any fire sprinkler heads. Fire sprinklers should not show signs of corrosion or leakage; and if they do, it should be reported to the appropriate school authority.

FLAMMABLE ARTWORK AND TEACHING MATERIAL

Fire codes limit the amount of wall space that can be covered to 20 percent or 50 percent when the building has fire sprinklers. Fabrics or other flammable materials used as drapes also present fire risks. Such materials may be treated with a spray-on flame retardant. Remember, not all flame retardant applications last forever and must be reapplied periodically.

Questions? Contact the State Fire Marshal's Office at 615-741-6246 or online at www.tn.gov/fire.

*Note: Not all schools are inspected by the SFMO. Some jurisdictions are overseen by their local fire department. A list of exempt jurisdictions can be found [here](#).

About the Tennessee Department of Commerce & Insurance: TDCI protects the interests of consumers while providing fair, efficient oversight and a level field of competition for a broad array of industries and professionals doing business in Tennessee. Our divisions include the State Fire Marshal's Office, Insurance, Securities, Consumer Affairs, Tennessee Law Enforcement Training Academy, Regulatory Boards, Tennessee Emergency Communications Board, Tennessee Corrections Institute, and TennCare Oversight.

To check a license of a professional regulated by the Department, go to <http://verify.tn.gov/>.

###

DAVY CROCKETT TOWER 500 JAMES ROBERTSON PARKWAY NASHVILLE, TN 37243
www.tn.gov/commerce/



2010 ADA Standards for Accessible Design

- Revised Title III of the ADA published on September 15, 2010
- ADA 2010 Standards became enforceable on March 15, 2012

404.2.10 Door and Gate Surfaces. Swinging door and gate surfaces within 10 inches (255 mm) of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch (1.6 mm) of the same plane as the other. Cavities created by added kick plates shall be capped.

EXCEPTIONS: 1. Sliding doors shall not be required to comply with 404.2.10.

2. Tempered glass doors without stiles and having a bottom rail or shoe with the top leading edge tapered at 60 degrees minimum from the horizontal shall not be required to meet the 10 inch (255 mm) bottom smooth surface height requirement.

3. Doors and gates that do not extend to within 10 inches (255 mm) of the finish floor or ground shall not be required to comply with 404.2.10.

4. Existing doors and gates without smooth surfaces within 10 inches (255 mm) of the finish floor or ground shall not be required to provide smooth surfaces complying with 404.2.10 provided that if added kick plates are installed, cavities created by such kick plates are capped.

Comment: Nightlock complies, the door plate is within 1/16 inch (1.6 mm) variation from surface plane to plane.

Nightlock is designed with 75 degree beveled/angled horizontal and vertical edges to promote a smooth surface on the push side of the door. Utilizing a 75 degree sloped angle, surpassing the 60 degree angle mentioned for other surfaces.

404.2.7 Door and Gate Hardware

Door and gate hardware must:

Allow one-hand operation

Not require tight grasping, pinching, or twisting of the wrist

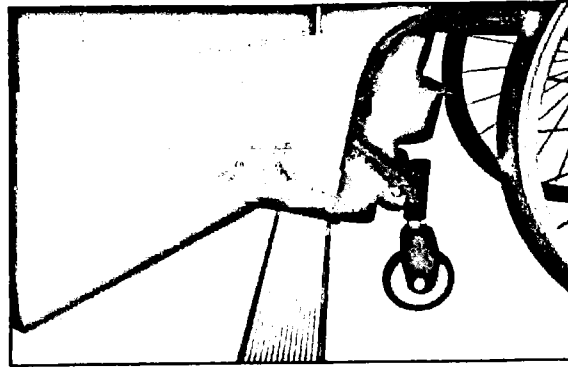
Operate with 5 lbf maximum

Comment: Nightlock complies with these requirements, and DOES NOT require tight grasping, tight pinching or twisting of the wrist to operate.



UNITED STATES ACCESS BOARD

Door and Gate Surfaces [§404.2.10]

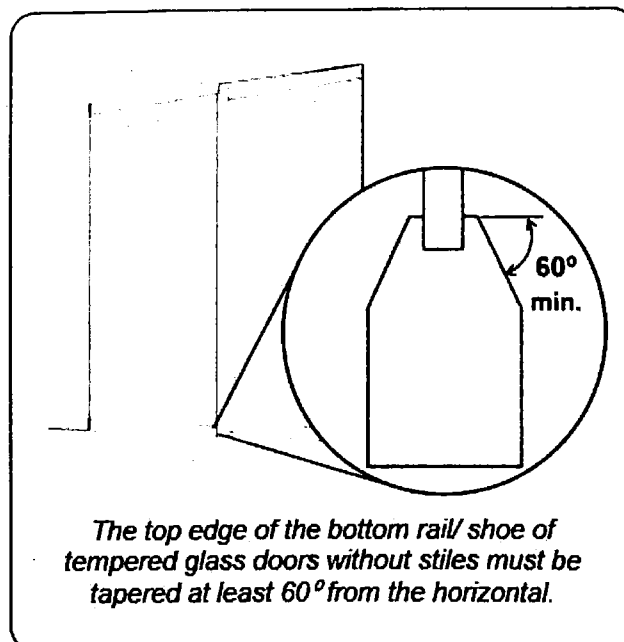


The bottom surface of doors and gates on the push side must be smooth to a height of at least 10". This facilitates access since mobility aids, including wheelchair footrests, are sometimes used to push or prop open doors. Kick plates can be used to help protect door surfaces, but any gaps or cavities between the kick plate and the door surface must be closed or capped. Horizontal or vertical joints in this surface cannot exceed a 1/16" variation in plane.

These requirements do not apply to:

- Sliding doors
- Doors and gates that do not extend to within 10" of the finish floor or ground
- Existing doors or gates with kick plates (so long as cavities created by kick plates are capped)

Tempered glass doors without stiles if the top edge of the bottom rail or shoe is tapered at least 60° from the horizontal.



SCHOOL SECURITY LOCKS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill amends provisions of the State Construction and Fire Codes Act.

Highlighted Provisions:

This bill:

▶ amends the International Building Code and International Fire Code regarding:

• hardware height on a door for certain occupancies for purposes of a lockdown or a lockdown drill; and

• door operations provisions for locks and bolt locks, and latching and unlatching, for certain occupancies for purposes of a lockdown or a lockdown drill; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

15A-3-105, as last amended by Laws of Utah 2016, Chapter 249

15A-5-205, as last amended by Laws of Utah 2016, Chapter 216

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **15A-3-105** is amended to read:

29 **15A-3-105. Amendments to Chapters 10 through 12 of IBC.**

30 (1) In IBC, Section 1010.1.9, an exception is added as follows: "Exception: Group E
31 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section
32 1010.1.9.5 Exception 5."

33 (2) In IBC, Section 1010.1.9.2, "Exception:" is deleted and replaced with "Exceptions:
34 1."

35 (3) In IBC, Section 1010.1.9.2, a new exception 2 is added as follows: "2. Group E
36 occupancies for purposes of a lockdown or a lockdown drill may have one lock below 34
37 inches in accordance with Section 1010.1.9.5 Exception 5."

38 (4) In IBC, Section 1010.1.9.3, a new number 6 is added as follows: "6. Group E
39 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section
40 1010.1.9.5 Exception 5."

41 (5) In IBC, Section 1010.1.9.4, a new exception 6 is added as follows: "6. Group E
42 occupancies for purposes of a lockdown or a lockdown drill in accordance with Section
43 1010.1.9.5 Exception 5."

44 (6) In IBC, Section 1010.1.9.5, a new exception 5 is added as follows: "5. Group E
45 occupancies may have a second lock on classrooms for purposes of a lockdown or lockdown
46 drill, if:

47 5.1 The application of the lock is approved by the code official.

48 5.2 The unlatching of any door or leaf does not require more than two operations.

49 5.3 The lock can be released from the opposite side of the door on which it is installed.

50 5.4 The lock is only applied during lockdown or during a lockdown drill.

51 5.5 The lock complies with all other state and federal regulations, including the
52 Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12101 et seq."

53 ~~(7)~~ (7) In IBC, Section 1010.1.9.6, a new number 9 is added as follows: " 9. The
54 secure area or unit with special egress locks shall be located at the level of exit discharge in
55 Type V construction."

56 ~~[(2)]~~ (8) In IBC, Section 1011.5.2, exception 3 is deleted and replaced with the
57 following: " 3. In Group R-3 occupancies, within dwelling units in Group R-2 occupancies,
58 and in Group U occupancies that are accessory to a Group R-3 occupancy, or accessory to
59 individual dwelling units in Group R-2 occupancies, the maximum riser height shall be 8
60 inches (203 mm) and the minimum tread depth shall be 9 inches (229 mm). The minimum
61 winder tread depth at the walk line shall be 10 inches (254 mm), and the minimum winder
62 tread depth shall be 6 inches (152 mm). A nosing not less than 0.75 inch (19.1 mm) but not
63 more than 1.25 inches (32 mm) shall be provided on stairways with solid risers where the tread
64 depth is less than 10 inches (254 mm)."

65 ~~[(3)]~~ (9) In IBC, Section 1011.11, a new exception 5 is added as follows: " 5. In
66 occupancies in Group R-3, as applicable in Section 101.2 and in occupancies in Group U,
67 which are accessory to an occupancy in Group R-3, as applicable in Section 101.2, handrails
68 shall be provided on at least one side of stairways consisting of four or more risers."

69 ~~[(4)]~~ (10) In IBC, Section 1013.5, the words ", including when the building may not be
70 fully occupied" are added at the end of the sentence.

71 ~~[(5)]~~ (11) IBC, Section 1025, is deleted.

72 ~~[(6)]~~ (12) In IBC, Section 1029.14, exception 2 is deleted.

73 ~~[(7)]~~ (13) In IBC, Section 1109.8, the following words "shall be capable of operation
74 without a key and" are inserted in the second sentence between the words "lift" and "shall".

75 ~~[(8)]~~ (14) In IBC, Section 1208.4, subparagraph 1 is deleted and replaced with the
76 following: "1. The unit shall have a living room of not less than 165 square feet (15.3 m2) of
77 floor area. An additional 100 square feet (9.3 m2) of floor area shall be provided for each
78 occupant of such unit in excess of two."

79 Section 2. Section **15A-5-205** is amended to read:

80 **15A-5-205. Amendments and additions to IFC related to means of egress and**
81 **special processes and uses.**

82 (1) In IFC, Chapter 10, Section 1008.2.1, Illumination level under normal power,

83 delete exemption.

84 (2) In IFC, Chapter 10, Section 1010.1.9, Door operations, a new exception is added as
85 follows: "Exception: Group E occupancies for purposes of a lockdown or a lockdown drill in
86 accordance with Section 1010.1.9.5 Exception 5."

87 (3) In IFC, Chapter 10, Section 1010.1.9.2, Hardware height, "Exception:" is deleted
88 and replaced with "Exceptions: 1."

89 (4) In IFC, Chapter 10, Section 1010.1.9.2, Hardware height, Exception 2 is added as
90 follows: "2. Group E occupancies for purposes of a lockdown or a lockdown drill may have
91 one lock below 34 inches in accordance with Section 1010.1.9.5 Exception 5."

92 (5) In IFC, Chapter 10, Section 1010.1.9.3, Locks and latches, Item 6 is added after the
93 existing Item 5 as follows: "6. Group E occupancies for purposes of a lockdown or a lockdown
94 drill in accordance with Section 1010.1.9.5 Exception 5."

95 (6) In IFC, Chapter 10, Section 1010.1.9.4, Bolt locks, Exception 6 is added after the
96 existing Exception 5 as follows: "6. Group E occupancies for purposes of a lockdown or a
97 lockdown drill in accordance with Section 1010.1.9.5 Exception 5."

98 (7) In IFC, Chapter 10, Section 1010.1.9.5, Unlatching, Exception 5 is added after the
99 existing Exception 4 as follows: "5. Group E occupancies may have a second lock on
100 classrooms for purposes of a lockdown or lockdown drill, if:

101 5.1 The application of the lock is approved by the code official.

102 5.2 The unlatching of any door or leaf does not require more than two operations.

103 5.3 The lock can be released from the opposite side of the door on which it is installed.

104 5.4 The lock is only applied during lockdown or during a lockdown drill.

105 5.5 The lock complies with all other state and federal regulations, including the
106 Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12101 et seq."

107 ~~(8)~~ (8) IFC, Chapter 10, Section 1010.1.9.6, Controlled egress doors in groups I-1
108 and I-2, after existing Item 8 add Item 9 as follows: " 9. The secure area or unit with special
109 egress locks shall be located at the level of exit discharge in Type V construction."

110 ~~[(3)]~~ (9) In IFC, Chapter 10, Section 1010.1.9.7, Delayed egress locks, Item 9 is added
111 after the existing Item 8 as follows: " 9. The secure area or unit with delayed egress locks shall
112 be located at the level of exit discharge in Type V construction."

113 ~~[(4)]~~ (10) In IFC, Chapter 10, Section [BE] 1011.5.2, Riser height and tread depth,
114 Exception 3 is deleted and replaced with the following: " 3. In Group R-3 occupancies, within
115 dwelling units in Group R-2 occupancies, and in Group U occupancies that are accessory to a
116 Group R-3 occupancy, or accessory to individual dwelling units in Group R-2 occupancies, the
117 maximum riser height shall be 8 inches (203 mm) and the minimum tread depth shall be 9
118 inches (229 mm). The minimum winder tread depth at the walk line shall be 10 inches (254
119 mm), and the minimum winder tread depth shall be 6 inches (152 mm). A nosing not less than
120 0.75 inch (19.1 mm) but not more than 1.25 inches (32 mm) shall be provided on stairways
121 with solid risers where the tread depth is less than 10 inches (254 mm)."

122 ~~[(5)]~~ (11) IFC, Chapter 10, Section [BE] 1011.11, Handrails, is amended to add the
123 following exception: " 5. In occupancies in Group R-3, as applicable in Section 1014 and in
124 occupancies in Group U, which are accessory to an occupancy in Group R-3, as applicable in
125 Section 1014, handrails shall be provided on at least one side of stairways consisting of four or
126 more risers."

127 ~~[(6)]~~ (12) IFC, Chapter 10, Section 1013.5, Internally illuminated exit signs, delete and
128 rewrite the last sentence to read "Exit signs shall be illuminated at all times, including when the
129 building is not fully occupied."

130 ~~[(7)]~~ (13) IFC, Chapter 10, Section 1025, Luminous Egress Path Markings, is deleted.

131 ~~[(8)]~~ (14) IFC, Chapter 10, Section 1029.14, Seat stability, delete Exemption 2 and
132 renumber exemptions.

133 ~~[(9)]~~ (15) IFC, Chapter 10, Section 1031.2.1, Security Devices and Egress Locks, is
134 amended to add the following: On line three, after the word "fire", add the words "and
135 building."



BBS MEMO

Ohio Board of Building Standards

May 13, 2016

6606 Tussing Road, P.O. Box 4009, Reynoldsburg, Ohio 43068-9009

TEMPORARY DOOR LOCKING DEVICES

House Bill 64 adopted by the Ohio General Assembly on June 30, 2015, included new RC § 3781.106 which required the Ohio Board of Building Standards (Board) to adopt rules for the use of a device by a staff member that prevents both ingress and egress through school doors in an emergency situation and during active shooter drills. At its meeting on April 8, 2016, the Board adopted amendments to Ohio Building Code (OBC) Chapters 2 & 10 for the use of Temporary Door Locking Devices (TDLD) in schools under the conditions set forth in these rules. These amendments took effect April 18, 2016.

The Conditions of Use and Operational Requirements for TDLDs are outlined in amended OBC §1008.1.9.11:

1008.1.9.11 Temporary door locking device in school buildings. *A temporary door locking device shall be permitted when approved by the building official and noted on the certificate of occupancy only in school buildings where the requirements of sections 1008.1.9.11.1 and 1008.1.9.11.2 are met.*

1008.1.9.11.1 Conditions of use. *A temporary door locking device shall only be used on doors under the following conditions:*

- 1. Proof is provided by the administrative authority of a school building that a school safety plan has been adopted and filed pursuant to section 3313.536 of the Revised Code; and*
- 2. The temporary door locking device shall only be used in an emergency situation and during active shooter drills; and*
- 3. The temporary door locking device is engaged only by a staff member of the school building; and*
- 4. The temporary door locking device shall only be engaged for a finite period of time as determined by the administrative authority of a school building in accordance with the school safety plan adopted pursuant to section 3313.536 of the Revised Code; and*
- 5. Proof is provided by the administrative authority of a school building that police and fire officials having jurisdiction for the school building have been notified prior to the use of the temporary door locking device; and*
- 6. In-service training on the use of the temporary door locking device is provided for school staff members and records verifying this training shall be maintained on file and provided to the fire official upon request.*

1008.1.9.11.2 Operational requirements. *The temporary door locking device shall be permitted to be used in accordance with the following items:*

- 1. The temporary door locking device shall not be permanently mounted to the door.*

Exception: Individual parts of the temporary door locking device assembly such as bolts, stops, brackets, pins, etc. that do not prevent normal ingress and egress through the door may be permanently mounted provided that when such parts are mounted on a labeled fire door assembly such installation does not affect the fire rating of the fire door assembly.

2. The removal of the temporary door locking device, after it is engaged, shall not require more than one operation.

Exception: Two operations may be permitted to remove a temporary door locking device, after it is engaged, if the school building is equipped throughout with an automatic sprinkler system in accordance with section 903.3.1.1.

Provisions of the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as amended, may apply to the use of the temporary door locking device but are outside the scope of this code.

Also, note new definitions in OBC Chapter 2 for the following terms: Active Shooter Drill, Administrative Authority of a School Building, Emergency Situation, Institution of Higher Education, Private School, Public School, School Building and Temporary Door Locking Device.

If a school chooses to use TDLDs, it must submit an application with required information to the building department with jurisdiction for approval. While the scope of the project will not necessitate the preparation of detailed construction documents, per OBC § 106.1.1 the application should include information sufficient to determine compliance with the code, including, but not limited to, evidence of a properly adopted and filed school safety plan, a statement that both police and fire officials have been notified of the proposed TDLD, a description of the proposed TDLD, and, if applicable, a confirmation by the owner that any bolts, stops, brackets, pins employed by the device and that are permanently mounted pursuant to OBC § 1008.1.9.11.2(1) do not affect the fire rating of a fire door assembly. The code does not prescribe in what form this information or evidence of such communications shall be provided.

Upon receipt of an application for approval of a TDLD that sufficiently sets the information above, the building official must evaluate the proposed TDLD to confirm that it meets the operational requirements of OBC § 1008.1.9.11.2(2). Primarily the building official must determine the number of operations necessary to remove the device. Only a device that requires not more than one operation to be removed may be approved. The code permits two operations to remove the device if the school building is equipped throughout with an automatic sprinkler system. Note that the number of operations described in OBC §1008.1.9.2(2) is in addition to the motions required to unlatch the existing door hardware. The motions necessary to unlatch the existing door hardware should not be counted when determining compliance with this section. While this evaluation rests in the judgment of the building official, the building official is encouraged to seek input on the proposed device from the local fire official during application review similar to review and comment by the fire official per OBC § 106.1.2(5) which does not cause unnecessary delay in the review of the application.

If the building official determines that a proposed TDLD conforms to the operational requirements of OBC § 1008.1.9.11.2, the device shall be approved. Such approval shall be noted on the Certificate of Occupancy with the following conditions: the TDLD may only be used in an emergency situation and during active shooter drills, the TDLD may only be engaged by a staff member of the school building for

a finite period of time as determined by the administrative authority of a school building, and in-service training on the use of the temporary door locking device is provided for school staff members and records verifying this training shall be maintained on file and provided to the fire official upon request.

If the building official determines that a proposed TDLD does not conform to the operational requirements of OBC § 1008.1.9.11.2, the building official shall notify the school of the items of non-compliance per OBC § 107.6 and an opportunity to appeal pursuant OBC § 109.

Finally, building officials can also communicate to school officials intending to use a TDLD that, while the accessibility provisions of OBC Chapter 11 and ANSI A117.1 do not apply to temporary security devices, there are provisions of the "Americans with Disabilities Act of 1990" (104 Stat. 327, 42 U.S.C.A. 12101, as amended) that may apply to the use of the temporary door locking device but are outside the scope of the building code. Schools should consult with their legal counsel regarding any other applicable requirements.

State Fire Marshal
700 SW Jackson, Suite 600
Topeka, KS 66603-3714



phone: 785-296-3401
fax: 785-296-8155
www.ksfm.ks.gov

Doug Jorgensen, State Fire Marshal

Sam Brownback, Governor

December 15, 2014

The Office of the State Fire Marshal is issuing a state-wide variance from certain requirements of the Kansas Fire Prevention Code during active shooter and lock down situations in all K-12 and postsecondary educational buildings in Kansas. This variance is only in effect during actual active shooter/lock down situations and during training for those events. **Only temporary security devices that can be installed at the time of an event will be allowed.** No permanent types of security devices (such as magnet strips on door frames or straps attached to doors that hold panic bars in) will be allowed to be attached to doors or door frames at any time. The barricading of classroom doors as recommended in the ALICE training program will be allowed.

Schools and school districts will be required to contact their local fire, law enforcement, and first responder community and confidentially share with them the types of devices being used so the responders know what to expect in any type of response.

The Office of the State Fire Marshal highly suggests that any school district that has questions on the devices that will be allowed contact our office for assistance, before implementing any devices or making any purchases.

Doug Jorgensen
Kansas State Fire Marshal



Department of Licensing & Regulatory Affairs
Bureau of Fire Services
Fire Marshal Bulletin – 15

K-12 Classroom Door Latch Devices Violates School Fire Safety Rules

During a fire, the corridor system acts as a vital component in getting students and staff safely and quickly out of the building. Doors that open into the corridor are required to be positive latching. Positive latching keeps the door closed if there is a fire in the room and protects the corridor from smoke.

The Bureau of Fire Services has seen an increase in the use of devices such as magnetic strips, magnets with clips and magnetic plates that prevent a classroom door to the corridor from latching when closed. These devices are placed on the door frame at or near the strike plate to keep the door from latching. These devices are being used to permit a door to be maintained in a locked condition at all times, yet still allow the occupants to use the door without the use of a key. When the door is needed to be locked such as in a lock-down condition, the device is removed so that the door latches and remains locked. The intent of the device is to allow the door hardware to remain locked while the door can still be used to enter and exit the classroom. While the concept has merit from a security standpoint, placing magnets or other devices that circumvent the positive latching of the corridor doors is a violation of the New and Existing School, College, and University Fire Safety Administrative Rules (School Fire Safety Rules), which adopt NFPA 101 1997 edition with Michigan amendments promulgated under Public Act 207 of 1941.

Sections 10-3.6.1 and 11-3.6.1 require corridor walls to be constructed of fire barriers that have not less than a 1-hour fire resistance rating, with some exceptions for older buildings. All corridor walls regardless of age of the building are required to resist the passage of smoke and shall be constructed to be reasonably smoke tight.

To meet this requirement, doors in the corridor walls have to latch secure into the door frame when the doors are closed to prevent fire and smoke from entering the corridor system, preventing the corridor to be used for evacuation in the event of a fire.

The Bureau of Fire Services is concerned about the security of our students and teachers in our schools and will continue to work with schools to provide solutions that will provide security while maintaining fire safety.



Legacy Barricades, Inc. <legacybarricades@gmail.com>

RE: Legacy Barricades - BFS acknowledgement

33 messages

Williams, Brian (LARA) <williamsb@michigan.gov>

Wed, Oct 31, 2018 at 2:26 PM

To: "Legacy Barricades, Inc." <legacybarricades@gmail.com>

Cc: "Searles, Ann (LARA)" <SearlesA@michigan.gov>, "Lankford, Randy (LARA)" <lankfordr1@michigan.gov>, "Sehlmeyer, Kevin (LARA)" <SehlmeyerK@michigan.gov>, "Stone, Kevin (LARA)" <StoneK3@michigan.gov>, "Paradine, Jonathon (LARA)" <paradinej@michigan.gov>

Hunter

Thank you for the photos and cut sheets. BFS staff met with you and your team on October 16, 2018 to see a demonstration of your barricade device. You discussed the function and installation of the device and answered any questions that we had at the time.

Currently, BFS has the State Fire Marshal (SFM) Bulletin #18 that deals with the required criteria for a barricade device to be installed on classroom doors in schools. The Legacy Barricade device does meet all the criteria set forth in the SFM Bulletin #18.

- The barricade device does have a bracket that is mounted to the door which requires a teacher or staff to physically insert a pin into place so that it will only be in use during a lock down drill or actual event.
- The barricade device doesn't have any screws or bolts that penetrate a fire rated door.
- The barricade device, when not in use, doesn't violate normal door hardware.
- The barricade device does have a release method from the opposite side of the classroom in case the device is ever used improperly.

Keep in mind that BFS is not the only authority having jurisdiction in schools. You will need to reach out to the Bureau of Construction Codes for their requirements. ADA accessibility requirements may also apply. One final reminder is that barricade devices and school safety drills require the school to have a lock down procedure in place and conduct safety drills. Teachers and staff have to have training on how and when to use these barricade devices.

Regards,
Brian Williams

Plan Review Division Specialist

Bureau of Fire Services

www.michigan.gov/bfswilliamsb@michigan.gov

Fire and Building Code

1. National and State Code regarding the location and height of a barricade on a door:

- A. International Building Codes (IBC), Ch.10 'Means of Egress,' Section 1010.1.9-1010.1.9.2
- B. International Code Council (ICC), Ch.4 'Accessible Routes,' Section 404.2.6
- C. Michigan Bureau of Construction Code (BCC), Ch.10 'Means of Egress,' Section 1010.1.9 – 1010.1.9.2

2. Americans with Disabilities Act (ADA) in regard to the IBC, ICC and BCC codes:

- A. Code of Federal Regulations Title 28 (28 CFR): Judicial Administration, Part 36 – Nondiscrimination on the basis of disability by public accommodations and in commercial buildings, §36.103 Relationship to other laws

3. Requirement for removal of barricade from corridor side of door:

- A. International Building Code (IBC), Ch.10 'Means of Egress,' Section 1010.1.4.4 'Locking arrangements in educational occupancies'
- B. National Fire Protection Association (NFPA) 101 Life Safety Code, Section 15.2.2.2.4 'Emergency Locking of Classroom Doors'

4. Acceptable door modifications:

- A. National Fire Protection Association (NFPA) 80 – Standard for Fire Doors and Other Opening Protectives, Ch.4 General Requirements, Section 4.1.3 - 4.1.3.2

Section 1

A. International Building Code (IBC)

Chapter 10 – Means of Egress

1010.1.9 Door Operations

Except as specifically permitted by this section, egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1010.1.9.2 Hardware Height

Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864mm) minimum and 48 inches (1219mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operations are permitted at any height.

B. International Code Council (ICC) A117.1 Accessible and Usable Building Facilities

Chapter 4: Accessible Routes

404.2.6 Door Hardware

Handles, pulls, latches, locks and other operable parts on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, pinching, or twisting of the wrist to operate. Operable parts of such hardware shall be 34 inches (865mm) minimum and 48 inches (1220mm) maximum above the floor. Where sliding doors are in the gully open position, operating hardware shall be exposed and usable from both sides.

EXCEPTION: Locks used only for security purposes and not used for normal operation shall not be required to comply with Section 404.2.6.

C. Michigan Bureau of Construction Code (BCC)

Chapter 10 – Means of Egress

1010.1.9 Door Operations

Except as specifically permitted by this section, egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1010.1.9.2 Hardware Height

Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864mm) minimum and 48 inches (1219mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operations are permitted at any height.

Section 2

A. Code of Federal Regulations Title 28 (28 CFR)

Judicial Administration, Part 36 – Nondiscrimination on the basis of disability by public accommodations and in commercial buildings, §36.103 Relationship to other laws

§36.103 Relationship to other laws.

(a) *Rule of interpretation.* Except as otherwise provided in this part, this part shall not be construed to apply a lesser standard than the standards applied under title V of the Rehabilitation Act of 1973 (29 U.S.C. 791) or the regulations issued by Federal agencies pursuant to that title.

(b) *Section 504.* This part does not affect the obligations of a recipient of Federal financial assistance to comply with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued by Federal agencies implementing section 504.

© *Other laws.* This part does not invalidate or limit the remedies, rights, and procedures of any other Federal laws, or State or local laws (including State common law) that provide greater or equal protection for the rights of individuals with disabilities or individuals associated with them.

Section 3

A. International Building Code (IBC)

Ch.10 - Means of Egress

1010.1.4.4 Locking arrangements in educational occupancies

In Group E and Group B educational occupancies, egress doors from classrooms, offices and other occupied rooms shall be permitted to be provided with locking arrangements designed to keep intruders from entering the room where all of the following conditions are met:

1. The door shall be capable of being unlocked from outside the room with a key or other approved means,
2. The door shall be openable from within the room in accordance with section 1010.1.9
3. Modifications shall not be made to listed panic hardware, fire door hardware or door closers

B. National Fire Protection Association (NFPA) 101 – Life Safety Code

15.2.2.2.4* Emergency Locking of Classroom Doors

(6) The door shall be capable of being unlocked and opened from outside the entry side room with the necessary by key or other credential.

15.2.2.2.4.2* Where doors serving occupant loads of less than 100 persons are equipped with fire exit hardware or panic hardware, emergency locking means of 15.2.2.2.4.1 shall be permitted.

Section 4

A. National Fire Protection Association (NFPA) 80 – Standard for Fire Doors and Other Opening Protectives

Chapter 4 – General Requirements

4.1.3 Appurtenances.

4.1.3.1 Preparation of fire door assemblies for locks, latches, hinges, remotely operated or remotely monitored hardware, concealed closers, glass lights, vision panels, louvers, astragals and split astragals, and the application of plant-ons and laminated overlays shall be performed in accordance with the manufacturer's inspection service procedure and under label service. (See Annex E and Annex F.)

4.1.3.2 For The following job site preparation of preparations shall be permitted surface-applied hardware, function holes for mortise locks, and holes for labeled viewers, a maximum 3/4 in. (19 mm) wood and composite door undercutting, and protection plates (see 6.4.5) shall be permitted.

- (1) Holes for surface-applied hardware, function holes for mortise locks, and holes for labeled viewers
- (2) A maximum 3/4 in. (19 mm) wood and composite door undercutting
- (3) Installation of protection plates (see 6.4.5)

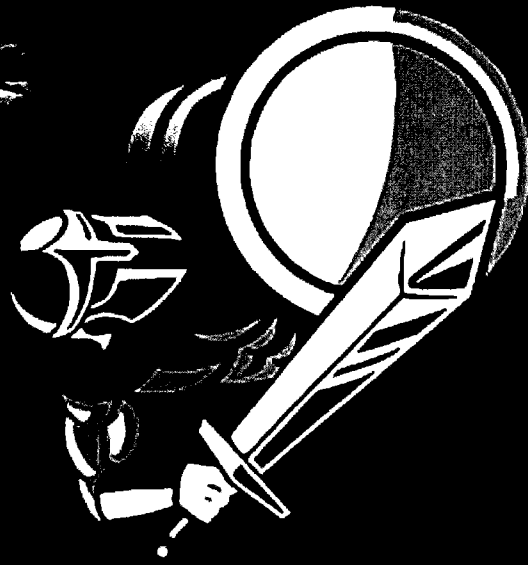
Background

Colin, the inventor and founder of Legacy Barricades Inc., has over 20 years of law enforcement experience. He served in the US Navy on a special boarding party, worked as a Federal Agent with the US Coast Guard, and finally as a Sheriff Deputy. Over his time in uniform, he performed as follows:

- Active Shooter / Officer-down Instructor
- Police Quarters Defense Instructor
- Firearms Instructor
- Marine Corps Martial Arts Instructor
- T/Cast Master Instructor
- Mechanical Breacher
- Priority Reaction Force
- Compliant Visit Board Search

20 AIRWEST DRIVE SE
AND RAPIDS, MI 49512
(810) 391-6822
BARRICADES@GMAIL.COM

LEGACY



BARRICADES INC.

(810) 391-6822

LEGACYBARRICADES@GMAIL.COM

LEGACY BARRICADES INC.

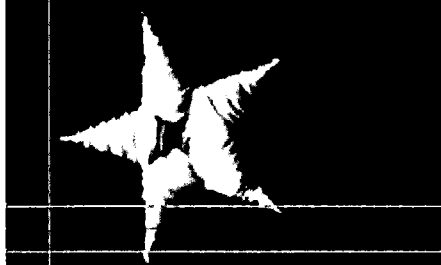
A NEW WAY TO SAVE



Our Mission

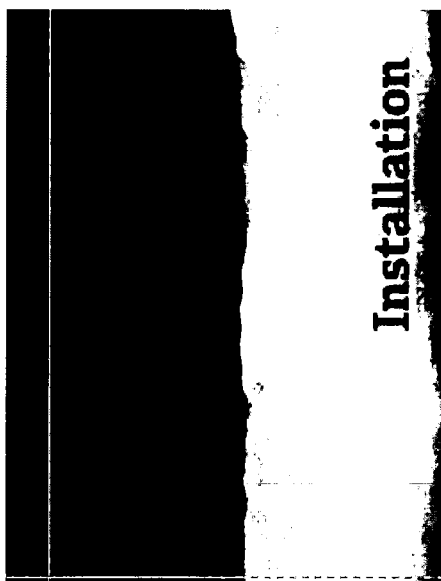
Barricade is a patent-pending device that was developed out of necessity. Our mission is to empower our schools and communities to stop any possible threats and protect our children, our Legacy.

Barricade was specifically designed to pass fire codes and building codes. We work with first responders to ensure we meet and exceed all expectations. Barricade is the only barricade system on the market in compliance with Michigan's fire and building codes.



Features

- The **only** barricade device approved by the Michigan Bureau of Fire Services.
- Locks the door in seconds, instantly creates a safe zone inside the room.
- An alarm is activated when the locking pin is engaged.
- The solid steel construction does not rely on electricity or moving parts.
- Functional on inward and outward opening doors.
- Removable from both sides of the door by authorized personnel.
- Thoroughly tested by professional firefighters and law enforcement.
- Lifetime warranty.



Installation

- Professional installation available through **Legacy Service Professionals LLC**, a fully insured and certified installation company.
- A dedicated project manager is assigned to oversee the installation process from start to finish.
- Every employee has passed a thorough Federal background check.
- Lifetime warranty on all services.





January 25, 2019

Ms. Debra Kelch
Legacy Barricades Inc.,
4320 Airwest SE Dr.
Grand Rapids, MI 49512

Re: Review of Legacy Door Barricades Emergency Door Lock System
Phoenix Job No.: Z1811163

Dear Ms. Kelch:

Phoenix Engineering and Consulting, Inc. (Phoenix) was requested by Legacy Barricades (Legacy) to provide engineering review services for the use of Legacy Barricades Emergency Door Lock System on classroom doors in Michigan schools.

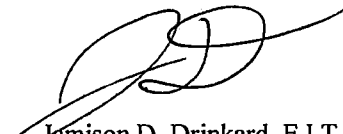
The system consists of an interior clamp bracket, an exterior clamp bracket, two (2) u-shaped brackets and a lock pin. The system is intended for barricading a door in emergency situations.


The 2015 Michigan Building Code and 2015 International Building Code were used as references in this review. Relevant sections for door barricade systems were reviewed. Related egress requirements and functions were reviewed. Please see the following pages for scope and assumptions.

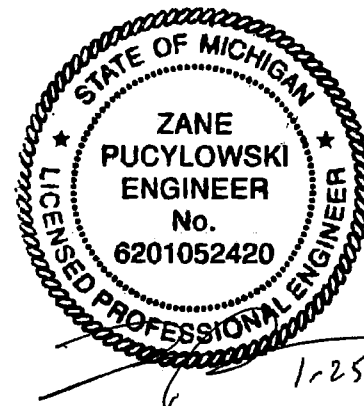
Based on the information provided to us, **Phoenix finds the proposed Legacy Barricades Emergency Door Lock System to be in general accordance with IBC and Michigan Building Code requirements and is expected to provide the code intended means of egress.**

If you have any questions about this review, please contact us at (404) 216-0140 or email zpucylowski@phoenixengineering.com.

Sincerely,


Jamison D. Drinkard, E.I.T.
Engineering Staff


Zane C. Pucylowski, P.E.
President / Principal Engineer
Phoenix Engineering and Consulting, Inc.





Scope of Work

Our scope of work was for the review of the proposed Legacy Barricades Emergency Door Lock System for compliance with applicable sections of Chapter 10 of the 2015 Michigan Building code and for compliance to the relevant sections of the 2015 IBC.

Code Review (assumptions and notes)

Relevant portions of the 2015 Michigan Building Code and the 2015 IBC were considered.

It is Phoenix's opinion that the proposed Door Lock System would not qualify as a "Bolt Lock" as outlined in section 1010.1.9.4 of the 2015 Michigan Building Code because the locking pin is removed from the assembly in the unlocked condition.

Phoenix reviewed the updated section 1010.1.4.4 in the 2018 IBC, although this section is not yet adopted by the state of Michigan it provides context and intent for code coverage of security barricade systems.

Reviewed Product Information (Provided by Legacy):

03-ApplicationSpecProv_EZV01_P101.pdf
04-Drawings_EZV01_P101.pdf
Inside Lock Plate w Tabs Dimensions.pdf
Inside Lock Plate.pdf
Outside Lock Plate w Tabs Dimensions.pdf
Outside Lock Plate.pdf
Threaded Straps Bend at 1.562.pdf
Threaded Straps.pdf

City of Cedarburg - Michael McNerney

From: Adam Herzog <aherzog.legacybarricades@yahoo.com>
Sent: Monday, April 29, 2019 9:39 AM
To: City of Cedarburg - Michael McNerney
Subject: Legacy Barricades Inc.
Attachments: BFS Acknowledgement.pdf; Code Breakdown.docx; Trifold 1.png; Trifold 2.png; Z1811163 (Phoenix) Legacy Barricades school door barricade review letter 1-25-19.pdf

Sent from Mail for Windows 10
Sir,

As we discussed, I am including all information about our products for any of your schools or other businesses in your area that may be interested. I have attached a letter from the Michigan Bureau of Fire Services acknowledging that our device is in accordance with state requirements, as well as a letter from Phoenix Engineering and Consulting Inc verifying that it is in accordance with the International Building Code and Michigan Bureau of Construction Code. Also, I have attached a document listing pertinent federal and state codes in regards to barricading devices. This may also help to compare the Legacy Barricade to the other devices that do not pass all codes. If there are any other questions or anything that I forgot, please do not hesitate ask.

About Legacy Barricades Inc.

- We are a veteran owned company and our products are 100% American made.
- The Legacy Barricade is the only device on the market that does not violate state or national fire and building codes (see attachment).
- Locks the door within seconds, creating an instant safe zone inside the room.
- There is no training required to activate or deactivate from inside the room.
- Functional on any door or frame configuration; inward opening, outward opening, fire rated, non fire rated, and any sized door.
- Removable from both sides of the door; for security, removal from outside requires specific tools and knowledge.
- Solid steel construction, does not rely on electronics or moving parts.
- Two different tamper resistant alarms are available to house the activating pin and alert teachers and first responders upon activation.
- Thoroughly tested by professional first responders.
- Professional installation available.
- Lifetime warranty.

YouTube links to some of our testing videos:

<https://youtu.be/wHYcjpX8atM>
https://youtu.be/XEWVyiN7C_U
<https://youtu.be/hmm5E8S4p6U>
<https://youtu.be/9NOvjzg2wu4>

You can also visit us at <https://www.legacybarricades.com/>

Thank you,

--

Adam Herzog
Legacy Barricades Inc.
(810) 836-3876

OZAUKEE COUNTY ACTIVE SHOOTER COMMITTEE

-Cedarburg Police Department -Ozaukee County Sheriff's Office -Mequon Police Department
-Saukville Police Department -Port Washington Police Department -Thiensville Police Department

Assembly Bill 44

Good morning ladies and gentleman of the Wisconsin State Assembly. We are here today to support **Assembly Bill 44: Installation of a barricade device on an interior door in a school building**. As Law Enforcement Officers and Active Shooter Instructors, we believe this legislation will make our schools and classrooms safer for staff and students.

Unfortunately, we are hearing more and more about tragedies at our schools, places of worship, festivals, businesses, and other large gatherings where innocent people are being killed. Law Enforcement has worked hard to improve how we respond to such tragic events and businesses and schools are requesting more training on how to mitigate casualties and survive active assailant threats. But more must be done.

Law Enforcement is learning a lot from our Fire Service colleagues. We learned that preparation and prevention are key to avoiding mass casualties. Today, the threat of fires in schools is nearly non-existent thanks to these efforts. The last fire related mass casualties in a school was on December 1, 1958. The dedication to preventing fire related deaths in schools is constantly evolving and so should the dedication to active threat prevention.

School construction today involves strict fire codes, millions of dollars in fire retardant materials, fire sprinkler systems, fire extinguishers and fire alarms. Fire drills are practiced monthly and students have become proficient at responding to these drills.

We in Law Enforcement want the same attention directed at active assailant threats that are directed at fire threats. We also believe lives can be saved by preparation and prevention. We believe in being Pro-active versus reactive.

Our goal is that dedication to Active shooter drills and Active shooter prevention be at the same level as fire drills and fire prevention.

After the tragedy at Sandy Hook Elementary School, where the assailant forced entry through the glass doors, our schools supported installing bullet proof glass in order to prevent this from happening here. Unfortunately, this took 26 innocent lives at Sandy Hook to figure this out.

Because of the Las Vegas tragedy, where a shooter positioned himself in an elevated position, firing down at innocent people at will, we now put officers on rooftops for over watch at festivals. Unfortunately, that took 58 innocent lives for us to learn make that change.

We do not want to wait for more innocent people to die before we realize simple barricade devices on our school doors can prevent entry of a shooter into a classroom. We need to be proactive, not reactive to make our staff and students safe.

The current policy in most schools and what is considered the national standard is for staff to respond to active threats by barricading the classroom doors with furniture from within the room. Often times, the furniture is too heavy to move, especially with younger students who cannot help.

If the traditional door lock is defeated or not locked at all, the assailant can make entry into the classroom unhindered. If a simple barricade device is installed on the door, it works whether the door is locked or unlocked and is not defeated if the door knob or lock have been damaged or unlocked with keys.

-These devices will not hinder the function of the door unless the locking mechanism is in place. These devices are only be used in the event of an active assailant threat.

-The hardware does not violate current fire code and only does so when the locking device is put in place. Barricading with furniture also violates fire code and is more of a hindrance than these devices.

-The Michigan, Tennessee, Ohio, and Kansas fire codes have approved temporary barricading devices and their fire codes are very similar to Wisconsin's.

-These devices allow the doors to be opened by Law Enforcement, Fire personnel, and School Staff by a safety override feature. There should be no concern for not being able to make entry when needed.

As active shooter instructors, schools and businesses consistently express concern with being able to effectively lockdown in their work and school environments. There is not enough time to move furniture to barricade a door if the shooter is in the hallway or nearby.

Having a quick, simple and effective barricade device installed on each classroom door is a proactive way to assist in preventing an active threat from gaining entry to our classrooms, by people intent on killing our children and staff.

Active shooter incidents are unpredictable. There is no way to tell when the next one will happen or who that person will be. There is no fool proof solution to this problem, but providing an effective option to classrooms that enhance a standard lockdown is an effective option that should not be dismissed.

This is why we support this bill.

BIO

Lieutenant Michael McNerney- Twenty years as a Cedarburg police officer and a Firearms and Active Shooter Instructor for 18 years. A founding member of the Ozaukee County Active Shooter Committee which trains all of the officers from the Law Enforcement Departments to include the State Patrol from Ozaukee County. A member of the Ozaukee County Multi Jurisdiction Special Response Team and currently serve as the sniper team leader. Served four years as an SRO for the Cedarburg School District.

Detective Gary Speth – (28) Twenty Eight years as an Ozaukee County Sheriff's Deputy. (11) Eleven year Firearms Instructor for handgun and tactical rifle. (6) Six years as an Active Shooter Instructor for Ozaukee County L.E. Agencies. (12) Twelve years as an entry team operator with the Ozaukee County Special Response Team (SWAT) as both operator and Team Leader. Recent ALICE certified Instructor. (8) Eight years as a DARE Instructor, teaching 5th and 6th grade middle school students.

Sergeant Joe Kell - Twenty six years as a Cedarburg police officer. Firearms and Active Shooter Instructor for 19 years. Instructor and member of the Ozaukee County Active Shooter Committee since its inception which trains all of the officers from the Ozaukee Law Enforcement Departments to include the State Patrol. Presented at numerous active shooter talks. Attended Active Shooter training conferences and instructor schools in Wisconsin, Michigan, and Illinois. Recent ALICE certified instructor