



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: June 19, 2014

TO: Members of the Delaware State Senate

FROM: Ms. Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: H.B. 347 (School Safety Construction & Renovations Features)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 347 with H.A. 1, which would require newly constructed or renovated school buildings to contain certain design features, including bulletproof glass, certain door locks, and an intruder alert system. It would also require the OMB Facilities Management Section to ensure Dept. Of Homeland Security's review of such sites to address compliance with "Crime Prevention through Environmental Design (CPTED) contemporary practices."

SCPD originally had one principal concern with the legislation. Adoption of safety features can create barriers and result in violations of the ADA. In the past, Council believes at least one public school installed safety features which were later uninstalled due to non-conformity with accessibility standards. SCPD therefore recommended an amendment to add the following sentence at the end of line 12: "Such review shall be coordinated with the Architectural Accessibility Board established by Chapter 73 of this title to ensure compatibility of safety and architectural accessibility features." The AAB is already charged with reviewing school construction and renovations to ensure ADA compliance. However, this may not always occur. In addition, if the "safety" review occurred after the AAB review, changes could supersede and contravene the AAB-approved accessibility features. After consultation with the AAB, the SCPD shared the proposed amendment with the prime sponsor and H.A. 1 addresses this issue.

SCPD endorses H.B. 347 with H.A. 1.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: Delaware State House of Representatives
Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council