



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: February 27, 2015

TO: Members of the Delaware House of Representatives
and Delaware State Senate

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

RE: H.B. 27 (School Safety)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 27 which requires newly constructed or renovated school buildings to contain specific design features, including bulletproof glass, certain door locks, and an intruder alert system. In addition, the bill requires the OMB Facilities Management Section to ensure Department of Homeland Security review of such sites to address compliance with both the above standards and "Crime Prevention through Environmental Design (CPTED) contemporary practices".

Similar legislation has been introduced in the past. Most recently, a bill (H.B. 13) with almost identical content was introduced and then stricken on January 15, 2015. In 2014, similar legislation (H.B. 347) passed the House and was released from the Senate Education Committee on June 25, 2014. It did not receive a vote by the full Senate. The prior legislation (H.B. 347) also required installation of "bullet resistant white boards in each classroom" (line 22). The "white boards" are not included in the current H.B. 27. Consistent with the attached November 7, 2014 News Journal article, private financing was secured to establish a white board pilot in two schools.

SCPD has identified one principal concern with the legislation.

Adoption of safety features can create barriers and result in violations of the ADA. In the past, SCPD believes at least one public school installed safety features which were later uninstalled due to non-conformity with accessibility standards. SCPD therefore recommends an amendment to add the following sentence at the end of line 23: "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, if the "safety" review occurred after the AAB review, changes could supersede and contravene the AAB-approved accessibility features. SCPD raised the same concern with the prior legislation (H.B. 347) which resulted in the approval of a conforming H.A. 1 to that bill. See attached June 19, 2014 SCPD Memorandum and H.A. No. 1.

SCPD is endorsing the proposed legislation subject to incorporation of the above recommended 1-sentence amendment.

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

cc: Mr. Brian Hartman
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

HB 10 state office of financial empowerment 2-27-15

Bulletproof whiteboards will protect students, teachers

DELAWARE VOICE SEN. NICOLE POORE

Protecting our children has always been foremost in our minds as legislators and parents and, since the Sandy Hook school shootings in 2012, we in the General Assembly and Gov. Jack Markell's administration have been studying the issue of school safety with a renewed sense of urgency.

When I had an opportunity to meet personally with some of the Sandy Hook parents in 2013, I got a renewed interest in finding a tool that would empower our teachers without scaring our students.

While doing research to find an approach that might work here in Delaware, I learned about Hardwire, Inc., and its bulletproof whiteboards. After researching, I thought the idea was good enough that I approached the company with the idea of doing a pilot project in several of our schools.

The whiteboards, which have arm loops at the back, are used in a fashion similar to the bulletproof shields that police use. They are made of the same kinds of material used to make body and light vehicular armor for the armed forces, and tests with a variety of firearms show they work.

Think of the whiteboards as a tool like a fire extinguisher, a non-violent option that teachers can deploy to protect their classrooms if they should

ever come under attack. A teacher can use the board to close on a shooter and buy time, which is invaluable in what law enforcement officials call "active shooter situations," giving police, some of whom are assigned to schools, a chance to respond.

It's a pilot program we all fervently pray never has to be put to the test. This pilot program has cost Delaware taxpayers nothing. House Majority Leader Valerie Longhurst and I were able to reach out to the business community and, through a partnership with Delmarva Power, the Delaware City Refinery, the DuPont Co. and Monroe Energy, we have been able to purchase 140 of these whiteboards for use as a pilot project at Gunning Bedford

Middle School and Pleasantville Elementary School. These public-spirited private organizations clearly see value in their employees being able to send their children to school with the peace of mind that they will have at least some degree of protection.

The whiteboards give teachers a chance to respond to, and attempt to contain, a threatening situation in a non-lethal fashion that could save the lives of students and teachers alike. That, in my opinion, makes it a good investment and one we should explore deploying in Delaware schools on a wider basis.

Sen. Nicole Poore is a Democrat representing the 12th Senatorial District, which includes New Castle and Delaware City.



Protect Your



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MEMORANDUM

DATE: June 19, 2014
TO: Members of the Delaware State Senate
FROM: Ms. Daniese McMullin-Powell, ^{DMPL}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

HB 347 school safety construction 6-14



SPONSOR: Rep. Jaques

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1

TO

HOUSE BILL NO. 347

- 1 AMEND House Bill No. 347 at line 12 by striking the phrase "as well as the requirements of §2306 of Title 14".
- 2 FURTHER AMEND House Bill No. 347 by inserting at the end of line 12 the following:
- 3 "Such review shall be coordinated with the Architectural Accessibility Board established by Chapter 73 of this title to
- 4 ensure compatibility of safety and architectural accessibility features.".
- 5 FURTHER AMEND House Bill No. 347 by striking Section 2 in the its entirety.

SYNOPSIS

This amendment requires the new school construction review by the Department of Safety and Homeland Security to be coordinated with the Architectural Accessibility Board. Further, the amendment removes the itemized requirements for bulletproof glass, doors with key locks on both sides, bullet resistant white boards, and panic buttons.