




NEW YORK STATE SENATOR

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## STATE SENATE PASSES SCHOOL SAFETY PACKAGE

JOHN A. DEFRANCISCO March 5, 2018

| ISSUE: **CHILD SAFETY**



### THE NEW YORK STATE SENATE: **PROTECTING OUR SCHOOLS**

The New York State Senate today passed a package of school safety measures that would strengthen security and help keep students safe. The bills increase the ability of schools to hire qualified security personnel; create new state funding mechanisms for infrastructure investments that improve school safety; increase access to school-based mental health services; expand state actions and intelligence coordination to protect schools against attack; and strengthen penalties for crimes on school grounds.

Senate Majority Leader John J. Flanagan said, "Schools must be safe havens, where students

can learn and teachers can teach. In New York, we must act swiftly and decisively to implement additional measures in schools throughout our state to give students, parents, and teachers the resources and peace of mind that they deserve.”

The bills passed today include:

Increasing the Ability of Schools to Hire Qualified Security Personnel:

- Create a School Resource Officers Education Aid Program and Grant Availability:

S7811A and S7810A, sponsored by Senator Pat Gallivan - These new bills define the term “school resource officer” to include a retired police officer, retired deputy sheriff, or retired state trooper, or an active duty police officer, deputy sheriff, or state trooper. School districts throughout the state except New York City would be authorized to receive state funding to hire a school resource officer (SRO) or contract with the state, a county, city, town, or village for their services. The officers would be charged with providing improved public safety and/or security on school grounds and be authorized to carry and possess firearms during the course of their duties if licensed to do so.

Senator Gallivan said, “As a former state trooper and Erie County Sheriff, I believe strongly in the SRO program as a way to enhance safety in our schools. In addition to providing security, these trained law enforcement officers build a relationship with the school community by working with administrators, staff, students and parents to help identify safety issues, train personnel and resolve conflicts before they become more serious. It is time to expand this program and provide resources so that every school benefits from having an SRO on-site.”

- Police Officers Guard all New York City School Entrances:

S6798A, sponsored by Senator Simcha Felder - The bill improves upon the current placement of unarmed resource officers in New York City schools to provide necessary and potentially life-saving security for children, teachers, and administrators. A New York City police officer would be required to be present at public and private schools during instructional hours and for at least one hour before and after school is in session.

Senator Felder said, “A specially trained, armed police officer stationed at the entrance of every school provides instantaneous security. They are a deterrent to murderers seeking to kill our children.”

· Peace Officer Status for School Resource Officers:

S1144A, sponsored by Senator Gallivan - The bill provides retired police officers with peace officer status when they are employed by a school district as a school resource officer.

· Adjusting the Earning Limitations for School Resource Officers:

S7791, sponsored by Senator Gallivan – This bill helps promote the availability of qualified security personnel that could be hired in schools, the bills would increase the earnings limitations for retired police officers while employed by the schools. Earnings would be increased from the current \$30,000 per year limit to \$50,000 per year.

Improving School Safety with Infrastructure Investments:

· Security Hardware Aid Program:

S7790, sponsored by Senator Thomas Croci - The new bill would provide state education aid to school districts for acquiring safety technology and improving security of their facilities.

· Improve the Smart School Bond Act Allocation Process:

S7846, sponsored by Senator Elaine Phillips - This new bill requires the Smart Schools Review Board to meet monthly and approve plans submitted by schools, provide updates on pending applications, and notify schools within seven days of a plan being rejected or modifications being sought. It also requires the state Department of Education, Division of Budget, and State University of New York to develop a process to notify districts of the status of their applications, respond to district status inquiries within seven days, and for the Board to pay for approved projects within 30 days.

Senator Phillips said, “The State Education Department is withholding valuable financial resources, which could be used to assist schools throughout the state with enhanced safety and security efforts to protect our children. Over the last few weeks, I have reached out to school superintendents in my district, including David Flatley, President of the Nassau County Council of School Superintendents, to learn first-hand what their needs are as we work to ensure New York schools remain safe locations for our children to receive the best education and opportunities possible. Access to funding for increased safety and security upgrades is one of their top priorities. Because of this, I have introduced legislation that would require the Smart School Review Board to meet monthly, notify school districts in a timely matter and provide much needed funding to districts within 30 days when approved.”

· Guardians for Schools License Plate:

S7847, sponsored by Senator James Tedisco - A new “Guardians for Schools” license plate would be created to give New Yorkers the ability to take part in a statewide effort to keep children safe from violence. The plate would raise money to help pay for school resource officers, security training, mental health counseling, security cameras and other school building modifications to improve school safety. The bill would create a dedicated fund solely for school safety, supported by the fees paid when motorists choose to purchase a Guardians for Schools license plate from the state Department of Motor Vehicles.

Senator Tedisco said, “Today, my Senate Majority Colleagues and I took a holistic and comprehensive approach -- not a political one -- to protecting our most vulnerable population in school settings by passing several public safety bills including my ‘Guardians for Schools’ New York State License Plate to help our school districts pay for the expense of improving school safety, and ‘Suzanne’s Law’ to increase criminal penalties for assaults and abductions on school grounds by one category higher to show that New York has zero tolerance for violent crimes committed on school grounds. We should be asking nothing less to protect our kids as we do to safeguard our legislators, staff, state officials, the media, and visitors at our state Capitol. That includes providing for schools that want them with armed school resource officers, metal detectors, additional mental health screening and counseling services, security cameras, and other building modifications to improve school safety.”

#### Increasing Access to School-Based Mental Health Services:

- Create a New Mental Health Services Coordinator Aid Program and Grants:

S7805, sponsored by Senator Croci - This new bill establishes a Mental Health Services Program Coordinator Education Aid Program for the state to reimburse school districts outside the city of New York. Schools would be eligible for \$50,000 in state funding for the hiring of a mental health services coordinator. The coordinator is defined in the bill as a mental health services professional, with qualifications determined by regulation by the Commissioner of Education, whose role and responsibility will be to work with students, faculty, and other mental health and health care professionals to identify, report, and address mental health issues that could pose a risk to public safety in any public or non-public school.

Senator Croci said, “The mental health crisis we are witnessing in our communities demands our schools have the professionals in place to identify young people in crisis. It is imperative

that we get these students the mental health services necessary, before they turn to violence.”

· Assess and Improve Mental Health Resources in Schools:

S7838, sponsored by Senator Patty Ritchie - This new bill requires the state Department of Education to investigate and report on the number of full and part-time school counselors, school social workers and school psychologists in each school, the ratio of students to the number of school counselors, the ratio of students to the number of school social workers, the ratio of students to the number of school psychologists in each school, and when such staff is working in more than one school. Upon completion of the report, the state must propose how to increase the number of school counselors, school social workers, and school psychologists to meet the nationally accepted ratios, taking into consideration the specific needs of individual school districts and the region in which such school district is located.

Senator Ritchie said, “When students leave for school in the morning, no parent should have to worry about whether their child is safe. However, in today’s world nearly every parent does. The safety of our children—especially in a place like a school—has to be among our top priorities. It is for me, and I know that by taking steps, such as improving mental health services for students, increasing the availability of School Resource Officers and making investments in improved security, we can ensure that our children and those who work so hard to help them achieve brighter futures are safe.”

Expanding State Action to Protect Schools Against Attack:

· Define School Shootings as Terrorism and Improve Intelligence to Prevent Attacks:

S7813A, sponsored by Senator Terrence Murphy - This new bill enables individuals to be charged with committing an act of terrorism if they knowingly and unlawfully discharge a

firearm within 1,000 feet of a school, a place of worship, a mass gathering of 25 or more people, or in a business of one or more employees and protects such sites under counter-terrorism laws. The bill also codifies the operations of the New York State Intelligence Center and makes it responsible for the collection, integration, receipt, processing, evaluation, analysis, fusing, dissemination, sharing, and maintenance of intelligence information to aid in detecting, preventing, investigating and responding to acts of terrorism, including school shootings. The Center would cooperate with the state Division of Homeland Security among other state, local, and federal government agencies, as well as - for the first time – include schools and the state department of education as part of that collaboration. The bill also requires the establishment of a new Buffalo office to the current fusion centers in Albany and New York City and increase the information-sharing and analysis capabilities of the state.

Senator Murphy said, “Given the continued acts of extreme violence that have needlessly cost the lives of innocent victims, we need strong legislation that will protect the lives of our children and families, whether they are at school, attending a concert or in a place of worship. This legislation rightfully classifies premeditated acts of violence against large groups of people as terrorism and allows law enforcement to treat these threats as such. In addition, it gives the New York Intelligence Center the tools it needs to collect, investigate and share information with all stakeholders that will ultimately prevent future tragedies from occurring.”

· Increase Active Shooter Drills:

S7845, sponsored by Senator Felder - The bill helps schools better prepare in the event of a school violence incident by requiring that two of the four annual “lock-down drills” conducted by schools be held as “active shooter drills.” Schools can then request School Safety Improvement Teams to provide recommendations on how to conduct lock-down and

active shooter drills.

Senator Felder said, “Our emergency response drills must address current threats. Students and school personnel must be properly trained in life-saving practices.”

· Upgrade School Safety Improvement Teams:

S7832, sponsored by Senator Croci - This new measure expands the membership of existing required school safety improvement teams to include representatives of the state Division of Homeland Security, State Police, Department of Criminal Justice Services, Office of General Services and Education Department. It provides for a 120-day response timeline for such teams; provides for on-site examinations of the teams at the request of the school district, BOCES, non-public school, or county vocational and educational board; and allows for the provision of state education aid for the performance of school safety upgrades recommended by a team examination.

Strengthening Penalties for Crimes on School Grounds:

· Protect School Communities From Violent Threats:

S2521, sponsored by Senator Gallivan - The bill expands the existing laws in place to prevent school bomb threats so that other types of threats can be prosecuted as well. Under current law, an individual who threatens a fire, explosion, or release of a hazardous substance on school grounds is guilty of a class D felony of falsely reporting an incident in the first degree. This measure would also make it a felony for someone to issue a threat of intentional acts or a continued course of action of serious physical harm to 10 or more people on school grounds.

· Prevent School Assaults and Abductions:



S2881, sponsored by Senator Tedisco - The bill, “Suzanne’s Law”, increases the penalties for assault or abductions that take place on school grounds, including nursery schools, and college campuses. Similar to Drug-Free School Zones, the bill would create “Assault- and Abduction-Free School Zones” in which sentences for certain crimes committed against a person on school grounds would be one category higher than existing law specifies.

The bills will be sent to the Assembly.

In the last year alone, the Senate successfully extended a 10 percent increase in building aid for schools to fund additional security measures like door hardening, metal detectors, and other related infrastructure. The Senate also secured \$25 million in new funding for non-public schools, day cares, and community centers at risk for hate crimes and \$15 million for non-public schools to increase their security. Initiatives like these will continue to be a part of this coming year’s budget negotiations.

Additional safety measures are expected to be unveiled next week as part of the conference’s Security Agenda. The Senate will also be considering the following measures to further enhance school security:

- Increase Weapon Detection Capabilities:

Legislation to be introduced by Senator Martin Golden - In order to increase the ability of schools to detect guns more effectively, the Senate will soon be proposing legislation to introduce scanner technology as an improvement over traditional metal detectors.

Senator Golden said, “How we provide a safe learning environment is important. When you compare these smart scanners with traditional metal detectors, the difference is like night and day. We need to protect our students without making them feel as if they are passing

through a TSA checkpoint on their way to class. This technology does just that. I urge all New Yorkers to support this common sense proposal to give both our students and parents' peace of mind."

· Personal Security Alarms:

Legislation to be sponsored by Senator Ritchie - The Senate will consider a bill establishing school safety standards to provide teachers and other school personnel who have significant contact with students with personal safety alarms to be used in emergency situations. These would be wearable devices that once activated by the pressing of an emergency button alerts first responders to an emergency.

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