

# SENATE, No. 2057

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 3, 2022

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senators A.M.Bucco, Ruiz and Singleton**

**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: 10/27/2022)**

S2057 TURNER, GREENSTEIN

2

1 AN ACT concerning emergency planning in schools, amending  
2 N.J.S.18A:41-1 and P.L.2009, c.178, and supplementing chapters  
3 41 and 46 of Title 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. N.J.S.18A:41-1 is amended to read as follows:

9 18A:41-1. Every principal of a school of two or more rooms, or  
10 of a school of one room, when located above the first story of a  
11 building, shall have at least one fire drill and one school security  
12 drill each month within the school hours, including any summer  
13 months during which the school is open for instructional programs,  
14 and shall require all teachers of all schools, whether occupying  
15 buildings of one or more stories, to keep all doors and exits of their  
16 respective rooms and buildings unlocked during the school hours,  
17 except during an emergency lockdown or an emergency lockdown  
18 drill. All students shall fully participate in each drill conducted.  
19 Where school buildings have been provided with fire escapes, they  
20 shall be used by a part or all of the pupils performing every fire  
21 drill. An actual fire or school security emergency that occurs at a  
22 school during the month and that includes activities which are the  
23 equivalent of a drill shall be considered a drill for the purposes of  
24 meeting the requirements of this section.

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

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

30

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

33 2. A local board of education and chief school administrator of  
34 a nonpublic school shall ensure that all full-time employees in the  
35 district or nonpublic school are provided with training on school  
36 safety and security that includes instruction on school security  
37 drills. The training shall use the drill guide and training materials  
38 prepared pursuant to section 3 of P.L.2009, c.178 (C.App.A:9-86)  
39 and shall utilize various formats such as drills, functional exercises,  
40 and tabletop exercises. The annual training provided to employees  
41 shall be conducted collaboratively by the district or nonpublic  
42 school and emergency responders, including law enforcement, fire,  
43 and emergency medical services personnel, in order to identify  
44 weaknesses in school safety and security policies and procedures  
45 and to increase the effectiveness of emergency responders. The  
46 training shall incorporate information on the unique needs of  
47 students with disabilities. Employees shall be made aware of any

**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.

1 anticipated mobility, sensory, medical, social, communication,  
2 emotional, regulatory, and decision-making support needs of  
3 students and any supports, modifications, accommodations, and  
4 services to be provided to students, as enumerated in their  
5 individualized education programs, individualized health care plans,  
6 504 plans, or service plans pursuant to section 4 of P.L. , c. (C.)  
7 (pending before the Legislature as this bill).

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

9

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

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

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

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

32

33 4. (New section) a. A school district and a nonpublic school  
34 shall ensure that a student's individualized education program,  
35 individualized health care plan, 504 plan, or, in the case of student  
36 with a disability enrolled in a nonpublic school, service plan  
37 documents the student's unique mobility, sensory, medical, social,  
38 communication, emotional, regulatory, and decision-making needs  
39 in the event of a fire or school security drill or an actual emergency  
40 situation that may occur on school grounds. The individualized  
41 education program, individualized health care plan, 504 plan, or  
42 service plan shall indicate whether or not the student is able to  
43 safely and fully participate in fire or school security drills without  
44 the use of supplementary supports, modifications, accommodations,  
45 or services.

46 b. If it is determined that a student requires supplementary  
47 supports, modifications, accommodations, or services in order to  
48 safely and fully participate in a fire or school security drill, a

1 written plan shall be included in the student's individualized  
2 education program, individualized health care plan, 504 plan, or  
3 service plan. The written plan shall:

4 (1) describe the anticipated mobility, sensory, medical, social,  
5 communication, emotional, regulatory, and decision-making  
6 support needs of the student during a fire or school security drill  
7 and during an actual emergency situation;

8 (2) describe the supports, modifications, accommodations, and  
9 services to be provided to the student during a fire or school  
10 security drill and during an actual emergency situation; and

11 (3) describe the role of school employees in supporting the  
12 student during a fire or school security drill and during an actual  
13 emergency situation, including the need for any specific training of  
14 school employees.

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

19

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

22 a. demonstrate that it has considered the individual needs of  
23 each student with a disability, as enumerated in the students'  
24 individualized education programs, individualized health care plans,  
25 504 plans, or, in the case of students with disabilities enrolled in  
26 nonpublic schools, service plans pursuant to section 4 of P.L. ,

27 c. (C. ) (pending before the Legislature as this bill); and

28 b. incorporate the individual needs of each student with a  
29 disability into the districtwide school safety and security plan and,  
30 as deemed appropriate and necessary, communicate those needs to  
31 third parties including, but not limited to, law enforcement  
32 agencies, health and social services provider agencies, and  
33 emergency management agencies.

34

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

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#### STATEMENT

40

41 Under current State law, schools are required to conduct one fire  
42 drill and one school security drill each month. All full-time  
43 employees in a school district and nonpublic school are required to  
44 undergo training on school safety and security, including instruction  
45 on school security drills. This training is required to use as  
46 guidance a drill guide and other training materials developed by the  
47 Director of the Office of Homeland Security and Preparedness, in  
48 consultation with a variety of other State government leaders.

1 Under current State regulations, each school district is required to  
2 develop and implement a school safety and security plan. Current  
3 State law and regulation does not explicitly require school districts  
4 or nonpublic schools to discuss, document, and plan for the unique  
5 needs of students with disabilities during fire or school security  
6 drills and actual emergency situations.

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

17 This bill would require that, as part of the existing processes for  
18 developing individualized education programs, individualized  
19 health care plans, 504 plans, or service plans for students with  
20 disabilities enrolled in nonpublic schools, a student's unique needs  
21 in the event of a fire or school security drill or an actual emergency  
22 situation be documented. If it is determined that a student would  
23 require supplementary supports, modifications, accommodations, or  
24 services in order to safely and fully participate in a fire or school  
25 security drill, a written plan will be included in a student's  
26 individualized education program, individualized health care plan,  
27 504 plan, or service plan. The written plan will: 1) describe the  
28 needs of the student during a fire or school security drill and during  
29 an actual emergency situation; 2) describe the supports,  
30 modifications, accommodations, and services to be provided to the  
31 student during a fire or school security drill and during an actual  
32 emergency situation; and 3) describe the role of school employees  
33 in supporting the student during a fire or school security drill and  
34 during an actual emergency situation, including the need for any  
35 specific training of school employees.

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