

**Quick Guide to Emergency Response Plan
Requirements and Drill Requirements in Education
Law §§ 807 and 2801-a,
and Commissioner’s Regulation §155.17¹**

District-wide school safety plans and building-level emergency response plans are designed to prevent or minimize the effects of violent incidents and emergencies and to facilitate the coordination of schools and school districts with local and county resources in the event of such incidents or emergencies.

Education Law §2801-a and Commissioner’s Regulation §155.17 require public schools, districts, and BOCES to create several different safety teams, including:

- **District-wide school safety team:** one per district, BOCES and charter school, it is responsible for developing the district-wide school safety plan
- **Building-level emergency response planning team:** one for each building within a district, BOCES and charter school, is responsible for:
 - developing the building-level emergency response plan
 - appointing the emergency response team
 - appointing the post-incident response team
 - appointing any other incident response team(s) deemed necessary
- **Emergency response team:** one for each building within a district, BOCES and charter school, it is appointed by the building-level emergency response planning team. Its members have specific roles or responsibilities during an incident or emergency
- **Post-incident response team:** one for each building within a district, BOCES, and charter school, it is appointed by the building-level emergency response team, and has responsibility for helping the school community in the aftermath of a violent incident or emergency

<u>District-Wide School Safety Plan</u>	<u>Building-Level Emergency Response Plan</u>
<p>The <u>district-wide school safety team</u> shall be appointed by the board of education or chancellor in NYC and shall include, but not be limited to representatives of:</p> <ul style="list-style-type: none"> • School board • Teacher organizations • Administrator organizations • Parent organizations • School safety personnel • Student* • Other school personnel including bus drivers and monitors <p><i>*A student may be allowed to participate on the district-wide school safety team, provided however, that no portion of a confidential building-level emergency response plan be shared with such student nor shall such student be present where details of a confidential building-level emergency plan or confidential portions of a district-wide school safety plan be discussed.</i></p>	<p>The <u>building-level emergency response planning team</u> shall be appointed by the building principal, in accordance with guidelines prescribed by the board of education or chancellor in NYC and includes, but is not limited to representatives of:</p> <ul style="list-style-type: none"> • Teacher organizations • Administrator organizations • Parent organizations • School safety personnel • Other school personnel including bus drivers and monitors • Community members • Local law enforcement officials • Fire officials • Other emergency response agencies • Other representatives the board of education or chancellor in NYC deems appropriate.
<p>The district-wide school safety team develops the <u>district-wide school safety plan</u>.</p>	<p>The building-level emergency response planning team develops the <u>building-level emergency response plan</u> and designates the <u>emergency response team</u> and the <u>post-incident response team</u>.</p>

¹ See Education Law §§ [2801-a](#), [807](#), and Commissioner’s Regulations § [155.17](#) for complete regulatory and statutory language.

The plan must be reviewed by the district-wide school safety team at least annually and updated as necessary and adopted by the school board by September 1 annually. Prior to adoption, the district/BOCES/charter school must hold at least one public hearing that provides for school personnel, student, and public participation, and must be made available for public comment for at least 30 days.

Each district/BOCES/charter school must post their district-wide school safety plan on their website. The URL must be submitted to the Education Department within 30 days of adoption, **but no later than October 1 each year** via the *LEA District Safety Plan URL and Information Report* in SED Monitoring/Safe Schools application on the NYSED Application Business Portal to comply with the requirement that the plan be submitted to the Commissioner.

The plan must be reviewed by the building-level emergency response planning team at least annually and updated as necessary and must be adopted by the school board by September 1 annually. The plan must be kept **CONFIDENTIAL** and is not subject to disclosure under Article 6 of the Public Officers Law or any other provision of law.

It may only be disclosed to authorized department or school staff, and law enforcement officials. Note that Public Officers Law, Article 7, Section 105(a) (Open Meetings Law) provides that matters which will imperil the public safety if disclosed may be approved through Executive Session. Given that revealing the contents of building level safety plans could imperil the safety of staff and students, a board of education may choose to adopt these plans in Executive Session to maintain their confidentiality and meet the requirements of the new law.

A copy of the plan must be filed with the State police and local law enforcement within 30 days of adoption, but **no later than October 1 each year**. To comply with the requirement to submit to State police, schools must enter their plans in the SED Monitoring/Safe Schools application on the NYSED Application Business Portal.

The District-Wide School Safety Plan must include at a minimum:

Policies and procedures for responding to:

- implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors as well as visitors to the school, including threats by students against themselves, which includes suicide;
- acts of violence by students, teachers, bus drivers and monitors, other school personnel, and school visitors, including consideration of zero-tolerance policies for school violence;
- emergencies including: bomb threats, hostage-takings, intrusions, and kidnappings.

Policies and procedures for contacting:

- law enforcement in the event of a violent incident;
- parents, guardians or persons in parental relation to an individual student in the event of an implied or direct threat of violence by such student against themselves, which for this purpose shall include suicide;
- parents, guardians or persons in parental relation to an individual student in the event of a violent incident or early dismissal or emergency school closure.

Appropriate prevention and intervention strategies to improve communication between students and staff and between administration and parents or persons in parental relation regarding reporting of potentially violent incidents such as:

- collaborative agreements with state and local law enforcement officials designed to ensure school safety officers are adequately trained and fairly recruited;
- where applicable, the establishment or participation of staff in a multi-disciplinary behavioral assessment team to assess whether certain exhibited behaviors or actions need intervention or other support, including a school or district level behavioral assessment team or, if available, a county or regional threat assessment team. Where utilized, the district-wide school safety plan shall provide a description of the school, district, or county team and its purpose;
- establishing an anonymous reporting mechanism for school violence;
- nonviolent conflict resolution training programs;
- peer mediation programs, youth courts and mentor programs;
- extended day and other school safety programs;
- the development and implementation of a code of conduct and requirements of Dignity for All Students Act.

A description of the arrangements and/or procedures during emergencies for:

- emergency responder access to locked buildings and grounds during emergencies;
- obtaining assistance from emergency services organizations and local government agencies;
- obtaining advice and assistance from local government officials including county or city officials responsible for implementing Article 2-B of the Executive Law;
- identifying district resources that may be available for use during an emergency;
- coordinating the use of district resources during emergencies, including identification of the official authorized to make decisions and the staff members assigned to provide assistance during emergencies;
- a system for informing all educational agencies within the district of a disaster or emergency closure.

Policies and procedures for annual multi-hazard school safety training for students and staff:

- the district must certify to the Commissioner that by September 15 each school year all staff received annual training on the emergency response plan, and that the school safety training included violence prevention and components on mental health;
- new employees hired after the start of the school year shall receive such training within 30 days of hire or as part of a district's existing new hire training program, whichever is sooner.
- Effective July 1, 2025, training must include a description of the roles and responsibilities of the building-level emergency response team, the building-level Incident Command System including the roles and responsibilities of designated staff, and the building level-emergency response plan procedures for implementing the following required emergency response terms: shelter/shelter-in place, hold/hold-in place, evacuate/evacuation, secure lockout, and lockdown. The required training shall also include the procedures for conducting drills, including whether classrooms will be released from lockdown by law enforcement or school or district administrators during drills, and the district and building policies, procedures, and programs related to safety including those which include components on violence prevention and mental health.

Each public school superintendent and each chief school administrator of an educational agency other than a public school shall take action to provide written information, by October 1st of each school year to all students and staff about emergency procedures.

Policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents or persons in parental relation, students, and others deemed appropriate to receive such information.

Procedures for an annual review of building-level emergency response plan(s) and the conduct of drills, tabletop exercises and information about emergency procedures and drills, including information about procedures and timeframes for notification of parents or persons in parental relation regarding drills and other emergency response training(s) that include students. At their discretion schools and districts may participate in full-scale exercises in coordination with local, county, and state law enforcement and emergency responders and preparedness officials. See below for limitations of full-scale exercises.

The purpose of drills is to practice staff and student actions during an emergency. Procedures must ensure that all drills:

- are conducted in a trauma-informed, developmentally, and age-appropriate manner and may not include props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency;
- at the time that at the time that drills are conducted, students and staff shall be informed that the activities being conducted are a drill, except in the case of an evacuation drill (prompted by the fire alarm).
- occur after annual training in emergency procedures has been provided to students and staff;
- are completed on different dates, days of the week, and during different times of the school day;
- parents or persons in parental relations shall be given advance notice of each drill being conducted within one

week preceding any such drill;

- tabletop exercises may be utilized by school and district safety teams as a training resource and may include a discussion-based activity for staff in an informal classroom or meeting-type setting to discuss their roles during an emergency and their responses to a sample emergency situation;
- schools and districts that opt to participate in full-scale exercises in conjunction with local and county emergency responders and preparedness officials that include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency shall not conduct such exercises on a regular school day or when school activities such as athletics are occurring on school grounds. Such exercises may not include students without written consent from parents or persons in parental relation.

If the district maintains a manual or handbook for the guidance of teachers, information about emergency procedures and drills must be included.

Policies and procedures relating to school building security, including where appropriate:

- the use of school safety or security officers and/or school resource officers. Beginning with the 2019-20 school year, and every school year thereafter, every school shall define the areas of responsibility of school personnel, security personnel and law enforcement in response to student misconduct that violates the code of conduct. A school district or charter school that employs, contracts with, or otherwise retains law enforcement or public or private security personnel, including school resource officers, shall establish a written contract or memorandum of understanding that is developed with stakeholder input, including, but not limited to, parents, students, school administrators, teachers, collective bargaining units, parent and student organizations and community members, as well as probation officers, prosecutors, defense counsels and courts that are familiar with school discipline. Such written contract or memorandum of understanding shall define the relationship between a school district or charter school, school personnel, students, visitors, law enforcement, and public or private security personnel. Such contract or memorandum of understanding shall be consistent with the code of conduct, define law enforcement or security personnel's roles, responsibilities and involvement within a school and clearly delegate the role of school discipline to the school administration. Such written contract or memorandum of understanding shall be incorporated into and published as part of the district safety plan;
- a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;
- the use of security devices or procedures. District-wide school safety teams shall consider the installation of a panic alarm system as part of their annual review of the district-wide school safety plan.

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, including the types of positions that are considered essential in a state-ordered reduction of in-person workforce and telecommuting protocols.

Designation of the superintendent, or superintendent's designee, as the district Chief Emergency Officer whose duties include, but are not limited to:

- coordination of the communication between school staff, law enforcement, and other first responders;
- leading the efforts of the district-wide school safety team in the completion and yearly update of the district-wide school safety plan and the coordination of the district-wide plan with the building-level emergency response plans;
- ensuring staff understanding of the district-wide school safety plan;
- ensuring the completion and yearly update of building-level emergency response plans for each school building;
- assisting in the selection of security related technology and development of procedures for the use of such technology;
- coordinating appropriate safety, security, and emergency training for district and school staff, including required training in the districtwide school safety plan and building-level emergency response plan(s);
- ensuring the conduct of required evacuation and lock-down drills in a trauma-informed, developmentally, and age-appropriate manner that does not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency in all district buildings as required by section 807 of the Education Law; and
- ensuring the completion and yearly update of building-level emergency response plans by the dates designated by the commissioner.

Whenever a building-level emergency response plan is activated and results in the closing of a school building, the superintendent or their designee shall notify the Commissioner as soon as possible and shall provide such information as the Commissioner may require in a manner prescribed by the Commissioner. In addition, school districts within a supervisory district shall provide timely notification to the BOCES district superintendent. Such information need not be provided for routine snow emergency days.

By June 30 each school year, each chief executive officer shall report the results of the survey on student access to computing devices and access to internet connectivity to the Commissioner.

In addition, the district-wide school safety plan must include policies and procedures for the provision of remote instruction during any emergency school closure, including:

- how computing devices are made available to students;
- access to internet connectivity;
- expectations for school staff regarding the proportion of time spent in synchronous and asynchronous instruction;
- description of how special education and related services will be provided to students with disabilities;
- the estimated number of instructional hours the school district intends to claim for State Aid purposes for each day in remote instruction due to emergency conditions (districts that receive foundation aid only).

The **Building-Level Emergency Response Plan** must include the following elements:

Policies and procedures for response to emergency situations, such as those requiring evacuation, sheltering, and lockdown. These policies shall include at a minimum evacuation routes, shelter sites, and procedures for addressing medical needs, transportation and emergency notification of parents and guardians, and emergency responder access to locked buildings and grounds during emergencies.

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Policies and procedures for the response to emergencies, including those requiring the school to shelter/shelter-in place, hold/hold-in place, evacuate, secure lockout, and lockdown. Such policies and procedures shall include, at a minimum, the description of plans of action for students and staff, and the recommended emergency response action in response to potential threats and hazards including, but not limited to threats that may require evacuation, shelter/shelter-in place, hold/hold-in place, secure lockout, or lockdown, evacuation routes and shelter sites, procedures for addressing medical needs, considerations for the access and functional needs of students and staff, transportation and emergency notification to parents or persons in parental relation to a student, and procedures for reunification of students with parents or persons in parental relation following an emergency.

A copy of the plan must be filed with the State police and local law enforcement within 30 days of adoption, but no later than October 1 each year. Schools must submit their plan via the SED Monitoring application accessed through the NYSED Application Business Portal. Schools should contact local law enforcement to determine the preferred procedure for schools to submit their plan.

Designation of an emergency response team and a post-incident response team, and other appropriate incident response teams:

Emergency Response Team:

- school personnel
- local law enforcement officials
- representatives from local, regional, and State emergency response agencies
- other appropriate incident response persons

Post-Incident Response Team

- appropriate school personnel
- medical personnel
- school health professionals
- mental health counselors
- others who can assist the school community in coping with the aftermath of a violent incident

Floor plans, blueprints, schematics, and other maps of the school's interior, grounds, and road maps of the immediate surrounding area that are clearly labeled and readily understandable to first responders navigating the building and grounds.

- At a minimum, floor plans shall include:
 - the school name and address;
 - a key to define any symbols used;
 - a compass indicating North as well as labels indicating building entrances/exits with alphabetic or numeric identifiers assigned (e.g., "Door A" or "Entrance 2");
 - windows, interior doors, room numbers, common areas and administrative offices labeled by use;
 - location of water, gas and electrical shutoffs;
 - location of fire alarm panels, fire sprinkler control valves, and if applicable fire department key boxes; and location of emergency and security equipment.
- Area maps shall include:
 - the school name and address;
 - a key to define any symbols used;
 - a compass indicating North as well as labeled buildings, outbuildings, fields, parking lots, building entrances/exits with alphabetic or numeric identifiers assigned (e.g., "Door A" or "Entrance 2");
 - parking area and property entrances/exits;
 - designated fire lanes and fire apparatus access roads, evacuation routes;
 - street names; and
 - emergency response areas.

Establishment of internal and external communications systems in an emergency, which may include the installation of a panic alarm system.

Definition of the chain of command in a manner consistent with the National Incident Management System (NIMS) Incident Command System (ICS).

Policies and procedures for securing and restricting access to the crime scene to preserve evidence on school property.

Coordination of the emergency response plan with the statewide plan for disaster mental health services.

Procedures for an annual review of the building-level emergency response plan and the conduct of drills and other exercises to test components of the plan, including the use of tabletop exercises, in coordination with local, county, and state law enforcement and emergency responders and preparedness officials. The purpose of the drills is to practice staff and student actions during an emergency. Except for evacuation drills, at the time that drills are conducted, students and staff shall be informed it is a drill.

- *Drills will*
 - be conducted in a trauma-informed, developmentally, and age-appropriate manner and not include props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency;
 - occur after annual training in emergency procedures has been provided to students and staff;
 - be completed on different dates, days of the week and during different times of the school day.
 - parents or persons in parental relation shall be given advance notice of each drill being conducted within one week preceding any such drill.
- *Required drills:*
 - eight evacuation drills each year: six must be completed between September 1 and December 31 each school year. Four of the required drills must be through use of the fire escapes on buildings where fire escapes are provided or through the use of identified secondary means of egress, such as through different corridors, hallways, stairways, and exit doors. Students shall be instructed in the procedure to be

followed if a fire occurs during the lunch period or assembly, provided, however, that such additional instruction may be waived where a drill is held during the regular school lunch period or assembly;

- four lock-down drills each year: two must be completed between September 1 and December 31 each school year.
- one Emergency Dismissal drill shall be conducted to test emergency response procedures that require early dismissal, at a time not to occur more than 15 minutes earlier than the normal dismissal time.

- Additional evacuation drill requirements for residential schools, summer school, after school programs, events or performances:

- four additional drills must be held in each school year during the hours after sunset and before sunrise in school buildings in which students are provided with sleeping accommodations;
- at least two additional drills must be held during summer school in buildings where summer school is conducted, one must be held during the first week of summer school;
- for after-school programs, events or performances conducted within a school building that include persons who do not regularly attend classes in the building, the principal or other person in charge of the building must require the teacher or person in charge of the after-school program, event or performance notify attendees of the procedures to be followed in an emergency.

Each public school superintendent and each chief school administrator of an educational agency other than a public school shall take action to provide written information by October 1st of each school year to all students and staff about emergency procedures.