

# STATE OF NEW YORK

6665

2023-2024 Regular Sessions

## IN ASSEMBLY

April 26, 2023

Introduced by M. of A. SIMON, EPSTEIN -- read once and referred to the  
Committee on Education

AN ACT to amend the education law, in relation to lock-down drills

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 807 of the education law, as  
2 amended by section 2 of part B of chapter 54 of the laws of 2016, is  
3 amended to read as follows:

4 1. It shall be the duty of the principal or other person in charge of  
5 every public or private school or educational institution within the  
6 state, other than colleges or universities, to instruct and train the  
7 pupils by means of drills, so that they may in a sudden emergency be  
8 able to respond appropriately in the shortest possible time and without  
9 confusion or panic. Such drills shall be held at least [~~twelve~~] nine  
10 times in each school year, [~~eight~~] six of which required drills shall be  
11 held between September first and December thirty-first of each such  
12 year. Eight of all such drills shall be evacuation drills, four of which  
13 shall be through use of the fire escapes on buildings where fire escapes  
14 are provided or through the use of identified secondary means of egress.  
15 [~~Four of all such~~] One required [~~drills~~] drill shall be a lock-down  
16 [~~drills~~] drill. Drills shall be conducted at different times of the  
17 school day. Pupils shall be instructed in the procedure to be followed  
18 in the event that a fire occurs during the lunch period or assembly,  
19 provided however, that such additional instruction may be waived where a  
20 drill is held during the regular school lunch period or assembly. Four  
21 additional drills shall be held in each school year during the hours  
22 after sunset and before sunrise in school buildings in which students  
23 are provided with sleeping accommodations. At least two additional  
24 drills shall be held during summer school in buildings where summer  
25 school is conducted, and one of such drills shall be held during the  
26 first week of summer school.

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

LBD10751-02-3

1     § 2. Section 807 of the education law is amended by adding a new  
2 subdivision 2-a to read as follows:

3     2-a. (a) In implementing the lock-down drills described in subdivision  
4 one of this section, it shall be the duty of the board of education or  
5 school board or other body having control of the schools in any district  
6 or city to ensure a trauma-informed approach to the design and execution  
7 of such drills, which shall include:

8         (i) notice to parents and guardians of students of when the lock-down  
9 drill will be held, at least seven days in advance of such drill;

10        (ii) the ability for parents or guardians to opt their child or chil-  
11 dren out of such drill;

12        (iii) accommodations for students who have post-traumatic stress  
13 disorder, anxiety, a physical disability, or other relevant medical  
14 condition, which shall include the rendering of mental health counseling  
15 for such students; and

16        (iv) an age-appropriate explanation to the students of the school  
17 where the lock-down drill is being held of such drill, including a thor-  
18 ough description of the drill and how it relates to the school's build-  
19 ing-level emergency response plan prescribed in section twenty-eight  
20 hundred one-a of this chapter.

21     (b) All boards of education or school boards or other bodies having  
22 control of the schools in any district or city shall design and conduct  
23 a comprehensive training for teachers, administrators, and all other  
24 school personnel participating in lock-down drills, which shall include:

25         (i) how to respond to students' physical, emotional, social, and  
26 developmental needs during and after such drills, including particular  
27 guidance for students with disabilities;

28         (ii) guidance on how to conduct such drills in a variety of class-  
29 rooms, including those with physical limitations such as windowed walls;

30         (iii) what information should be communicated to students before,  
31 during, and after such drill; and

32         (iv) any other information that the board or body sees fit to include.  
33 All teachers, administrators, and school personnel subject to a lock-  
34 down drill shall be notified of such drill in advance of such drill  
35 occurring and shall be notified of such drill's expected length of time.

36     § 3. This act shall take effect on the first of July next succeeding  
37 the date upon which it shall have become a law. Effective immediately,  
38 the addition, amendment and/or repeal of any rule or regulation neces-  
39 sary for the implementation of this act on its effective date are  
40 authorized to be made and completed on or before such effective date.