



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

April 10, 2015

RECEIVED
EXECUTIVE CORRESPONDENCE

APR 14 2015

OFFICE OF THE STATE COMPTROLLER
THOMAS P. DINAPOLI
COMPTROLLER

The Honorable Thomas P. DiNapoli
Comptroller
Office of the State Comptroller
110 State Street, 15th Floor
Albany, NY 12236

Dear Comptroller DiNapoli:

In accordance with the provisions of Section 170 of the Executive Law, the following are actions that the State Education Department (SED) has taken, or will be taking to implement the recommendations contained in the Office of the State Comptroller's (OSC) Final Audit Report (2013-S-71) entitled Compliance with the Safe Schools Against Violence in Education Act (SAVE).

Recommendation 1: Conduct and document a risk assessment related to compliance with the SAVE Act and Violence and Disruptive Incident Report (VADIR) requirements. Decide where to best focus limited resources to help schools:

- Enhance school safety and
- Improve the completeness and accuracy of VADIR reporting.

The responses from the risk assessment survey from District Superintendents, School Superintendents and other administrative school staff will be used to strengthen and improve completeness and accuracy of VADIR incident reporting and increase technical assistance on reporting school incidents correctly including FAQs, webinars, and live or interactive trainings. SED will continue to review additional strategies, techniques, and instruction to improve the completeness and accuracy of VADIR self-reporting by schools. SED will conduct monitoring and on-site visits of schools including those identified in the audit report. SED and/or the Center for School Safety will conduct site visits to the carryover Persistently Dangerous (PD) schools, and newly identified PD schools that may qualify for removal from the PD list. All of the schools will receive a school climate assessment based on interview data gathered from the students, staff, and administration. The services that the Center for School Safety provides to these and other schools focus on enhancing school safety.

Recommendation 2: For Burgard and Fulton, review the incident records for the 2011-12 school year and other years as applicable; determine if either school should have been designated persistently dangerous for the 2011-12 or subsequent years; and take appropriate corrective action.

SED is currently reviewing the 2011-12 student conduct and incident files of Burgard and Fulton to determine the accuracy of reporting incidents and whether one or both of the schools should have been designated persistently dangerous; files covering the 2012-13 and 2013-14 school years will also be reviewed for reporting accuracy. SED conducted site visits to the schools. The results of the conduct and incident file reviews will be discussed with the schools. SED will review current reporting procedures and VADIR reporting requirements with district and school personnel, and will provide additional technical assistance as necessary. SED will initiate appropriate corrective actions based on the reviews.

Recommendation 3: Comply with provisions of the SAVE Act and the corresponding Regulations that require the Department to:

- Annually designate persistently dangerous schools.
- Notify local educational agencies of the designation so they can notify parents in a timely fashion of the option to transfer to a safe public school, if one is available.
- Report annual VADIR results to the Governor, the Legislature, and the Board of Regents.

On 8/1/2014, SED released the 2014-15 list of Persistently Dangerous schools and will continue to designate the Persistently Dangerous schools on an annual basis. On 8/1/2014, SED also notified the local educational agencies in which a school(s) was formally designated as persistently dangerous. Local educational agencies were reminded of the requirement to offer parents the option of student transfer to a safe public school, if one is available. SED is in the process of developing the annual report of VADIR results to submit to the Governor, the Legislature, and the Board of Regents.

Recommendation 4: Improve and enhance training efforts to reach more schools and provide targeted assistance to higher risk schools and school districts. This could include pursuing virtual solutions such as web conferencing and e-learning to reach more schools and allow real-time interaction.

SED's Center for School Safety has developed resources, including a website, a cadre of experts in school safety, and print materials that may be distributed through multi-media formats. Additionally, schools receive targeted assistance during on-site visits made by SED and/or the Center for School Safety personnel. SED has developed a new power point training and will continue to develop additional materials for training. The Department is also in the process of developing a plan for targeted training sessions to meet the needs

of high risk schools and school districts in New York City, rest of the State, and charter schools.

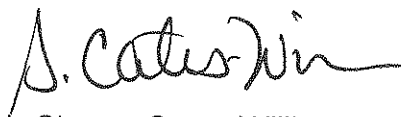
Recommendation 5: Revisit the existing VADIR guidance available to schools and make changes as needed to emphasize and/or clarify:

- The descriptions of VADIR-reportable incidents and how to record incident information for accurate reporting.
- The requirement to maintain incident records and summary VADIR information.
- The requirement to record and report summer school incidents.

The Department has met with the New York State Safe Schools Task Force to develop revised descriptions of VADIR reportable incidents. SED is performing a comprehensive review of the materials available to school districts to support accurate incident recording and reporting, including clarification of the requirement to maintain incident records and summary information. Training and informational materials posted on the SED and Center for School Safety websites advise school districts of the incident recording, maintenance, reporting, and summarization requirements. Lastly, all SED and Center for School Safety training and guidance materials will emphasize the requirement for schools to record and report summer school incidents.

If you have any questions regarding this response, please contact Sharon Holder, Chief of Education Programs at 518-486-6090.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Cates-Williams", with a stylized flourish at the end.

Sharon Cates-Williams