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**TO:** BOCES District Superintendents  
Superintendents of Public School Districts  
Principals of Public Schools

**FROM:** Renée L. Rider 

**SUBJECT:** Additional Guidance on Legislative Changes Related to School Emergency Response Planning

**DATE:** August 12, 2016

As a follow-up to the May 19, 2016 memorandum regarding changes to Education Law §§ 2801-a, and 807 related to school emergency response planning, the New York State Education Department (NYSED) has provided additional resources to assist schools in complying with the legislative changes to emergency response planning requirements. ([http://www.p12.nysed.gov/sss/documents/NewSafetyLegis\\_FieldMemoFINAL.pdf](http://www.p12.nysed.gov/sss/documents/NewSafetyLegis_FieldMemoFINAL.pdf)).

As stated in the memo, due to the importance of school preparedness in an emergency, the New York State School Safety Improvement Team—which is composed of staff from the Governor's Office, New York State Police, New York State Education Department, New York State Division of Homeland Security and Emergency Services, and the New York State Division of Criminal Justice Services—recommended statutory amendments to improve the scope of school emergency response planning. As such, the 2016-17 Enacted State Budget included amendments to Education Law §§ 2801-a and 807 (Chapter 54 of the Laws of 2016). These amendments took effect on July 1, 2016. In accordance with the statutory changes, at the June 2016 meeting of the Board of Regents, the Board adopted, as an emergency measure, amendments to Commissioner's regulation § 155.17 to conform to the legislative changes to Education Law §§ 2801-a and 807, including:

- revisions to make the language of the regulation consistent with the amended statute;
- the date by which the board of education must adopt or amend district-wide school safety plans and building-level emergency response plans each school year was delayed from July 1 to September 1, beginning with the 2016-17 school year;
- the date by which the building-level emergency response plan must be submitted to the New York State Police and local law enforcement is still

within 30 days of adoption. However, such submission must occur no later than October 15;

- the date by which staff must receive annual school safety and school violence prevention training that also includes training in mental health, is September 15.

The amended regulations became effective on July 1, 2016, and it is anticipated that they will be presented to the Board of Regents for permanent adoption at the September 2016 meeting. To review the changes to regulation in their entirety, please visit <http://www.regents.nysed.gov/common/regents/files/616p12a3.pdf>. A question and answers document about the changes in legislation and regulation is now available on our website at: <http://www.p12.nysed.gov/sss/documents/EmergencyResponseLegRegChangesQAFinal.pdf>.

### **Resources for Schools**

Educators play a critical role in the success of students, not just academically, but socially and emotionally as well. Knowing how to recognize the signs of crisis, emotional trauma and other related mental health issues is critical.

To assist schools in developing mental health training programs for staff to comply with the statutory and regulatory requirement, we have posted a resource document on our website (<http://www.p12.nysed.gov/sss/documents/MentalHealthResourcesforEducators.pdf>) that includes links to organizations and agencies. Included are mental health resources for schools, including information about suicide prevention and postvention, early recognition and screening programs, trauma-informed care, and links to local resources that schools may reach out to for assistance. In addition, you will find a one-page summary from the U.S. Department of Health and Human Services, entitled *“What Educators Should Know,”* that includes information about warning signs and behavioral changes that may be indicators of a problem, and ways that educators can help their students and lead their classrooms to support student and family mental health.

### **School Building-Level Emergency Response Plans**

Beginning with the 2016-17 school year, schools will be required to use the Building-Level Emergency Response Plan Template which was developed and distributed by the New York State School Safety Improvement Team. The template was shared with districts during statewide regional meetings over the last two school years. The template requires that schools provide essential information, in a standard predefined format. A standardized format is the best way to ensure that police and other first responders have immediate access to this information if an emergency situation does occur in a school. In addition, it also ensures that as schools are developing their plans, they are including essential steps required for effective emergency planning. The template is available to school staff at: <https://safeschools.ny.gov/>.

The template developed by the New York State School Safety Improvement Team adopted standardized Federal Emergency Management Agency (FEMA) language, which includes specific definitions of vital emergency terms. Using the standardized terms and definitions for Shelter-In-Place, Hold-In-Place, Evacuate, Lock-Out, and Lock-Down will improve and streamline how emergencies are communicated to staff, students, and parents so they can react

appropriately, and in a timely fashion. The terminology used in the Building-Level Emergency Response Plan Template must be used by all schools in the 2016-17 school year. For additional information about these terms, see the Emergency Response Chart available at: <http://www.p12.nysed.gov/ss/ssae/schoolsafety/save/#schoolsafetyplans>.

Beginning in fall 2016, schools will have the ability to submit their Building-Level Emergency Response Plan to the New York State Police via an automated application accessed through the NYSED Business Portal. The automated collection of Building-Level Emergency Response Plans from schools will allow the New York State Police to distribute the plans to troopers and other law enforcement in a consistent and comprehensive manner statewide, and when fully implemented, will eliminate the need for schools to submit to both State and local law enforcement.

Electronic submission of building-level emergency response plans will be optional for the 2016-17 school year; however, all schools are strongly encouraged to use the new automated application. Schools that submit their 2016-17 building-level emergency response plan via the new automated application will have completed the requirement for submitting to the State Police, but must continue to share their building-level emergency response plan with local law enforcement for the 2016-17 school year. The automated submission of building-level emergency response plans will be required for all schools in the 2017-18 school year.

### **Resources and Outreach**

The mission of the School Safety Improvement Team is to help schools across the state implement effective school safety strategies and to enhance emergency preparedness. As part of this initiative, New York State Police Members have been visiting schools in their patrol area during the summer months. These visits are intended to give school staff an opportunity to ask questions and to provide State Police with familiarity of the school building and grounds to enhance their response effectiveness should they need to respond to your school in an emergency.

The New York State Police has eight School and Community Outreach Coordinators statewide who are available as a resource to BOCES, district and school staff engaged in emergency response planning. Contact information for State Police School and Community Outreach Coordinators is available at: [http://www.troopers.ny.gov/Schools\\_and\\_Communities/](http://www.troopers.ny.gov/Schools_and_Communities/).

For information and resources on school safety topics, visit the New York's Safe Schools website at <https://safeschools.ny.gov/>. Additional resources and technical assistance documents are available on the New York State Center for School Safety website at: <http://www.nyscfss.org/>. In the coming weeks, staff from NYSED and the New York State Police will be developing guidance on the new automated application and will be working with school districts and BOCES to implement the automated application statewide.

For additional information, please contact us at: [info@safeschools.ny.gov](mailto:info@safeschools.ny.gov) or [StudentSupportServices@nysed.gov](mailto:StudentSupportServices@nysed.gov). As always, thank you for your continued dedication to keeping our children and schools safe.