



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY
12234

DEPUTY COMMISSIONER
Office of Performance Improvement and Management Services
O: 518.473-4706
F: 518.474-5392

January 5, 2018

Hon. Thomas P. DiNapoli
New York State Comptroller
110 State Street, 15th Floor
Albany, NY 12236

Dear Comptroller DiNapoli:

The following is the New York State Education Department's (Department) final response to the Office of the State Comptroller (OSC) audit report, 2016-S-28: Implementation of the Dignity for All Students Act.

Recommendation 1: Develop a risk assessment that incorporates known and suspected weaknesses in DASA implementation, and commit sufficient resources to promote school compliance with DASA requirements, including accurate reporting, under the new structure.

Department's Response: The Department agrees with this recommendation and will develop a risk assessment to improve effective implementation of DASA. As noted by OSC, there is a new reporting structure now in effect for the 2017–18 school year. The Department, in partnership with the New York State Center for School Safety (NYSCFSS), has enhanced the DASA training to incorporate the new reporting structure and address the needs of schools to ensure accurate record keeping and reporting at the school level. School Safety and Educational Climate (SSEC) training sessions were provided throughout the State in August and October 2017. Approximately 1,100 individuals attended the trainings representing 440 school districts. Also during the training, OSC audit findings and recommendations from this audit were shared with training attendees, and expectations regarding record keeping, reporting, and retaining records were clarified and emphasized. In addition, the Department conducted a webinar, in November 2017, explaining SSEC reporting that was posted on the NYSCFSS website, and a notice was sent to schools and school districts across the State with the link to the webinar.

Recommendation 2: Work with partners, such as the Center for School Safety, to enhance training to better meet user needs. Efforts should include (but not be limited to): identifying school and district-level resources to facilitate proper electronic reporting and record keeping; and ensuring the training content includes the details that need to be documented in incident investigation records

as well as examples that clearly distinguish reportable from non-reportable incidents.

Department's Response: The Department agrees with this recommendation and has enhanced the trainings conducted throughout the State to focus on the investigative process and clearly distinguishing reportable from non-reportable incidents. The Department, in partnership with NYSCFSS, refines trainings annually to ensure that schools and school districts are provided accurate information regarding record keeping and reporting. In the beginning of the 2017-18 school year, in addition to training schools and school districts, all vendors that were known by the Department to be providing electronic reporting and record keeping systems for schools and school districts were notified of the changes in the reporting system, sent a copy of the new reporting format, and invited to attend trainings offered throughout the State; several vendors attended the training session so they could better assist schools with reporting and record keeping.

In addition, the Department prepared examples of distinguishing reportable from non-reportable incidents, and included these examples in the new Frequently Asked Questions (FAQs) that are posted on the Department's website.

Recommendation 3: Remind school and district officials of DASA record retention requirements and address areas of confusion that compromise compliance with these requirements.

Department's Response: The Department agrees with this recommendation to remind school and district officials of DASA record retention requirements. The annual training and SSEC related documents posted on the NYSED and NYSCFSS websites include data retention requirements. The Department has sent reminders to schools and school district officials regarding record retention requirements as well, including in a memo dated June 6, 2017. In addition, emphasis has been placed on the retention of records supporting material incidents reported as well as non-verified incidents.

Yours truly,



Sharon Cates-Williams
Deputy Commissioner

cc: Thalia Melendez
Renee Rider
Maribeth Barney
Jhone Ebert