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June 28, 2002

Mr. Richard Mills
Commissioner
State Education Department
Education Building
Albany, NY 12234

Mr. Harold O. Levy
Chancellor
New York City Board of Education
110 Livingston Street
Brooklyn, NY 11201

Re: Report 2002-F-9

Dear Mr. Mills and Mr. Levy,

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution; Article II, Section 8 of the State Finance Law; and Article III, Section 33 of the Municipal Law, we have reviewed the actions taken by officials of the New York State Education Department (Department) and the New York City Board of Education (Board) as of May 9, 2002, to implement the recommendations included in our audit *School Violence Prevention and Response* (Report 99-S-43). Our report, which was issued on February 21, 2001, determined whether school districts had established comprehensive school safety plans and completed necessary school violence prevention and response steps. We also determined whether the Board and the Department provided sufficient monitoring over school district efforts to keep schools safe from student violence.

Background

The Board of Regents sets education policies and guides the education system in New York State. The Regents are headed by a Chancellor and are served by the Department. The Department administers education policies and programs, oversees more than 700 local school boards and offers technical assistance to teachers and administrators at local schools. New York City public schools are overseen by the New York City Board of Education (Board). Although the Board is supervised by the Regents, various sections of the State Education Law assign many responsibilities specifically to the Board.

The passage of The Safe Schools Against Violence in Education Act (Act) in July 2000, established a statutory requirement for school districts to provide comprehensive school safety plans. For New York City public schools, the Regulations of the Chancellor of the Board already required each school to prepare an annual safety plan.

Summary Conclusions

In our prior audit, we found that Department publications had identified and communicated to school districts the need to prepare comprehensive school safety plans and the need to take specific prevention and response steps to address student violence in elementary and high schools. However, many districts outside of New York City had not prepared comprehensive safety plans. In New York City, many of the plans that were prepared were not prepared for approval in a timely manner. Our audit also showed variation in the extent that districts were implementing violence prevention and response steps that support comprehensive school safety plans.

In our follow-up review, we found both the Department and the Board have made considerable progress in implementing our prior audit recommendations. For example, the Department has developed a document called the “Guidance Document for School Safety Plans” to help school districts complete their safety plans. They have also developed a safety plan compliance checklist. To date, about 670 school districts outside of New York City have submitted plans that have been reviewed. The Board has established a web-based system (EASYSSP) to monitor the status of every New York City safety plan and to allow each school to submit these plans on-line. Board officials have advised us that all plans have been received, reviewed and approved for the 2000-02 school year.

Summary of Status of Prior Audit Recommendations

Of the six prior audit recommendations, five were applicable to the Department and one was applicable to the Board. The Department fully implemented three and partially implemented two recommendations we made to it. The Board has implemented the one recommendation we made to it.

Follow-up Observations

To the Department:

Recommendation 1

Establish and maintain the policies and procedures necessary to permit the Department to effectively monitor school districts’ safety plans and violence prevention and response steps in a manner consistent with the requirements of the Act.

Status - Implemented

Agency Action - In April 2001, the Department distributed its “Guidance Document for School Safety Plans” to help school districts complete their safety plans. The Department also

developed a safety plan compliance checklist. The New York Center for School Safety (Center), which is an arm of the Department, uses this checklist in their review and approval of district safety plans. As of May 2002, the Center has reviewed the safety plans for about 670 districts. However, 31 districts had not submitted plans to the Center at that time. To address this issue, the Department sent letters to the 31 districts reminding them to submit their completed safety plans to the Center.

Recommendation 2

Establish procedures and documentation requirements that provide a basis for verifying that ESD/SVP grantee districts have prepared and implemented school safety plans in compliance with program funding requirements.

Status - Implemented

Agency Action - The Department has established a program to review how well school districts have implemented their comprehensive safety plans. The program includes on-site reviews at 70 districts selected by the Department. Ten districts that received ESD/SVP (Extended School Day/School Violence Prevention) grants are included in the initial on-site reviews. Reviewers use a compliance checklist to perform these reviews. Officials added that Department staff will maintain the checklists on file as evidence of the reviews. Department officials told us that as of May 9, 2002, 44 of the 70 school districts have experienced the on-site visit. The remaining visits were to have been completed by May 31, 2002.

Recommendation 3

Identify and share school districts=best practices for comprehensive school safety plans and violence prevention and response initiatives.

Status - Partially Implemented

Agency Action - The Department established a committee to review ways to identify and share best practices used by districts to develop comprehensive school safety plans. Department officials told us that the Center has reviewed a number of plans and is looking to identify best practices. Officials further advised us that the results of this review will be disseminated to the school districts in the Fall of 2002.

Recommendation 4

Provide assistance to those districts not making sufficient progress in either establishing school safety plans or implementing violence prevention and response steps. In this regard, utilize the results of field visits and questionnaire analysis that is presented in this report.

Status - Partially Implemented

Agency Action - The Department scheduled regional workshops to provide technical assistance to districts to help them prepare school safety plans and implement violence prevention and response steps. As of March 2002, one regional workshop had been held. Participation in these workshops is voluntary. Therefore, the districts that have not adequately developed school safety plans and/or implemented violence prevention and response steps might not participate in a workshop. In addition, Department officials indicated that six of the 70 districts where site visits were scheduled were districts that we identified in our prior report.

Recommendation 5

Consider whether the Board's approach to school safety plans which relies on a plan template and computer transmission of plans can be applied to the Department's oversight of school districts outside of New York City.

Status - Implemented

Agency Action - As noted previously, the Department distributed its "Guidance Document for School Safety Plans" to the districts to help them prepare their comprehensive safety plans. Although the Guidance Document is not a template, it does provide extensive instruction and detail on the items that districts need to address to develop an effective safety plan. In addition, Department officials advised us that they formed a committee to consider the Board's approach to school safety plans. The committee concluded that using a template to create these plans was not feasible for school districts outside New York City. According to the committee, the safety needs of districts outside New York City are so diverse that standardizing the format for their plans was not practical.

To the Board:

Recommendation 6

Reemphasize to schools the requirement that safety plans that are to be submitted to the NYPD by filing deadlines must be in approvable form.

Status - Implemented

Agency Action - The Board has established a web-based system (EASYSSP) to monitor the status of each school safety plan and to allow each school to submit these plans on-line. All plans were received, reviewed and approved for the 2000-01 school year. In response to the tragic events of September 11, 2001 school safety plan requirements have been improved. Additional data is now required including information pertaining to medical emergencies, emergency response teams and internal communication systems. School plans for the 2001-02 school year have all been received and approved by the District Superintendents and the Board. These plans are currently in the final certification process review by the New York City Police Department. In addition, Board officials provided us with a demonstration of its system on May 1, 2002. The system gives the Board the capability to monitor the progress of school safety plans on-line.

Major contributors to this report were, Brian Mason, Arthur F. Smith, Donald Wilson and David Pleeter.

We would appreciate your response within 30 days indicating any action planned or taken to address any unresolved matters discussed in this report. We also thank the Department and Board for the courtesies and cooperation extended to our staff during this review.

Very truly yours,

Jerry Barber,
Audit Director

CC: Ms. Deirdre Taylor
Mr. Richard Cate
Mr. Thomas Sheldon
Mr. Nadir Francis