S T A T E O F N E W Y O R K

5668

2013-2014 Regular Sessions

I N A S S E M B L Y

March 5, 2013

Introduced by M. of A. COLTON, STEVENSON, ENGLEBRIGHT, ROSA, COOK, THIELE -- Multi-Sponsored by -- M. of A. AUBRY, KEARNS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring the board of education to ensure that every public elementary and secondary school install at least one emergency alarm for use in non-fire school security emergencies, and requiring emergency drills and training for public and private schools, colleges and universities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "school emergency preparedness act".

S 2. The education law is amended by adding a new section 409-l to read as follows:

S 409-L. INSTALLATION OF EMERGENCY ALARMS IN PUBLIC SCHOOLS. 1. FOR THE PURPOSES OF THIS SECTION, "EMERGENCY ALARM" SHALL MEAN A SILENT SECURITY SYSTEM SIGNAL GENERATED BY THE MANUAL ACTIVATION OF A DEVICE INTENDED TO SIGNAL A LIFE-THREATENING OR EMERGENCY SITUATION REQUIRING A RESPONSE FROM LAW ENFORCEMENT.

2. UPON AN APPROPRIATION BY THE STATE TO FULFILL THE REQUIREMENTS OF THIS SECTION, IT SHALL BE THE DUTY OF THE BOARD OF EDUCATION, TRUSTEES, PRINCIPAL OR OTHER PERSON IN CHARGE OF ANY PUBLIC ELEMENTARY AND SECONDARY SCHOOL WITHIN THE STATE TO INSTALL AT LEAST ONE EMERGENCY ALARM FOR USE IN A NON-FIRE SCHOOL SECURITY EMERGENCY. THE ALARM SHALL BE INTERCONNECTED TO A DESIGNATED LOCAL LAW ENFORCEMENT AGENCY, SO THAT UPON ACTIVATION OF SUCH ALARM, A SIGNAL OR MESSAGE SHALL BE AUTOMATICALLY TRANSMITTED TO THE DESIGNATED LOCAL LAW ENFORCEMENT AGENCY.

3. EVERY SCHOOL AUTHORITY AND THE GOVERNING BODY THAT POSSESSES JURISDICTION FOR EACH LOCAL LAW ENFORCEMENT AGENCY IS HEREBY AUTHORIZED, BY AGREEMENT BETWEEN SUCH PARTIES, TO APPORTION THE COSTS OF INSTALLING AND MAINTAINING ANY SUCH INTERCONNECTION. COSTS FOR INSTALLING AND MAINTAINING ALARM INTERCONNECTION BETWEEN SCHOOLS AND LOCAL LAW ENFORCEMENT AGENCIES ARE HEREBY DEEMED APPROPRIATE EXPENDITURES TO BE PAID FROM THE FUNDS OF SUCH SCHOOL AUTHORITIES AND GOVERNING BODIES.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 3. The education law is amended by adding a new section 816 to read as follows:

S 816. EMERGENCY DRILLS. 1. (A) IT SHALL BE THE DUTY OF THE PRINCIPAL OR OFFICIAL IN CHARGE OF EVERY PUBLIC OR PRIVATE SCHOOL OR EDUCATIONAL INSTITUTION WITHIN THE STATE, OTHER THAN COLLEGES OR UNIVERSITIES, TO INSTRUCT AND TO TRAIN THE STUDENTS BY MEANS OF EMERGENCY DRILLS, SO THAT SUCH STUDENTS MAY, IN THE EVENT OF A NON-FIRE SCHOOL SECURITY EMERGENCY SITUATION, BE PREPARED TO LEAVE THE SCHOOL BUILDING OR GATHER IN A PRE-DETERMINED SAFE AREA OF THE BUILDING IN THE SHORTEST POSSIBLE TIME AND WITHOUT CONFUSION OR PANIC.

(B) SUCH EMERGENCY DRILLS OR RAPID DISMISSALS SHALL BE HELD AT LEAST TWO TIMES IN EACH SCHOOL YEAR. AT LEAST ONE OF SUCH DRILLS SHALL BE HELD BETWEEN SEPTEMBER FIRST AND DECEMBER FIRST OF EACH SUCH YEAR.

(C) IN THE COURSE OF AT LEAST ONE OF SUCH DRILLS, STUDENTS SHALL BE INSTRUCTED ON THE PROCEDURE TO BE FOLLOWED IN THE EVENT THAT A NON-FIRE SCHOOL SECURITY EMERGENCY SITUATION OCCURS DURING THE LUNCH PERIOD; PROVIDED, HOWEVER, THAT SUCH ADDITIONAL INSTRUCTION MAY BE WAIVED WHERE A DRILL IS HELD DURING THE REGULAR SCHOOL LUNCH PERIOD.

(D) AT LEASE ONE ADDITIONAL DRILL SHALL BE HELD IN EACH SCHOOL YEAR, DURING THE HOURS AFTER SUNSET AND BEFORE SUNRISE, IN SCHOOL BUILDINGS IN WHICH STUDENTS ARE PROVIDED WITH SLEEPING ACCOMMODATIONS.

(E) AT LEAST ONE ADDITIONAL DRILL SHALL BE HELD DURING THE FIRST WEEK OF SUMMER SCHOOL IN BUILDINGS WHERE SUMMER SCHOOL CLASSES ARE CONDUCTED.

2. IN THE CASE OF AFTER-SCHOOL PROGRAMS, EVENTS OR PERFORMANCES WHICH ARE CONDUCTED WITHIN A SCHOOL BUILDING AND WHICH INCLUDE PERSONS WHO DO NOT REGULARLY ATTEND CLASSES IN SUCH SCHOOL BUILDING, THE PRINCIPAL OR OFFICIAL IN CHARGE OF THE BUILDING SHALL REQUIRE THE TEACHER OR PERSON IN CHARGE OF SUCH AFTER-SCHOOL PROGRAM, EVENT OR PERFORMANCE TO NOTIFY PERSONS IN ATTENDANCE AT THE BEGINNING OF EACH SUCH PROGRAM, EVENT OR PERFORMANCE, OF THE PROCEDURES TO BE FOLLOWED IN THE EVENT OF AN EMERGENCY SO THAT THEY MAY BE PREPARED TO LEAVE THE BUILDING OR GATHER IN A PRE-DETERMINED SAFE AREA OF THE BUILDING IN A TIMELY, ORDERLY MANNER.

3. IT SHALL BE THE DUTY OF THE BOARD OF EDUCATION OR SCHOOL BOARD OR OTHER BODY HAVING CONTROL OF THE SCHOOLS IN ANY DISTRICT OR CITY TO CAUSE A COPY OF THIS SECTION TO BE PRINTED IN THE MANUAL OR HANDBOOK PREPARED FOR THE GUIDANCE OF TEACHERS, WHERE SUCH MANUAL OR HANDBOOK IS IN USE OR MAY HEREAFTER COME INTO USE.

4. (A) IT SHALL BE THE DUTY OF THE OFFICIAL IN CHARGE OF EVERY PUBLIC OR PRIVATE COLLEGE OR UNIVERSITY WITHIN THE STATE, TO INSTRUCT AND TRAIN THE STUDENTS BY MEANS OF EMERGENCY DRILLS, SO THAT THEY MAY IN THE EVENT OF A NON-FIRE SCHOOL SECURITY EMERGENCY SITUATION, BE PREPARED TO LEAVE THE COLLEGE OR UNIVERSITY BUILDING OR GATHER IN A PRE-DETERMINED SAFE AREA OF THE BUILDING IN THE SHORTEST POSSIBLE TIME AND WITHOUT CONFUSION OR PANIC.

(B) SUCH EMERGENCY DRILLS OR RAPID DISMISSALS SHALL BE HELD AT LEAST TWO TIMES IN EACH YEAR. AT LEAST ONE OF SUCH DRILLS SHALL BE HELD BETWEEN SEPTEMBER FIRST AND DECEMBER FIRST OF EACH SUCH YEAR.

(C) AT LEAST ONE OF SUCH DRILLS SHALL BE HELD DURING THE FIRST WEEK OF A SUMMER SESSION IN THE BUILDINGS WHERE SUMMER SESSION CLASSES ARE CONDUCTED.

(D) AT LEAST ONE ADDITIONAL DRILL SHALL BE HELD IN EACH YEAR, DURING THE HOURS AFTER SUNSET AND BEFORE SUNRISE, IN COLLEGE OR UNIVERSITY BUILDINGS IN WHICH STUDENTS ARE PROVIDED WITH SLEEPING ACCOMMODATIONS.

S 4. This act shall take effect immediately.