



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
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**MEMORANDUM**

**DATE:** March 16, 2017

**TO:** The Honorable Members of the Delaware General Assembly

**FROM:** Dafne A. Carnright, Chairperson  
GACEC

**RE:** **House Bill No. 49 (School Safety and Construction)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed **House Bill No. 49** which would require all new school construction or major renovations to include the following features: an intruder alarm, bulletproof glass in entrance areas and interior doors and windows, and doors lockable with keys on both sides. The bill would also require all new school construction plans to be submitted to the Office of Management and Budget's Facilities Management Section for compliance with these requirements as well as with Crime Prevention through Environmental Design principles. The GACEC **endorses** the proposed legislation; however, we suggest an amendment to address compliance with the Americans with Disabilities Act (ADA) and coordination with the Architectural Accessibility Board (AAB).

This bill is similar to House Bill No. 347 introduced in June, 2014. That bill passed the House but did not receive a vote by the full Senate. It is also similar to House Bill No. 27 introduced in January, 2015 and stricken in July, 2015. That bill had an initial year fiscal note of approximately \$779,000 in State costs. The GACEC endorsed the predecessor bills subject to incorporation of a very important amendment which was added to House Bill No. 347 prior to House passage. The same amendment should be added to House Bill No. 49. Information on the amendment is reflected in the June 23, 2014 GACEC commentary (see attached) and excerpt below:

*A principal concern that the safety features in the legislation could result in violations of the Americans with Disabilities Act (ADA) has been addressed by House Amendment No. 1. The amendment requires the new school construction review by DSHS to be coordinated with the Architectural Accessibility Board. The amendment also removes the itemized requirements for bulletproof glass, doors with key locks on both sides, bullet resistant white boards and panic buttons. Council **endorses** the legislation as amended.*

Thank you for your time and consideration of our endorsement and suggested amendment. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.

CC: The Honorable Robert Coupe, Department of Safety and Homeland Security  
Jennifer Lieber, Architectural Accessibility Board

Attachment