



Focus on Alyssa's Law

School Boards Guide to Safer Schools in New Jersey

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Alyssa's Law - Background

- Version of bill first proposed in 2012
- State School Security Task Force mandated by P.L.2013, c.142
 - Issued Report and Recommendations in July 2015: Panic alarms in school buildings to alert local law enforcement authorities to emergency situations 1 of 14 issues studied
- NJSBA School Security Task Force Final Report issued October 2014



Alyssa's Law, P.L. 2019, c.33

- Bill renamed in honor of Parkland victim Alyssa Alhadeff, a former New Jersey resident
- Alyssa's Law signed into law on February 6, 2019 and effective September 1, 2019
- Temporary regulations from the SDA now effective
- Proposed regulations from the SDA and NJDOE currently available, written comments due on proposed regulations February 14, 2020



Alyssa's Law - Requirements

- Each public elementary and secondary school building must have a panic alarm for use in a school security emergency
- Emergencies include, but are not limited to, non-fire evacuation, lockdown, or active shooter situation
- Alarm must be linked to local law enforcement authority – except if no municipal police, then at Superintendent of State Police-designated location



Requirements (cont'd)

- Panic alarm defined as “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.” N.J.S.A. 18A:41-11.



Requirements (cont'd)

- Must immediately transmit a signal or message to local law enforcement
- Must not be audible within school building
- Alarm must follow “nationally recognized industry standards”
- Requires installation by a licensed person
- Emergency mechanism approved by the Department of Education is permitted as an alternative



Alyssa's Law – Funding

N.J.S.A. 18A:41-12

- Funding available from portion of bonds authorized upon voter approval of Securing Our Children's Future Bond Act (approved on November 6, 2018)
- Authorizes funding for full cost of alarm or alternative emergency mechanism
- Also permits reimbursement if school district installed alarm or alternative mechanism prior to Act's effective date



SDA Regulations (Temporary and Proposed)

N.J.A.C. 19:32A-2.1

- Each district must show compliance by submitting an application to the SDA for a compliance determination
- Application must identify each school building in the district, and provide documentation sufficient to allow the SDA to evaluate and determine compliance of each school building
- Compliance prerequisite for eligibility for school security project grant funding



SDA Regulations (cont'd)

- N.J.A.C. 19:32A-2.2 - To demonstrate compliance with Alyssa's Law, district must submit:
 - Certification of law enforcement official with jurisdiction in municipality where school is located
 - Certification must attest "that such school building is equipped with a silent panic alarm that, upon activation, transmits a signal or message to the local municipal police department, or a location designated by the Superintendent of State Police."
 - Alternatively, can demonstrate building equipped with alternative emergency mechanism



SDA Regulations (cont'd)

N.J.A.C. 19:32A-2.3

- District would apply for compliance determination on a SDA-provided form
- Compliance determination made based on information supplied by the district
- Districts must submit:
 - Full list of all school buildings
 - Certification of Superintendent or BA attesting to completeness and accuracy of the list
 - Documentation demonstrating whether school building has a silent panic alarm system that satisfies Alyssa's Law



SDA Regulations (cont'd)

N.J.A.C. 19:32A-2.4

- SDA will make a compliance determination
- If SDA finds that a building may be equipped with a system/equipment that may constitute an emergency system satisfying the requirement if approved by the DOE, SDA must recommend that the DOE approve
- If DOE approves, then SDA will determine building in compliance
- SDA will give district notice of determination, and transmit notice to Commissioner



SDA Regulations (cont'd)

- N.J.A.C. 19:32A-2.5 – To receive school security project grant funding to comply with Alyssa's Law, must apply to Commissioner
- N.J.A.C. 19:32A-2.6 – Certification submission requirements
- N.J.A.C. 19:32A-3.1 – Appeals of SDA decisions must be made in writing within thirty (30) days of receipt; opportunity for informal hearing
 - May then request formal hearing within forty-five (45) days of subsequent determination



Proposed DOE Regulations

- New proposed regs at N.J.A.C. 6A:26A-1.1 et seq. addressing eligibility criteria and procedures for review and approval of grants
- N.J.A.C. 6A:26A-1.3 - Of \$500 million in bonds authorized under the Securing Our Children's Future Bond Act, \$75 million for school security project grants
- N.J.A.C. 6A:26A-1.4 – Authorizes grants awarded by Commissioner for full cost or portion of cost of school security project



Proposed DOE Regulations (cont'd)

- N.J.A.C. 6A:26A-1.5 – School districts may receive list of eligible projects sent to Legislature; would require a district, after receiving this notice, to submit necessary documentation for project approval;
- (cont'd) - Commissioner and district to enter into grant agreement prior to disbursement of funds
- N.J.A.C. 6A:26A-1.6 – Would require other capital project approval prior to execution of agreement
- N.J.A.C. 6A:26A-1.7 – District must submit written request for disbursement of funds for eligible incurred costs



Proposed DOE Regulations (cont'd)

- N.J.A.C. 6A:26A-1.7 – District must submit written request for disbursement of funds for eligible incurred costs
 - If grant requires other capital project approval, funds will be released in four (4) installments; otherwise grant to be disbursed in two (2) steps
 - Funds for completed school security project to be available upon execution of agreement and approval of reimbursement request
 - Allows district to request waiver from disbursement schedule



Proposed DOE Regulations (cont'd)

- N.J.A.C. 6A:26A-4.1
 - Would prohibit Commissioner from awarding school security project grant to district that did not demonstrate compliance in each school building in district or failed to submit application including projects to ensure all buildings in compliance
 - Projects limited to “school buildings”
 - Maximum grant allowance to be calculated based on student population and grades served
 - District has discretion to allocate funding among school buildings



Proposed DOE Regulations (cont'd)

- Application Procedures - N.J.A.C. 6A:26A-4.2
- To apply, districts would submit:
 - School Security Grant Application
 - Board resolution affirming submission of application and availability of local funds if costs exceed grant allowance
 - Documentation demonstrating compliance or plan to comply with Alyssa's Law using grant
 - If seeking funding for proposed project, project description, cost estimate, statement regarding credentials/license of installer, and estimated completion date
 - Certification that project will connect to and notify (when activated) relevant law enforcement
 - Statement of compliance with "spirit and intent" of the Law
 - Statement of why approve alternative mechanism (if relevant)



Proposed DOE Regulations (cont'd)

Grant Allocation - N.J.A.C. 6A:26A-4.3

- Grants for school security projects will fund 100% of total eligible costs up to max allowance
- Allowance “based on the number of students in grades kindergarten through 12 in the school district as reported on Application for State School Aid (ASSA), and their grade levels, multiplied by the square feet per student factors prescribed in the Facilities Efficiency Standards (FES), multiplied by a funding multiplier as determined by the Commissioner based on the total funds for school security projects as set forth in the Act.”



Proposed DOE Regulations (cont'd)

Eligible Expenditures - N.J.A.C. 6A:26A-4.4

- Requests for grants to comply with Alyssa's Law must also comply with final SDA regulations
- Requests for reimbursement for costs incurred after January 1, 2016 but prior to effective date eligible for funding
- May wish to review list of other school security projects eligible for grant funding



Proposed Regulations

- 60-Day comment period, comments due by February 14, 2020
- SDA: Cecelia Haney, Administrative Practice Officer, New Jersey Schools Development Authority, P.O. Box 991, Trenton, NJ 08625-0991, 609-858-2968, chaney@njsda.gov
- DOE: Kevin Dehmer, Assistant Commissioner, Division of Finance, New Jersey Department of Education, 100 River View Plaza, P.O. Box 500, Trenton, NJ 08625-0500, chapter26A@doe.nj.gov
- Other questions? chapter26A@doe.nj.gov



Class Three Special Law Enforcement Officers

- P.L. 2016, c.68, effective June 1, 2017
- Requires, among other things, that the SLEO completes training course for safe schools resource officers
- “...authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security” at times specified in statute
- May be another resource to districts in considering Alyssa’s Law implementation



Preliminary Guidelines

- Preliminary Guidelines on Alyssa's Law Compliance and School Security Grants issued jointly by the SDA and NJDOE on December 19, 2019
- Part A describes Alyssa's Law compliance and certification activities that are overseen by the SDA
- Part B describes school security grant eligibility and submission requirements, overseen by the NJDOE
- Available at:
<https://www.nj.gov/education/facilities/docs/School%20Security%20Preliminary%20Guidelines.pdf>



School Violence Prevention and Mitigation Act of 2019

- H3665 – Last action: referred to House Subcommittee on Crime, Terrorism, and Homeland Security in July 2019
- Purpose of legislation is to establish grant program for schools to conduct independent security risk assessments and make hard security improvements, and for other purposes
- Among other improvements, would fund installation of panic alarms



Questions?



Contacts

- **Kathleen Asher, Esq., Counsel**
 - (609) 278-5222
 - Kasher@njsba.org
- **Katrina Homel, Esq., Counsel**
 - (609) 278-5293
 - Khomel@njsba.org
- **John Burns, Esq., Counsel**
 - (609) 278-5275
 - Jburns@NJSBA.org
- **Carl Tanksley, Jr., Esq., Director**
 - (609) 278-5245
 - Ctanksley@NJSBA.org

