

[First Reprint]

SENATE, No. 2057

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MARCH 3, 2022

Sponsored by:

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District 15 (Hunterdon and Mercer)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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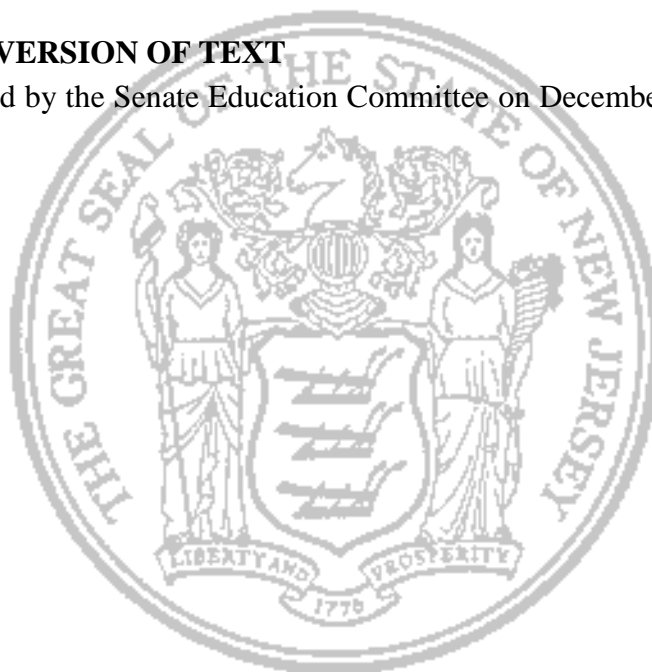
Senators A.M.Bucco, Ruiz, Singleton and Codey

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 reported by the Senate Education Committee on December 1, 2022, with amendments.



(Sponsorship Updated As Of: 3/30/2023)

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 ¹[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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted December 1, 2022.

1 training shall incorporate information on the unique needs of
2 students with disabilities. Employees shall be made aware of any
3 anticipated mobility, sensory, medical, social, communication,
4 emotional, regulatory, and decision-making support needs of
5 students and any supports, modifications, accommodations, and
6 services to be provided to students, as enumerated in their
7 individualized education programs, individualized health care plans,
8 504 plans, or service plans pursuant to section 4 of P.L. , c. (C.)
9 (pending before the Legislature as this bill).

10 (cf: P.L.2016, c.80, s.3)】¹

11
12 ¹2. Section 2 of P.L.2009, c.178 (C.18A:41-7) is amended to
13 read as follows:

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

27 b. A local board of education and chief school administrator of
28 a nonpublic school shall ensure that individuals employed in the
29 school district or nonpublic school in a substitute capacity are
30 provided with information and training on the district's or nonpublic
31 school's practices and procedures on school safety and security
32 including instruction on school security drills, evacuation
33 procedures, and emergency response protocols in the school district
34 or nonpublic school and the school building where the individuals
35 are employed. In the event that an individual is employed in a
36 substitute capacity in the district or nonpublic school at the time the
37 school safety and security training is being provided to full-time
38 employees pursuant to subsection a. of this section, the district or
39 nonpublic school shall include the individual in the training.

40 c. A local board of education and chief school administrator of
41 a nonpublic school shall provide to all persons who supervise youth
42 programs that are not sponsored by the school district or nonpublic
43 school, but operate a program in a district or nonpublic school
44 building before or after school hours, on the weekend, or during a
45 period when school is not in session, information on school district
46 or nonpublic school practices and procedures in the event of a
47 school safety or security incident at a school including non-
48 confidential information on evacuation procedures, emergency

1 response protocols, and emergency contact information. It shall be
2 the responsibility of the organization that sponsors the youth
3 program to train the program's employees and volunteers on the
4 school security and emergency procedures in effect in the school
5 building in which the youth program is located. The organization
6 that sponsors the youth program shall file a statement of assurance
7 with the school district superintendent or chief school administrator
8 of the nonpublic school that it has complied with the training
9 requirements prior to the district or nonpublic school authorizing
10 the use of the school building. The statement of assurance shall be
11 developed by the Commissioner of Education and shall be filed
12 with the school district or nonpublic school on an annual basis.

13 d. Any information or training provided pursuant to this section
14 shall address the unique needs of students with disabilities in the
15 event of a fire drill, school security drill, or actual emergency
16 situation. An employee subject to the provisions of subsections a. or
17 b. of this section shall be made aware of any anticipated mobility,
18 sensory, medical, social, communication, emotional, regulatory, and
19 decision-making support needs of students in the care of the
20 employee and any supports, modifications, accommodations, and
21 services to be provided to students, as enumerated in their
22 individualized education programs, individualized health care plans,
23 504 plans, or service plans pursuant to section 4 of P.L. ,

24 c. (C.) (pending before the Legislature as this bill).¹

25 (cf: P.L.2019, c.480, s.1)

26
27 3. Section 3 of P.L.2009, c.178 (C.App.A:9-86) is amended to
28 read as follows:

29 3. a. The Director of the Office of Homeland Security and
30 Preparedness shall, in consultation with the Commissioner of
31 Education, the Director of the Division of Fire Safety in the
32 Department of Community Affairs, the Director of the State Office
33 of Emergency Management in the Division of State Police in the
34 Department of Law and Public Safety, and the Attorney General,
35 develop and disseminate to each school district and nonpublic
36 school a building security drill guide and training materials that
37 educate school employees on proper evacuation and lockdown
38 procedures in a variety of emergency situations on school grounds
39 including, but not limited to, bomb threats and active shooter
40 situations. The drill guide and training materials shall incorporate
41 information on the unique needs of students with disabilities and
42 include standard protocols and procedures for accommodating those
43 students during fire ¹[or] drills,¹ school security drills ¹[and] , or¹
44 actual emergency situations.

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

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

1 4. (New section) a. A school district and a nonpublic school
2 shall ensure that a student's individualized education program,
3 individualized health care plan, 504 plan, or, in the case of student
4 with a disability enrolled in a nonpublic school, service plan
5 documents the student's unique mobility, sensory, medical, social,
6 communication, emotional, regulatory, and decision-making needs
7 in the event of a fire ¹~~or~~ drill,¹ school security drill ¹,¹ or an actual
8 emergency situation that may occur on school grounds. The
9 individualized education program, individualized health care plan,
10 504 plan, or service plan shall indicate whether or not the student is
11 able to safely and fully participate in fire ¹drills¹ or school security
12 drills without the use of supplementary supports, modifications,
13 accommodations, or services.

14 b. If it is determined that a student requires supplementary
15 supports, modifications, accommodations, or services in order to
16 safely and fully participate in a fire ¹drill¹ or school security drill, a
17 written plan shall be included in the student's individualized
18 education program, individualized health care plan, 504 plan, or
19 service plan. The written plan shall:

20 (1) describe the anticipated mobility, sensory, medical, social,
21 communication, emotional, regulatory, and decision-making
22 support needs of the student during a fire ¹drill¹ or school security
23 drill and during an actual emergency situation;

24 (2) describe the supports, modifications, accommodations, and
25 services to be provided to the student during a fire ¹drill¹ or school
26 security drill and during an actual emergency situation; and

27 (3) describe the role of school employees in supporting the
28 student during a fire ¹drill¹ or school security drill and during an
29 actual emergency situation, including the need for any specific
30 training of school employees.

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

35
36 5. (New section) In developing its districtwide school safety
37 and security plan, a school district shall:

38 a. demonstrate that it has considered the individual needs of
39 each student with a disability, as enumerated in the students'
40 individualized education programs, individualized health care plans,
41 504 plans, or, in the case of students with disabilities enrolled in
42 nonpublic schools, service plans pursuant to section 4 of P.L. , ,

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

44 b. incorporate the individual needs of each student with a
45 disability into the districtwide school safety and security plan and,
46 as deemed appropriate and necessary, communicate those needs to
47 third parties including, but not limited to, law enforcement

1 agencies, health and social services provider agencies, and
2 emergency management agencies.

3

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