ASSEMBLY, No. 1458

STATE OF NEW JERSEY

219th LEGISLATURE

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Sponsored by:
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SYNOPSIS

Requires school districts to provide for the safe operation of electrically operated partitions in classrooms or other school facilities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning electrically operated partitions in school districts and supplementing chapter 20 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. As used in this act, "electrically operated partition" means any partition, room divider, curtain, or other similar device which is controlled through the operation of an electrical motor.

2. a. The board of education of a school district in which classrooms or other facilities used by students have electrically operated partitions installed after the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) shall ensure that those electrically operated partitions comply with the following:

(1) the electrically operated partition is equipped with two key-operated, tamper-proof, constant pressure control stations that are remotely located at opposite ends and opposite sides of, and in view of, the partition, and which are designed and constructed to require simultaneous activation of both control stations to operate the partition;

(2) the electric device controlling the operation of the partition is capable of being reversed at any point in the extend or stack travel cycle; and

(3) devices are provided for all partitions that will stop the forward or backward motion of the partition and stop the stacking motion of the partition when a body or object passes between the leading panel of the partition and a wall or other termination point, or when a body or object is in the stacking area of the partition.

b. The board of education of a school district in which classrooms or other facilities used by students have electrically operated partitions installed before the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) that do not fully conform with the provisions of paragraphs (1), (2), and (3) of subsection a. of this section shall adhere to the following procedures:

(1) the partition will not be operated when there are students or other individuals, other than the required operators, present in the space being divided;

(2) the partition will be operated only by individuals who are properly trained in the safe operation of the partition; and

(3) appropriate signage stating the requirements of this subsection will be posted adjacent to each partition operating mechanism.

3. The board of education of a school district in which

classrooms or other facilities used by students have electrically operated partitions shall ensure that:

a. Appropriate and conspicuous notice regarding the safe and proper operation and supervision of the partition is posted in the immediate vicinity of the partition, on both sides of the separation and adjacent to the operating mechanism;

b. A procedure is established for the notification of all school employees and all other persons who regularly make use of the area in which the partition is located of the safe and proper procedure for the operation of the partition. Staff shall be trained in the safe operation of the partition. The training shall include a discussion of any past accidents involving partitions in the school district and the potential for serious injury or death when the partitions are not operated in a safe and appropriate manner. The school district shall maintain records of the training which has been provided;

c. Students shall not be permitted to operate the partition. If the electrically operated partition was installed after the effective date of P.L c. (C.) (pending before the Legislature as this bill) or otherwise conforms with the provisions of paragraphs (1), (2), and (3) of subsection a. of section 2 of this act, individuals other than the required operators may be present while the partition is being operated. Any students present while the partition is being operated shall be under the direct supervision of trained staff and shall be required to stand away from, and not be allowed to cross the path of, the moving partition; and

d. Safety features shall not be tampered with, overridden, or by-passed. All equipment shall be maintained in accordance with the manufacturer's instructions, including the manufacturer's recommended service interval, and records of maintenance shall be maintained by the district. All equipment shall be installed in a fail-safe manner so that the failure of any safety device renders the electrically operated partition inoperable until the device is repaired.

4. A school district shall report annually to the Commissioner of Education any incidences in which an electrically operated partition malfunctioned and caused a person to sustain injuries.

5. This act shall take effect one year following the date of enactment.

STATEMENT

This bill requires a board of education of a school district in which classrooms or other facilities used by students have electrically operated partitions installed after the bill's effective date to ensure that these partitions comply with the following:

(1) the partition is equipped with two key-operated, tamper-proof, control stations that are located at opposite ends and opposite sides of, and in view of, the partition, and which are designed and constructed to require simultaneous activation of both control stations to operate the partition;

(2) the electric device controlling the operation of the partition is capable of being reversed at any point in the extend or stack travel cycle; and

(3) devices are provided for all partitions that will stop the forward or backward motion of the partition and stop the stacking motion of the partition when an object passes between the leading panel of the partition and a termination point, or when an object is in the stacking area of the partition.

Additionally, the bill requires that the boards of education of school districts with electrically operated partitions installed prior to the effective date of the bill that do not have the above safety features comply with the following:

(1) the partition will not be operated while students or other individuals, other than the required operators, are present in the space being divided;

(2) the partition will only be operated by individuals appropriately trained in the safe operation of the partition; and

(3) appropriate signage stating these requirements will be posted adjacent to each partition operating mechanism.

The bill would also require that the board of education of a school district in which classrooms or other facilities used by students have electrically operated partitions ensure that:

(1) notice regarding the safe and proper operation and supervision of the partition will be posted in the immediate vicinity of the partition;

(2) a procedure is established for the notification of all school employees and all other persons who regularly make use of the area in which the partition is located of the safe and proper procedure for the operation of the partition. Staff will also be trained in the safe operation of the partition;

(3) students will not be permitted to operate the partition. Students may be present while the partition is being operated only if the safety features detailed in subsection a. of the bill are installed. Any students present will be required to be under the direct supervision of trained staff; and

(4) safety features will not be tampered with and all equipment will be maintained in accordance with the manufacturer's instructions. Additionally, all equipment will be installed in a fail-safe manner so that the failure of any safety device renders the electrically operated partition inoperable until the device is repaired.

The bill imposes the safety feature requirements only in the case of electrically operated partitions installed in public school

buildings after the effective date of the bill. Additionally, the bill specifies the conditions under which a partition installed prior to the bill's effective date may be operated if it has not been modified to include the safety features required on newly installed partitions.