



TO: P-12 Education Committee

FROM: Charles A. Szuberla, Jr. *Charles A. Szuberla Jr.*

SUBJECT: New York State Safe Schools Task Force: Status Update

DATE: October 19, 2015

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SUMMARY

Issue for Discussion

This is a follow-up discussion item from the September 2014 Board of Regents meeting in which staff presented the action plan and recommendations developed by the New York State Safe Schools Task Force.

Reason(s) for Consideration

Follow-up discussion.

Proposed Handling

This issue will come before the Regents P-12 Education Committee for discussion at the October 2015 meeting.

Background Information

Mass school shootings occurring at Columbine High School (1999), Red Lake High School (2005), Virginia Tech College Campus (2007), Sandy Hook Elementary School (2012), and Oregon Community College (2015) have claimed the lives of nearly 100 students and teachers and placed school climate and safety in the center of a national conversation. As a result, in January 2013, the Board of Regents directed the Department to re-establish the New York State Safe Schools Task Force (Task Force). A kick-off meeting of the New York State Safe Schools Task Force was held on May 8, 2013, followed by a series of Workgroup meetings and a Student Forum to hear the student's perspective. During the 2014-15 school year, the three Workgroups: School

Culture and Student Engagement; Data Use and School Safety Reporting; and Building Security and Infrastructure—met regularly, developed a set of recommendations for the Department, and listed these recommendations in priority order (see Attachment A). In addition, a set of 6 recommendations were formulated by students at the Student Forum (see Attachment A).

At the July 2014 Board of Regents meeting, the Department outlined the need for changes to the current New York State Violent and Disruptive Incident Reporting (VADIR) and Dignity for All Students Act (DASA) reporting systems. At the September 2014 Board of Regents meeting, members of the Task Force presented the full set of 36 recommendations in priority order to the P-12 Committee on Education.

Status Update on Implementation of the Task Force Recommendations

The Department continues to make promoting school climate and school safety a priority. Over the course of the 2014-15 school year, the Department worked toward the implementation of the 36 Task Force recommendations. To date, approximately two-thirds of the recommendations are in progress or completed. Below is a summary of the largest initiatives that have been undertaken beginning in the 2014-15 school year and that are ongoing with the assistance of several Offices within the Department such as Higher Education, Information and Reporting Services, Special Education, Bilingual Education and World Languages, Teacher Quality and Professional Development, Governmental Affairs, Accountability, Facilities Planning, and Information Technology.

1. Investment in and Expansion of Support Staff in Schools including School Counselors, Social Workers, Psychologists, and others (Recommendation #1)

In September 2015, the Department presented to the Joint P-12 and Higher Education Committee draft regulations on school counseling to address the Task Force Recommendation and to incorporate and update the regulations in accordance with nationally recognized standards. This recommendation, which was identified as the Task Force's highest priority, was echoed by the students at the Student Forum, held in February 2014: to expand the scope of and number of support staff in each school building, including school counselors, social workers, psychologists, among others. The Department proposed amended regulations stating, *to the extent practicable*, school districts should conform to nationally recognized standards related to the ratio of student to school counselors (1 school counselor to a maximum of 250 students).

2. Development of a Statewide School Climate Index (Recommendation #2; and referenced in several other recommendations)

In April 2015, the Department presented to the P-12 Education Committee a discussion item introducing the concept of a New York Statewide School Climate Index (SCI) that would provide school administrators with a tool to measure school climate. The SCI would provide school administrators with a full picture of a school's climate

based on multiple measures aimed at engaging students, school personnel, and the community by analyzing the data and then implementing appropriate programmatic interventions. The SCI would also move away from exclusively relying on the Violent and Disruptive Incident Reporting (VADIR) System to designate safe and unsafe schools, the current data system in place to measure school safety. VADIR is viewed by the field as punitive and overly complicated. Lastly, the field has articulated the need to expand the availability of technical assistance and professional development to accompany the implementation of an SCI. Though the Center for School Safety is charged with working closely with schools identified as persistently dangerous to improve the health and safety of schools, it is critical that monitoring, site visits, and training be available for all schools. Therefore, additional resources are necessary to assist the field to seamlessly transition to a statewide SCI and to provide the necessary monitoring and oversight to schools to ensure schools are safe everyday.

Recommendation #2 also stated that the Department should revamp the VADIR categories and align VADIR with DASA reporting processes incorporating both VADIR and DASA into one reporting structure. Based on this recommendation, the Department is proposing that a Statewide SCI also include a streamlined VADIR and DASA component.

Based on the Task Force recommendations and exploring best practices across the State and the nation, the Department recommends, the SCI be comprised of the following measurements:

A. School Climate Surveys

Three types of evidenced-based surveys be implemented by school districts: one for students, one for school personnel, and one for the community (parents, guardians, etc.). The results and responses of the surveys would be tallied and scored to provide feedback on the perceived safety and climate of a school district. The United States Department of Education has announced it will release evidence-based surveys for students, school personnel and parent/guardians in October of 2015, which the Department will make available to school districts. The results of these surveys will be weighted individually as three values within the overall School Climate Index (see Attachment B).

B. VADIR and DASA reporting of violent incidents

In July 2014, the Department brought to the Full Board a vote to implement a single comprehensive data reporting system to track both the data required for VADIR and for DASA in lieu of the two separate reporting requirements that are currently in place. This system would identify data reporting elements necessary to promote and measure positive school climates.

The Task Force's Data Use and Reporting Workgroup has worked diligently over the past six months to revamp the VADIR system, reduce the number of VADIR categories and to streamline the reporting requirements for VADIR and DASA. Additionally, each incident will include reporting information required for DASA, which will combine and simplify each reporting requirement. This reporting mechanism is being finalized by the Department at this time, with the anticipation of having the revised VADIR and DASA reporting system fully implemented in the 2016-17 school year. Other necessary tasks to complete this recommendation are: 1) to amend the Commissioner's Regulations to revise the current twenty categories in accordance with the Task Force's Data Use and Reporting Workgroup recommendations and 2) to revise the VADIR/DASA database used by schools.

C. Chronic Absenteeism

In December of 2014, the Department presented research on chronic absence as a critical indicator to measure school climate and student engagement. Nationally, chronic absenteeism is defined as missing ten percent or more of days for which a student is enrolled and school is in session. The ten percent indicator is derived from research that indicates this is the 'tipping point' when student achievement declines.¹ While the ten percent indicator is recognized nationally due to its link with research, some districts (e.g., New York City, Buffalo City) have begun to monitor students missing five percent or more of school and using this as a means to identify students that may need supports and interventions. Feedback from the Board of Regents at the December 2014 presentation accepted the definition of chronic absenteeism as ten percent or more of days missed for which the student is enrolled and school is in session, and also directed the Department to flag students missing five percent or more of days missed so that necessary interventions could be made as early as possible.

The number of absences measured in a school's chronic absenteeism rate includes both unexcused and excused absences so that the emphasis is on missed instruction, without regard to the reason. The policy direction is for every student to be present in school, ready for instruction.

The Department has gathered information from school districts and regional information centers (RICs) across the State, including New York City that already calculates a chronic absenteeism rate by school, and from other states across the nation to determine the best approach to data collection and reporting on chronic absenteeism. The Department has also consulted the vendor used for attendance collection and reporting by schools. The consensus is that schools already collect the necessary data to calculate a

¹Robert Balfanz & Vaughan Byrnes, *Meeting the Challenge of Combating Chronic Absenteeism*, John Hopkins School of Education. 2012.

chronic absenteeism rate. We expect to have preliminary chronic absenteeism data in June of 2016 and to be calculating chronic absenteeism rates by school on a quarterly basis beginning in school year 2016-17.

Additionally, schools in receivership may choose to include chronic absenteeism as an indicator in their School Intervention Plan. Each School Intervention Plan will need to include certain measurable goals that will be used to monitor the school's demonstrable improvement. One of the measurements that schools will have as an option to include in their School Intervention Plan is to reduce the school's rate of chronic absenteeism by implementing a three-year phased in comprehensive chronic absenteeism policy in each school in receivership.

The timeline for implementation of the three above-referenced components that comprise the SCI will be as follows: 1) *2015-16 school year*: test each of the SCI components in 3 – 4 school districts and provide technical assistance to schools choosing chronic absenteeism as an indicator; 2) *2016-17 school year*: pilot each of the SCI components in 8 – 10 school districts; and 3) *2017-18 school year*: begin implementing throughout the State using a phased-in approach.

3. Revise New York State Statute 807 to reduce the Number of Fire Drills and require Lockdown Drills and other Emergency Drills (Recommendation #10)

Pursuant to Education Law § 807, schools are required to conduct twelve fire drills each year. The Task Force recommends, which echoes many school administrators across the State that school districts conduct fewer fire drills and add other specific emergency response drills. The Task Force recognizes that there are threats to schools other than fire-related events and school administrators need to be prepared to respond effectively to all types of emergencies.

Concurrently, the New York State School Safety Improvement Team² agrees with the Task Force recommendation to amend Education Law and to require schools to conduct fewer fire drills in order to also add other emergency response drills. The School Safety Improvement Team specifically recommends that the Department require lockdown drills pointing out that these are the “gravest of threats” and require the most activity on the students’ part concluding that lockdown drills require practice to be effective and successful.

Proposed amendments to the statute are being vetted through the necessary offices in the Department and should be ready for the Board to review at a meeting in the near future.

² § 2801-b of Education Law requires the Governor to establish the NYS School Safety Improvement Team comprised of representatives from the Division of Homeland Security and Emergency Services, the Division of Criminal Justice Services, the Division of State Police and the State Education Department.

4. *Dissemination Positive Behavioral Supports and Intervention Strategies (Recommendation #7)*

Positive Behavioral Supports and Intervention (PBIS) is a multi-tiered system of supports to create and maintain positive school climates where teachers can teach and students can learn. This evidence-based framework emphasizes the prevention of behavioral and school discipline problems by teaching, modeling and recognizing positive, appropriate behavior in schools. PBIS is not a curriculum, program, or single practice, but is a systems framework that guides the selection and implementation of evidence-based practices for improving behavioral and social-emotional outcomes for all students while increasing opportunities for academic engagement and improved performance.

The Department initially funded through the Regional Special Education Technical Assistance Support Centers (RSE-TASC), 15 Behavior Specialists and in 2013 expanded the number of Behavior Specialists to 30. While RSE-TASC Behavior Specialists provide professional development to interested schools on a regional basis, most of their work is dedicated to providing embedded professional development support to schools whose data shows high rates of suspension of students with disabilities and/or disproportionately by race/ethnicity in the disciplinary actions for students with disabilities. As of July 2014, the Behavior Specialists reported providing embedded professional development and technical assistance to fully implement the framework of PBIS in 176 New York schools, with support offered to additional schools, at various levels of intensity, through regional professional development.

Because PBIS has shown clear evidence to be effective in promoting school climate and improving student success in school, the Task Force repeatedly mentioned the need to expand PBIS in all schools across the State. With the help of our partners in the Office of Special Education, we will continue to promote PBIS in our work in promoting school climate and student engagement and begin implementation of the SCI.

5. *District and School Building Safety Plans (Recommendations #22, 28, 32)*

In January 2013, the New York State School Safety Improvement Team was established in Education Law § 2801-b. The School Safety Improvement Team's focus is to review building level school safety plans and to recommend changes to improve safety. Through these efforts, a number of issues have been identified. These issues included a lack of consistency in planning, a failure to submit plans as required by law, and the complexity of the legislation which created confusion as to what schools are required to have in their safety plans. In an effort to address these issues, the School Safety Improvement Team developed the New York State Guide to School Emergency Response Planning, which includes guidance about legislative requirements, FEMA recommendations, and a recommended format for emergency response plans.

Additionally, since January 2014, there have been four webinars and 21 regional meetings that were held to encourage and assist school administrators to simplify and streamline the creation, maintenance, and submission of school safety plans. The result has been that many school administrators have reconnected with local law enforcement, increased communication, and as a result, gained invaluable information about what to do if confronted with a crisis.

This initiative will continue as the School Safety Improvement Team prepares to automate the submission process for building-level emergency plans, which will even further increase the coordination between school administrators, local law enforcement and community response teams. The Department's Information Technology Office and the Office of Student Support Services staff are meeting regularly with the State Police Program and Information Technology staff to automate these emergency plan submissions to begin in the 2016-17 school year.

Next Steps

It is recommended that the Board of Regents direct staff to continue implementing the recommendations of the New York State Safe Schools Task Force and to draft regulation changes, where appropriate, to bring back to the Board for review and adoption.

ATTACHMENT A

NEW YORK STATE SAFE SCHOOLS TASK FORCE RECOMMENDATIONS

Listed in priority order, based on a poll given to the Task Force members

	<i>Recommendations</i>	<i>Status</i>
1	Advocate for investment in and expansion of support staff in schools, including school counselors, social workers, psychologists, nurses and school attendance staff.	<i>In progress; Amendments to School Counselor Regulations to be submitted to Dept. of State for comment in October 2015; SED to work with other disciplines in 2016.</i>
2	The reporting process for Dignity for All Students Act (DASA) and Violent and Disruptive Incident Reporting (VADIR) should be combined and renamed into one system that is not punitive and is reflective of the school climate and can be used for prevention and intervention purposes. It should include positive measures and incorporate most improved schools. A new process and criteria should be developed for the Persistently Dangerous designation and a new set of definitions of incident categories for reporting using a School Climate Index. Provide options for the removal of PD designation for carry over PD schools to utilize their 2014-15 & 2015-16 VADIR /incident data based on their SVI or Climate Index rating.	<i>In progress; Projected completion by SY 2016-17</i>
3	Establish social-emotional development and learning (SEDL) as a key component of meeting Common Core State Standards and revisit the SEDL guidelines and move forward with developing standards and measures on an evidence-based framework for implementation.	<i>Projected Start Date 2016</i>
4	Assess and evaluate non-academic supports and a positive school climate as key to student achievement that will result in college, career and citizen readiness in all forms of communication from Department leadership. Provide resources for professional development, technical assistance and individual student supports to the field and school community including parents and afterschool programs.	<i>In progress; Projected completion by June 2016</i>
5	Examine all current federal and state data reporting requirements to develop a single comprehensive model data reporting system that incorporates already required reporting that includes but is not limited to, data regarding school suspension and arrest, positive interventions, school climate indicators, disaggregated by race, ethnicity, gender, etc.	<i>In progress; Projected completion June 2016</i>
6	Re-examine current mandates including the courses for Child Abuse/Neglect Identification, School Violence Prevention/Intervention, and DASA to determine needed changes to pre-service and in-service certification requirements. For example, revise and update the 2-hour School Violence Prevention course, which is required for teacher certification, such that it is complimentary to the new 6-hour required Training in Harassment, Bullying, Cyberbullying and Discrimination in Schools.	<i>In progress; Projected completion in 2016</i>
7	Support implementation of theoretically grounded and evidence-based multi-tiered frameworks such as PBIS that are designed to: <ol style="list-style-type: none"> a. Enhance the learning environment for all students who have greater social, emotional and behavioral needs. 	<i>In progress; Projected completion in 2016-17</i>

	b. Improve overall school climate, safety and support for students to improve academic achievement.	
8	Design a user-friendly technology system for reporting incidents with prompts to aide accurate reporting. To include real time data available, give technical assistance to schools on data collection, use and reporting so it is a positive rather than punitive process.	<i>In progress; Projected Start Date in SY 2016-17</i>
9	Include non-certified school staff (aides, office staff, maintenance, transporters, food service, etc.) in School Violence Prevention training.	<i>Projected Start Date in SY 2016-17</i>
10	Revise New York State Statute 807 to include lockdown drills, armed intruder drills and other drills as part of the 12 annual fire drills currently mandated. Eliminate two of the currently required fire drills and require at least one lockdown drill.	<i>In progress; Projected completion by June 2016</i>
11	Form an inter-agency policy work group that includes student representatives to examine student suspension policies and to incorporate restorative justice practices.	<i>Projected Start Date July 2016</i>
12	Convene a series of meetings among the offices of P-12, Higher Education, Professions and Teacher Certification to develop a “big picture” plan for identifying the rapidly increasing number of topics, especially in areas such as strategies for classroom management and identifying and addressing individual student SEDL needs or inclusion in Teacher/Administrator Training, and other support staff, both pre-service and in-service.	<i>Projected Start Date July 2016</i>
13	Develop uniform training and qualification requirements for School Resource Officers (SROs) which will include training in restorative justice practices as well as social-emotional learning. Issue a Department memo to clarify 211 waiver requirements for hiring retired law enforcement officers as SROs.	<i>Projected Start Date July 2016</i>
14	Improve the ease of student reporting of safety issues not limited to bullying, harassment, discrimination, at-risk behavior and violence by providing opportunities for students to anonymously report incidents of concern.	<i>Start Date in 2016</i>
15	Train school administrators (Train the trainer) on the new system to effectively use discipline data and give Pre-service training to all pertinent school personnel in the new PD designation system. Train school administrators, teachers and personnel on the new system to effectively analyze and use documents.	<i>System Design is In Progress; Training Projected for 2016</i>
16	Develop a Workgroup across P-12 Offices with representatives from other agencies that include youth and student representatives to develop protocols for the collection and dissemination of data that can assist schools with meeting the non-academic needs of students	<i>In Progress; Workgroup developed with projected completion in Spring of 2016.</i>
17	There should be a multi-year change process for schools designated as Persistently Dangerous. The Task Force should continue to collect additional information and assist the Department during this time of transition to a new reporting process.	<i>In progress; Projected completion date in SY 2016-17</i>
18	Public reporting of data to the State and localities should lead to identification of school districts in need of technical assistance for improvement and referrals to additional resources to improve the school climate, making it a safer environment for students.	<i>In progress; Begin testing the SCI in SY 2015-16</i>
19	Use PBIS training more regularly and appropriately.	<i>In progress; ongoing</i>
20	Continue use of the School Climate Index to assess school environment needs: such as technical assistance from Community Schools, NYS Center for School Safety,	<i>In progress; Begin testing in SY 2015-16 with projected</i>

	and/or the Department; types of support; and funding needs.	<i>completion in SY 2016-17</i>
21	Gather survey data from other state and federal agencies to relate to the school's climate and safety to minimize duplication and to develop a fuller picture of school climate for policy makers.	<i>In progress; Working with USDOE to analyze survey data; Projected completion Dec. 2015</i>
22	Expand School Safety Plans to include protocols or school busses/transporters, areas used by students outside the school building and activities outside of regular school hours.	<i>Start Date in July 2016</i>
23	Provide opportunities for districts to pursue funding for hiring additional SROs.	<i>Start Date To Be Determined</i>
24	SED to develop a guidance document regarding the role of the SRO and other security officials who work with school administration.	<i>Projected Start Date July 2016</i>
25	Develop protocols for collecting, disseminating, and offering technical support to utilizing data, including data related to SEDL to assist schools in creating positive school climates while protecting individual student privacy. Survey the national and state field for effective school climate models, needs assessments and other measures of student well-being.	<i>In progress; Projected completion December 2015</i>
26	Develop guidance document to clarify and reinforce membership, roles, responsibilities and appropriate training for members of <i>emergency response teams</i> as defined in CR 155.17(c)(14) and <i>post-incident response teams</i> as defined in CR 155.17(c)(15). Chain of command system should be consistent with FEMA Incident Command System (ICS) model, see http://www.fema.gov/incident-command-system).	<i>Completed</i>
27	Issue a memorandum specifying that District-wide Safety Plans should be submitted electronically to the Commissioner with amendments on an annual basis to comply with 8 NYCRR 155.17(e)(3).	<i>Completed</i>
28	Districts will utilize a locally developed checklist or a checklist from the FEMA website: http://training.fema.gov/EMIWeb/emischool/EL361Toolkit/SampleFormsChecklistsExercises.htm to conduct an assessment to ensure buildings are safe for re-occupancy after a disaster or evacuation. This checklist should include review of environmental safety factors associated with violence.	<i>In progress; Projected completion in early 2016</i>
29	Transition the carryover Persistently Dangerous schools that do not meet the criteria for removal into a pilot. Create tiers for remaining PD schools to reflect intermediate phases of improvement. Create tiers of technical assistance aligned with improvement phases.	<i>Projected Start Date Sept. 2016</i>
30	Publish school climate surveys for schools, parents, teachers and students to use.	<i>In progress; Projected completion for schools in the testing phase by Dec 2015</i>
31	Explore the development of a student-based unique identifier system for the purpose of sharing data to implement proper appropriate interventions and identification of state and local trends.	<i>Start Date to be Determined</i>
32	Include school transportation managers/directors as required members on district-wide and building-level school safety teams with the goal of expanding and	<i>Projected Start Date July 2016</i>

	enhancing bus drills, developing emergency response training to operators and aides, developing policies and practices related to school bus security and enhancing safety equipment for busses.	
33	Provide guidance for schools to encourage students to report school safety issues.	<i>Projected Start Date in Spring of 2016</i>
34	There should not be an announcement of newly identified Potentially Persistently Dangerous (PPD) or Persistently Dangerous (PD) schools. However, schools that have been designated in past years as PD should be allowed to petition for removal of their designation status.	<i>Completed;</i>
35	Explore what data is already collected via what data bases and which data points are collected. Find ways in which to be sure that all parties are aware of data system and data points.	<i>Completed</i>
36	Issue a memorandum that district-wide safety plans will no longer be required to be posted on-line. Districts will still have the option to post district-wide plans on-line.	<i>Completed</i>

STUDENT FORUM RECOMMENDATIONS

Listed in no particular order

1	Allow students or a student representative to participate in district governing bodies.	<i>School district level implementation</i>
2	School districts should pursue Alternatives to Suspension (ATS) procedures and better incorporate them into disciplinary codes.	<i>Start Date To Be Determined</i>
3	Integrate school rules, code of conduct, and school climate into school curriculum so that it is better understood by students and parents.	<i>Projected Start Date in September 2016</i>
4	The Dignity Act Coordinator (DAC) and the DAC's role should be better identified to the students.	<i>In progress; Included in ongoing DASA training</i>
5	Annual orientations should include information on the DAC and school climate, and start as early as middle school.	<i>In progress; Included in ongoing DASA training</i>
6	There should be more school counselors in school buildings, who are better informed on school climate, so that students can turn to them when needed.	<i>In progress; Amendments to School Counselor Regulations to be submitted to Dept. of State for comment in October 2015;</i>

PROPOSED NEW YORK STATE SCHOOL CLIMATE INDEX

An example of how to calculate a School Climate Index

<u>MEASUREMENT</u>	<u>TOTAL POINT VALUE (500)</u>
1. STUDENT SURVEYS	100 Points
2. SCHOOL PERSONNEL SURVEYS	100 Points
3. PARENT/GUARDIAN SURVEYS	100 Points

The scores for each individual survey above will be calculated as follows:

Example of a Survey Item: “I feel safe at this school”

Possible Responses: Strongly Agree; Agree; Neither Agree nor Disagree; Disagree; Strongly Disagree

A response of “Strongly Agree” will be worth five (5) points; “Agree” will be worth four (4) points; “Neither Agree nor Disagree” will be worth three (3) points; “Disagree” will be worth two (2) points; and “Strongly Disagree” will be worth one (1) point. Each survey will be tabulated and given a score. And each school’s set of surveys (e.g., student, school personnel, and parent/guardian) will be aggregated and scaled.

For example, if a school building’s student survey average response (out of five) is 4.1, then the school building’s Student Survey portion of the School Climate Index would equal 82 points out of the potential total of 100 points.

4. VADIR AND DASA REPORTING INDICATOR	100 Points
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The Department already gathers information for each school building via the School Violence Index (SVI), which will continue to be used to determine this portion of the School Climate Index (SCI). However, Department staff is revising the VADIR categories which will be used in SY 2016-17.

SVIs will be separated into bands that will correlate to points in this category toward the SCI (see below values). Please note that a school that meets or exceeds the 1.5 SVI threshold for two consecutive years is designated a Persistently Dangerous school. Therefore, schools with an SVI of 1.5 and greater will receive 0 Points.

Calculating Points for this Indicator, Schools With:

- 0-0.49 SVI will receive 100 Points
- 0.50-0.99 SVI will receive 75 Points
- 1.00-1.49 SVI will receive 50 Points
- 1.5 and greater SVI will receive 0 Points
- 0.5 SVI with a total of 60 or more weighted incidents will receive 0 points

5. CHRONIC ABSENTEEISM INDICATOR

100 Points

The Department will collect aggregated data on school buildings' rates of students who are chronically absent. The rates of chronically absent will be separated into bands, which will correlate points in this category toward the SCI.

Calculating Points for this Indicator, Schools with:

- less than 10% of student chronically absent will receive 100 Points
- between 10-19% of students chronically absent will receive 75 Points
- between 20-29% of students chronically absent will receive 50 Points
- 30% or greater of students chronically absent will receive 0 Points