



NEW YORK STATE SENATOR

Elaine Phillips

## Senator Phillips Announces Passage Of Comprehensive School Safety Package To Improve Security And Keep Students Safe

ELAINE PHILLIPS March 6, 2018



Senator Elaine Phillips announced that the New York State Senate passed a comprehensive package of school safety measures that would strengthen security and help keep New York students safe.

“Like all Americans, I am shocked at the number of school shootings taking place across our country. As a mother of three daughters, I am outraged and saddened by the regular acts of senseless violence occurring in our schools and elsewhere,” said Senator Phillips. “After

listening to the concerns of law enforcement officials, school administrators and parents, we brought forth more than a dozen bills in an effort to prevent this violence from occurring in our state. Yesterday we provided a solid plan to bolster school security through personnel and infrastructure improvements, increase access to school-based mental health services to help students in need and identify potential threats, and increased penalties. I believe that by coupling this wide-ranged school safety plan together with sensible gun regulations, including banning bump stocks and military-style assault weapons, requiring comprehensive background checks, and providing mental health safeguards, we will ensure our schools remain safe havens for students to learn and teachers to educate.”

The package also includes legislation, which Senator Phillips sponsored, that would make the Smart Schools Review Board more efficient and accountable in an effort to get much-needed safety and security funding to school districts. The board would be required to meet monthly to review 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.

“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,” Senator Phillips said. “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.”

Other 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. Below is a summary of several bills included in the package:

**Increasing the Ability of Schools to Hire Qualified Security Personnel:**

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

(S7811A and S7810A) 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 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.

Peace Officer Status for School Resource Officers:

(S1144A) The bill provides retired police officers with peace officer status when they are employed by a school district as a school resource officer.

More State Aid for School Resource Officers:

(S7791) This new bill helps promote the availability of qualified security personnel that could be hired in schools by increasing the state funding available to support the employment by schools of retired police officers from the current \$30,000 per year limit to \$50,000 per year.

**Improving School Safety with Infrastructure Investments:**

### Security Hardware Aid Program:

(S7790) The new bill would provide state education aid to school districts acquire safety technology and improve 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.

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

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

(S7805) 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 shall be to work with students, faculty, and other mental health and health care professionals to identify, report and address mental health issues in any public or non-public school that could pose a risk to public safety.

### **Assess and Improve Mental Health Resources in Schools:**

(S7838) 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.

### **Expanding State Action to Protect Schools Against Attack:**

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

(S7813A,) 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 sties 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.

Upgrade School Safety Improvement Teams:

(S7832) 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, nonpublic 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) 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.

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 nonpublic schools, daycares, and community centers at risk for hate crimes and \$15 million for nonpublic schools to increase their security. Initiatives like these will continue to be a part of this coming year's budget negotiations.

The bills will be sent to the Assembly.