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:

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

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

2. Any request for a security review and assessment under this section shall be submitted to the commissioner of the division of homeland security and emergency services, and shall be responded to by a school safety improvement team within one hundred twenty days of the submission of such request. At the request of the school district, board of cooperative educational services, nonpublic school, or county vocational and educational board, the school safety improvement team shall, in addition to a review of such entity's school safety plan, perform an on-site examination of such entity's facilities, and upon such examination shall include in its recommendations how the entity may improve the physical security of such facility examined.

3. Any school district, board of cooperative educational services, 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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requests and receives any recommendation from a school safety improvement team, shall not be held liable in any action for the failure to address any recommendation made by a school safety improvement team, within three years of the entity's receipt of such recommendation from the school safety improvement team.

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

6-c. a. Building aid for metal detectors, **security upgrades made pursuant to recommendation from a school safety improvement team in accordance with section twenty-eight hundred one-b of this chapter,** and safety devices for electrically operated partitions, room dividers and doors. In addition to the apportionments payable to a school district pursuant to subdivision six of this section, the commissioner is hereby authorized to apportion to any school district additional building aid pursuant to this subdivision for its approved expenditures in the base year for the purchase of stationary metal detectors, security cameras, **security upgrades made pursuant to recommendation from a school safety improvement team in accordance with section twenty-eight hundred one-b of this chapter, and** safety devices for electrically operated partitions and room dividers required pursuant to section four hundred nine-f of this chapter, or other security devices approved by the commissioner that increase the safety of students and school personnel, provided, however, that funds apportioned to school districts pursuant to this section shall not supplant funds for existing district expenditures or for existing contractual obligations of the district for stationary metal detectors, security cameras, **security upgrades made pursuant to recommendation from a school safety improvement team in accordance with section twenty-eight hundred one-b of this chapter, and** partition and room divider safety devices, or security devices. Portable or hand held metal detectors shall not be eligible for aid pursuant to this subdivision. Such additional aid shall equal the product of the building aid ratio computed for use in the current year pursuant to paragraph c of subdivision six of this section and the actual approved expenditures incurred in the base year pursuant to this subdivision, provided that the limitations on cost allowances prescribed by paragraph a of subdivision six of this section shall not apply. The commissioner shall annually prescribe a special cost allowance for metal detectors, **security upgrades made pursuant to recommendation from a school safety improvement team in accordance with section twenty-eight hundred one-b of this chapter,** and security cameras, and the approved expenditures shall not exceed such cost allowance. The commissioner shall annually prescribe a special cost allowance for partition and room divider safety devices, and the approved expenditures shall not exceed such cost allowance.

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

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

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

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

§ 4. This act shall take effect immediately.