

ACTIVE SHOOTER AND HOSTILE THREATS IN PUBLIC BUILDINGS STUDY GROUP REPORT

March 29, 2022

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EXECUTIVE SUMMARY

Provisions were added in the 2018 editions (effective July 1, 2021) of the Uniform Statewide Building Code (USBC) and the Statewide Fire Prevention Code (SFPC) providing a compliance path for emergency supplemental hardware (aka barricade devices) to be installed in schools.^{1 2}

During the 2020 General Assembly Session, Senate Bill 333 and House Bill 670 directed the Department of Housing and Community Development (DHCD) to convene stakeholders to develop code change proposals for the USBC and SFPC, for submission to the Board of Housing and Community Development (BHCD), with the goal of assisting with the improvement of safety and security measures for the Commonwealth's public buildings during active shooter or hostile threat events.³

The Active Shooter and Hostile Threats in Public Buildings Study Group convened virtually (through Adobe Connect) three times: December 8, 2021; January 5, 2022; and January 26, 2022. At each of these meetings, the study group discussed the issues and shared pertinent information and concerns related to active shooter or hostile threat events, as well as the impact of installing emergency supplemental hardware in public buildings.⁴

Although consensus was not reached, the meetings resulted in a code change proposal that provides a compliance path for the installation of emergency supplemental hardware within public buildings and defines "public buildings" within the context of the USBC and SFPC.⁵

The following members support the code change proposal:

- Virginia Fire Prevention Association
- Virginia Building & Code Officials Association
- Nightlock

Some of the reasons cited for support:

- Installation of ESH can already be approved under the current code provisions, via the code modification process
- A reasonable expectation that further codifying the ESH requirements would result in more uniformity in building design, as well as code enforcement

The following members do not support the proposal:

- Virginia Fire Chiefs Association

¹ USBC: <https://codes.iccsafe.org/content/VCC2018P3>

SFPC: <https://codes.iccsafe.org/content/VFC2018P2>

² The USBC defines "emergency supplemental hardware (ESH)" as: "any approved hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill".

³ 2020 General Assembly, Senate Bill 333: <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+CHAP0533>

2020 General Assembly, House Bill 670: <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+CHAP0130>

⁴ For a full list of Study Group members, please see Appendix B, "Study Group Members". For a full list of participants during each Study Group meeting, please see Appendix A, "Agendas, Meeting Summaries, Participants".

⁵ For a copy of the proposal (B1010.2.8-21), please see Appendix D, "Code Change Proposals".

- Door and Hardware Institute
- Virginia Department of General Services - Division of Engineering
- American Institute of Architects – Virginia Chapter

Some of the reasons cited for opposition:

- The installation of ESH might lower the existing level of safety in certain situations
- Locking arrangements currently allowed by the model building codes are adequate
- According to research, no active shooter has breached a locked door
- Installing ESH in addition to regular locking mechanisms could add to confusion
- Difficulty for first responders in gaining entry and facilitating medical/rescue operations
- Additional training is required for the utilization of ESH
- Concern with treating public buildings different from private buildings

The following members abstained from providing an official position on the proposal:

- Virginia Department of Fire Programs/State Fire Marshal's Office
- Virginia State Police
- Stafford County
- Local Government (Orange County)
- Local Law Enforcement – City (City of Chesapeake)
- Local Law Enforcement – County (Roanoke County)
- Accessibility (Virginia Board for People with Disabilities)

The report that follows provides a summary of the discussions, including questions and concerns that were raised. Supporting documents and the summaries from each of the three Study Group meetings are included as appendices following this report.

Note: the links referenced throughout the report were active as of the writing of this report.

BACKGROUND

During the 2019 General Assembly Session, SB 1755 directed DHCD to convene stakeholders to develop USBC and SFPC proposals, with the goal of assisting in the provisions of safety and security measures for active shooter or hostile threats in public or private elementary and secondary schools and public or private institutions of higher education.⁶ The meetings resulted in code change proposal B108.1-18, submitted to the BHCD for consideration on behalf of several stakeholder groups.⁷ The proposal, which was approved as modified by the BHCD, culminated in new ESH provisions for inclusion in the 2018 USBC and the 2018 SFPC.

During the 2020 General Assembly Session, SB 333 and HB 670 directed DHCD to convene stakeholders to develop USBC and SFPC proposals with the goal of assisting in the provision of safety and security measures for the Commonwealth's public buildings for active shooter or hostile threats while maintaining compliance with basic ADA accessibility requirements.

The directive also required the examination of (i) door locking devices, (ii) barricade devices, and (iii) other safety measures on doors and windows for the purpose of preventing both ingress and egress in the event of a threat to the physical security of persons in such buildings.

CURRENT USBC REQUIREMENTS

Current code (2018 USBC, effective July 1, 2021) requirements allow for the installation of ESH in schools. Specifically, they are allowed in the following USBC uses/occupancies, when in compliance with several specific conditions for approval: Group E occupancies, except Group E day care facilities, and in Group B educational occupancies.

Prior to approval of ESH, the building code official must consult with the local fire code official, or state fire code official if no local fire code official exists, and the head of the local law-enforcement agency.

The local fire code official; the state fire code official; and the local fire, EMS, and law-enforcement first responders must be notified by the building code official when approval for ESH installation is granted.

Conditions specific to ESH approval in schools:

- The door must be capable of being opened from outside the room with a key, proprietary device provided by the manufacturer, or other approved means.
- If ESH is installed on fire door assemblies, the installation must comply with Section 716.2 of the Virginia Construction Code.⁸
- Modifications shall not be made to listed panic hardware, fire door hardware, or door closures.
- The ESH shall not be capable of being used on other doors not intended to be used and shall have at least one component that requires modification to, or is permanently affixed

⁶ 2019 General Assembly, Senate Bill 1755: <https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+SB1755>

⁷ B108.1-18: see Appendix C, "Supporting Documentation"

⁸ Virginia Construction Code (VCC): <https://codes.iccsafe.org/content/VCC2018P3>

to, the surrounding wall, floor, door, or frame assembly construction for it to properly function.

- Employees shall engage in lockdown training procedures on how to deploy and remove the ESH, and its use must be incorporated in the approved lockdown plan complying with the SFPC.
- The ESH and its components must be maintained in accordance with the SFPC.
- Approved ESH must be of consistent type throughout a building. The exception allows the building official to approve alternate types of ESH when a consistent device cannot be installed.
- ESH installations, when deployed, are not required to comply with the accessibility provisions set forth by the VCC. VCC Section 1010.1.4.4 (item 2) recommends that school officials consult with their legal counsel regarding provisions of the Americans with Disabilities Act of 1990 (42 USC § 12101 et seq.).

CURRENT SFPC REQUIREMENTS

2018 SFPC provisions specific to ESH:

- Lockdown plans must include a description of how locking means and methods are in compliance with the requirements of the VCC and the applicable provisions of this code for egress and accessibility.
- Where a facility has installed approved ESH, employees must be trained on their assigned duties and procedures for the use of such device. Records of in-service training shall be made available to the fire code official upon request.
- The use of ESH to prevent the ingress or egress from any occupied space is prohibited, with some exceptions:
 - The device is utilized by authorized persons or other persons occupying such space in the event of any actual or perceived hostile threat or active shooter event.
 - The device is utilized in conjunction with any approved lockdown drill requiring the utilization of the approved ESH.
 - Utilization of the device for the testing, use, and training by emergency response personnel.
- ESH must be provided with a readily visible durable sign posted on the egress side on or adjacent to the door stating: "THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY."
- Allows the fire code official to revoke the use and storage of ESH for due cause.

EXAMPLES OF ESS INSTALLATIONS IN VIRGINIA SCHOOLS

Pre - 2018 USBC Adoption

Prior to adoption of the 2018 USBC, the USBC did not specifically address ESH. However, Section 106.3 of the USBC allows a building official to approve a modification of any provision of the USBC, provided the spirit and functional intent of the code are observed and public health, welfare and safety are assured. This code modification process was utilized by some building officials, prior to the 2018 USBC adoption, to approve installation of ESH.

In accordance with the Nightlock representative's statements, their products have already been installed in 62 Virginia schools, as well as a couple of office buildings, over the past six to seven years.⁹ Given the lack of information available, the Study Group was unable to ascertain what the approval process for the installation of ESH in said schools entailed. Speculation was made by study group members that some existing ESH installations may be undocumented and that first responders may be unaware of their existence.

One other anecdotal example of ESH installation, familiar to several Study Group members, is Augusta County Public Schools. The ESH approval in Augusta County schools followed the USBC code modification process and included coordination and consultation between the building official, school officials, local law enforcement and first responders.

Post - 2018 USBC Adoption

Study group members raised the question of whether anyone in the group is familiar with any installations of ESH in schools, since the adoption of the 2018 USBC. The idea being that testimony from building officials with experience on the review and approval of these devices, would be useful for the group during discussions. This testimony could aid the members in understanding what works and what doesn't, as well as what should or could be improved.

No Study Group member was aware of any installations since the adoption of the 2018 USBC.

In an effort to garner more information on the subject, DHCD staff sent a memo to all the Virginia building officials, inviting them to contact DHCD and share their experience, if any, with the review/approval of these devices based on the 2018 USBC provisions. DHCD staff has not received any replies to this request for information.

In another attempt to gather some feedback on this topic, DHCD reached out to Augusta County Public Schools and inquired about their experience with ESH since their installation. The response from Augusta County indicates that they continue to utilize the ESH during the drills mandated by the Virginia Department of Education and the Code of Virginia; new school staff are trained on the use of devices; there has been no need to activate the devices for a hostile threat situation; the ESH are easy to maintain. The School Security Committee has decided to continue to pursue installation of ESH in the remaining seven (7) elementary schools if funds are present, as they see the value in the device.

The Nightlock representative indicated that they are currently in the process of providing estimates to a couple of schools in Virginia.

EXAMPLES OF ESH INSTALLATIONS IN PUBLIC BUILDINGS

The Nightlock representative alluded to a couple of Virginia public buildings where their products have been installed, but only provided the name of one building: The Center for Naval Aviation Technical Training.

Nationwide, while Nightlock's primary market is schools, as per their representative, their products have been installed in varied public buildings, such as military, government, corporate

⁹ Nightlock: <https://nightlock.com/>

and retail outlets. Nightlock's representative noted that their devices have been installed in all of Abercrombie's 800+ retail stores nationwide.

He added that their devices have been installed in all fifty US States.

CONSIDERATIONS AND CONCERNS

Several concerns associated with the installation of ESH were raised and evaluated by the Study Group members.

- A common theme appeared to be that installation of ESH might lower the level of safety in some situations.
 - The example of schools was given, in which case, the violence has usually come from within, not from outside. Installing ESH could only exacerbate the situation by providing the assailant the opportunity to lock the victim in the room.
 - Active shooters could barricade themselves along with the victims within a room by deploying the ESH. That would make it difficult for the law enforcement, emergency medical service, firefighters, etc. to access the room.
- Public buildings are operated differently than schools. Schools have a hierarchy of authority which enables the orderly deployment of ESH by designated staff. Public buildings are not always set up that way.
- Preference of door locks over supplemental hardware.
 - Research shows that the locking devices/arrangements currently allowed by the model building codes work, as no active shooter has breached a locked door.
 - Common locks are less confusing to operate. They are intuitive, no training is required for their use, unlike ESH.
 - Common locking devices initiated from inside the room can easily be unlocked, allow for access by first responders and are ADA compliant.
 - Installing ESH in addition to regular locking mechanisms could add to confusion.
 - Additional potential issues with ESH could result from insufficient training on utilizing the devices, as well as misplacement of an ESH device or part thereof.
- Benefits of current ESH code provisions: whilst opposition against expanding the current ESH allowances to other uses/occupancies was noted, the merit of existing building code provisions was recognized. Prior to the adoption of the 2018 USBC, there was no uniformity in the approval of these devices. Adding the criteria to the 2018 USBC by which ESH are to be approved made the code safer than it was before.
- Training/policy issue vs. building code issue: electrically locked doors, which are permitted by the current building codes, allow for remote locking activation. The example of an office building with several suites was given, where the ingress doors can be locked/unlocked remotely, and the building occupants/visitors have to identify themselves prior to entering the building.
- Incremental approach concerns: allowing the installation of ESH in public buildings, in addition to schools, is not favored by most Study Group members and is viewed as an incremental approach that could potentially open the door for future expansion to other buildings/occupancies.

- Public buildings vs. private buildings: the intent of developing code change proposals to allow for the installation of ESH in public buildings only, but not in private buildings, was questioned.
 - If there's a need for ESH in public buildings, why is there no need for ESH in private buildings?
 - What is unique about public building occupants that is different from private building occupants?
 - DHCD staff has clarified that the focus of this study is on public buildings as directed by the legislation. Proposals addressing this issue for private buildings could be submitted by anyone, outside of this study, for consideration by the BHCD.
- Allowing vs. requiring ESH: of note is that the intent of potential code change proposals is to create a compliance path to allow installation of ESH in public buildings and is not to mandate that ESH be installed in any building, similar to the existing code provisions for schools. Just because the code allows certain features or devices, it does not necessarily mean that the prospective building owners will chose to install them.

PUBLIC BUILDINGS

It became evident very early in the discussions that it would be essential to define what a public building is in the context of complying with the charge set forth by SB 333 and HB 670.

The group appeared to be in agreement that the intent of the bills was to address governmental buildings – owned, used, leased or otherwise occupied by a governmental entity.

Several definitions were considered:

- Code of Virginia § 2.2-1159. Facilities for persons with physical disabilities in certain buildings; definitions; construction standards; waiver; temporary buildings.¹⁰
 - A. "Building" means *any building or facility, used by the public, which is constructed in whole or in part or altered by the use of state, county or municipal funds, or the funds of any political subdivision of this Commonwealth. "Building" shall not include public school buildings and facilities, which shall be governed by standards established by the Board of Education pursuant to § 22.1-138.*
- 10 CFR § 420.2 - Definitions.¹¹
 - Public building means *any building which is open to the public during normal business hours, including:*
 - (1) *Any building which provides facilities or shelter for public assembly, or which is used for educational office or institutional purposes;*

¹⁰ Code of Virginia § 2.2-1159: <https://law.lis.virginia.gov/vacode/title2.2/chapter11/section2.2-1159/#:~:text=%C2%A7%202.2%2D1159.-,Facilities%20for%20persons%20with%20physical%20disabilities%20in%20certain%20buildings%3B%20definitions,standards%3B%20waiver%3B%20temporary%20buildings.&text=%22Building%22%20shall%20not%20include%20public,pursuant%20to%20%C2%A7%2022.1%2D138.>

¹¹ 10 CFR § 420.2: <https://www.ecfr.gov/current/title-10/chapter-II/subchapter-D/part-420>

(2) Any inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant, or other commercial establishment which provides services or retail merchandise;

(3) Any general office space and any portion of an industrial facility used primarily as office space;

(4) Any building owned by a State or political subdivision thereof, including libraries, museums, schools, hospitals, auditoriums, sport arenas, and university buildings; and

(5) Any public or private non-profit school or hospital.

- Law Insider.¹²

Public building and “public work”; means a public building of, and a public work of, a governmental entity (the United States; the District of Columbia; commonwealths, territories, and minor outlying islands of the United States; State and local governments; and multi-State, regional, or interstate entities which have governmental functions). These buildings and works may include, without limitation, bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, pumping stations, heavy generators, railways, airports, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, and canals, and the construction, alteration, maintenance, or repair of such buildings and works.

- Biz fluent – Jennifer VanBaren.¹³

Public buildings are any type of building that is accessible to the public and is funded from public sources. Typically, public buildings are funded through tax money by the U.S. government or state or local governments. All types of governmental offices are considered public buildings. Public buildings generally serve the purpose of providing a service to the public. Many of these services are provided free to residents. This list includes public schools, libraries, courthouses and post offices.

- Collins English Dictionary.¹⁴

Public Building - a building that belongs to a town or state, and is used by the public.

- Study Group member.

Public Building – a building or structure of a governmental entity (local, state, or Federal government) that is accessible to the general public and funded from public sources, that exists for the purpose of providing services to the general public. Examples of such buildings are public schools, governmental offices and facilities, libraries, courthouses, and similar buildings.

- DHCD staff.

“Public Building” - a structure or building that is owned, leased, or otherwise occupied by a municipality or the state and used for any municipal or public purposes by the municipality or the state.

¹² <https://www.lawinsider.com/dictionary/public-building>

¹³ Biz fluent – Jennifer VanBaren: <https://bizfluent.com/info-7834283-types-public-buildings.html>

¹⁴ Collins English Dictionary: <https://www.collinsdictionary.com/us/dictionary/english/public-building>

AMERICANS WITH DISABILITIES ACT (ADA)¹⁵

SB 333 and HB 670 charges the Study Group to ensure that any code change proposals will maintain compliance with basic accessibility requirements of the ADA.

The ADA is a federal law with which owners and regulators must comply. It is not to be misconstrued as building code or construction provisions. The individuals charged with the enforcement of the building and fire codes are not normally authorized to interpret or enforce the ADA law.

As per the U.S. Access Board, “DOJ’s and DOT’s ADA Standards are not a building code, nor are they enforced like one.¹⁶ They constitute design and construction requirements issued under a civil rights law. The ADA’s mandates, including the accessibility standards, are enforced through investigations of complaints filed with federal agencies, or through litigation brought by private individuals or the federal government. There is no plan review or permitting process under the ADA. Nor are building departments required or authorized by the ADA to enforce the ADA Standards (some building departments even include a disclaimer on their plan checks indicating that ADA compliance is not part of their approval process). Entities covered by the law ultimately are responsible for ensuring compliance with the ADA Standards in new construction and alterations.”

The current building code provisions exempt ESH, when deployed, from complying with the accessibility requirements prescribed by the USBC. In recognition of this, and to ensure that the ADA provisions were also considered, the ESH requirements in the USBC for schools state that school officials should consult with their legal counsel regarding applicable ADA provisions. The same approach could be taken with any code change proposal developed by this group.

Note: The Department of General Services representative clarified that the review and permitting process for state buildings does include verification for compliance with the ADA.

SUPPORTING DOCUMENTATION AND REFERENCE MATERIALS

Documentation discussed by the Study Group included the following:

- DHCD staff PowerPoint presentation
- Senate Bill 1755 - 2019 General Assembly
- Senate Bill 333 - 2020 General Assembly
- House Bill 670 - 2020 General Assembly
- 2018 Virginia Code Change Proposal B108.1-18
- Myths (and Facts) About Classroom Barricade Devices - submitted by Virginia Fire Prevention Association
- NFPA 3000 Brochure - submitted by Virginia Fire Prevention Association

¹⁵ ADA: <https://www.ada.gov/>

¹⁶ U.S. Access Board: <https://www.access-board.gov/ada/guides/chapter-1-using-the-ada-standards/#:~:text=DOJ's%20and%20DOT's%20ADA%20Standards%20are%20not%20a%20building%20code,under%20a%20civil%20rights%20law.>

- Code Change Proposal - submitted by Virginia Fire Prevention Association
- Code Change Proposal - drafted by DHCD staff

Additional referenced materials include two articles found at the following links, shared with the Study Group by the Virginia Department of General Services representative:

- <https://idighardware.com/2020/01/decoded-barricade-devices-and-the-ada-march-2019/>
- <https://www.tssbulletproof.com/blog/school-door-barricades-could-create-safety-concerns/>

Documents and referenced articles submitted by Study Group members appear to favor the locking arrangements currently allowed by the model codes and advise against the installation of ESH in buildings.

In response to this, the Nightlock representative opined that the articles released by the door and hardware industry do not provide enough information about the facts associated with ESH. They will tell you what they want you to hear. The door and hardware industry see ESH as competition. They also lump all ESH into one item, although some are better than others. The Nightlock representative agrees that there are some ESH devices out there that are not good and should not be approved. However, there are ESH on the market that do comply with the model codes.

CODE CHANGE PROPOSAL DRAFTED BY VIRGINIA FIRE PREVENTION ASSOCIATION

The Virginia Fire Prevention Association representative drafted a code change proposal and shared with the Study Group for deliberation.

The proposal intends to add Section 404.2.3.3 to the SFPC which would require the development, operation and maintenance of lockdown plans, including the use of ESH, to be in accordance with Chapter 9 of NFPA 3000.

The group appeared to be in agreement that the proposal is not specific to public buildings, as required by SB 333 and HB 670, but it is more of a global type change. DHCD staff suggested that the proposal could be submitted outside of this group and offered to assist the VFPA representative with polling other Study Group members on whether they wish to be added as co-proponents to the proposal, in the event that it is submitted for consideration by the BHCD.

Note: upon further consideration, the VFPA representative has decided to not submit the code change proposal for consideration by the BHCD due to potential conflicts between NFPA 3000 and the IFC/SFPC.

CODE CHANGE PROPOSAL DRAFTED BY DHCD STAFF

DHCD staff drafted a code change proposal and presented it to the Study Group to facilitate discussions on what it would entail to add public buildings to the current code allowances.

The intent of the proposal is to comply with SB 333 and HB 670 by expanding on the existing provisions for ESH applicable to schools. The gist of the proposal is defining “Public Buildings” and adding public buildings to the list of uses/occupancies already allowed by the USBC to be provided with ESH.

Brief Summary of Proposed Changes

- Requires a building permit for the removal of ESH.
- Requires consultation between the building official, the local or state fire code official, as applicable, and the local law-enforcement agency prior to the removal of ESH. The local or state fire code official – as applicable; the local fire, EMS and law-enforcement must be notified upon approval/removal of ESH.
Note: current code provisions already require a building permit for the installation of ESH, as well as notification upon approval. There could be instances in the future where the building changes owners/occupants/etc. and the building is no longer a “public building”. Given that the proposal would only allow ESH in public buildings, if the building does not meet the definition for “public building” anymore, it would no longer be in compliance. Thus, the ESH would have to be removed.
- Defines “public building” as: *“a structure or building that is owned, leased, or otherwise occupied by a municipality or the state and used for any municipal or public purposes by the municipality or the state”.*
- Adds “public buildings” to the list of existing uses/occupancies allowed to be provided with ESH. All existing code prescribed conditions for approval of ESH would apply to public buildings, as well.
- Adds “building owner” to existing USBC Note recommending school officials to consult with their legal counsel regarding provisions of the Americans with Disabilities Act of 1990.
- Modifies the SFPC to require the maintenance of ESH in accordance with the conditions of its approval (in addition to the manufacturer’s instructions and the SFPC, which is already stipulated by the SFPC).

Upon deliberations by the Study Group during the meeting on January 26, 2022, the proposal received support from the following stakeholder representatives, in attendance: Virginia Fire Chiefs Association; Virginia Fire Prevention Association; Virginia Building and Code Officials Association; and Nightlock.

At the same meeting, the proposal was specifically opposed by the following stakeholder representatives, in attendance: Virginia Department of General Services; and Door and Hardware Institute. An email from the AIA (VA Chapter) representative, dated February 9, 2022, also indicated opposition to this proposal.

In an effort to provide all the stakeholders (including those not in attendance on January 26, 2022) the opportunity to express whether the entity they are representing supports or opposes the proposal, a doodle poll was sent out to the Study Group members on February 15, 2022. The poll respondents have indicated the following positions:

In support of the proposal: Virginia Fire Prevention Association; Virginia Building & Code Officials Association; Nightlock.

In opposition to the proposal: Virginia Fire Chiefs Association; Door and Hardware Institute; Virginia Department of General Services - Division of Engineering & Buildings; American Institute of Architects - VA Chapter.

CONCLUSIONS AND ACKNOWLEDGEMENTS

Study Group meetings yielded several fruitful discussions regarding ways in which the safety of public building occupants could be improved during potential active shooter or hostile threats situations. The stakeholders did not reach consensus on what would constitute the best solution. This report documents the key issues discussed and it includes supplementary documents provided by stakeholders. Below are a summary of the key findings, based on the information provided and stakeholder process.

- Common locking arrangements allowed by the model building code are effective and are preferred over ESH.
- There is some concern with treating public buildings different from private buildings.
- Discussions appeared to indicate that the overwhelming majority of stakeholders do not specifically endorse the installation of ESH. Likewise, expanding the code allowances to other uses/occupancies are not welcome by most stakeholders. However, providing a code compliant path for the approval of ESH should lead to uniformity.
- A code change proposal specific to public buildings was developed, as directed by SB 333 and HB 670, and considered by the group. The proposal modifies the USBC and the SFPC to allow the installation of ESH in public buildings while maintaining compliance with basic accessibility requirements under the ADA.

Finally, the staff of DHCD wish to thank the study group participants for the time and energy they committed to this process. The stakeholders presented arguments based on their backgrounds in fire services; fire and building codes; emergency management and prevention; law enforcement; public administration, door hardware and more. This committed group lent many hours of their time submitting documents, conducting conversations, and reviewing their colleagues' arguments and positions. They shared their knowledge and experience in the form of anecdotes, documented case studies, and current practices. We deeply appreciate their expertise and willingness to engage in the Study Group discussions.

APPENDIX A: Agendas, Meeting Summaries, Participants

Active Shooter and Hostile Threats in Public Buildings

December 8, 2021

9:00 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

AGENDA

- 1) Welcome
- 2) Introductions
- 3) Overview of VA Code Development Process
- 4) Background
- 5) Discussion
- 6) Assignments and Next Steps
- 7) Next Meeting

Active Shooter and Hostile Threats in Public Buildings Meeting Summary

December 8, 2021 9:00 a.m. - 10:55 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

ATTENDEES:

VA Department of Housing and Community Development (DHCD) Staff:

Cindy Davis: Deputy Director, Division of Building and Fire Regulations (BFR)

Jeanette Campbell: Administrative Assistant, BFR

Jeff Brown: State Building Codes Director, State Building Codes Office (SBCO)

Richard Potts: Code Development and Technical Support Administrator, SBCO

Paul Messplay: Code and Regulation Specialist, SBCO

Florin Moldovan: Code and Regulation Specialist, SBCO

Travis Luter: Code and Regulation Specialist, SBCO

Chad Lambert: Code and Regulation Specialist/South West Virginia, SBCO

Study Group Members:

Jimmy Moss: Virginia Building and Code Officials Association

Ernie Little: Virginia Fire Prevention Association, Virginia Fire Services Board

Billy Hux: Virginia Department of Fire Programs, Virginia State Fire Marshal

Mark Dreyer: Virginia Department of General Services, Division of Engineering and Buildings, State Review Architect

Patrick Green: Virginia state police First Sergeant and training manager

James Garrett: City of Chesapeake Police Department, Lieutenant in charge of S.W.A.T., and 911 coordinator

Cmdr. Chris Kuyper: Roanoke County Police Department Commander, Special Ops. instructor for county, FBI active shooter taskforce, Washington DC

Kurt Roeper: Door and Hardware Institute

Other Interested Parties:

Christopher Barry: Virginia Fire Chiefs Association, Fire Prevention Inspector-Loudoun County

Todd Strang: Fire Official-Spotsylvania County

Nadia Vugteveen: Virginia Commonwealth University Student

Stewart Anderson:

Andrew Milliken: Virginia Fire Chiefs Association, Virginia Fire Services Board Chairman of Fire Codes and Standards Committee

Ken Cook: Allegion

Dan Willham: Fairfax County

Study Group Members not in attendance:

Rob Comet – American Institute of Architects-VA

Frederick Presley - Stafford County

Jim Crozier - Orange County

Jack Taylor - Nightlock

Teri Morgan – Virginia Board for People with Disabilities

AGENDA AND DISCUSSION ITEMS: Power Point is on the DHCD website, with a link on the cdpVA website

1) Welcome

Jeff Brown: Welcomed participants to the Adobe Connect meeting. He noted that these meetings will be recorded; there will be no video for these meetings due to bandwidth limitations. He went over housekeeping items for participants: stay on mute if not speaking; use 'raise hand' function and wait to be announced; there will be hourly breaks; meetings are open to anyone, but discussions should be only between Study Group members. Documents presented will be posted later. Please be professional, respectful and concise when speaking.

2) Introductions

Jeff Brown: Introductions – DHCD staff members introduced themselves; Study Group members introduced themselves. Jeff reminded all that the discussion is among Study Group members and others are welcome to listen in on the meeting.

3) Overview of VA Code Development Process

Jeff Brown: Gave an overview of the 2021 Virginia Code Development Cycle with approximate dates by month of when each of the steps happen, i.e.: cdpVA opened for proposals in October 2021, NOIRAs were published in November 2021, groups meet to discuss code change proposals between December and June 2022, BHCD considers proposals in September 2022 and proposed regulations in December 2022, 2021 codes become effective in Virginia in the fall or winter of 2023.

The cdpVA website is: va.cdpass.com The Virginia online code development system accepts proposals from anyone and all the information provided and captured during the process is available for viewing.

Study Groups study specific topics, identify areas of consensus and disagreement, and determine if code change proposals or other solutions are appropriate. They may review proposals, provide analysis, make recommendations, and/or develop code change proposals. Topics and proposals are meant to be presented and discussed during the proposed regulation phase, not the final phase, which is reserved for errors or minor corrections. Proposals and recommendations of Study Groups are reviewed by the General Workgroups prior to BHCD consideration. Study Groups are disbanded after they complete discussions.

Sub-Workgroups Review all code change proposals within their subject topics. They make recommendations on each proposal, including negotiating compromises where appropriate, in an attempt to form a group consensus on each proposal. They may also develop new code change proposals, or support proposals submitted by others by joining the proposal as a proponent. Proposals and recommendations of Sub-Workgroups are reviewed by the General Workgroups prior to BHCD consideration.

General Workgroups are open to all public for discussion and comment. They will review all proposals received, and aim for a consensus to approve or disapprove each one. They will recommend the proposals to the BHCD in blocks, sorted by those receiving consensus to approve or disapprove, as well as non-consensus proposals. The consensus proposals are usually voted through as recommended. Non-consensus proposals go to the BHCD in their entirety, including summaries and all related documents. Recommendations from this Study Group, for example, will go to General Workgroups and then to the BHCD as outlined.

4) Background

Jeff Brown: **2019 General Assembly Session: Senate Bill (SB) 1755** directed DHCD to convene stakeholders to develop USBC and SFPC proposals regarding safety and security measures for active shooter or hostile threats. The directive was specific to elementary and secondary schools and public or private higher education

institutions. The review was to include examination of locking devices, barricade devices and other safety measures. This current Study Group has the same objectives, but is not limited to the same type of building.

2018 Code Development Cycle formed a School Safety Sub-Workgroup in February-March 2019, which convened April-August 2019. A non-consensus proposal, B108.1-18, was submitted to the BHCD, who approved it in December 2020. The 2018 USBC and SFPC became effective on July 1 this year.

2018 IBC Code sections: 1010.1.4.4 Locking arrangements in Group E and B educational occupancies. Provided for egress doors with locking arrangements to keep intruders out as long as the door is capable of being unlocked from outside with a key or other approved means, the door opens from inside the room as per Section 1010.1.9 and there are no modifications made to listed panic hardware, fire door hardware or door closers. **1010.1.4.4.1** Included remote operation of locks as per Section 1010.1.4.4. These IBC requirements were the baseline for the 2018 School Safety Sub-Workgroup meetings.

2018 School Safety Sub-Workgroup met four times. Multiple code change proposals and versions were considered. A full consensus was not reached, but 2 options were submitted to the BHCD. **B108.1-18:** Compliance path in VCC for ‘emergency supplemental hardware’ and **BO101.1:** Add a VCC appendix including a compliance path for ‘emergency supplemental hardware’ which would be optional for each locality to adopt.

B108.1-18 was approved: The term ‘emergency supplemental hardware’ – any approved hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill (barricades, in short). These devices are allowed in Group E (except day care facilities) and Group B educational occupancies. This was included in the 2018 USBC and SFPC and became effective July 1, 2021. Proponents were noted, but not all in the Sub-Workgroup supported it. **BO101.1.1-18** also included some proponents, but was not approved.

2020 General Assembly Session: SB 333 and HB 670 Directed DHCD to convene stakeholders to develop USBC and SFPC proposals with the goal of assisting in the provision of safety and security measures for the Commonwealth’s public buildings for active shooter or hostile threats. These two bills are identical, and share the same objective as the 2019 General Assembly SB 1755, except that it relates to public buildings instead of educational institutions.

Current Study Group objectives: SB 333 and HB 670: Develop proposals to change USBC and SFPC to provide safety and security measures for active shooter or hostile threats in public buildings. There will potentially be some members who support and some who oppose, however there needs to be a goal of ultimately providing proposals for consideration by the Board, even if not supported by all members. The group is welcome to provide data and presentations regarding their position in any matter discussed. Try to develop proposals in line with what is already established in the codes for education buildings. If there is not full consensus, all information, including proponents and those opposed will be given to BHCD. Before moving forward with developing proposals, group members should review and understand the existing USBC and SFPC requirements.

All Virginia codes are available for free online at: <https://codes.iccsafe.org/codes/virginia>

2018 USBC - Current Virginia code requirements (effective 7/1/21):

New term defined: “Emergency Supplemental Hardware” is any approved hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill. The technical term can be interchangeable with ‘barricades’ or ‘ESH’ in discussions.

Section 108.1: When applications are required. Application for permit shall be obtained before any work is done during construction or demolition and for installations or alterations to any required means of egress system, including the addition of emergency supplemental hardware.

Section 110.1.1: Consultation & Notification. Prior to approval of ESH, the Building Code Official shall consult with local Fire Code Official or state Fire Marshal’s office and local law enforcement agency. All officials need to be notified of approval and installation.

Sec 1010.1.4.4: Locking arrangements in educational Group E (except day care) and Group B institutions; internal doors for classrooms, offices and other occupied rooms are permitted to have ESH when 7 conditions are met:

1. Door can be opened from outside the room with a key, other manufacturer device or other approved means.
2. Door opens from within the room as per Section 1010.1.9, except when ESH not required to comply with Chapter 11. Schools should consult with legal counsel regarding accessibility and any other applicable requirements.
3. Installation of ESH on fire door must comply with Section 716.2 with no modifications to panic hardware fire door hardware or door closures.
4. ESH shall not be capable of being used on other doors not intended for use, and need at least one component requiring modification or is permanently affixed to surrounding wall, floor, door or frame to properly function.
5. Employees shall have lockdown training procedures about how to deploy and remove ESH, and its use shall be in the approved lockdown plan complying with the SFPC.
6. ESH and components shall be maintained in accordance with the SFPC.
7. Approved ESH shall be consistent throughout building (except alternate types of ESH in accordance with Section 110.1 when a consistent device can't be installed).

2018 USBC: ESH related amendments to general VCC requirements:

1010.1.9 Door operation prohibits a special key or knowledge to get out (exception added for ESH)

1010.1.9.1 Hardware has no tight grasping, pinching or twisting of wrist required (exception added for ESH)

1010.1.9.2 ESH height – 48” maximum above the floor (lower than 34” is ok for ESH)

1010.1.9.4 Locks and latches permitted. New item #7: Egress doors equipped with ESH complying with 1010.1.4.4

7.1 Visible sign on egress side “This hardware shall be used by authorized personnel only” in 1-inch letters on contrasting background.

7.2 Use of ESH is revocable by building fire official for due cause (in case of unauthorized or abusive use)

1010.1.9.5 Bolt locks: Prohibits manually operated flush or surface bolts (exception added for ESH)

1010.1.9.6 Unlatching shall not require more than one operation (exception to allow one additional operation for release of ESH).

1010.1.9.8 Delayed Egress: Exception to clarify that ESH shall not be considered a delayed egress locking system.

1103.2.15: New exception to the general accessibility requirements added for Group E buildings (except daycare) and Group B educational occupancies, when ESH is deployed during active shooter or hostile threat event.

2018 SFPC:

New term defined: Emergency Supplemental Hardware: Any approved hardware used only for emergency events or drills to keep intruders out during an active shooter or hostile threat event or drill.

SFPC 404.2.3.1 Lockdown Plan contents: Items to be included in lockdown plans item 4.4 amended to ensure lockdown plan also includes description of how locking complies with VCC

406.3.4.1 New section: ESH training shall be done and records shall be available to fire code official on request

1001.4 New Section: Unauthorized use – no person shall use ESH to prevent ingress or egress, except:

An authorized person for a real or perceived active shooter or hostile threat

Used in a lockdown drill as required

Used for testing and training by emergency response personnel.

If ESH is used for any of the 3 reasons, it must be removed immediately after the conditions pass.

1010.1.9 Door operations. Except as specifically permitted by the applicable building code (added for approved ESH), egress doors shall be clear to open without use of a key or special knowledge or effort.

1010.1.9.4 Locks & Latches. There must be a visible sign on the egress side of the door with 1-inch letters on a contrasting background stating “THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED”. There must also be a visible sign on the egress side of the door, adjacent to the ESH, with 1-inch letters on a contrasting background stating “THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY”.

1031.2 Reliability. Unless otherwise permitted by the applicable building code (added for approved ESH), exits shall be free from obstructions.

1031.11 New Section. Maintenance of ESH: Allows the fire code official to revoke the use and storage of ESH for due cause.

5) Next Steps

Jeff Brown:

Group purpose in developing and submitting USBC and SFPC code change proposals includes examining:

1. Public buildings – determine what buildings to include
2. Other devices and safety measures – Identify and consider devices or measures for doors and windows
3. Accessibility – ensure that any proposals address compliance with basic accessibility requirements.

Code Change Proposals expectations:

1. Group members are not expected to be a proponent of any proposal that they do not support
2. Proposals developed by group will be submitted with information clearly identifying members in support
3. Proposals will be submitted in cdpVA for further review by all stakeholders
4. Proposals will be discussed by General Stakeholder Workgroups to determine the recommendation prior to going to BHCD
5. Nobody is prevented from submitting a related proposal at any time.

6) Discussion

Jeff Brown opened the floor for discussion:

Kurt Roeper: Process questions – will the slides presented today be available to review later?

Jeff Brown: Yes, there's a copy of this presentation in the bottom left box of this Adobe Connect meeting. There will also be a link to the presentation posted in cdpVA.

Kurt: Regarding the current building code development cycle – does it begin with the current Virginia building code (2018 VCC), or with the ICC code (2021 IBC) as a base?

Jeff: It starts with the current Virginia building code regulations (2018 adopted 7/1/21). Any changes proposed, will be changes to the existing VCC. If there are sections of the IBC that are not amended by Virginia, the 2021 ICC text will be the starting point.

Mark Dreyer: Does anyone on the call have any anecdotal examples of ESH installation at a school since the 2018 VCC code became effective in July?

Jeff Brown: Unaware of any specific examples. He said he would check into it, and also asked group members to share if they find any occurrences.

Mark: He's looking for testimony from individuals who have seen these approved and installed, and thinks it could be useful to the group discussion.

Cindy Davis: As a reminder, Augusta County schools installed something and it precipitated the General Assembly discussion. We could reach out to Augusta County.

Mark: To clarify, he is wondering if any barricades have been approved and installed in any schools after July 2021, using the new Virginia 2018 code language; to see if there were any lessons learned, or expectations not met.

Mark Dreyer: is wondering if they can start a discussion now on what is a 'public building'.

Jeff: His impression is that the intent was not to consider every building open to the public, but that it was more geared towards governmental buildings.

Mark: Was certainly thinking state buildings would be included, but could it also include local city or county buildings (ex: Henrico public library)?

Jimmy Moss: typed in that he agreed with the initial thought that public buildings include state and local.

Cindy: shares a reminder that the legislation came in on the heels of the Virginia Beach shooting. It is probably on point to think state and local government buildings. This may require a new definition.

Jeff: Identifying what is a public building will need to be agreed upon by the group. This is a good start for homework, and a good start for any proposal that is recommended.

7) Next Meeting and pre-meeting work:

Jeff Brown: Prior to next meeting:

1. Review existing code requirements and reach out to DHCD with any questions.
2. Identify other devices or security measures for doors and windows – provide to DHCD by 12/20
3. Identify any other helpful/relevant information (reports/data) for review – provide to DHCD by 12/20

If anyone has something for the group to consider between now and the next meeting, notify DHCD or Jeff directly, so it can be distributed to the current Study Group and interested party email list.

Next Meeting (Virtual):

January 5, 2022

9:00 am to 3:00 pm

(with lunch break from 12:00 pm to 1:00 pm)

Jeff will try to send the agenda before the holidays (around 12/22)

DHCD attempts to publish all meeting summaries within a week or so for review.

Jeff thanked everyone and dismissed the group with happy holiday wishes.

AGENDA

Active Shooter and Hostile Threats in Public Buildings Study Group

January 5, 2022

9:00 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

I) Welcome

II) Discussion

a) Study Group Members - Initial Thoughts

b) SB333/HB670

e) Documents Submitted by Members

i) Ernie Little - VFPA

III) Other

IV) Assignments and Next Steps

V) Next Meeting

Active Shooter and Hostile Threats in Public Buildings Study Group

Meeting Summary: January 5, 2022 9:00 a.m. to 10:42 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

ATTENDEES:

VA Department of Housing and Community Development (DHCD) Staff:

Jeff Brown: *State Building Codes Director, State Building Codes Office (SBCO)*

Richard Potts: *Code Development and Technical Support Administrator, SBCO*

Paul Messplay: *Code and Regulation Specialist, SBCO*

Jeanette Campbell: *Administrative Assistant, Building and Fire Regulations (BFR)*

Kyle Flanders: *Senior Policy Analyst, Policy and Legislative Office*

Study Group Members:

Jimmy Moss: *Virginia Building and Code Officials Association (VBCOA)*

Ernie Little: *Virginia Fire Prevention Association (VFPA), Virginia Fire Services Board (VFSB)*

Billy Hux: *Virginia Department of Fire Programs (VDFP), Virginia State Fire Marshal's Office*

Mark Dreyer: *Virginia Department of General Services (DGS), Division of Engineering and Buildings, State Review Architect*

Lt. James Garrett: *City of Chesapeake Police Department, Lieutenant in charge of S.W.A.T., and 911 coordinator*

Cmdr. Chris Kuyper: *Roanoke County Police Department Commander, Special Operations instructor for county, FBI active shooter taskforce, Washington DC*

Kurt Roeper: *Door and Hardware Institute*

Capt. Christopher Barry: *Virginia Fire Chiefs Association (VFCA), Fire Prevention Inspector-Loudoun County*

Jim Crozier: *Virginia Association of Counties; Orange County*

Rob Comet: *American Institute of Architects-VA, Retired architect with experience in schools*

Other Interested Parties:

Ken Cook: *Allegion*

Sean Farrell: *Prince William County*

Study Group Members not in attendance:

Sgt. Patrick Green: *Virginia State Police, First Sergeant and training manager*

Frederick Presley: *Stafford County*

Jack Taylor: *Nightlock*

Teri Morgan: *Virginia Board for People with Disabilities Executive Director*

Welcome

Jeff: Welcomed attendees and performed several mic checks to make sure people could be heard. He asked for individuals to stay muted unless they are speaking, and to introduce themselves when speaking. He let everyone know there would be 5 minute breaks each hour, and a one hour break for lunch. He also indicated that the meeting is open to everyone, but only study group members should join in the discussion. He gave Rob Comet the opportunity to introduce himself, as he missed the previous meeting. He introduced himself as a retired architect with experience in schools. He is representing the American Institute of Architects, Virginia.

Discussion

Jeff: The summary from this group's December 8th meeting contained an error on page 4. The 2018 change to the VCC Section 1010.1.9.8 said, "Delayed Egress: Exception to clarify that ESH shall be considered a delayed egress locking system." This should actually say, "Delayed Egress: Exception to clarify that ESH shall **not** be considered a delayed egress locking system." This will be corrected on the DHCD website and in the cdpVA link. The Last meeting was focused on background information. This discussion today will proceed with thoughts and comments based on previous experience, and ideas on how to move forward. He opened the floor for discussion.

Study Group Members - Initial Thoughts

Rob Comet: Started by asking if there were any other school representatives in the group. He is concerned that the problem may be made worse. In public school discussions in the past, there were concerns about sexual harassment in the classrooms, so windows were put in the classrooms. Then, there was concern about violence, and blinds were added to the windows. He thinks that in most cases, violence in public schools come from within the school, not from outside. Generally, schools are safer than other public spaces. He doesn't want to go too far with barricades by creating new scenarios such as violence within a locked space, fire, firebomb, etc.

Jeff: There are no other school representatives in this group. There were school representatives in the past discussion, but now we're looking at all public buildings.

Chris Kuyper: agrees with Rob. If there's an active shooter in a room with a barricade on the interior door, it will be hard for the police to enter. For that type of circumstance, he agrees with Rob that he doesn't want to make a worse situation. He wants to encourage public buildings to have locks on individual doors, so people can barricade themselves, but still make it accessible for law enforcement personnel to enter the room.

Ernie Little: also shared the concerns about room access. He doesn't think there's a need to fortify a classroom so that people cannot get in or out without the removal of a device. Also, the police would have a problem accessing the shooter and EMS would have trouble accessing patients. Classrooms are different than other public buildings. He provided an example in which each suite in in a building can lock down with a magnetic lock device that can be activated remotely, so that people have to identify themselves coming in. This is more of a training or policy issue than a hardware issue or building code issue. While locking people out is good, there's no need to lock people in a room until a device is removed. He thinks we there are other ways to handle a situation without needing a building code amendment at this time.

Mark Dreyer: He is a DGS architect whose group was involved with initial set of meetings, and they were not in favor of anything being incorporated in the building code, and they still feel that way. NFPA has responded to the dangers of devices in building codes. Everyone should look at that document. Devices in public buildings is even more hazardous than in public schools. Public schools have hierarchy of principal, teachers, etc. to run facilities in a regimented way. Public buildings are not necessarily set up that way. He's leery of applying anything to public buildings.

Billy Hux: from the State Fire Marshal's Office also agrees. Research over several years shows him that an active shooter hasn't gotten past any locked door. We can do our part to make things safer, but let's not compound an issue to fix another one.

Jeff: Jim Crozier is having mic problems and may not be able to participate.

Jeff: Gave a recap of the last meeting. New legislation that initiated this study group gave the directive to develop code change proposals to have additional barricade or safety devices to prohibit active shooters. Some may not be in support of any kind of barricade, but in order to comply with directive, some kind of proposal needs to go forth for consideration. Anything that goes to the Board for consideration will address the concerns raised. Last cycle, during the school barricades discussions, many were opposed to barricades as unnecessary or unsafe, so for each concern identified (training concerns, improper use, accessibility, maintenance, etc.) the group added something in the proposal to address those concerns. At the end of this process, there will be not just a proposal, but also a report to layout all discussion points, other documents submitted and meeting summaries. There will not be a study group recommendation for approval or disapproval; the study group will gather facts and address concerns. Data and other information submitted to DHCD by study group members and reviewed by the group will be included with the report. The goal is to clarify and simplify the information submitted to the Board, so we should avoid providing duplicated information. Ernie has already submitted some documents that will be discussed today.

Mark: Although DGS didn't support barricades in public schools, there was merit in items added to the code that made it safer than it was (when jurisdictions could put things in as they saw fit). The overarching guidance was good.

Jeff: Summarized some of the changes to the 2018 codes to address previously raised concerns. Existing provisions for schools were discussed at great length last time. Rather than reinventing the wheel, the group should build off of the existing code language. For example, there was a concern about consultation with all stakeholders (fire and law officials), so language was added to ensure consultation with law enforcement and fire prior to approving barricades in schools and notify them once installed. There were no minimum requirements in the codes prior to the 2018 editions, so devices for some schools were being approved through the building code modification process. In the last cycle, minimum requirements went into the code, providing some consistency throughout the state, whenever the devices are being considered. The 2018 code changes outlined 7 minimum requirements for devices:

1. Able to open from the outside
2. Can't violate listing on fire door or any other hardware.
3. For door operation to egress, there can be one additional movement.
4. Can't be used on other doors (permanently installed component).
5. Can only be one type in the building.
6. Requires training for employees and be included in the lockdown plan
7. Must be properly maintained (can be revoked if not used properly, according to the approval)

There were also some other exceptions and details in the building code to correlate with the allowance of devices:

- Can require key or special knowledge to egress
- Can require tight grasping or pinching
- Can be lower than 34"
- Locks & Latches: ESH Added to List (Restraint/Detention)
 - Signage Required (Authorized Personnel Only)
- Unlatching can require 2 operations (vs 1)
- Accessibility exception (only when deployed during hostile event or drill)

Even if a device is approved and installed, it is only allowed to be used during an active shooter event or during drills or training. Otherwise, only regular hardware is in place. Changes that were made in the SFPC:

- Lockdown plan contents
- ESH training records available
- Only authorized use (training, drill, or event)
- ESH Signage "Authorized Personnel Only"
- Maintenance

Between now and the next meeting, DHCD will put together a draft proposal to see what it would look like to take the 2018 changes and modify them to include “public buildings”. It could go into code as a separate section or be incorporated in the existing school provisions. That would be a good starting point for our next meeting and further discussions.

SB333/HB670

Jeff: DHCD was directed to convene the study group to develop proposals to address active shooter and hostile threats in public buildings. A couple of key items included in the legislation:

- 1 Public buildings
- 2 Other devices and measures
3. Ensure compliance with the Americans with Disabilities Act (ADA)

Last meeting, this group discussed the idea that ‘public building’ would be governmental (not all buildings open to public anywhere).

Rob: Once a ‘public building’ provision is approved, the public in general should have the same rights and opportunities.

Jeff: Please clarify.

Rob: If there’s a deemed need for the government to have a barrier device to protect employees, why would corporations not have the same privilege? What is special about a public servant that is different from a corporate servant? While a school is a different environment, a public building is so general. What’s the difference between a government office building and a corporate office building?

Jeff: doesn’t disagree, but he thinks the intent of the legislation was government buildings. It came from government and was meant to address government. If a proposal goes in for a public government building, there can always be someone who says why not other buildings? Anyone can submit a proposal. So, even if this group addresses government public buildings, someone could submit an alternative proposal for all types of buildings. The summary from this group could address what was directed – a proposal for government buildings, and someone else might also submit another proposal through cdpVA, addressing all buildings open to the public.

Mark: He works in the public sector, and is not in favor of barricades. He thinks this is an incremental approach, adding public buildings to schools, then it may ‘bleed’ out into all buildings. He does agree with Jeff that the intent is to cover governmental buildings this cycle. He also agrees with Rob that there’s no difference between someone working in a governmental or corporate office building.

Chris Barry: He researched online for what is defined as a public building. Sometimes it is considered a government-owned building for public assembly, but that is not always true. He found 7 sites that all define it differently. There needs to be a straight forward definition

Jim Garrett: Put a definition in the chat box from existing Virginia code for ‘public building’

§ 2.2-1159. Facilities for persons with physical disabilities in certain buildings; definitions; construction standards; waiver; temporary buildings. A. For the purposes of this section and § 2.2-1160: "Building" means any building or facility, used by the public, which is constructed in whole or in part or altered by the use of state, county or municipal funds, or the funds of any political subdivision of this Commonwealth. "Building" shall not include public school buildings and facilities, which shall be governed by standards established by the Board of Education pursuant to § 22.1-138.

Jeff: He agrees that there are different definitions and doesn’t think the group will get any additional clarification. However, he is pretty confident that the intent is for governmental (municipal) buildings. He asked everyone to look at what Jim put in the chat box, and he put another possible definition in the chat box:

Possible Definition: "Public Building" - a structure or building that is owned, leased, or otherwise occupied by a municipality or the state and used for any municipal or public purposes by the municipality or the state.

Mark: The first definition is based on funding source. In the second definition, the building could have been purchased by a governmental body, so even though it wasn’t originally publicly funded, it could become a public building by a later purchase.

Jeff: Asked everyone to keep thinking about a public building definition and submit any thoughts. They should keep in mind that they don't want to leave any loopholes.

Mark: He thinks it is important for the discussion to reiterate that this proposal would be something that would allow owners to install barricades, but it would not mandate that they be installed anywhere.

Jeff: Good point. It's similar to schools, where it doesn't mean that every school has to have barricades. If this is directed to public buildings, it would only lay out minimum requirements for approval and installation, if someone desires to install them. They would still have to first apply for a permit to install, the local building official would be required to consult with fire and law enforcement, and then all minimum requirements would be required to be met, etc.

{7 minute break: 9:58am - 10:05am}

Jeff: Chris Kuyper put another possible definition in the chat box. The group should continue to consider these definitions and circle back to this discussion later. They do need to pick a direction. He still believes that the proposal should only address municipal/government buildings, but he does want everyone to voice their opinion.

I like this definition of a public building from DOE: According to 10 CFR 420.2 [Title 10 – Energy; Chapter II -- Department of Energy; the term public building means “any building which is open to the public during normal business hours, including: (1) Any building which provides facilities or shelter for public assembly, or which is used for educational office or institutional purposes; (2) Any inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant, or other commercial establishment which provides services or retail merchandise; (3) Any general office space and any portion of an industrial facility used primarily as office space; (4) Any building owned by a State or political subdivision thereof, including libraries, museums, schools, hospitals, auditoriums, sport arenas, and university buildings; and (5) Any public or private non-profit school or hospital.10:05 AM

Jeff: Read off what the bill asked for regarding ingress and egress prevention. The main thing that is seen for preventing ingress and egress is what are typically called barricade devices. They looked at various devices last time, and Jeff also just performed a search looking for new types of devices or technology that might comply with some of the 7 minimum requirements in current code (permanently installed component, releasable from the exterior, only one additional motion to remove, etc.), but did not see anything new since last cycle. If anybody is familiar with other types of devices, please send to DHCD.

Jeff: The language of the bill says that proposals should be developed while maintaining compliance with the ADA. The ADA is a federal law from the DOJ and DOT (standards are available for free online). The ADA requirements aren't code or construction provisions, but it is a law that owners and regulators have to comply with. It is important to understand that the individuals that will be enforcing the building and fire codes are not authorized to interpret or enforce ADA law. He pulled an excerpt from the legislation and put it in the chat box:

DOJ's and DOT's ADA Standards are not a building code, nor are they enforced like one. They constitute design and construction requirements issued under a civil rights law. The ADA's mandates, including the accessibility standards, are enforced through investigations of complaints filed with federal agencies, or through litigation brought by private individuals or the federal government. There is no plan review or permitting process under the ADA. Nor are building departments required or authorized by the ADA to enforce the ADA Standards (some building departments even include a disclaimer on their plan checks indicating that ADA compliance is not part of their approval process). Entities covered by the law ultimately are responsible for ensuring compliance with the ADA Standards in new construction and alterations.

Jeff: The building code is the minimum, but a building owner is also responsible for complying with ADA. In recognition of this last cycle, language was put in to address compliance with ADA. The same existing language can be utilized to address ADA concerns with this new proposal:

The (owner) “should consult with their legal counsel regarding provisions of the Americans with Disabilities Act of 1990...and any other applicable requirements.

Chris K: The best way to bar someone from a room is a lock on a door. A government building owner would identify a good lock down location(s) in their space. No active shooter has penetrated a locked room in his

experience. He doesn't think there's a need for additional hardware. In VA Tech, if there was a lock on the door, the shooter wouldn't have penetrated the rooms. A lock initiated from inside a room that can easily be opened from the inside and be accessible to law enforcement, which is ADA compliant, is the best solution.

Jeff: Those same thoughts were expressed last cycle. There are some newer types of hardware that are substantial in their locking mechanism, but still only require one motion to unlatch from inside and use a key from outside. There was a lot of concern previously in schools that retrofitting typical door locks was cost prohibitive, so some were interested in installing barricade devices as an alternative.

Chris K: Some of the barricades are confusing, and people may not know how to use them, as opposed to a standard simple door lock.

Mark: In state buildings in VA today, the ADA is reviewed in the permitting process, and it stands as the accessibility guidelines for code. For example, if there was barrier today in a state building, other than in schools, it would be rejected per the ADA.

Jeff: Since the proposal will be for government buildings only, the building official will be determining code compliance if devices are proposed, and the locality as the building owner will also be responsible for ensuring ADA is complied with as well.

Documents Submitted by Members

Ernie Little - VFPA

Jeff: Ernie had to step away, so this topic was tabled to the next meeting.

Mark Dreyer:

Mark: Submitted articles with information supporting that there's been no forced entry by an active shooter when there's a locked door. Layering barricades on top of a door lock could add to confusion, lack of training, loss of device or method to unlock and other problems can occur. Retrofitting in Public Schools which don't have modern locking mechanisms made barricades popular as an easy fix. He doesn't want to keep discussing things that were already discussed, but he did want to share the articles.

Article links from Mark Dreyer:

<https://idighardware.com/2020/01/decoded-barricade-devices-and-the-ada-march-2019/>

<https://www.tsbulletproof.com/blog/school-door-barricades-could-create-safety-concerns/>

Other

Jeff: Opened the floor for anyone to discuss anything of interest. There was no further discussion.

Assignments and Next Steps

Jeff: Asked if there are any examples of implementing existing school barricades that went into effect since the 2018 code changes? DHCD will search for some. If anyone else knows of any, please share with DHCD before the next meeting.

Jeff: What are other states and jurisdictions doing regarding barricades?

Mark: volunteered to research. He knows that he hasn't seen any public universities come through the permitting process for barricade devices in VA.

Jeff: knows of some other schools in VA that put in barricades prior to the 2018 changes, so DHCD staff will reach out to them. Again, if there is any other information to share, please send to DHCD by January 18th at the latest, in order to get the agenda out a week ahead of the next meeting.

Next Meeting

DHCD will send a Doodle poll to select a date for the next meeting during the week of Jan 24-28.

It will be scheduled from 9am - 3pm with an hour lunch break.

It will be a virtual meeting through Adobe. DHCD will send the agenda before the meeting.

DHCD will have a working draft proposal for public buildings based on the 2018 school proposal.

AGENDA

Active Shooter and Hostile Threats in Public Buildings Study Group

January 26, 2022

9:00 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

I) Welcome

II) Discussion

A) Documents Submitted by Ernie Little (VFPA)

B) Other States and Jurisdictions

C) Virginia Experiences

D) Draft Proposal

III) Other

IV) Assignments and Next Steps

V) Next Meeting

Active Shooter and Hostile Threats in Public Buildings Study Group

January 26, 2022 9:00 a.m. to 10:20 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

ATTENDEES:

VA Department of Housing and Community Development (DHCD) Staff:

Cindy Davis: *Deputy Director, Building and Fire Regulations (BFR)*

Jeanette Campbell: *Administrative Assistant, BFR*

Jeff Brown: *State Building Codes Director, State Building Codes Office (SBCO)*

Richard Potts: *Code Development and Technical Support Administrator, SBCO*

Paul Messplay: *Code and Regulation Specialist, SBCO*

Florin Moldovan: *Code and Regulation Specialist, SBCO*

Kyle Flanders: *Senior Policy Analyst, Policy and Legislative Office*

Study Group Members:

Jimmy Moss: *Virginia Building and Code Officials Association (VBCOA)*

Ernie Little: *Virginia Fire Prevention Association (VFPA), Virginia Fire Services Board (VFSB)*

Mark Dreyer: *Virginia Department of General Services (DGS), Division of Engineering and Buildings, State Review Architect*

Jack Taylor: *Nightlock*

Kurt Roeper: *Door and Hardware Institute*

Christopher Barry: *Virginia Fire Chiefs Association (VFCA), Fire Prevention Inspector-Loudoun County*

Jim Crozier: *Virginia Association of Counties; Orange County*

Other Interested Parties:

Ken Cook: *Allegion*

Sean Farrell: *Prince William County*

Study Group Members not in attendance:

Rob Comet: *American Institute of Architects-VA, Retired architect with experience in schools*

James Garrett: *City of Chesapeake Police Department, Lieutenant in charge of S.W.A.T., and 911 coordinator*

Chris Kuyper: *Roanoke County Police Department Commander, Special Operations instructor for county, FBI active shooter taskforce, Washington DC*

Billy Hux: *Virginia Department of Fire Programs (VDFP), Virginia State Fire Marshal's Office*

Patrick Green: *Virginia State Police, First Sergeant and training manager*

Frederick Presley: *Stafford County*

Teri Morgan: *Virginia Board for People with Disabilities Executive Director*

AGENDA AND DISCUSSION ITEMS:

I) Welcome

Jeff Brown: Reminded the group that the meetings are recorded. Thanked everyone for their time. He's hoping to wrap up discussions today, finalize the proposal and begin working on the report. He asked everyone to be sure and speak up if they had anything to add to the discussion. He gave instructions for members to remain muted unless speaking, and to use the 'raise hand' feature to ask to speak. The study group members are listed in the box on the left. The meeting summary from the last study group meeting has been posted on the DHCD website and is available in cdpVA. He encouraged everyone to review it and let the staff know if there were any corrections needed. The summary from this meeting should be available in about a week. There will be breaks each hour. He asked members to identify themselves when speaking.

II) Discussion

A) Documents Submitted by Ernie Little (VFPA)

Jeff: asked Ernie to talk about the documents he submitted, since he had to step away from the meeting last time and these documents were not able to be discussed. However, Ernie was not signed in yet. Jeff said they would circle back to this later, when Ernie is available.

B) Other States and Jurisdictions

Jeff: Mark said in the last meeting that he would look for information on what other states and jurisdictions are doing about barricade devices.

Mark Dreyer: looked into the state of Virginia, and did not see any new activity in any of the jurisdictions he looked into.

Jeff: Anyone else?

Chris Barry: Asked the schools in his district, and there's nothing new in Loudoun.

C) Virginia Experiences

Jeff: DHCD staff sent a Memo to all Virginia building officials asking them to share any experiences with approving barricade devices in their jurisdictions since the 2018 code changes went into effect on July 1, 2021. There was no response to the request. DHCD also reached out to Augusta County schools, who did install devices prior to the 2018 code update. They still use the devices and it's working well for them. They have procedures in place for maintenance of the devices and training. They are looking into adding them in more schools.

Jack Taylor: His company Nightlock is based in Michigan. He says they have had increased activity recently. They currently have devices in 62 schools in VA. He is also working with a few VA schools, who are looking into their devices, but none of them have mentioned the new code.

Jeff: For the benefit of those that were not able to attend the previous meetings, he summarized the background discussions and activities around barricades in schools last cycle, and the directive to address barricades in public buildings this cycle.

D) Draft Proposal

Jeff: DHCD has drafted a proposal to meet the intent of the directives given by SB 333 and HB 670, understanding that some in the study group may not support it. The full report will outline the information discussed, including concerns. When the report and proposal are complete, there will still be opportunity to discuss and raise any concerns in the Workgroup meetings before being sent to the Board for a decision.

Jack: stated that the Naval technical training center in VA is using barricades and that while Nightlock barricades are mainly used in schools, they are used in other public buildings as well. He indicated they have barricades in municipal, military, government, corporate and retail buildings. They are primarily in place to protect employees, and give them a place to retreat to and shelter in place if needed.

Jeff: Reviewed the proposal drafted by the DHCD staff, which was sent out with the agenda and is available in the file pod on the left of the meeting space. Section 108.1 - when applications are required. This would impact the devices in any occupancy. Alteration to means of egress already required a permit per the code. Last cycle, language was added to include requiring a permit when adding barricade devices. The draft proposal includes language to require a permit for removing barricade devices as well.

Jimmy Moss: They were able to do all of this previously, but the wording in the proposal is good because it makes it very clear to everyone what is specifically required.

Mark: DEB would not issue a permit for removal. It would be better to say that removal should be coordinated with first responders and the training program.

Kurt Roeper: The existing Code requires permitting and approval of devices. According to a statement made earlier by a study group member, there are at least 62 schools in VA that have installed the devices, but DHCD did not get any response back from building officials when asked for examples of installed devices. How does that reconcile?

Jeff: There were a number of these devices installed prior to the 2018 USBC going into effect. They probably would have been installed with approval of a building official using a code modification or other process. At a previous Study Group meeting, it was acknowledged that barricade devices were already installed. DHCD staff asked for examples of any installations using the new 2018 regulations (effective July 1, 2021). DHCD didn't hear back from building officials on that request.

Jack: The same thing happened in Michigan. Sometimes, when a state goes through the regulating process, schools will wait a bit before implementing the new rules or guidelines. If he knows of any new code changes, he would definitely share those with all schools (or other buildings) who request devices in the state.

Kurt: is concerned that there may be many undocumented installations, where first responders may not have received notification.

Jeff: He isn't sure about what process each of the schools may have used prior to the 2018 code change. However, Augusta's approval process did include coordination and consultation with local law enforcement and first responders

Jeff: finished reviewing the proposal:

- 110.1.1 - Talks about notifying officials of removal of devices.
- Chapter 2 – definition of Public Building was added according to the previous Study Group discussions.
- 1010.2.8 - Was changed to include public buildings.
- 1103.2.15 - Added 'and public buildings'
- 1031.11 In SFPC – Added 'the conditions of its approval' to indicate that a change in building use would nullify the approval, as it was conditioned on the building use. As in a change of occupancy from public to private use for example.
- Reason statement – in compliance with SB 333 and HB 670 to expand the use of barricade devices to public buildings.

Jack: asked if under the draft proposal, there was a change in occupancy, the new owner could apply for use?

Jeff: The proposal would limit approval to "public buildings". The Study Group's directive is only for public buildings. It doesn't prevent anyone from submitting another proposal using different language, which would go to the Workgroups for consideration.

Chris: Indicated that he does not like the generic term 'notify first responders'.

Jeff: Highlighted section 110.1.1 listing the titles of the various officials (which was not changed).

Chris: stated there's a big difference between schools and public building staff structure. He wanted to review the training section.

Jeff: Reminded the group that there's no change to the language in 1010.2.8 #5 – The approval process includes checks to make sure that they are training as required and also requires that they make their training records available for inspection.

Jeff: If there are no other questions or concerns, DHCD will finalize the proposal and put it in cdpVA. They will also begin preparing the report to capture the thoughts and comments of group members. If all in the group support a proposal, they will typically put the study group's name on the proposal. Knowing that's not the case here, he wants to know who supports this, in order to put the proponent names on the proposal. Jeff asked for a show of hands (thumbs up or thumbs down) to indicate those who would support approval of the proposal to add barricades in public buildings.

Ernie Little: asked if he could review his proposal before the vote.

Jeff: wanted to vote first on the DHCD proposal separate from Ernie's proposal. The vote resulted in Jimmy Moss, Ernie Little, Jack Taylor and Chris Barry giving thumbs up, indicating that they would support approval of the DHCD proposal. Mark Dreyer and Kurt Roeper voted with thumbs down to indicate that they would not support approval of the proposal. Jim Crozier did not give thumbs up or thumbs down to indicate his position. Jeff will reach out again one last time for proponents before the draft is submitted for public viewing in cdpVA to confirm whose names will be added as co-proponents of the proposal. He reminded the group that it will be discussed again at the General Stakeholder Workgroup meeting.

A) (Revisit) Documents Submitted by Ernie Little (VFPA)

Ernie: Provided 3 documents (first 2 are background / informational)

1. Lori Greene, door & hardware manufacturers - myths & facts
2. NFPA 3000 toolkit - basis for developing a lockdown plan.
3. Code change proposal: amending 404.2.3.3 ASHER Program Compliance – “The development, operation and maintenance of lockdown plans, including the use of emergency supplemental hardware, shall be in accordance with chapter 9 of NFPA 3000”.

Jack: Likes this; he says there are a lot of devices on the market, and there are only some that comply with code and should be approved. At the permitting process level, they need to have the same information and guidelines to decide whether to approve or not. The article by Lori Greene, door hardware industry, doesn't give enough factual information. Barricades are in competition with other door hardware. Lori lumps all barricade devices together. Some are safe to use and some are not as safe. The door hardware industry thinks that all barricades are in competition with them, so they lump them all together, and that's not a true representation.

Jeff: This discussion will be part of the summary. Ernie's proposal is not specific to public buildings. We can mention it as part of the discussions. This change could be submitted separately, and could include co-proponents. DHCD can assist Ernie with submitting the proposal on cdpVA.

Ernie: Yes, thanks. What does the group think?

Jeff: After Ernie finalizes and submits the proposal on cdpVA, DHCD can circle back to this group to ask for proponents.

Ernie: He asked about the additional public building definitions that he sent via email to Jeff.

Jeff: The definition used in the DHCD drafted proposal was based on group discussions in previous meetings. However, Ernie later submitted some additional definitions for consideration.

{BREAK 10:02 – 10:07}

Jeff: Asked Ernie to discuss the definitions of public buildings that he sent over.

Ernie: He provided a few, and he also put together one from all the choices as his favorite. It included examples of the types of buildings, which he thinks is missing from the DHCD draft proposal.

Jeff: asked the group to review & compare with the definition they chose in the DHCD draft proposal. There were no hands or comments, so he asked once more – if anything Ernie submitted would change the DHCD proposal. Seeing no response, the group will go forward with original draft definition proposed.

II) Other

Nothing further to review.

IV) Assignments and Next Steps

Jeff: DHCD will prepare and finalize the proposal and begin working on the report with the SG discussions noted. DHCD will put the proposal in cdpVA. They will also help Ernie with his proposal. These proposals should be submitted in time to be discussed at the April Workgroup meetings. The Workgroup date for this proposal is April 12th. The Workgroup date for SFPC and Ernie's proposal is April 15th. He asked group members to attend if they could to provide any additional perspective to the discussions. When the Workgroup sends the proposal to BHCD with their recommendation to approve or not, the summary report with SG and WG discussions will also be sent as a package.

V) Next Meeting

Jeff: There's no need for another meeting. He thanked the group members for their participation and closed the meeting.

APPENDIX B: Study Group Members

ACTIVE SHOOTER AND HOSTILE THREATS IN PUBLIC BUILDINGS

Study Group Members

Jimmy Moss – [Virginia Building and Code Officials Association](#)

Rob Comet – [American Institute of Architects, VA Chapter](#)

Ernie Little – [Virginia Fire Prevention Association](#)

Billy Hux – [Virginia Department of Fire Programs](#)

Mark Dreyer – [Virginia Department of General Services](#)

Patrick Green – Virginia State Police

Frederick Presley - Stafford County

Jim Crozier - Orange County

James Garrett - City of Chesapeake Police Department

Chris Kuyper - Roanoke County Police Department

Jack Taylor – [Nightlock](#)

Kurt Roeper - [Door Hardware Institute](#)

Teri Morgan - [The Virginia Board for People with Disabilities](#)

Chris Barry – Loudoun County

APPENDIX C: Supporting Documentation



**VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT**

Partners for Better Communities¹

Active Shooter and Hostile Threats in Public Buildings Study Group

December 8, 2021 Meeting

2021 Code Development Cycle



Cindy Davis, Deputy Director of Building and Fire Regulations

Jeff Brown, State Building Codes Office Director

Richard Potts, Code Development and Technical Support Administrator

Florin Moldovan, Code & Regulation Specialist

Paul Messplay, Code & Regulation Specialist

Jeanette Campbell, Administrative Assistant

Study Group members



- Jimmy Moss - VBCOA
- Rob Comet - AIA Va
- Ernie Little - VFPA
- Billy Hux - VDFP
- Mark Dreyer - DGS
- Patrick Green - VSP
- Frederick Presley - Stafford County
- Jim Crozier - Orange Co.
- James Garrett - City of Chesapeake
- Cmdr. Chris Kuyper - Roanoke County
- Jack Taylor - Nightlock
- Kurt Roeper - Door Hardware Institute
- Teri Morgan - VBPD

2021 code development cycle (tentative dates)



October 1st cdpVA was opened for submission of code change proposals for the 2021 Code Development Cycle

November 2021: Notices of Intended Regulatory Action (NOIRAs) Published

December 2021: Study Groups begin meeting

February 2022: Sub-Workgroups begin meeting

March-June 2022: Stakeholder Workgroup meetings

September 2022: BHCD meets to consider proposals

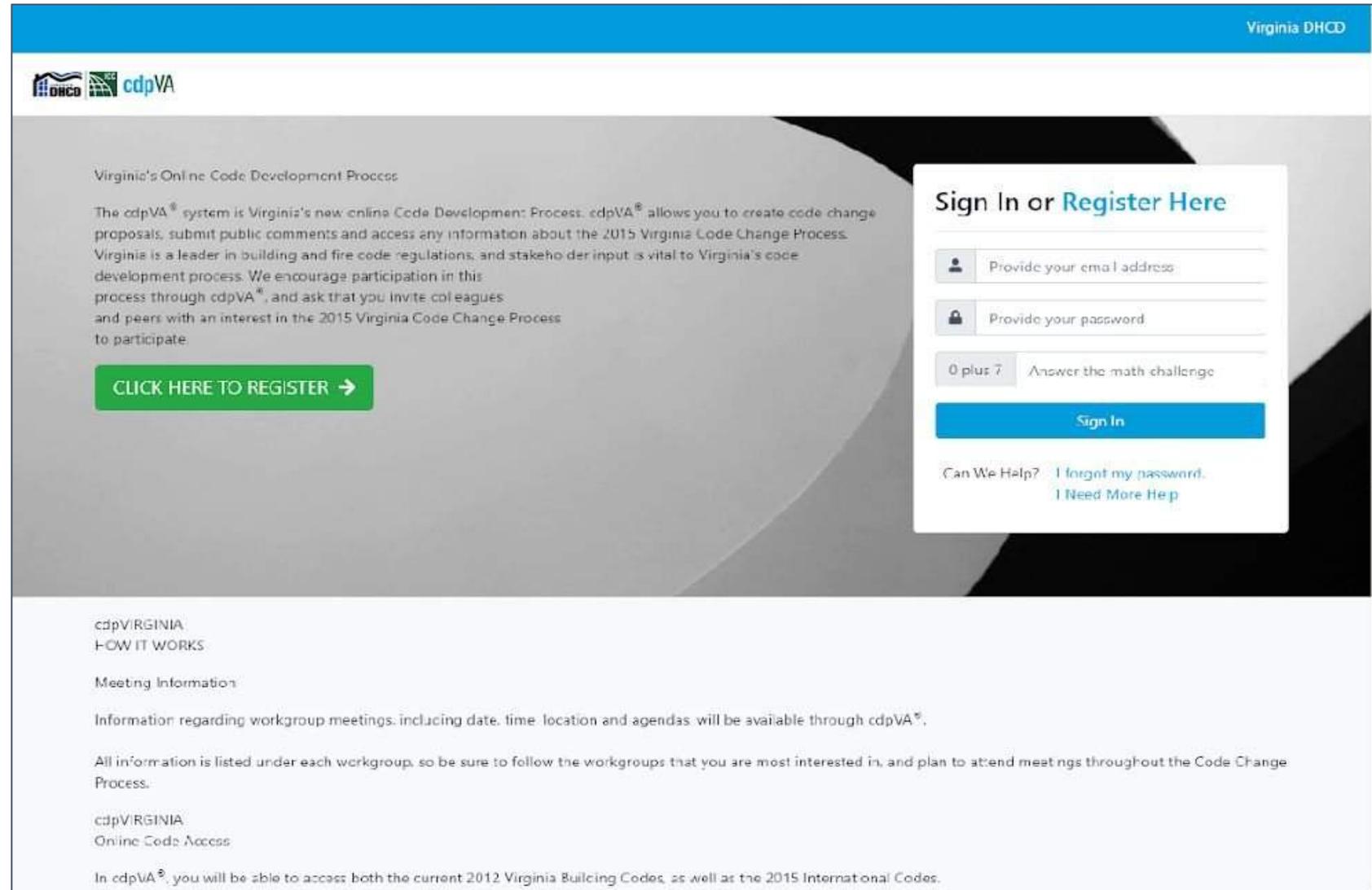
December 2022: BHCD considers proposed regulations

Fall/Winter 2023 = 2021 Virginia Codes Effective (Tentative)



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Virginia's online code development System (cdpVA)



Virginia DHCD

Virginia's Online Code Development Process

The cdpVA[®] system is Virginia's new online Code Development Process. cdpVA[®] allows you to create code change proposals, submit public comments and access any information about the 2015 Virginia Code Change Process. Virginia is a leader in building and fire code regulations, and stakeholder input is vital to Virginia's code development process. We encourage participation in this process through cdpVA[®], and ask that you invite colleagues and peers with an interest in the 2015 Virginia Code Change Process to participate.

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HOW IT WORKS

Meeting Information

Information regarding workgroup meetings, including date, time, location and agendas, will be available through cdpVA[®].

All information is listed under each workgroup, so be sure to follow the workgroups that you are most interested in, and plan to attend meetings throughout the Code Change Process.

cdpVIRGINIA
Online Code Access

In cdpVA[®], you will be able to access both the current 2012 Virginia Building Codes, as well as the 2015 International Codes.

- Study specific topics that require additional review and discussion
- Identify areas of consensus and disagreement
- Determine if code change proposals or other solutions are appropriate
- May review proposals, provide analysis, make recommendations, and/or develop code change proposals
- Proposals and recommendations of Study Groups are reviewed by the General Workgroups prior to BHCD consideration

- Review all code change proposals within their subject topics, prior to the proposals being considered by the General Workgroups
- Make recommendations on each proposal, including negotiating compromises where appropriate
- May also develop new code change proposals, or support proposals submitted by others by joining the proposal as a proponent

- All meetings are open to attendance and participation by anyone
- Review and discuss all submitted code change proposals, including all proposals and recommendations from Study Groups and Sub-Workgroups
- A workgroup recommendation is determined for each proposal and the recommendation is provided to the Board of Housing and Community Development
- Workgroup recommendations are classified as follows:

Consensus for Approval: No workgroup participant expressed opposition to the proposal

Consensus for Disapproval: Any workgroup participant expressed opposition to the proposal and no workgroup participant, other than the proponent, expressed support for the proposal.

Non-Consensus: Any workgroup participant expressed opposition to the proposal

SB 1755 directed DHCD to convene stakeholders to develop USBC and SFPC proposals, with the goal of assisting in the provision of safety and security measures for active shooter or hostile threats:

- Commonwealth's elementary and secondary schools
- Public or private institutions of higher education

SB 1755

The review conducted by the stakeholders shall include the examination of:

- locking devices,
- barricade devices, and
- other safety measures that may be utilized in an active shooter or hostile threat situation that occurs in any classroom or other area where students are located for a finite period of time.

School Safety Sub-Workgroup Timeline (2018 Cycle)

- **February - March 2019** - School Safety Sub-workgroup formed
- **April - August 2019** - School Safety Sub-workgroup convened
- **October 2019** - BHCD approved proposal B108.1-18
- **December 2020** - BHCD approves final 2018 USBC and SFPC
- **July 1, 2021** - 2018 USBC and SFPC effective

2018 IBC code sections

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.

1010.1.4.4.1 Remote operation of locks. Remote operation of locks complying with Section 1010.1.4.4 shall be permitted.

2018 School Safety Sub-workgroup

- Four all day meetings held
- Multiple code change proposals and versions considered
- Ultimately, full consensus not reached on any proposal
- Two proposals (options) submitted for BHCD consideration
 - B108.1-18: compliance path in VCC for “emergency supplemental hardware”
 - BO101.1: add VCC appendix (for local adoption) that includes compliance path for “emergency supplemental hardware”

Proposal B108.1-18 (Approved)

- “Emergency supplemental hardware” allowed when in compliance with specific conditions for approval
- Emergency supplemental hardware allowed in Group E occupancies (except Group E day care facilities) & Group B educational occupancies
- Proponents: Virginia Building & Code Officials Association; Virginia Department of Education; Augusta County Public Schools; American Institute of Architects (AIA) Virginia; Virginia Tech.
- Approved emergency supplemental hardware requirements for schools included in 2018 USBC and SFPC (effective July 1, 2021)

Proposal BO101.1-18 (Not Approved)

- Technical requirements for emergency supplemental hardware similar to requirements of proposal B108.1-18
- Would have resulted in emergency supplemental hardware being allowed in some localities (where appendix adopted) but not in others
- Proponents: Steven Sites, Virginia Department of Fire Programs; Virginia Fire Prevention Association (VFPA); and Linda Hale (Loudoun County)

SB 333 and HB 670 direct DHCD to convene stakeholders to develop USBC and SFPC proposals with the goal of assisting in the provision of safety and security measures for the Commonwealth's public buildings for active-shooter or hostile threats.

SB 333 and HB 670

- Develop proposals for changes to the USBC and SFPC for submission to the Board of Housing and Community Development
 - Proposals to provide safety and security measures for “public buildings” for active-shooter or hostile threats.
 - Proposals to maintain compliance with basic ADA accessibility requirements
- Include examination of door locking devices, barricade devices, and other safety measures on doors and windows for the purpose of preventing both ingress and egress in the event of a threat to the physical security of persons in such buildings

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2018 USBC

New term defined:

EMERGENCY SUPPLEMENTAL HARDWARE. Any approved hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill.

2018 USBC

Section 108.1 When applications are required. Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities....

1. Construction or demolition of a building or structure. Installations or alterations involving (iv) the alteration of any required means of egress system, including the addition of emergency supplemental hardware,.....

2018 USBC

Consultation and notification requirements added:

110.1.1 Consultation and notification. Prior to approval of emergency supplemental hardware, the building code official shall consult with the local fire code official, or state fire code official if no local fire code official exists, and head of the local law-enforcement agency. The local fire code official; the state fire code official; and the local fire, EMS, and law-enforcement first responders shall be notified of such approval, after approval of such emergency supplemental hardware by the building code official.

2018 USBC

General (amended 2018 IBC Section 1010.1.4.4)

1010.1.4.4 Locking arrangements in educational occupancies. In Group E occupancies, except Group E day care facilities, and Group B educational occupancies, exit access doors from classrooms, offices, and other occupied rooms, except for exit doors and doors across corridors, shall be permitted to be provided with emergency supplemental hardware where all of the following conditions are met:

2018 USBC

Seven general conditions

1. The door shall be capable of being opened from outside the room with a key, proprietary device provided by the manufacturer, or other approved means.
2. The door shall be openable from within the room in accordance with Section 1010.1.9, except emergency supplemental hardware is not required to comply with Chapter 11.

Note: School officials should consult with their legal counsel regarding provisions of the Americans with Disabilities Act of 1990 (42 USC § 12101 et seq.) and any other applicable requirements.

2018 USBC

Seven general conditions

3. Installation of emergency supplemental hardware on fire door assemblies must comply with Section 716.2. Modifications shall not be made to listed panic hardware, fire door hardware, or door closures.
4. The emergency supplemental hardware shall not be capable of being used on other doors not intended to be used and shall have at least one component that requires modification to, or is permanently affixed to, the surrounding wall, floor, door, or frame assembly construction for it to properly function.

2018 USBC

Seven general conditions

5. Employees shall engage in lockdown training procedures on how to deploy and remove the emergency supplemental hardware, and its use shall be incorporated in the approved lockdown plan complying with the SFPC.

6. The emergency supplemental hardware and its components shall be maintained in accordance with the SFPC.

2018 USBC

Seven general conditions (continued)

7. Approved emergency supplemental hardware shall be of consistent type throughout a building.

Exception: The building official may approve alternate types of emergency supplemental hardware in accordance with Section 110.1 when a consistent device cannot be installed.

2018 USBC

ESH related amendments to general VCC requirements:

1010.1.9 Door operations - Prohibits a key or special knowledge being required for egress

- Exception for ESH provided in accordance with Section 1010.1.4.4

1010.1.9.1 Hardware - Prohibits tight grasping, pinching or twisting of wrist to operate

- Exception for ESH provided in accordance with Section 1010.1.4.4

1010.1.9.2 Hardware height - Requires hardware 34” minimum to 48” maximum above floor

- ESH shall be installed 48” maximum above the finished floor (can be installed below 34”)

2018 USBC

ESH related amendments to general VCC requirements (cont.):

1010.1.9.4 Locks and latches - Conditions where locks and latches are permitted to prevent operation of doors

- New item #7 added for doors equipped with ESH in accordance with Section 1010.1.4.4

“7. Egress doors equipped with emergency supplemental hardware complying with Section 1010.1.4.4, from the egress side provided:

7.1. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

7.2. The use of the emergency supplemental hardware is revocable by the building official or fire official for due cause.”

2018 USBC

ESH related amendments to general VCC requirements (cont.):

1010.1.9.5 Bolt locks - Prohibits manually operated flush bolts or surface bolts

- Exception added for ESH provided in accordance with Section 1010.1.4.4

1010.1.9.6 Unlatching - The unlatching of any door or leaf shall not require more than one operation

- Exception added to allow one additional operation for release of emergency supplemental hardware provided in accordance with Section 1010.1.4.4

1010.1.9.8 Delayed egress

- Exception added to clarify that ESH shall not be considered a delayed egress locking system

2018 USBC

ESH related amendments to general VCC requirements (cont.):

1103.2 General exceptions - Existing section includes exemptions from VCC Chapter 11 (accessibility requirements)

- New Section 1103.2.15 added

1103.2.15 - In Group E occupancies, except Group E day care facilities, and Group B educational occupancies, when emergency supplemental hardware is deployed during an active shooter or hostile threat event and provided in accordance with Section 1010.1.4.4.

2018 SFPC

New term defined:

EMERGENCY SUPPLEMENTAL HARDWARE. Any approved hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill.

2018 SFPC

404.2.3.1 Lockdown plan contents - Section lists items to be included in lockdown plans

- Item 4.4 amended to ensure lockdown plan also includes description of how locking (during initiation of a lockdown) complies with VCC

2018 SFPC

New Section 406.3.4.1 added

406.3.4.1 Emergency supplemental hardware training. Where a facility has installed approved emergency supplemental hardware, employees shall be trained on their assigned duties and procedures for the use of such device. Records of in-service training shall be made available to the fire code official upon request.

2018 SFPC

New Section 1001.4 added

1001.4 Unauthorized use of emergency supplemental hardware. No person shall utilize any approved emergency supplemental hardware to prevent the ingress or egress from any occupied space.

Exceptions:

1. Utilized by authorized persons or other persons occupying such space in the event of any actual or perceived hostile threat or active shooter event.
2. Utilized in conjunction with any approved lockdown drill requiring the utilization of the approved emergency supplemental hardware.
3. Utilization for the testing, use and training by emergency response personnel.

Where such device is utilized in accordance with the Exceptions 1 through 3 above, the hardware device shall be removed immediately following the conditions of such exceptions.

2018 SFPC

Section 1010.1.9 amended

1010.1.9 Door operations. Except as specifically permitted by this section or the applicable building code, egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

2018 SFPC

Section 1010.1.9.4 amended

1010.1.9.4 Locks and latches. Where required, a readily visible durable sign is posted on the egress side on or adjacent to the door stating:

THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED.

The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

Emergency supplemental hardware provided in accordance with the applicable building code shall be provided a readily visible durable sign posted on the egress side on or adjacent to the door stating:

THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY.

The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

2018 SFPC

Section 1031.2 amended

1031.2 Reliability. Unless otherwise permitted by the applicable building code, required exit accesses, exits and exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency where the building area served by the means of egress is occupied. An exit or exit passageway shall not be used for any purpose that interferes with a means of egress.

2018 SFPC

New Section 1031.10 added

1031.10 Maintenance of emergency supplemental hardware. Emergency supplemental hardware shall be installed in accordance with the applicable building code and shall be maintained in accordance with this code and the manufacturer's instructions. The fire code official shall be authorized to direct the practical application of any such hardware device to ensure the device operates as designed, and is free from any defects, damage, or conditions which may restrict the deployment and removal of such hardware device.

Develop and submit USBC and SFPC code change proposals:

- **Public Buildings** - Determine buildings to include
- **Other devices and measures** - Identify and consider various devices or safety measures for doors and windows
- **ADA:** Ensure that any proposals address compliance with basic ADA accessibility requirements

- Study group members will not be expected to join, as a proponent, any code change proposal that they do not support.
- Any code change proposals developed by the group will be submitted with information clearly identifying any members in support.
- Any proposals will be submitted in cdpVA for further review by all stakeholders
- Any proposals will be discussed by the General Stakeholder Workgroup(s) to determine a workgroup recommendation, prior to being considered by the BHCD
- Nothing prevents anyone (study group members or other interested parties) from submitting their own code change proposal(s) related to barricade devices



Prior to the next meeting, please:

- **Review existing code requirements and reach out to other members and/or DHCD staff with any questions**
- **Identify other devices or measures for doors and windows for review**
 - Please provide information to DHCD by December 20th
- **Identify and provide other helpful/relevant information (reports, data, etc.) for review**
 - Please provide to DHCD by December 20th

Note: If any member wants to share information with the group between meetings, please send it to DHCD staff and we will distribute it to our email list to make sure we do not miss any interested parties that might be added to our list as we go along.

Next Meeting (Virtual)

January 5, 2021

9:00 am - 3:00 pm

(lunch break 12:00 pm -1:00 pm)

Link: <https://vadhcd.adobeconnect.com/va2021cdc/>



Division of Building and Fire Regulations

State Building Codes Office

sbco@dhcd.virginia.gov

804-371-7150



cdpVA
45

2019 SESSION

19100912D

SENATE BILL NO. 1755

Offered January 18, 2019

A BILL to direct the Board of Housing and Community Development to revise the Uniform Statewide Building Code and the Statewide Fire Prevention Code to permit the use of temporary barricade devices in classrooms.

Patrons-- Hanger; Delegates: Bell, Richard P. and Campbell, R.R.

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Board of Housing and Community Development (the Board) is directed to revise the Uniform Statewide Building Code and the Statewide Fire Prevention Code, as appropriate, to permit the use, by a staff member of a public or private elementary or secondary school or public or private institution of higher education, of a temporary barricade device on the door of a classroom or any other area where students are located for a finite period of time during an active shooter emergency or active shooter drill. The Board shall require that (i) such device not be permanently mounted to a door, (ii) such device require minimal steps to remove after it is engaged, and (iii) each public or private elementary or secondary school or public or private institution of higher education provide training to its staff members on the use of such device. Additionally, the administrator of any building in which a temporary barricade device is intended to be used shall be required to notify local law-enforcement authorities, local emergency medical services personnel, and the local fire marshal, if one has been appointed, of the intent to use such device prior to its use.*

2020 SESSION**CHAPTER 130**

An Act to direct the Department of Housing and Community Development to convene stakeholders for the purpose of developing proposals for changes to the Uniform Statewide Building Code and the Statewide Fire Prevention Code to address active shooters or hostile threats.

[H 670]

Approved March 4, 2020

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Housing and Community Development is directed to convene stakeholders representing entities that enforce the Uniform Statewide Building Code (USBC) (§ 36-97 et seq.) and the Statewide Fire Prevention Code (SFPC) (§ 27-94 et seq.), other law-enforcement organizations, and representatives of local governments throughout the Commonwealth of Virginia to develop proposals for changes to the USBC and SFPC for submission to the Board of Housing and Community Development. Such proposals shall have the goal of assisting in the provision of safety and security measures for the Commonwealth's public buildings for active shooter or hostile threats while maintaining compliance with basic accessibility requirements under the Americans with Disabilities Act (42 U.S.C. § 12131 et seq.). The review of the stakeholders shall include the examination of (i) door locking devices, (ii) barricade devices, and (iii) other safety measures on doors and windows for the purpose of preventing both ingress and egress in the event of a threat to the physical security of persons in such buildings.*

2020 SESSION**CHAPTER 533**

An Act to direct the Department of Housing and Community Development to convene stakeholders for the purpose of developing proposals for changes to the Uniform Statewide Building Code and the Statewide Fire Prevention Code to address active shooters or hostile threats.

[S 333]

Approved March 31, 2020

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Department of Housing and Community Development is directed to convene stakeholders representing entities that enforce the Uniform Statewide Building Code (USBC) (§ 36-97 et seq.) and the Statewide Fire Prevention Code (SFPC) (§ 27-94 et seq.), other law-enforcement organizations, and representatives of local governments throughout the Commonwealth of Virginia to develop proposals for changes to the USBC and SFPC for submission to the Board of Housing and Community Development. Such proposals shall have the goal of assisting in the provision of safety and security measures for the Commonwealth's public buildings for active shooter or hostile threats while maintaining compliance with basic accessibility requirements under the Americans with Disabilities Act (42 U.S.C. § 12131 et seq.). The review of the stakeholders shall include the examination of (i) door locking devices, (ii) barricade devices, and (iii) other safety measures on doors and windows for the purpose of preventing both ingress and egress in the event of a threat to the physical security of persons in such buildings.*

B108.1-18

VCC: 108.1, 110.1, 110.1.1 (New), (New); IBC®: 1010.1.4.4, 1010.1.4.4.1, 1010.1.9, 1010.1.9.1, 1010.1.9.2, 1010.1.9.4, 1010.1.9.5, 1010.1.9.6, 1010.1.9.8, 1103.2, 1103.2.15 (New); VFC: (New); IFC®: 404.2.3, 404.2.3.1, 404.2.3.2, 406.4.1 (New), 1001.4 (New), [BE] 1010.1.9; VFC: (N) 1010.1.9.3; IFC®: 1031.2, 1031.2.1; VFC: 1031.10 (New)

Proponents: DHCD Staff on behalf of the following stakeholders represented at the School Safety Subworkgroup: Virginia Building & Code Officials Association; Virginia Department of Education; Augusta County Public Schools; American Institute of Architects (AIA) Virgi

2015 Virginia Construction Code

108.1 When applications are required.. Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency *construction*, alterations or *equipment* replacement shall be submitted by the end of the first *working day* that follows the day such work commences. In addition, the building official may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. *Construction* or demolition of a *building* or *structure*. Installations or alterations involving (i) the removal or addition of any wall, partition or portion thereof; (ii) any structural component; (iii) the repair or replacement of any required component of a fire or smoke rated assembly; (iv) the alteration of any required means of egress system including the addition of emergency supplemental hardware; (v) water supply and distribution system, sanitary drainage system or vent system; (vi) electric wiring; (vii) fire protection system, mechanical systems, or fuel supply systems; or (viii) any equipment regulated by the USBC.
2. For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required by the VEBC.
3. Movement of a lot line that increases the hazard to or decreases the level of safety of an existing building or structure in comparison to the building code under which such building or structure was constructed.
4. Removal or disturbing of any asbestos containing materials during the construction or demolition of a building or structure, including additions.

110.1 Approval and issuance of permits.. The building official shall examine or cause to be examined all applications for permits or amendments to such applications within a reasonable time after filing. If the applications or amendments do not comply with the provisions of this code or all pertinent laws and ordinances, the permit shall not be issued and the permit applicant shall be notified in writing of the reasons for not issuing the permit. If the application complies with the applicable requirements of this code, a permit shall be issued as soon as practicable. The issuance of permits shall not be delayed in an effort to control the pace of *construction* of new detached one- or two-family dwellings.

Add new text as follows:

1 110.1.1 New Code Section Consultation and notification.. Prior to approval of *emergency supplemental hardware*, the building code official shall consult with the local fire code official or state fire code official if no local fire code official exists, and head of the local law enforcement agency. The local fire code official, the state fire code official, and the local fire, EMS and law enforcement first responders shall be notified of such approval, after approval of such *emergency supplemental hardware* by the building code official.

1 New Code Section EMERGENCY SUPPLEMENTAL HARDWARE.. Any *approved hardware* used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill.

2018 International Building Code

1010.1.4.4 Locking arrangements in educational occupancies.. In Group E occupancies, except Group E day care facilities, and Group B educational occupancies, egress-exit access doors from classrooms, offices and other occupied rooms ~~shall, except for exit doors and doors across corridors, shall~~ be permitted to be provided with locking arrangements designed to keep intruders from entering the room emergency supplemental hardware where all of the following conditions are met:

1. The door shall be capable of being ~~unlocked~~ opened from outside the room with a key, proprietary device provided by the manufacturer, or other approved means.
2. The door shall be openable from within the room in accordance with Section 1010.1.9, except emergency supplemental hardware is not required to comply with Chapter 11.

NOTE: School officials should consult with their legal counsel regarding provisions of the Americans with Disabilities Act and any other applicable requirements.

3. Installation of emergency supplemental hardware on fire door assemblies must comply with Section 716.2. Modifications shall not be made to listed panic hardware, fire door hardware or door closers.
4. The emergency supplemental hardware shall not be capable of being used on other doors not intended to be used and shall at least one component that requires modification to, or is permanently affixed to, the surrounding wall, floor, door and/or frame assembly construction for it to properly function.

5. Employees shall engage in lockdown training procedures on how to deploy and remove the emergency supplemental hardware and its use shall be incorporated in the approved lockdown plan complying with the SFPC.
6. The emergency supplemental hardware and its components shall be maintained in accordance with the SFPC.
7. Approved emergency supplemental hardware shall be of consistent type throughout a building.
Exception: The building official may approve alternate types of emergency supplemental hardware in accordance with Section 110.1 when a consistent device cannot be installed.

1010.1.4.4.1 Remote operation of locks.. Remote operation of locks complying with Section 1010.1.4.4 shall be permitted.

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.

Exception : Emergency supplemental hardware provided in accordance with Section 1010.1.4.4.

1010.1.9.1 Hardware.. Door handles, pulls, latches, locks and other operating devices on doors required to be *accessible* by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate.

Exception. Emergency supplemental hardware provided in accordance with Section 1010.1.4.4.

1010.1.9.2 Hardware height.. Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor. Emergency supplemental hardware provided in accordance with Section 1010.1.4.4. shall be installed 48 inches (1219 mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height.

Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the latch release on self-latching devices at 54 inches (1370 mm) maximum above the finished floor or ground, provided that the self-latching devices are not also self-locking devices operated by means of a key, electronic opener or integral combination lock.

1010.1.9.4 Locks and latches.. Locks and latches shall be permitted to prevent operation of doors where any of the following exist:

1. Places of detention or restraint.
2. In buildings in occupancy Group A having an *occupant load* of 300 or less, Groups B, F, M and S, and in *places of religious worship*, the main door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:
 - 2.1. The locking device is readily distinguishable as locked.
 - 2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.
 - 2.3. The use of the key-operated locking device is revocable by the *building official* for due cause.
3. Where egress doors are used in pairs, *approved* automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts does not have a doorknob or surface-mounted hardware.
4. Doors from individual *dwelling* or *sleeping units* of Group R occupancies having an *occupant load* of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.
5. *Fire doors* after the minimum elevated temperature has disabled the unlatching mechanism in accordance with *listed fire door* test procedures.
6. Doors serving roofs not intended to be occupied shall be permitted to be locked preventing entry to the building from the roof.
7. Egress doors equipped with *emergency supplemental hardware* complying with Section 1010.1.4.4. from the egress side provided:
 - 7.1. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.
 - 7.2. The use of the *emergency supplemental hardware* is revocable by the building official or fire official for due cause.

1010.1.9.5 Bolt locks.. Manually operated flush bolts or surface bolts are not permitted.

Exceptions:

1. On doors not required for egress in individual *dwelling units* or *sleeping units*.
2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.
3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall not contain doorknobs, *panic* bars or similar operating

4. ^{hardware.} Where a pair of doors serves a Group B, F or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided that such inactive leaf is not needed to meet egress capacity requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall not contain doorknobs, *panic* bars or similar operating hardware.
5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edge- or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress capacity requirements and the inactive leaf shall not contain doorknobs, *panic* bars or similar operating hardware.
6. Emergency supplemental hardware provided in accordance with Section 1010.1.4.4.

1010.1.9.6 Unlatching.. The unlatching of any door or leaf shall not require more than one operation.

Exceptions:

1. Places of detention or restraint.
2. Where manually operated bolt locks are permitted by Section 1010.1.9.5.
3. Doors with automatic flush bolts as permitted by Section 1010.1.9.4, Item 3.
4. Doors from individual *dwelling units* and *sleeping units* of Group R occupancies as permitted by Section 1010.1.9.4, Item 4.
5. One additional operation shall be permitted for release of *emergency supplemental hardware* provided in accordance with Section 1010.1.4.4.

1010.1.9.8 Delayed egress.. Delayed egress locking systems shall be permitted to be installed on doors serving the following occupancies in buildings that are equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or an *approved automatic smoke or heat detection system* installed in accordance with Section 907.

1. Group B, F, I, M, R, S and U occupancies.
2. Group E classrooms with an *occupant load* of less than 50.

~~Exception~~ Exceptions:

1. Delayed egress locking systems shall be permitted to be installed on exit or *exit access* doors, other than the main exit or *exit access* door, serving a courtroom in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1.
2. Emergency supplemental hardware shall not be considered a delayed egress locking system.

1103.2 General exceptions.. *Sites, buildings, structures, facilities,* elements and spaces shall be exempt from this chapter to the extent specified in this section.

Add new text as follows:

1 1103.2.15 New Code Section Emergency supplemental hardware.. In Group E occupancies, except Group E day care facilities, and Group B educational occupancies, when *emergency supplemental hardware* is deployed during an active shooter or hostile threat event and provided in accordance with Section 1010.1.4.4.

2015 Virginia Statewide Prevention Fire Code

Add new text as follows:

1 New Code Section EMERGENCY SUPPLEMENTAL HARDWARE.. Any *approved* hardware used only for emergency events or drills to keep intruders from entering the room during an active shooter or hostile threat event or drill.

2018 International Fire Code

404.2.3 Lockdown plans.. Lockdown plans shall only be permitted where such plans are approved by the *fire code official* and are in compliance with Sections 404.2.3.1 and 404.2.3.2.

404.2.3.1 Lockdown plan contents.. Lockdown plans shall include the following:

1. Identification of individuals authorized to issue a lockdown order.
2. Security measures used during normal operations, when the building is occupied, that could adversely affect egress or fire department operations.

3. A description of identified emergency and security threats addressed by the plan, including specific lockdown procedures to be implemented for each threat condition.
4. Means and methods of initiating a lockdown plan for each threat, including:
 - 4.1. The means of notifying occupants of a lockdown event, which shall be distinct from the fire alarm signal.
 - 4.2. Identification of each door or other access point that will be secured.
 - 4.3. A description of the means or methods used to secure doors and other access points.
 - 4.4. A description of how locking means and methods are in compliance with the requirements of the VCC and the applicable provisions of this code for egress and accessibility.
5. Procedures for reporting to the fire department any lockdown condition affecting egress or fire department operations.
6. Procedures for determining and reporting the presence or absence of occupants to emergency response agencies during a lockdown.
7. Means for providing two-way communication between a central location and each area subject to being secured during a lockdown.
8. Identification of the prearranged signal for terminating the lockdown.
9. Identification of individuals authorized to issue a lockdown termination order.
10. Procedures for unlocking doors and verifying that the means of egress has been returned to normal operations upon termination of the lockdown.
11. Training procedures and frequency of lockdown plan drills.

404.2.3.2 Drills. Lockdown plan drills shall be conducted in accordance with the approved plan. Such drills shall not be substituted for fire and evacuation drills required by Section 405.2.

Add new text as follows:

1 406.4.1 New Code Section Emergency supplemental hardware training. Where a facility has installed approved emergency supplemental hardware, employees shall be trained on their assigned duties and procedures for the use of such device. Records of in-service training shall be made available to the fire code official upon request.

1 1001.4 New Code Section Unauthorized use of emergency supplemental hardware. No person shall utilize any *approved emergency supplemental hardware* to prevent the ingress or egress from any occupied space.

Exceptions:

1. Utilized by authorized persons or other persons occupying such space in the event of any actual or perceived hostile threat or active shooter event.
2. Utilized in conjunction with any approved lockdown drill requiring the utilization of the approved *emergency supplemental hardware*.
3. Utilization for the testing, use and training by emergency response personnel.

Where such device is utilized in accordance with the Exceptions 1 through 3 above, the hardware device shall be removed immediately following the conditions of such exceptions.

[BE] 1010.1.9 Door operations. Except as specifically permitted by this section or the applicable building code, egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

2015 Virginia Statewide Prevention Fire Code

(N) 1010.1.9.3 Locks and latches. Where required, a readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background ~~and shall be maintained.~~ Emergency supplemental hardware provided in accordance with the applicable building code shall be provided a readily visible durable sign posted on the egress side on or adjacent to the door stating: THIS HARDWARE SHALL BE USED BY AUTHORIZED PERSONNEL ONLY. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.

2018 International Fire Code

1031.2 Reliability. ~~Required~~ Unless otherwise permitted by the applicable building code, required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency where the building area served by the *means of egress* is occupied. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a *means of egress*.

1031.2.1 Security devices and egress locks. Security devices, excluding emergency supplemental hardware, affecting *means of egress* shall be subject to approval of the *fire code official*. Security devices and locking arrangements in the *means of egress* that restrict, control, or delay egress

shall be installed and maintained as required by this ~~chapter~~ chapter or as otherwise permitted under the applicable building code.

2015 Virginia Statewide Prevention Fire Code

Add new text as follows:

1 1031.10 New Code Section Maintenance of emergency supplemental hardware. *Emergency supplemental hardware shall be installed in accordance with the applicable building code and shall be maintained in accordance with this code and the manufacturer's instructions. The fire code official shall be authorized to direct the practical application of any such hardware device to ensure the device operates as designed, and is free from any defects, damage, or conditions which may restrict the deployment and removal of such hardware device.*

Reason Statement: This proposal allows limited types of barricade door devices in Group E and B educational occupancies only, by "taking over" the current 2018 IBC language and adding exceptions to the various door-related requirements to allow such hardware. A barricade door device would not necessarily need to go through the code modification process in accordance with VCC 106.3, unless it was a type that did not comply with the "openable from outside," limited height above finished floor requirements, and has a fixed component to function, among others.

Resiliency Impact Statement: This proposal will neither increase nor decrease Resiliency

Cost Impact: The code change proposal will not increase or decrease the cost of construction

Note: The SFPC text shown in this proposal does not reflect the final text in the 2018 SFPC. The text found here has been further modified by the BHCD and by proposals considered during the Final Regulations phase.

8

Myths (and Facts) about Classroom Barricade Devices

By Lori Greene, AHC/CDC, FDAI, FDHI, CCPR

The following myths and facts about classroom barricade devices were presented at the annual conference of the National Association of State Fire Marshals (NASFM), where I represented the Door Security & Safety Foundation in an effort to help each state fire marshal understand the safety concerns associated with the use of secondary locking devices.

NASFM members approved a resolution at the 2015 conference, supporting its Classroom Door Security Checklist. These documents are available on the Foundation's website, doorsecuritysafety.org; on NASFM's website at firemarshals.org; or by visiting iDigHardware.com/schools.

1. MYTH: The benefits of barricade devices outweigh the risks.

FACT: The perceived benefit of barricade devices is the relatively low cost; most ranging from \$50-\$150, and the easy procurement and installation. The school custodian could buy a slide bolt or padlock and hasp at the hardware store and accomplish a similar level of security. Historically, fire marshals have not allowed these security methods, because they're not code-compliant. Some jurisdictions are continuing to enforce current

codes that do not allow these devices, and some are being pressured by school districts and politicians to put the codes aside in favor of security.

2. MYTH: Emergency responders can easily defeat a barricade device.

FACT: I'd like to know how emergency responders are going to gain access to a classroom once a barricade device is in place. There have already been school shootings where the intruder brought materials with them to barricade the doors, including the incidents at Virginia Tech, the

West Nickel Mines schoolhouse, and Platte Canyon High School. At Platte Canyon High School, explosives were used by emergency responders to gain access to the classroom, and a student hostage was killed by the shooter during the chaos. After the West Nickel Mines shooting at an Amish schoolhouse, several news reports discussed law enforcement officers' concerns that they are not equipped to overcome classroom barricades.

3. MYTH: Some agencies recommend barricading with furniture; barricade devices are a better option.

FACT: A classroom barricade device may be easier to install than using furniture to barricade the door, but it may also be easily installed by an unauthorized person to secure a classroom and prevent access by school staff and emergency responders.

A 2007 study called *Barricaded Hostage and Crisis Situations in Schools: A Review of Recent Incidents*, examined 19 hostage situations that occurred in schools between 1998 and 2007. In 16 of the 19 cases, the perpetrator was



Photos courtesy of Lori Greene



a student at the school—the threat was already in the room. A barricade device available to anyone in the classroom could make these crimes easier to carry out, or could even encourage criminal acts.

4. MYTH: School shootings are very common and should be the main security concern for schools.

FACT: Statistics for school shootings are quite subjective. Some lists include gang-related shootings on school grounds, suicides, and accidental discharge of weapons. Other reports include only random shootings inside of the building, and omit suicides, gang related incidents, and deaths resulting from interpersonal conflicts.

In 2012, the year of the school shooting at Sandy Hook Elementary School, there were seven K-12 school shootings in the U.S. All of the school shooters were students except for two. The other casualties—three deaths and six injuries—were the result of students who brought guns to school.

While each incident is tragic, the statistics show that school shootings, although widely publicized, are very rare.

In comparison, the incidence of non-fatal victimization at school is very high. According to the National Center for Education, in 2012, students ages 12–18 were victims of more than 1.37 million nonfatal victimizations at school, including 615,600 thefts and 749,200 violent victimizations; 89,000 of which were serious violent victimizations.

5. MYTH: The risk of fire during an active shooter situation is low, so code requirements are not a priority.

FACT: Barricade devices are installed during a lockdown, so some may consider them safe for this limited period. One of the problems is that there are currently no widely-used standards for school security, and schools frequently call lockdowns for events that do not involve an active shooter. There are many situations that could require

an evacuation while a school is in lockdown, and doors must provide free egress to facilitate evacuation.

I don't know of a barricade device that meets the current model code requirements for fire protection, accessibility, or egress—particularly when installed along with existing latching hardware.

6. MYTH: Lots of other states are allowing classroom barricade devices.

FACT: Although there are a few states where barricade devices have been allowed either by the state fire marshal or because of political intervention, there are many states that have issued directives addressing their requirements for code-complaint hardware.

In Minnesota, I found the rationale requiring code-compliant locks very compelling given the fact that the state is the location of the 2005 school shooting at Red Lake High School, where a 16-year-old killed seven people and wounded five others.

Although the classroom doors were locked, the shooter broke the glass and gained access to the classroom by turning the inside lever. And yet, Minnesota has not responded to this incident by choosing inexpensive security over free egress, fire protection, and accessibility. There are glazing products and films that will delay access to the inside lever, and would be a much more logical solution than installing a barricade device.

7. MYTH: Fire marshals do not have authority over barricade devices that are not permanently attached to doors.



Photo courtesy of Wayne Ficklin

FACT: How many fire marshals would allow this chained and padlocked panic hardware (above) in an occupied school? This photo was taken after the end of the school day, but while the school was occupied for an event. The fire marshal has the authority to order the chains and padlocks removed, even though they aren't permanently attached. Why would classroom doors be any different?

8. MYTH: Locksets do not provide enough protection against active shooters.

FACT: There are many locks that provide the necessary level of security and meet the model code requirements for egress, fire protection, and accessibility. These products are certified to meet recognized industry standards for security and durability and are listed for use on a fire door assembly. In some cases, schools looking to use barricade devices already have locking hardware but may not have distributed keys or established the protocols for lockdown.

In addition to standard mechanical locksets, there are also electrified locks available which can be locked using a fob, a code, or from a remote location. All of these classroom locking products will allow free egress at any time.

The Final Report of the Sandy Hook Advisory Commission states: "The testimony and other evidence presented to the Commission reveals that there has never been an event in which an active shooter breached a locked classroom door." A holistic approach must be taken for classroom security including training, drills, key distribution, and impact-resistance of glazing adjacent to the hardware, and there is no reason to sacrifice life safety in favor of security.



NFPA 3000TM (PS)

**Standard for an Active
Shooter/Hostile Event
Response (ASHER) Program Toolkit**

2018

IS YOUR COMMUNITY READY TO COME TOGETHER AT A MINUTE'S NOTICE?



When the unthinkable occurs, it's imperative that everyone knows the role they have to play. **NFPA 3000™ (PS), Active Shooter/Hostile Event Response (ASHER) Program** is a provisional standard created to help communities develop an integrated program for planning for, responding to, and recovering from active shooter or hostile events. NFPA 3000™ (PS) is not a list of measures to take, but a set of guidelines with which any community can create a unified plan of response specific to their needs.

GETTING UNIFIED WITH NFPA 3000™ (PS)

STEP 1 ASSESS

Whether you're a first responder, facility manager, civic leader, or school administrator, the first step is to identify whether an integrated plan exists to deal with an active shooter or hostile event.

- Take the risk assessment we've created to analyze the strengths and weaknesses of your current plan, or lack of one, available at nfpa.org/nfpa3000-assessment.
- Share the results of the assessment among your community partners to raise awareness of shortcomings and propose the creation of an integrated program.

STEP 2 ALIGN

Begin developing your integrated program by assigning a project leader and bringing together all stakeholders relevant to the mission.

- Participating partners can include but are not limited to Law Enforcement, Fire, EMS, Emergency Management, Facility Management, Business Leaders, Community Leaders, and Education Leaders.

STEP 3 PLAN

Start creating a specific plan for the whole community using the completed risk assessment as a starting point.

- Purchase the standard and the (optional) online training course.
- The online training course includes additional tools, such as the Program Planning Checklist. Download a sample at nfpa.org/nfpa3000checklist.
- Use the standard to help identify gaps and resource needs.

STEP 4 EDUCATE

Once the plan is complete, the team begins to educate the community at large, assigning roles and responsibilities to police officers and firefighters, emergency services, teachers, doctors, nurses and anyone else who may be called on to play a crucial role in a hostile event.

- Ensure the best program is in place by training together, doing practice drills or exercises, evaluating the results, and revising the plan as needed.

Implementing NFPA 3000™ (PS) is a way for communities, their facilities, and responders to begin coming together to develop the relationships and trust that are essential to an integrated response. And given the stakes, the more unified we can act during a hostile event, the more potential we have for saving lives.



NFPA 3000™ (PS): STANDARD FOR AN ACTIVE SHOOTER/ HOSTILE EVENT RESPONSE (ASHER) PROGRAM

What You Need To Know About NFPA 3000™ (PS)

As more hostile events continue to occur, it is critical for law enforcement, first responders, emergency personnel, facility managers, hospital officials, community members, and others to have the information they need to be prepared when attacks happen. To address that need, NFPA® developed a new standard – NFPA 3000™ (PS), *Standard for an Active Shooter/ Hostile Event Response (ASHER) Program*.

The purpose of NFPA 3000™ (PS) is to identify the minimum program elements needed to organize, manage, and sustain an active shooter and/or hostile event response program and to reduce or eliminate the risks, effect, and impact on an organization or community affected by these events. The document addresses the following areas and others:

- **Planning**
 - Assessing risks
 - Developing community-wide programs
- **Responding**
 - Establishing competencies
 - Communicating to all stakeholders
- **Recovering**
 - Planning recovery efforts
 - Taking into account healthcare and mental health issues

4 Main Concepts

Every chapter is written with these 4 concepts in mind.

Whole Community

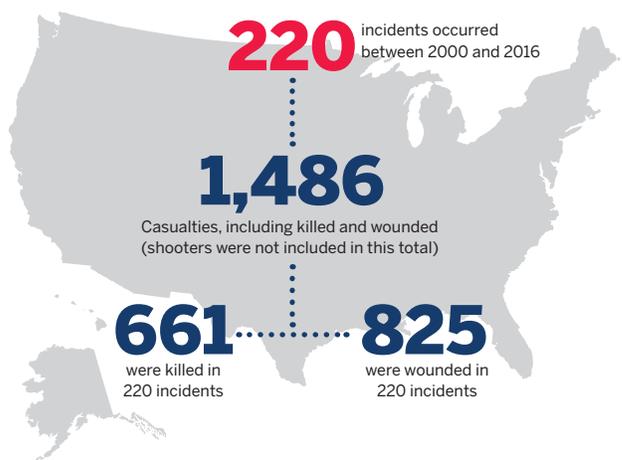
Unified Command

Integrated Response

Planned Recovery

By the Numbers

Active shooter events in the US: 2000–2016



Active Shooter/Hostile Event Response Program





NFPA 3000™ (PS): STANDARD FOR AN ACTIVE SHOOTER/ HOSTILE EVENT RESPONSE (ASHER) PROGRAM *CONTINUED*

What You Should Know



If you are a **policymaker**, you need to know how implementing NFPA 3000™ (PS) can help make your entire community safer. As a leader, you can influence all aspects of your community to put into practice the parts that are relevant and be the connection that brings everyone together.



If you are a **facility manager**, you need to be involved in the creation of an active shooter/ hostile event response plan, integrate the plan with your response community, and train all personnel on the plan.



If you are a **first responder** (law, fire, or EMS), you must work together across disciplines to have the needed knowledge and training to reduce harm.



If you are a member of the **public**, ask your local officials if they have an active shooter/ hostile event response program in place that is integrated with the entire community.

Who Worked on Developing NFPA 3000™ (PS)?

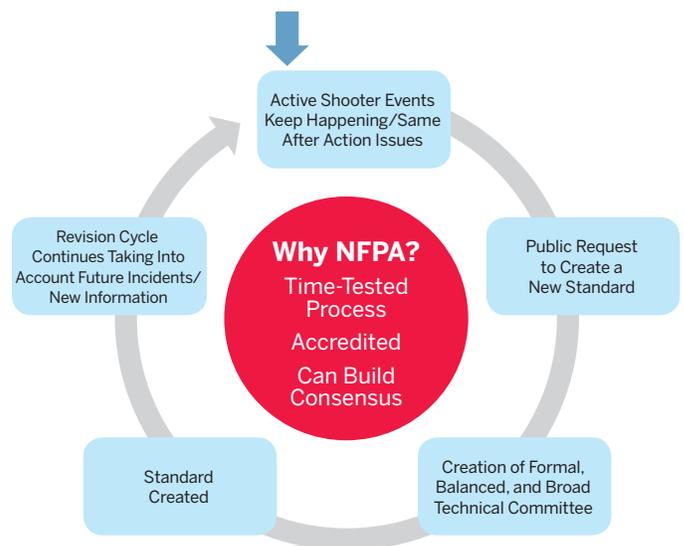
The standard was created with widespread support from fire service, law enforcement, EMS, emergency management, higher education, and facility management professionals. Committee members include representatives from 46 government agencies, organizations, and associations.

➔ **BECOME AN NFPA MEMBER**
FOR MORE OF THESE RESOURCES

Is NFPA 3000™ (PS) Only for the Fire Service?

No, NFPA 3000™ (PS) is for all safety planners, first responders, and policy makers. This includes fire, EMS, police, school superintendents, facility managers, building owners, safety officers, safety and security consultants, loss control/risk safety officers, risk managers, emergency services directors, and federal, state, city, and municipal government officials. All of these stakeholders need to be at the table and working together.

How was NFPA 3000™ (PS) Developed?



Next Steps You Can Take

- ✓ Learn more by going to www.nfpa.org/3000 where you can follow the standard's development process and sign up for updates.
- ✓ Identify and implement the components that are relevant in your community.
- ✓ Visit www.nfpa.org/3000news for access to all the resources you need to implement NFPA 3000™ (PS) in your community.
- ✓ Engage with our experts and your peers on NFPA Xchange™ at <https://community.nfpa.org/>.



IT'S A BIG WORLD.
LET'S PROTECT IT TOGETHER.™

This material contains some basic information about NFPA 3000™ (PS), *Standard for an Active Shooter/Hostile Event Response (ASHER) Program*. It identifies some of the requirements in NFPA 3000™ (PS) as of the date of publication. This material is not the official position of any NFPA Technical Committee on any referenced topic which is represented solely by the NFPA documents on such topic in their entirety. For free access to the complete and most current version of all NFPA documents, please go to www.nfpa.org/docinfo. References to "Related Regulations" are not intended to be a comprehensive list. The NFPA makes no warranty or guaranty of the completeness of the information in this material and disclaims liability for personal injury, property, and other damages of any nature whatsoever, from the use of or reliance on this information. In using this information, you should rely on your independent judgment and, when appropriate, consult a competent professional.



NFPA 3000™ (PS) READINESS ASSESSMENT

How prepared are you in the event of an active shooter incident?

Active shooter/hostile event incidents are not exclusive to big cities or to any particular area of the United States. These incidents are occurring all across the country. This map from www.fbi.gov shows the number of incidents from 2000-2017.

Are you adequately prepared to respond if such an event occurs on your community or organization? Take this brief assessment to help evaluate your readiness. Gauge your readiness level by answering Yes or No to the questions that follow.



Yes No

- Your community or organization is adequately committed to preparing for, responding to, and recovering from an active shooter/hostile event incident in a coordinated manner — not only internally but in partnership with other organizations.
- Individuals in your community have discussed and have planned for coordinated roles in the event of an incident.
- You know what is expected of you in your job role if an incident occurs.
- You have a planning team that integrates public and private partners in your community that creates active shooter/hostile event plans together.
- You participate in planning or training with organizations outside of your own.
- Based on your needs and risk assessments, you have adequate supplies and resources to meet the mission of preparing, responding, and recovering from an event.
- You have adequate financial resources to prepare for, respond to, and recover from an incident.

Yes No

- Your community (or organization) has conducted a risk assessment to evaluate relative risks for facilities or locations.
- You have an adequate communication plan for yourself, your community and your stakeholders that would allow you to stay in touch with your stakeholders and loved-ones in the event of an incident.
- You have planned with outside agencies and non-governmental partners for support in order to recover.

Next Steps You Can Take

- ✓ Visit www.nfpa.org/3000news for helpful materials and access to all the resources you need to implement NFPA 3000™ (PS) in your community or organization.
- ✓ Learn more by going to www.nfpa.org/3000 where you can follow the standard's development process and sign up for updates.
- ✓ Engage with our experts and your peers on NFPA Xchange™ at <https://community.nfpa.org/>.



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NFPA 3000™ (PS) ACTIVE SHOOTER / HOSTILE EVENT RESPONSE PROGRAM PLANNING SUMMARY CHECKLIST

ORGANIZATION INFORMATION

Name: _____ Date: _____

Position: _____

Community/Facility: _____

GOALS

This checklist helps guide the planning process for communities and facilities responsible for developing, managing, and sustaining an ASHER program by addressing emergency operations plans, standard operating procedures, and standard operating guidelines. The numbers that follow each item below refer to a specific section in NFPA 3000™ (PS), *Standard for an Active Shooter/Hostile Event Response (ASHER) Program*. Please use this checklist to help you get started. A more detailed checklist and other tools can be found in the NFPA 3000™ (PS) online training. For more information, visit www.nfpa.org/3000.

PLAN DEVELOPMENT (6.2)

Yes No

- Develop an ASHER plan organized in a logical framework based on resource capabilities and risk assessment. (6.2)
- Establish multi-agency and multidisciplinary relationships to develop plans, risk assessments, mutual aid agreements, and memoranda of understanding (MOUs). (6.2.1)
- Use formal management systems to ensure that plans are developed, maintained, updated, tested, and activated during the entire four-step process that follows: (6.2.2)
 - Needs or gap assessment
 - Implementation
 - Plan development
 - Evaluation
- Ensure the planning team performs a needs or gap assessment of resources necessary to meet the plan's mission. (6.2.3)

Yes No

- Ensure the plan is based on the results of a risk assessment and an analysis of ASHER program capabilities in relation to the risk. (6.2.4)
- Confirm that, at a minimum, the analysis includes the following: (6.2.4.1)
 - Review of minimum standards* for emergency responder competencies in Chapter 12, Law Enforcement, and Chapter 13, Fire and EMS
 - Analysis of current capabilities, including other plans and mutual aid of the authority having jurisdiction
 - Review of agreements already in place between agencies
 - Identification of gaps between applicable existing standards** and current capabilities
 - Development of capabilities required to bridge gaps
- Ensure plans address coordination between agencies, including the following: (6.2.5)
 - Resource management across all disciplines
 - Staffing
 - Integrated training
 - Health and medical issues (including behavioral and holistic health)
 - Financial responsibilities and management
 - Recovery and restoration
- Check that plans are flexible so they can be adjusted as circumstances and environments change and serve as a starting point for multi-agency multidisciplinary operations. (6.2.6)

* NFPA 3000™ (PS) provides the minimum requirements.

** Existing standards include, but are not limited to: NFPA 99, NFPA 101, NFPA 450, NFPA 451, NFPA 1500, NFPA 1521, NFPA 1581, NFPA 1600, NFPA 1616, NFPA 1620, NFPA 1700, NFPA 1710, and NFPA 1720. For more information on any of these standards, visit www.nfpa.org/docinfo.

NOTES:



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This material contains information about NFPA 3000™ (PS), *Standard for an Active Shooter/Hostile Event Response (ASHER) Program*. For free access to the complete and most current version of this standard and all NFPA documents, please go to www.nfpa.org/docinfo.

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APPENDIX D: Code Change Proposals

Code Change Proposal Drafted by Virginia Fire Prevention Association

Key Points for Consideration:

- After numerous international and national code development cycles, there remain no model codes that permit the use of emergency supplemental hardware in buildings other than group E, Group B educational and I-4 occupancies.
- Expanding the scope of emergency supplemental hardware to other use groups is inconsistent with the code development guideline found in Code of Virginia 36-99 where, "In formulating the Code provisions, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the International Code Council and the National Fire Protection Association" • There IS a national standard that provides guidelines for facility preparedness of ALL OCCUPANCIES regarding active shooter and hostile events. NFPA 3000 is the Standard for an Active Shooter/Hostile Event Response (ASHER) Program and chapter 9 is specifically for facility preparedness.
- Active Shooter/Hostile Event protection of public buildings (and more broadly ALL occupancies) can be accomplished by referencing Chapter 9 of NFPA 3000 in the development, operation and maintenance of lockdown plans. This added reference to the only national standard for these events directly accomplishes the goals outlined in HB670 and SB33.

Proposal:

Virginia Statewide Fire Prevention Code

404.2.3.3 ASHER Program Compliance

The development, operation and maintenance of lockdown plans, including the use of emergency supplemental hardware, shall be in accordance with Chapter 9 of NFPA 3000.

B1010.2.8-21

VCC: Section 108.1, 110.1.1, SECTION 202, 1010.1.4.4, 1103.2.15; VFC: 1031.11

Proponents: DHCD Staff on behalf of the following stakeholders represented at the Active Shooter and Hostile Threat Events in Public Buildings Study Group: Virginia Building & Code Officials Association, Virginia Fire Prevention Association, Nightlock

2018 Virginia Construction Code

Revise as follows:

Section 108.1 When applications are required. Application for a permit shall be made to the *building official* and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency *construction*, alterations or *equipment* replacement shall be submitted by the end of the first *working day* that follows the day such work commences. In addition, the *building official* may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. *Construction* or demolition of a *building* or *structure*. Installations or alterations involving (i) the removal or addition of any wall, partition or portion thereof, (ii) any structural component, (iii) the repair or replacement of any required component of a fire or smoke rated assembly, (iv) the alteration of any required means of egress system, including the addition or removal of *emergency supplemental hardware*, (v) water supply and distribution system, sanitary drainage system or vent system, (vi) electric wiring, (vii) fire protection system, mechanical systems, or fuel supply systems, or (viii) any *equipment* regulated by the USBC.
2. For *change of occupancy*, application for a permit shall be made when a new certificate of occupancy is required by the VEBC.
3. Movement of a *lot line* that increases the hazard to or decreases the level of safety of an existing *building* or *structure* in comparison to the *building code* under which such *building* or *structure* was constructed.
4. Removal or disturbing of any asbestos containing materials during the *construction* or demolition of a *building* or *structure*, including additions.

110.1.1 Consultation and notification. Prior to approval or removal of *emergency supplemental hardware*, the building code official shall consult with the local fire code official, or state fire code official if no local fire code official exists, and head of the local law-enforcement agency. The local fire code official; the state fire code official; and the local fire, EMS, and law-enforcement first responders shall be notified by the building code official of such approval or removal. ~~after approval or removal of such *emergency supplemental hardware* by the building code official.~~

SECTION 202 DEFINITIONS. "Public Building" - a structure or building that is owned, leased, or otherwise occupied by a municipality or the state and used for any municipal or public purposes by the municipality or the state.

~~1010.1.4.4~~ **1010.2.8 Locking arrangements in educational occupancies** **Emergency Supplemental Hardware.** In Group E occupancies, except Group E day care facilities, ~~and~~ Group B educational occupancies and public buildings, *exit access doors* from classrooms, offices, and other occupied rooms, except for exit doors and doors across corridors, shall be permitted to be provided with *emergency supplemental hardware* where all of the following conditions are met:

1. The door shall be capable of being opened from outside the room with a key, proprietary device provided by the manufacturer, or other *approved* means.
2. The door shall be openable from within the room in accordance with Section 1010.1.9, except *emergency supplemental hardware* is not required to comply with Chapter 11.

Note: School officials and building owners should consult with their legal counsel regarding provisions of the Americans with Disabilities Act of 1990 (42 USC § 12101 et seq.) and any other applicable requirements.

3. Installation of *emergency supplemental hardware* on fire door assemblies must comply with Section 716.2. Modifications shall not be made to listed *panic hardware*, fire door *hardware*, or door closures.
4. The *emergency supplemental hardware* shall not be capable of being used on other doors not intended to be used and shall have at least one component that requires modification to, or is permanently affixed to, the surrounding wall, floor, door, or frame assembly *construction* for it to properly function.
5. Employees shall engage in lockdown training procedures on how to deploy and remove the *emergency supplemental hardware*, and its use shall be incorporated in the *approved* lockdown plan complying with the SFPC.
6. The *emergency supplemental hardware* and its components shall be maintained in accordance with the SFPC.
7. *Approved emergency supplemental hardware* shall be of consistent type throughout a building.

Exception: The *building official* may approve alternate types of *emergency supplemental hardware* in accordance with Section 110.1 when a consistent device cannot be installed.

1103.2.15 Emergency supplemental hardware. In Group E occupancies, except Group E day care facilities, ~~and~~ Group B educational occupancies, and public buildings, when *emergency supplemental hardware* is deployed during an active shooter or hostile threat event and provided in accordance with Section ~~1010.1.4.4.~~ 1010.2.8, is not required to comply with this chapter.

2018 Virginia Statewide Fire Prevention Code

Revise as follows:

1031.11 Emergency supplemental hardware. *Emergency supplemental hardware* shall be installed in accordance with the *applicable building code* and shall be *maintained* in accordance with this code, the conditions of its approval and the manufacturer's instructions. The *fire code official* shall be authorized to revoke the use and storage of *emergency supplemental hardware* within a *building* for due cause based on failure to comply with requirements in this code or the *applicable building code*. Revocations shall be rescinded upon achieving compliance with this code and the *applicable building code*.

Reason Statement: The proposal intends to comply with the SB 333 and HB 670 by expanding on the existing provisions for ESH. The gist of the proposal is the addition of "public buildings" to the list of uses/occupancies already allowed to be provided with ESH. The proposal was generated as a result of discussions during the Active Shooter and Hostile Threats in Public Buildings - Study Group, convened pursuant to the aforementioned bills. For more information on the Study Group activities and discussions, please see attached Study Group Report.

Resiliency Impact Statement: This proposal will neither increase nor decrease Resiliency
While the proposal does not increase the resiliency of buildings, arguments could be made that the resiliency of building occupants could be increased against active shooter or hostile threats events. Conversely, it could also be claimed that the resiliency of occupants could be reduced by enabling assailants to lock occupants in a given room and prevent first responders from entering.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
The proposal intends to **allow** the installation of ESH in public buildings, it does not **mandate** such. Should the building owner(s) decide to install ESH, the proposal could reduce or increase the cost of construction, depending upon the type of locking devices selected.