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To: Charter School Leaders

From: Kathleen R. DeCataldo

Subject: Updating and Submitting 2022-23 School Year Building-Level Emergency Response Plans and Information Related to District-Wide School Safety Plans

This memo includes important information about updating and submitting building-level emergency response plans and information related to district-wide school safety plans for the 2022-23 school year. As appropriate, please share this information with members of your district-wide school safety team and/or building-level emergency response team.

As recent tragedies in schools have demonstrated, the importance of having a plan in place for how the school and community will respond in an emergency cannot be overemphasized. [Education Law §2801-a](#) and [Commissioner's Regulation §155.17](#) require that each public school and BOCES 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. In addition, each public school district, BOCES and charter school must also develop and annually update a district-wide school safety plan that provides critical information to parents, educators and the school community about the policies and procedures that are in place related to school safety.

Important information about training opportunities and resources are provided below to assist administrators with developing and submitting these plans for the 2022-23 school year. If you have questions, please contact the office of Student Support Services at SafetyPlans@nysed.gov.

Resources

- [Upcoming Emergency Response Planning Training Opportunities](#)
- [Plan Development Resource Packet for Districts and Schools](#)
- [District-Wide School Safety Plan Self-Assessment Checklist](#)
- [Building-Level Emergency Response Plan Self-Assessment Checklist](#)
- [Quick Guide to Emergency Response Planning Requirements](#)
- [Emergency Response Terms and Descriptions](#)
- [New York State Center for School Safety](#)
- [NYSSED's Office of Student Support Services](#)

Recent Changes to Requirements

- On June 23, 2022, Governor Hochul signed Alyssa’s Law, which amends Education Law 2801-a to require schools to consider silent panic alarm systems when reviewing and amending district and school safety plans. The requirement is effective now, proposed amendments to Commissioner’s Regulation 155.17 will be put forth at the September 2022 meeting of the Board of Regents.
- At the April 2022 meeting of the Board of Regents, proposed amendments to Commissioner’s Regulation 155.17 related to district-wide school safety plans were put forth. If adopted at the July 2022 meeting of the Board of Regents the amendments will become effective on July 27, 2022, and will require that public schools, boards of cooperative educational services (BOCES) and county vocational education and extension boards amend their district-wide school safety plans to include plans for remote instruction beginning with the 2023-2024 school year. Such plans must include the methods by which public schools, BOCES and county vocational education and extension boards will ensure the availability of devices, internet access, provision of special education and related services for students with disabilities, and the expectations for time spent in different remote modalities. Additionally, such plans require that each chief executive officer of each educational agency located within a public school district report information on student access to computing devices and access to internet connectivity each year. Additional information and the proposed regulations are available in the [April 6, 2022 memo to the Board of Regents](#).
- In July 2021, [amendments to Commissioner’s Regulation 155.17](#) were permanently adopted that require district-wide school safety plans include protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions of section 27-c of the Labor Law. The required components are outlined in a [sample template](#) that is posted on our website.

Charter School Requirements

Use the table below to determine the specific requirements for your charter school regarding the building-level ERP. All charter schools are required to develop a “district-wide” school safety plan and, after appropriate public comment period and board adoption, post the plan on the school’s website and submit the URL to NYSED, regardless of location.

Charter school location	Building-level ERP
Charter schools outside NYC	Required that the school develop and document emergency response procedures and submit the plan via SED Monitoring. In addition, you must submit a copy of the plan to local police.
NYC charter schools that <u>are co-located</u> in a NYC Department of	There will be one plan for the building that is inclusive of the charter school space. The plan will be developed in

Charter school location	Building-level ERP
Education (NYCDOE) school building	<p>collaboration with NYCDOE school and safety and security staff. The charter school leader should email SafetyPlans@nysed.gov to notify SED of the name and bedcode of the school that the building is co-located with.</p> <p>NYCDOE will submit the plan to NYSED and to NYC police.</p>
NYC charter schools that <u>are not co-located</u> in a NYC Department of Education (NYCDOE) school building	<p>Required that the school develop and document emergency response procedures and submit the plan via SED Monitoring. In addition, the school must submit a copy of the plan to NYC police.</p>

Building-Level Emergency Response Plans

As noted above, charter schools are required to develop and annually update a confidential building-level ERP that includes information about the school, key staff, floor plans, maps, and detailed response procedures for different types of emergency situations. The plan must be in place by September 1 each year and must be submitted to both the state police and local law enforcement within 30 days of adoption, but no later than October 1. Schools fulfill the requirement to submit building-level ERPs to the state police by submitting their plan electronically via the SED Monitoring application accessed through the [New York State Education Department \(NYSED\) Business Portal](#).

At this time, school officials must contact local law enforcement directly to comply with the requirement to submit the building-level ERP to local law enforcement. In addition, local law enforcement must be a part of the required Building-Level Emergency Response Team.

Important reminders regarding developing and submitting the plan:

- The plan must include all minimum required elements, as outlined in the [Building-Level Emergency Plans Self-Assessment Checklist](#).
- In circumstances when a single physical building contains multiple “schools” or “programs,” the safety team(s) should be inclusive of all grades, schools, and programs located in the building and the team should develop one emergency plan per physical building that is inclusive of all grades and programs located in the building.
- School administrators must include information about each local law enforcement agency the plan was submitted to and the date the ERP was submitted; 10-digit phone numbers, including area code, must be provided.
- Every school ERP must include functional annexes for how the school will implement their plan of action in response to an emergency (including: Shelter-in Place, Hold-in-Place, Lockout, Lockdown, Evacuation, Crime Scene Management, Communications, Public Health, Medical and Mental Health, Accounting for All Persons, Family Reunification, Security, and

Cybersecurity). Required functional annexes must be complete and should not include the use of codes, colors or cards.

- It is required that each school submit a pdf document containing building floor plans, and a pdf document containing a map of the school grounds and surrounding area. You may utilize an application like Google Maps to generate a pdf document that contains an area/satellite map. The documents must be readable and clear with entrances and exits clearly marked. Do not submit electronic copies of hand-drawn plans.
- When identifying personnel to fulfill Incident Command System (ICS) roles, it is recommended that your team identify staff to fulfill key roles who are on-site daily, and that your team does not designate the same staff person to fulfill multiple roles. Please consider designating an alternate for each role.
- When entering contact information, be certain that area codes are included with telephone numbers; if possible, include cell numbers for contacts.

District-Wide School Safety Plans

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 plan be filed with the Commissioner, each you must post the [district-wide school safety plan](#), including the school code of conduct, on the district website and submit the web address/URL to the Department annually via the Safe Schools collection in SED monitoring.

Important reminders to consider:

- The plan must include all minimum required elements as outlined in the [District-Wide School Safety Plan Self-Assessment Checklist](#), including a copy of the board-adopted written contract or Memorandum of Understanding (MOU) that defines the roles and areas of responsibility of school personnel, security personnel and law enforcement in response to student misconduct that violates the code of conduct for school districts and charter schools that employ, contract with, or otherwise retain law enforcement or public or private security personnel, including school resource officers. For additional information, see the [September 5, 2019 memo](#) regarding this requirement.
- Safety teams include all required members as described in the in the [District-Wide School Safety Plan Self-Assessment Checklist](#).
- Required procedures regarding public hearings, board adoption, and/or public comment periods must be in place. LEAs should consult with their school attorneys regarding meeting these requirements. In addition, information about public meetings law is available in a [publication](#) from the Department of State.
- The district-wide school safety plan must be posted on the LEA website in a location that is readily accessible to parents and the public (such as on a page describing school safety procedures).

- Report the following to NYSED via the Safe Schools collection in SED Monitoring:
 - contact information for the chief emergency officer;
 - the URL for the district-wide school safety plan;
 - dates of public board meeting, public comment period, and board adoption; and
 - certification that by September 15, all district and school staff have undergone annual training in the emergency response plan, school violence prevention and mental health.

Thank you for all you do to keep students and staff safe every day. If you have questions about these requirements, or suggestions for how NYSED may better support schools in this area, please contact the office of Student Support Services at SafetyPlans@nysed.gov.