

STATE OF NEW YORK

7658

2017-2018 Regular Sessions

IN ASSEMBLY

May 5, 2017

Introduced by M. of A. GJONAJ -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to school safety plans

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1, 5, 6 and 8 and paragraphs d, e and j of
2 subdivision 2 of section 2801-a of the education law, as amended by
3 section 1 of part B of chapter 54 of the laws of 2016, are amended to
4 read as follows:

5 1. The board of education or trustees, as defined in section two of
6 this chapter, of every school district within the state, however
7 created, and every board of cooperative educational services and county
8 vocational education and extension board and the chancellor of the city
9 school district of the city of New York shall adopt and amend a compre-
10 hensive district-wide school safety plan and building-level emergency
11 response plans regarding crisis intervention, emergency response and
12 management, provided that in the city school district of the city of New
13 York, such plans shall be adopted by the chancellor of the city school
14 district. Such plans shall be developed by a district-wide school safety
15 team and a building-level emergency response team established pursuant
16 to subdivision four of this section and shall be in a form developed by
17 the commissioner in consultation with the division of criminal justice
18 services, the superintendent of the state police and any other appropri-
19 ate state agencies. The commissioner, in consultation with the super-
20 intendent of the state police, is authorized to develop an appeals proc-
21 ess from duplicative requirements of a district-wide school safety plan
22 for school districts having only one school building.

23 Each district-
24 wide school safety plan and building-level emergency response plan shall
25 be made available, on all school websites, to parents, guardians or
persons in parental relation to a student and shall be provided in every

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 language which is spoken by five percent or more of the student body in
2 the district.

3 d. policies and procedures [~~for~~] which require the contacting of
4 appropriate law enforcement officials in the event of a violent incident
5 or the threat of a violent incident;

6 e. policies and procedures [~~for~~] which require the contacting of
7 parents, guardians or persons in parental relation to the students of
8 the district in the event of a violent incident or the threat of a
9 violent incident and policies and procedures for contacting parents,
10 guardians or persons in parental relation to an individual student of
11 the district in the event of an implied or direct threat of violence by
12 such student against themselves, which for purposes of this section
13 shall include suicide;

14 j. strategies for improving communication among students and between
15 students and staff, health issue templates provided by the department
16 along with a guide on how to address them with students and reporting of
17 potentially violent incidents or the threat of potentially violent inci-
18 dents, such as the establishment of youth-run programs, peer mediation,
19 conflict resolution, creating a forum or designating a mentor for
20 students concerned with bullying or violence and establishing anonymous
21 reporting mechanisms for school violence;

22 5. The district-wide safety plan and building-level emergency response
23 plans shall be reviewed by the appropriate team on at least an annual
24 basis [~~and~~] updated as needed and in place before the beginning of each
25 school year.

26 6. Each board of education, chancellor or other governing body shall
27 make each district-wide safety plan available for public comment at
28 least [~~thirty~~] forty-five days prior to its adoption. Such district-
29 wide plans may be adopted by the school board only after at least one
30 public hearing that provides for the participation of school personnel,
31 parents, students and any other interested parties. Each district shall
32 provide adequate notice of such opportunity for public comment through
33 the use of flyers and individual school websites. Each district shall
34 file a copy of its district-wide safety plan with the commissioner and
35 all amendments to such plan shall be filed with the commissioner no
36 later than thirty days after their adoption. Within thirty days from the
37 final day of each school year, each school district shall provide the
38 department with a report, broken down by each individual school, detail-
39 ing involvement by parents, guardians or persons in parental relation to
40 a student in the safety plans adopted and including all incidents in
41 which the plan was used.

42 8. The commissioner shall annually report to the governor and the
43 legislature on the implementation and compliance with the provisions of
44 this section and shall send out notifications to all stakeholders
45 informing them that the safety plan implemented for that year in each
46 district has gone through the steps required by this section and has
47 been certified by the department and the New York state police.

48 § 2. This act shall take effect on the ninetieth day after it shall
49 have become a law.