SENATE, No. 1500

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
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District 15 (Hunterdon and Mercer)
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SYNOPSIS
Requires certain documentation of needs of students with disabilities during school security drills and emergency situations and in school security plans; requires staff training on needs of students with disabilities in emergency planning.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 3/5/2020)

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J.S.18A:41-1 is amended to read as follows:

   18A:41-1. Every principal of a school of two or more rooms, or of a school of one room, when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs, and shall require all teachers of all schools, whether occupying buildings of one or more stories, to keep all doors and exits of their respective rooms and buildings unlocked during the school hours, except during an emergency lockdown or an emergency lockdown drill. All students shall fully participate in each drill conducted.

Where school buildings have been provided with fire escapes, they shall be used by a part or all of the pupils performing every fire drill. An actual fire or school security emergency that occurs at a school during the month and that includes activities which are the equivalent of a drill shall be considered a drill for the purposes of meeting the requirements of this section.

A law enforcement officer shall be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable.

(cf: P.L.2016, c.80, s.1)

2. Section 2 of P.L.2009, c.178 (C.18A:41-7) is amended to read as follows:

   2. A local board of education and chief school administrator of a nonpublic school shall ensure that all full-time employees in the district or nonpublic school are provided with training on school safety and security that includes instruction on school security drills. The training shall use the drill guide and training materials prepared pursuant to section 3 of P.L.2009, c.178 (C.App.A:9-86) and shall utilize various formats such as drills, functional exercises, and tabletop exercises. The annual training provided to employees shall be conducted collaboratively by the district or nonpublic school and emergency responders, including law enforcement, fire, and emergency medical services personnel, in order to identify weaknesses in school safety and security policies and procedures and to increase the effectiveness of emergency responders. The

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Training shall incorporate information on the unique needs of students with disabilities. Employees shall be made aware of any anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of students and any supports, modifications, accommodations, and services to be provided to students, as enumerated in their individualized education programs, individualized health care plans, 504 plans, or service plans pursuant to section 4 of P.L. . , c. (C.) (pending before the Legislature as this bill).

(cf: P.L.2016, c.80, s.3)

3. Section 3 of P.L.2009, c.178 (C.App.A:9-86) is amended to read as follows:

3. a. The Director of the Office of Homeland Security and Preparedness shall, in consultation with the Commissioner of Education, the Director of the Division of Fire Safety in the Department of Community Affairs, the Director of the State Office of Emergency Management in the Division of State Police in the Department of Law and Public Safety, and the Attorney General, develop and disseminate to each school district and nonpublic school a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds including, but not limited to, bomb threats and active shooter situations. The drill guide and training materials shall incorporate information on the unique needs of students with disabilities and include standard protocols and procedures for accommodating those students during fire or school security drills and actual emergency situations.

b. The drill guide and training materials shall be updated at regular intervals in order to ensure that they incorporate the most current information available on school security.

(cf: P.L.2009, c.178, s.3)

4. (New section) a. A school district and a nonpublic school shall ensure that a student’s individualized education program, individualized health care plan, 504 plan, or, in the case of student with a disability enrolled in a nonpublic school, service plan documents the student’s unique mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making needs in the event of a fire or school security drill or an actual emergency situation that may occur on school grounds. The individualized education program, individualized health care plan, 504 plan, or service plan shall indicate whether or not the student is able to safely and fully participate in fire or school security drills without the use of supplementary supports, modifications, accommodations, or services.
b. If it is determined that a student requires supplementary supports, modifications, accommodations, or services in order to safely and fully participate in a fire or school security drill, a written plan shall be included in the student’s individualized education program, individualized health care plan, 504 plan, or service plan. The written plan shall:

1. (1) describe the anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of the student during a fire or school security drill and during an actual emergency situation;
2. (2) describe the supports, modifications, accommodations, and services to be provided to the student during a fire or school security drill and during an actual emergency situation; and
3. (3) describe the role of school employees in supporting the student during a fire or school security drill and during an actual emergency situation, including the need for any specific training of school employees.

c. A school district and, if applicable, a nonpublic school shall on a regular basis, but not less than once annually, perform a review of any determinations made pursuant to this section to evaluate the school security needs of a student.

5. (New section) In developing its districtwide school safety and security plan, a school district shall:

a. demonstrate that it has considered the individual needs of each student with a disability, as enumerated in the students’ individualized education programs, individualized health care plans, 504 plans, or, in the case of students with disabilities enrolled in nonpublic schools, service plans pursuant to section 4 of P.L. ,

b. communicate those needs to third parties including, but not limited to, law enforcement agencies, health and social services provider agencies, and emergency management agencies.

6. This act shall take effect on the first day of the sixth month following the date of enactment.

STATEMENT

Under current State law, schools are required to conduct one fire drill and one school security drill each month. All full-time employees in a school district and nonpublic school are required to undergo training on school safety and security, including instruction on school security drills. This training is required to use as
guidance a drill guide and other training materials developed by the Director of the Office of Homeland Security and Preparedness, in consultation with a variety of other State government leaders. Under current State regulations, each school district is required to develop and implement a school safety and security plan. Current State law and regulation does not explicitly require school districts or nonpublic schools to discuss, document, and plan for the unique needs of students with disabilities during fire or school security drills and actual emergency situations.

This bill provides that all students will fully participate in each fire or school security drill conducted by a school district or nonpublic school. It requires that current staff training for school security include information on the unique needs of students with disabilities. The current drill guide and training materials that school districts and nonpublic schools use as guidance in their staff training would incorporate information on the needs of students with disabilities and include standard protocols and procedures for accommodating those students during drills and emergency situations.

This bill would require that, as part of the existing processes for developing individualized education programs, individualized health care plans, 504 plans, or service plans for students with disabilities enrolled in nonpublic schools, a student’s unique needs in the event of a fire or school security drill or an actual emergency situation be documented. If it is determined that a student would require supplementary supports, modifications, accommodations, or services in order to safely and fully participate in a fire or school security drill, a written plan will be included in a student’s individualized education program, individualized health care plan, 504 plan, or service plan. The written plan will: 1) describe the needs of the student during a fire or school security drill and during an actual emergency situation; 2) describe the supports, modifications, accommodations, and services to be provided to the student during a fire or school security drill and during an actual emergency situation; and 3) describe the role of school employees in supporting the student during a fire or school security drill and during an actual emergency situation, including the need for any specific training of school employees.

The bill also requires that, in developing its districtwide school safety and security plan, a school district will demonstrate that it has considered and will incorporate the individual needs of each student with a disability into the districtwide school safety and security plan.