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To: District Superintendents of BOCES
Superintendents of Public School Districts Outside NYC
Principals of Public Schools Outside NYC
Charter School Leaders of Charter Schools Outside NYC

From: Kathleen R. DeCataldo

Subject: Recent Audits Related to School Safety Planning Requirements;
Updating and Submitting School Building-Level Emergency Response Plans; and
Information Related to District-Wide Safety Plans for the 2019-20 School Year

Recent Audits Related to School Safety Planning Requirements

During the 2018-19 school year, the Office of the State Comptroller (OSC) conducted three separate audits regarding compliance with and oversight of school district, BOCES and charter school implementation of the requirements of [Education Law §2801-a](#) and [Commissioner's Regulation §155.17](#) related to confidential building-level Emergency Response Plans and district-wide school safety plans, with summary reports of the audits released over the last few months.¹ While it is clear that schools are taking steps to ensure school safety, it is also clear that additional guidance and improvement are needed. As you prepare to start a new school year, it is imperative that every school and school district review their safety plans to ensure compliance. Beginning with the 2019-20 school year, certain Department data collections will be modified so the Department may begin to address the findings and recommendations in the audits. More information about those changes will be forthcoming.

Among the concerns that were raised by the audits, it was noted that in some schools and/or districts:

- Staff and students are not receiving adequate instruction about emergency response procedures, including conducting required evacuation and lockdown drills. Education Law §807 requires that each school conduct **four lockdown drills and eight evacuation drills each year**, eight of the required twelve drills are to be completed by

¹ The three audit reports are: State Education Department Oversight of School Safety Planning Requirements ([Report 2018-S-34](#)); New York City Department of Education Compliance with School Safety Planning Requirements ([Report 2018-N-2](#)); Safe Schools Against Violence in Education (SAVE) Act – Safety Plans ([Report 2019-MS-1](#))

December 31 each year, with additional requirements for summer school and after-school programs or events.²

- In some cases, plans do not include all minimum required elements. Every District-Wide School Safety Plan and Building-Level Emergency Response Plan must include the elements required by the law and regulation.
- Some Local Education Agencies (LEAs) did not have a district-wide school safety plan. It is required that every school district, BOCES and charter school develop and adopt, and annually review and adopt a district-wide school safety plan.
- Many LEAs did not accurately post the district-wide school safety plan to the LEA website and submit the URL to the State Education Department.
- Required procedures regarding public hearings, board adoption, and/or public comment periods are not in place. LEAs should consult with their school attorneys regarding meeting these requirements. In addition, information about the Open Meetings Law and requirements for public meetings is available in this publication from the [Department of State](#).
- Some LEAs are not appointing all required members to the safety team(s). As noted above, it is required that every district-wide school safety plan and building-level emergency response plan include the elements required by the statute and regulation, including appointing required members to safety teams.
- Some LEAs are not submitting building-level emergency response plans to local law enforcement as required.

So that schools and districts may begin to address the findings and recommendations in the audits, the Department has developed the attached District-Wide School Safety Plan Self-Assessment and Building-Level Emergency Response Plan Self-Assessment that are intended for internal school or district use, not to be submitted to the Department. It is recommended that every school and district use the relevant self-assessment to review their plans for compliance and completeness and to identify steps needed to rectify any requirements that are not currently met. The self-assessments include the minimum requirements as articulated in the law and regulation, with space to identify which required components are: in place, partially in place, or not addressed. The self-assessment documents and additional information and resources related to emergency response planning are available on our website at: <http://www.p12.nysed.gov/sss/ssae/schoolsafety/save/> and on the New York State Center for School Safety's webpage at: <https://www.nyscfss.org/project-save-safetyplans>.

In the 2019-20 school year, the Department will begin to implement a multi-year federal Grants to States for School Emergency Management Programs grant. Using grant funds, in partnership with the New York State Division of Homeland Security and Emergency Services, we will expand the availability of training and resources for school and district personnel related to school emergency planning.

² <https://www.nysenate.gov/legislation/laws/EDN/807>, see also, May 2016 memorandum regarding legislative changes related to school safety planning: http://p1232.nysed.gov/sss/documents/NewSafetyLegis_FieldMemoFINAL.pdf

Submitting District-Wide School Safety Plans and Other Required Information to the Department

Each year, every school district, BOCES and charter school must develop/update, and, after appropriate board review and public comment period, adopt a comprehensive district-wide school safety plan. To comply with the requirement that the district-wide safety plan be filed with the Commissioner, each school district, charter school and BOCES is directed to post their district-wide school safety plan, which must include the school code of conduct, on the district website and submit the web address/URL to the Department. For the 2016-17 through 2018-19 school years, districts, BOCES and charter schools submitted the URL for district-wide school safety plan; the certification that all district and school staff have undergone annual training in the emergency response plan, school violence prevention and mental health; and the name and contact information for the chief emergency officer through the annual Basic Educational Data System (BEDS) collection. Beginning with the 2019-20 school year, this information will no longer be collected as part of BEDS.

A new collection has been added to the Safe Schools collection in SED Monitoring to collect the following information:

- Contact information for the Chief Emergency Officer;
- The URL for the district-wide school safety plan;
- Critical dates related to the adoption of the district-wide school safety plan, including the date of the public board meeting regarding the plan, beginning and end date of the public comment period, and date of board adoption
- Certification that all district and school staff have undergone annual training in the emergency response plan, school violence prevention, and mental health;
- Date(s) annual training was provided to staff in the emergency response plan, school violence prevention, and mental health;
- A brief description of annual training that was provided to staff in the emergency response plan, school violence prevention, and mental health.

The new collection is available in SED Monitoring now, the chief executive officer of each public school district, BOCES and charter school (superintendent, district superintendent, or charter school leader, respectively) may access the new data collection via the New York State Education Department (NYSED) business portal. From the NYSED business portal, choose “SED Monitoring,” then select “Safe Schools” then select “LEA District Safety Plan URL and Information.”

Submitting Building-level Emergency Response Plans to State Police

As in prior school years, each public school, charter school and BOCES school building is required to develop and annually update a confidential building-level Emergency Response Plan (ERP) that includes details about how school personnel and students would respond to different types of emergency situations that may occur in their school. These confidential ERPs include information about the school, key staff, floor plans, and detailed response procedures for different types of emergency situations. If a serious emergency does occur in a school, it is essential that law enforcement have access to the information included in these plans. As such, it is a requirement that each year, every public school and BOCES update and submit their building-level ERP to both the

State Police and local law enforcement within 30 days of adoption. Beginning with the 2016-17 school year, schools fulfil the requirement to submit building-level ERPs to the State Police by submitting, and annually updating plans electronically via the NYSED business portal.

For the 2019-20 school year submission via the NYSED business portal, the deadline for submitting is October 15. Note that beginning with the 2020-21 school year the plans must be submitted no later than October 1.

At this time, school officials must comply with the requirement to submit the building-level ERP to local law enforcement by contacting local law enforcement directly. Local law enforcement must be a part of your required building level school safety planning team. To assist schools in identifying local law enforcement agencies, you can find a list here: <https://www.criminaljustice.ny.gov/crimnet/oisa/agdir/index.html>.

Accessing the SafeSchools Application via the SED Business Portal

Information about the electronic submission process, as well as resources to aid in emergency planning can be found below. If you have questions or problems accessing the business portal or the SED Monitoring and Vendor Performance System, please contact the SEDDAS helpdesk at SEDDAS@nysed.gov or the office of Student Support Services at StudentSupportServices@nysed.gov.

If you have questions about the Building-Level Emergency Response Plan requirements, please contact info@safeschools.ny.gov.

If you have questions about the District-Wide Safety Plan requirements, please contact StudentSupportServices@nysed.gov.

School Building ERPs must be submitted by the Chief Executive Officer** of each **school**; **District-wide school safety plans** must be submitted by the Chief Executive Officer of each **LEA (school district, BOCES, or charter school)** using the following steps:

1. Go to <https://portal.nysed.gov/>
2. Click on the “Log In” button
3. Enter your existing SEDDAS username and password
4. Under the heading “My Applications,” click the link to “SED Monitoring and Vendor Performance System”
5. **For School Building ERPs** – in the inbox public school principals (and designated staff) will see “School ERP,” BOCES staff will see “BOCES ERP”
 - a. Click “View” to enter and review data
 - i. All floor plans must be uploaded as a .pdf document
 - ii. It is recommended that you save your changes frequently

- iii. It is not required that you enter all data at once, you can save your changes and finish at a later time
- iv. The CIO of the school or district/BOCES must submit the ERP when all relevant information is entered
- v. Screen shots of the entire survey, with all questions, and instructions are available to download from within the application

6. **For the District-Wide Safety Plan** – in the inbox public school superintendents, district superintendents, and charter school leaders will see “LEA District Safety Plan URL and Information”

** The Chief Executive Officer (CEO) of each public school, charter school and BOCES building as recorded in SEDREF ([https://portal.nysed.gov/pls/sedrefpublic/SED.sed_inst_qry_vw\\$.startup](https://portal.nysed.gov/pls/sedrefpublic/SED.sed_inst_qry_vw$.startup)) has been entitled to enter information into SED Monitoring and the School Building ERPs SafeSchools electronic application in SEDDAS. If the CEO information in SEDREF is incorrect for your school, you may update it by following the instructions here: <http://www.oms.nysed.gov/sedref/home.html>.

Information and resources related to emergency response planning is on our website at: <http://www.p12.nysed.gov/sss/ssae/schoolsafety/save/> and on the New York State Center for School Safety’s webpage at: <https://www.nyscfss.org/project-save-safetyplans>, and below.

Emergency Planning Resources

US Department of Education, Office of Safe and Healthy Students, (OSHS),
[Readiness and Emergency Management for Schools Technical Assistance Center \(REMS TA Center\)](#)

- Federal Emergency Management Agency (FEMA)
- [Introduction to Incident Command Systems \(ICS\) for Schools](#)
- [Developing and Maintaining Emergency Operations Plans](#)
 - [Comprehensive Preparedness Guide \(CPG\) 101](#)
- [Guide for Developing High-Quality School Emergency Operations Plans](#)
 - [Multihazard Emergency Planning for Schools Toolkit](#)