

STATE OF NEW YORK

7832

IN SENATE

March 1, 2018

Introduced by Sen. CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to security upgrades recommended by school safety improvement teams

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

1 Section 1. Section 2801-b of the education law, as amended by section
2 3-a of part A of chapter 57 of the laws of 2013, is amended to read as
3 follows:

4 § 2801-b. New York state school safety improvement teams. 1. The
5 governor shall establish New York state school safety improvement teams,
6 which may be composed of representatives from the division of homeland
7 security and emergency services, the division of state police, the divi-
8 sion of criminal justice services, the office of general services and
9 the department. Such New York State School Safety Improvement Teams
10 shall review and assess school safety plans submitted, on a voluntary
11 basis, by school districts [~~having a population of less than one hundred~~
12 ~~twenty-five thousand inhabitants~~], boards of cooperative educational
13 services, nonpublic schools, and county vocational education and exten-
14 sion boards, and may make recommendations to improve such school safety
15 plans.

16 2. Any request for a security review and assessment under this section
17 shall be submitted to the commissioner of the division of homeland secu-
18 rity and emergency services, and shall be responded to by a school safe-
19 ty improvement team within one hundred twenty days of the submission of
20 such request. At the request of the school district, board of cooper-
21 ative educational services, nonpublic school, or county vocational and
22 educational board, the school safety improvement team shall, in addition
23 to a review of such entity's school safety plan, perform an on-site
24 examination of such entity's facilities, and upon such examination shall
25 include in its recommendations how the entity may improve the physical
26 security of such facility examined.

27 3. Any school district, board of cooperative educational services,
28 nonpublic school, or county vocational and educational board, that

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

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1 requests and receives any recommendation from a school safety improve-
2 ment team, shall not be held liable in any action for the failure to
3 address any recommendation made by a school safety improvement team,
4 within three years of the entity's receipt of such recommendation from
5 the school safety improvement team.

6 § 2. Subdivision 6-c of section 3602 of the education law, as amended
7 by chapter 1 of the laws of 2013, paragraph b as amended by section 23
8 of part YY of chapter 59 of the laws of 2017, is amended to read as
9 follows:

10 6-c. a. Building aid for metal detectors, security upgrades made
11 pursuant to recommendation from a school safety improvement team in
12 accordance with section twenty-eight hundred one-b of this chapter, and
13 safety devices for electrically operated partitions, room dividers and
14 doors. In addition to the apportionments payable to a school district
15 pursuant to subdivision six of this section, the commissioner is hereby
16 authorized to apportion to any school district additional building aid
17 pursuant to this subdivision for its approved expenditures in the base
18 year for the purchase of stationary metal detectors, security cameras,
19 security upgrades made pursuant to recommendation from a school safety
20 improvement team in accordance with section twenty-eight hundred one-b
21 of this chapter, and safety devices for electrically operated partitions
22 and room dividers required pursuant to section four hundred nine-f of
23 this chapter, or other security devices approved by the commissioner
24 that increase the safety of students and school personnel, provided,
25 however, that funds apportioned to school districts pursuant to this
26 section shall not supplant funds for existing district expenditures or
27 for existing contractual obligations of the district for stationary
28 metal detectors, security cameras, security upgrades made pursuant to
29 recommendation from a school safety improvement team in accordance with
30 section twenty-eight hundred one-b of this chapter, and partition and
31 room divider safety devices, or security devices. Portable or hand held
32 metal detectors shall not be eligible for aid pursuant to this subdivi-
33 sion. Such additional aid shall equal the product of the building aid
34 ratio computed for use in the current year pursuant to paragraph c of
35 subdivision six of this section and the actual approved expenditures
36 incurred in the base year pursuant to this subdivision, provided that
37 the limitations on cost allowances prescribed by paragraph a of subdivi-
38 sion six of this section shall not apply. The commissioner shall annual-
39 ly prescribe a special cost allowance for metal detectors, security
40 upgrades made pursuant to recommendation from a school safety improve-
41 ment team in accordance with section twenty-eight hundred one-b of this
42 chapter, and security cameras, and the approved expenditures shall not
43 exceed such cost allowance. The commissioner shall annually prescribe a
44 special cost allowance for partition and room divider safety devices,
45 and the approved expenditures shall not exceed such cost allowance.

46 b. For projects approved by the commissioner authorized to receive
47 additional building aid pursuant to this subdivision for the purchase of
48 stationary metal detectors, security upgrades made pursuant to recommen-
49 dation from a school safety improvement team in accordance with section
50 twenty-eight hundred one-b of this chapter, security cameras or other
51 security devices approved by the commissioner that increase the safety
52 of students and school personnel, provided that for purposes of this
53 paragraph such other security devices shall be limited to electronic
54 security systems and hardened doors, and provided that for projects
55 approved by the commissioner on or after the first day of July two thou-
56 sand thirteen and [~~before the first day of July two thousand eighteen~~]

1 thereafter such additional aid shall equal the product of (i) the build-
2 ing aid ratio computed for use in the current year pursuant to paragraph
3 c of subdivision six of this section plus ten percentage points, except
4 that in no case shall this amount exceed one hundred percent, and (ii)
5 the actual approved expenditures incurred in the base year pursuant to
6 this subdivision, provided that the limitations on cost allowances
7 prescribed by paragraph a of subdivision six of this section shall not
8 apply, and provided further that any projects aided under this paragraph
9 must be included in a district's school safety plan. The commissioner
10 shall annually prescribe a special cost allowance for metal detectors,
11 and security cameras, and the approved expenditures shall not exceed
12 such cost allowance.

13 § 3. Section 3602-c of the education law is amended by adding new
14 subdivision 11 to read as follows:

15 11. Aid shall be made available to all nonpublic schools under this
16 section, for security upgrades made pursuant to a recommendation from a
17 school safety improvement team in accordance with section twenty-eight
18 hundred one-b of this chapter, in the same manner as for public schools
19 in subdivision six-c of section thirty-six hundred two of this part.

20 § 4. This act shall take effect immediately.