



Enriching Lives Through Education

**BROOME TIOGA BOCES
DISTRICT WIDE SCHOOL SAFETY PLAN
2020 - 2021**

Reviewed and approved by the BT BOCES District-Wide School Safety Team on 4/8/2002
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BROOME TIOGA BOCES
DISTRICT WIDE SCHOOL SAFETY PLAN
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BROOME TIOGA BOCES
DISTRICT-WIDE SCHOOL SAFETY PLAN

PROJECT SAVE
(Safe Schools Against Violence in Education)
Commissioner's Regulation 155.17

INTRODUCTION

Emergencies and violent incidents in school districts are critical issues that must be addressed in an expeditious and effective manner. Districts are required to develop a district-wide school safety plan designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of the district with local and county resources in the event of such incidents or emergencies. The district-wide plan is responsive to the needs of all schools within the district and is consistent with the more detailed emergency response plans required at the school building level. Districts stand at risk from a wide variety of acts of violence, natural, and manmade disasters. To address these threats, the State of New York has enacted the Safe Schools Against Violence in Education (SAVE) law. Project SAVE is a comprehensive planning effort that addresses prevention, response, and recovery with respect to a variety of emergencies in the school district and each of its schools.

The development of this plan was performed through the use of the district's existing Emergency Management Plan, discussions with BOCES Health and Safety Personnel, the Binghamton Police Department, New York State Police and the District Wide Safety Team committee, as outlined in Section I-B. Use of data developed from previous incidents which have occurred both in the district and at other districts has been critical in the formation of this plan.

The Broome Tioga BOCES supports the SAVE Legislation, and intends to facilitate the planning process. The Superintendent of Schools encourages and advocates ongoing district-wide cooperation and support of Project SAVE.

SECTION I: GENERAL CONSIDERATIONS AND PLANNING GUIDELINES

A. Purpose

The Broome Tioga BOCES District Wide School Safety Plan was developed pursuant to Commissioner’s Regulation 155.17. At the direction of the Broome Tioga BOCES School District Board of Education, the Superintendent appointed a district-wide School Safety Team and charged it with the development and maintenance of the School Safety Plan.

B. Identification of District Chief Emergency Officer and District School Safety Team

The Chief Operating Officer, Mr. John Harvey, is designated the interim Chief Emergency School Officer. The Chief Emergency Officer is a required aspect of a school district’s district-wide school safety plan, to mitigate the deleterious effects of school crises and promote effective school-community communication and coordination of efforts during such crises.

Responsibilities of Chief Emergency School Officer position include the following:

1. Facilitate safety training for school district personnel,
2. Ensure the school’s building-level emergency response plan is up-to-date each year,
3. Make sure drills (evacuation and lock down) occur as per Education Law §807, and
4. Aid in policy development and decision-making for security technology.
5. The New York State Education Department (SED) advises that shelter-in-place as well as lock out protocol be evaluated on an annual basis.

The district has created a district-wide School Safety Team including the following persons:

Positions	Names
Board Of Education Representative	John Crosby
Administration Representatives	John Harvey, Jim Mullins, Kathy Blackman, Marie Meagher, Robin Eccleston
School Principals	Tom McNair, Chuck Wheeler, Maria Keesler, Lynette Bryan
Teacher Representatives	Donald Entwistle
Parent Organization Representative	TBD
School Safety Personnel	Joe Mariano, Tom Williams
Other School Personnel	Callie Kavleski, Marie Mead, Wendy Antalek, Don Entwistle, Sandy Cragle, Lisa Ciccirelli, Dan Myers
Student Representative	TBD

District Wide Safety Team Members are required to be appointed by the Board of Education.

C. Concept of Operations

1) The District-Wide School Safety Plan shall be directly linked to the individual Building-level Emergency Response Plans for each school building. The District-Wide School Safety

Plan will guide the development and implementation of individual Building-level Emergency Response Plans. Certain staff members will serve on both teams to assist in this process.

2) In the event of an emergency or violent incident, the initial response to all emergencies at an individual school will be by the School Emergency Response Team.

3) Upon the activation of the School Emergency Response Team, the Superintendent of Schools or his/her designee will be notified and, where appropriate, local emergency officials will also be notified.

4) Emergency response actions including Crisis Response may be supplemented by County and State resources through existing protocols.

5) The District must certify (via BEDS in October each year) to the commissioner that all staff received by September 15th each school year the annual training on emergency response plan & includes violence prevention and components on mental health. New employees will receive training within 30 days of hire.

D. Plan Review and Public Comment

1) This plan shall be reviewed and maintained by the District-Wide School Safety Team and reviewed on an annual basis on or before September 1st of each year.

2) Pursuant to Commissioner's Regulation 155.17 (e)(3), this plan will be made available for public comment 30 days prior to its adoption. The district-wide and building-level plans may be adopted by the School Board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties. The plan must be formally adopted by the Board of Education.

3) While linked to the District-Wide School Safety Plan, Building-level Emergency Response Plans shall be confidential and shall not be subject to disclosure under Article 6 of the Public Officers Law or any other provision of law, in accordance with Education Law Section 2801-a.

4) Full copies of the School Safety Plan and any amendments will be submitted to the New York State Education Department within 30 days of adoption, but by October 1st. each year. Building-level Emergency Response Plans will be supplied to both local and State Police within 30 days of adoption.

SECTION II: RISK REDUCTION/PREVENTION & INTERVENTION

A. Prevention/Intervention Strategies

- 1) The district employs many methods of improving communication among students and between students and staff. The following programs and activities have been reviewed:
 - a. Nonviolent Conflict Resolution Training
 - b. Peer Mediation Programs
 - c. Youth Courts
 - d. Extended Day and Other School Safety Programs
 - e. Establishing anonymous reporting mechanisms of school violence.
 - f. Creating a forum or designating a mentor for students concerned with bullying or violence.

- 2) The district continues to explore programs and develop collaborative agreements with state and local law enforcement officials designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations.

- 3) The district uses many intervention strategies to avoid disruptive behavior at the Leslie Distin Educational Center, East Learning Center and West Learning Center.
 - 2nd Step
 - Mental Health First-Aid
 - Zones of Regulation
 - Executive Functioning
 - Restorative Justice
 - Responsive Classroom
 - Mindfulness
 - Life Space Crisis Intervention (LSCI)
 - PBIS

The Johnson City Learning Center has adult students and the students sign a code of conduct and review expectations at orientation

- 4) Dissemination of information
 1. Building safety teams disseminate information at staff meetings.
 2. All teachers have a folder with all pertinent safety information and this is reviewed with them at the start of school.
 3. Safety information is posted on walls in every classroom.
 4. Parents are notified by admin/social workers/guidance when appropriate.
 5. Administrators use the Crisis Manager app.
 6. There is information on our website.
 7. All staff use their safety trainings to evaluate and monitor students. Trained professionals are available for students who are struggling.
 8. Teachers review safety information with students

B. Hazard Identification

The district has established procedures for the identification of potential sites and the internal and/or external hazards that may be present in them. These procedures are developed in coordination with the local Emergency Management Office, Fire Department and Law Enforcement Agencies.

C. District Resources and Personnel Available for Use During an Emergency

The district has committed the full inventory of its resources to be available for use during an emergency. These resources will be utilized in line with the building-level Emergency Response Plans as deemed appropriate by the Incident Command Team. Specific personnel and resources are identified in the building-level Emergency Response Plans.

D. Procedures to Coordinate the Use of School District Resources During Emergencies

- 1) The district uses the Incident Command System model for emergency actions. For district-wide emergencies the Incident Commander will be Chief Financial Officer, Mr. John Harvey or his designee.

- 2) In building-level emergencies, the building principal or his/her designee will act as the Incident Commander. The Incident Commander is authorized to activate such resources and personnel as are appropriate to the incident. The Incident Commander is empowered to render such decisions as may be necessary in keeping with the response actions as identified in the Building-level Emergency Response Plan. Building-level Incident Command staff are identified in the Building-level Emergency Response Plans.

E. Annual Multi-Hazard School Training for Staff and Students

- 1) The district will conduct annual training for both staff and students in school safety issues. Training will be coordinated by the building principals and/or building administrators, and may consist of classroom activities, general assemblies, tabletop exercises, full scale drills or other appropriate actions to increase the awareness and preparedness of staff and students.

- 2) Drills and other exercises will be coordinated with local, county, and state emergency responders and preparedness officials. Existing plans will be revised in response to post-incident critiques of these drills.

F. Annual Staff Training on Response Plan, Violence Prevention and Mental Health

Staff will be trained annually on building level emergency response plan response, violence prevention and components on mental health by September 15th. New staff hired after start of the school year will be trained within 30 days of hire.

SECTION III: RESPONSE

A. Notification and Activation (Internal & External Communication)

- 1) Policies and Procedures for Responding to Implied, or Direct Threats of Violence or Acts of Violence by Students, Teachers, Other School Personnel and Visitors to the School
 - a. The district has enacted policies and procedures dealing with violence. These policies and procedures deal with the safety of the school community, as well as the range of discipline of those making the threat or committing the act of violence. 5

- 2) Appropriate Responses to Emergencies
 - a. The district recognizes that appropriate response to emergencies varies greatly depending upon the actual threat or act, as well as the magnitude of such emergency. The building-level Emergency Response Plans detail the appropriate response to such emergencies.

- 3) Policies and Procedures for Contacting Appropriate Law Enforcement Officials in the Event of a Violent Incident
 - a. Law enforcement officials will be contacted by the Incident Commander in line with the Building-level Emergency Response Plan, and will be requested based upon the "closest response agency" concept to ensure that the response to the incident is as rapid as possible.

- 4) Policies and Procedures to Contact Parents, Guardians or Persons in Parental Relation to the Students in the Event of a Violent Incident, Early Dismissal, or Suicide
 - a. The district will contact appropriate parents, guardians or persons in parental relation to the student via media release, telephone contact or other appropriate means in the event of a violent incident or early dismissal.
 - b. The district administration or local police will contact parents, guardians or persons in parental relation to the student by appropriate means in the event of a student suicide.

B. Types of Emergencies and Situational Responses

1) The district has identified the following general response actions to emergency situations. These actions include school cancellation, early dismissal, evacuation, and sheltering. The Building-Level Emergency Response Plans include identification of specific procedures for each action depending upon the emergency.

a. Emergencies include, but are not limited to:

Threats of Violence	Intruder
Hostage/Kidnapping	Explosive/Bomb Threat
Natural/Weather Related	Hazardous Material
Civil Disturbance	Biological
School Bus Accident	Radiological
Gas Leak	Epidemic
Others as determined by the Building-level School Safety Team	

C. Types of Emergencies and Responses

1) Responses to Acts of Violence: Implied or Direct Threats

The following types of procedure(s) are used by the District:

- a. Use of staff trained in de-escalation or other strategies to diffuse the situation
- b. Inform Building Principal of implied or direct threat
- c. Determine level of threat with Superintendent/Designee
- d. Contact appropriate law enforcement agency, if necessary
- e. Monitor situation, adjust response as appropriate, and include the possible use of the Emergency Response Team
- f. The district may also provide training and professional development to assist personnel, such as training in de-escalation or identification of early warning signs of potentially violent behavior.

2) Acts of Violence

The following types of procedures and policy 2310 and 6240 are used for responding to acts of violence by students, teachers, other school personnel and visitors to the school. A synopsis following types of procedure(s) are used by the district:

- a. If the situation warrants, isolate the immediate area and evacuate if appropriate
- b. Inform Building Principal/Superintendent
- c. Determine level of threat with Superintendent/Designee
- d. If necessary, initiate lockdown procedure, and contact appropriate law enforcement agency.
- e. Monitor situation; adjust response as appropriate; if necessary, initiate early dismissal, sheltering or evacuation procedures.

3) Response Protocols

The district has determined appropriate responses to emergencies, including protocols for responding to bomb threats, hostage takings, intrusions, kidnappings and suicide. The following protocols are in place:

- a. Identification of decision makers
- b. Plans to safeguard students and staff
- c. Procedures to provide transportation, if necessary
- d. Procedures to notify parents
- e. Procedures to notify media
- f. Debriefing procedures

4) Arrangements for Obtaining Emergency Assistance from Local Law Enforcement

The district has made arrangements for obtaining assistance during emergencies from emergency services organizations and local government agencies. The following are the types of arrangements used by the district:

C. Types of Emergencies (continued) Arrangements for Obtaining Emergency Assistance from Local Law Enforcement (continued)

- a. Superintendent/Designee in an emergency contacts dispatch point or 911 center for fire or EMS response
- b. Emergency responders will obtain access to locked buildings and grounds during emergencies via school issued key access cards or force as necessary.

5) Procedures for Obtaining Advice and Assistance from Local Government Officials

The procedures for obtaining advice and assistance from local governments during countywide emergencies include the following:

- a. Superintendent/Designee in an emergency will contact the Broome County Executive, Emergency Management Coordinator and/or the highest-ranking local government official for obtaining advice and assistance.
- b. When necessary the chief elected official may deem it necessary to invoke article 2-B, issuing a disaster declaration. Under such instances, the school district will comply with all directives in response to the immediate disaster.
- c. The district has identified resources for an emergency from the following agencies: Red Cross, Fire Department, Police Department, private industry, private individuals, religious organizations and other.
- d. Staff from the district have attended, and will continue to attend seminars and workshops concerning school safety.

6) District Resources Available for Use in an Emergency

- a. Building-level Emergency Response Plans include resources specific to the building, including: Student/Staff Information, Transportation Needs, Contact Personnel and their Telephone Numbers, AEDs, fire extinguishers, etc. as provided to the Broome Tioga BOCES District.
- b. The Broome Tioga BOCES District owned buses and other vehicles are available for use in an emergency to transport students, staff and visitors. In the event the district does not have enough vehicles, neighboring districts will be contacted for assistance.

7) Early Detection of Potentially Violent Behavior & Interventions

- 2nd Step
- Mental Health First-Aid
- Zones of Regulation
- Executive Functioning
- Restorative Justice
- Responsive Classroom
- Mindfulness
- Life Space Crisis Intervention (LSCI)
- PBIS
- Non-Violent Crisis Intervention (NCI)
- Applied Physical Training (APT)

C. Types of Emergencies and Responses (continued)

8) Procedures to Coordinate the Use of School District Resources and Manpower During Emergencies

a. During an emergency, all district resources shall be available for use at the direction of the District Incident Commander or his/her designee.

b. The building principal will determine what is needed and will work with the staff member of the Building-level Emergency Response Team, charged with the responsibility of Operations.

c. Together, they will advise the District Safety Coordinator of their needs.

d. The District Safety Coordinator and District Incident Commander have the necessary authority to permit use of all district owned resources and the allocation of financial resources if necessary. This includes staff, vehicles, facilities, etc.

e. The Superintendent of Schools, or his/her designee, has the authority to also allocate the necessary resources including financial requirements.

9) Protective Action Options

The district has plans for taking the following actions in response to an emergency where appropriate School Cancellation, Early Dismissal, Evacuation or Sheltering (internal or external)

a. Early Dismissal

1- The appropriate BOCES District Officials will monitor any situation that may warrant a school cancellation or delay

2- The appropriate BOCES District Officials will make determination regarding early dismissal

3- Contact Transportation Supervisor to arrange transportation

4- The appropriate BOCES District Officials will contact local media, post notification on the BOCES website, and have a Global Notification call sent out with information of early dismissal

5- Set up an information center so that parents may make inquiries regarding the situation

6- Retain appropriate district personnel until all students have been returned home

b. School Cancellation or Delay

1- The appropriate BOCES District Officials will monitor any situation that may warrant a school cancellation or delay

2- The appropriate BOCES District Officials will make determination regarding school delay or cancellation

3- The appropriate BOCES District Officials will contact local media, post notification on the BOCES website, and have a Global Notification call sent out with information of school delay or cancellation

**Broome-Tioga BOCES
Instructional Programs
Closing/Delay Procedures
2020-2021**

Please adhere to the following Closing/Delay Procedures:

LEARNING CENTERS:

- ◆ If **Broome-Tioga BOCES is closed** (per announcement via radio, BOCES web-site and/or television) all **BOCES Centers are closed** (AUP/ BTA staff does not report to work). The designated BOCES Learning Centers are: East, Johnson City, Leslie F. Distin Center, and West.

An overall **BOCES delay is highly unlikely**. In the event of such an occurrence, BTA and AUP staff will also be on delay.

DISTRICT CLASSES & ADT:

- ◆ If the **school district of an operating site is closed**, the Instructional Program is also closed. AUP/BTA staff does not report. Otherwise, it remains open and staff report. District based classes follow the policy of the school district in which they are housed.

In the event of an **unscheduled early dismissal of classes at ADT**, staff member will contact immediate supervisor as soon as an unscheduled closing is announced for further direction. In case supervisor is not available, contact the Assistant Superintendent.

If a **school district of a district-based classroom delay** is announced, the district-based BOCES staff / students located within the classrooms of that school district are on delay. Each supervisor will implement a contingency plan for students who may arrive before official school start time for district-based classes/operating site.

ADULT PROGRAMS:

- ◆ If **Broome-Tioga BOCES is closed** (per announcement via radio and/or television) all **BOCES Adult Programs are closed** (BTA staff does not report to work). The designated BOCES Adult Centers are: Broome County Workforce NY, Johnson City Learning Center, Leslie F. Distin Education Center and St. Paul's Episcopal Church. This includes evening, adult job training and literacy programs.

An overall **BOCES delay is highly unlikely**. In the event of such an occurrence, BTA staff will also be on delay.

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9) Protective Action Options (continued)

c. Evacuation (before, during and after school hours, including security during evacuation and evacuation routes)

- 1- Determine the level of threat
- 2- Contact Transportation Supervisor to arrange transportation
- 3- Clear all evacuation routes and sites prior to evacuation
- 4- Evacuate all staff and students to prearranged evacuation sites
- 5- Account for all student and staff population and report any missing staff or students to Building Principal
- 6- Make determination regarding early dismissal
- 7- If determination was made to dismiss early, contact local media to inform parents of early dismissal
- 8- Ensure adult supervision or continued school supervision/security
- 9- Set up an information center for parents inquiries regarding the situation
- 10- Retain appropriate district personnel until all students have been returned home

d. Sheltering Sites (internal and external)

- 1- Determine the level of threat
- 2- Determine location of sheltering depending on nature of incident
- 3- Account for all students and staff and report any missing staff or students to designee
- 4- Determine other occupants in the building
- 5- Make appropriate arrangements for human needs
- 6- Take appropriate safety precautions
- 7- Establish a public information officer to provide information and current status of the situation to parents and other inquiring parties
- 8- Retain appropriate district personnel until all students have been returned home

e. Stay at Home/Remote Learning for Pandemic

- 1- District Officials in consultation with local, county and state officials will determine the level of threat
- 2- District Officials shall initiate Navigate Prepared App
- 3- District Officials shall notify parents, students and staff of the situation and response and provide ongoing information at regularly scheduled update times
- 4- District Officials shall make appropriate arrangements for human needs
- 5- District Officials shall make appropriate arrangements for remote learning

D. District Officials shall take appropriate safety precautions regarding building and site access

1) Security

2) Crime Scene Security: In the event of an incident/crime on school property, the building shall utilize the following procedure(s) for securing and restricting access to the scene in order to preserve evidence from being disturbed or destroyed:

- a. The initial scene security is charged with the Building Principal or designee until relieved by law enforcement officials.
- b. No items shall be moved, cleaned, or altered without prior approval from the appropriate law enforcement agency.
- c. Nothing in this section should be interpreted to preclude the rescue and aid of injured persons.

- 3) **SRO:** Three School Resource Officer (SRO) are utilized at the district at this time (two at the Leslie Distin Educational Center and one at the East Learning Center:
 - a. Provides peace keeping services, implementing SAVE legislation and investigating violations of the law that disrupt the educational process. No discipline will be provided by law enforcement officer.
 - b. Provides guidance to students, parents, faculty and staff by acting as a link to support services available in the school and community.
 - c. Conducts presentations for student grades, parents and staff on various legal, safety and health issues as requested

- 4) **Visitors:** Sign in procedures for visitors:
 - a. Each school building has an assigned person to sign in and out all visitors and non-district workers at the main entry door/welcome center. Each visitor and non-district employee is provided a visitor badge for the duration of the time spent in the Broome Tioga BOCES District Building.
 - b. All doors are locked during the school day.
 - c. Staff and visitor entry. Staff use badges to enter the building and visitors are viewed on CCTV, questioned about their purpose at the building and then buzzed into the building by the person monitoring the entry point.
 - d. Visitor badges not returned at the end of the day are accounted for by the sign in personnel and the visitor is contacted for the badge.

- 5) Other school safety personnel – Educational Center, East Learning Center, West Learning Center
 1. Greeters/Main office secretaries
 - a. Provides oversight and security at the main entrance
 - b. Checks visitors in and assign visitor badges.
 - c. Checks with building employee that a visitor is there to see them
 - d. Checks badges are returned and visitors have signed out.
 2. Monitors
 - a. Provide supervision at playground, lunch periods and study halls
 - b. Maintains order in classrooms and hallways
 - c. Oversees orderly passing of students between classes, in gym, cafeteria, lock rooms and school premises both before and after school
 - d. Assist children in safely crossing streets and intersections
 - e. May render first aid and/or accompany student to the nurse
 3. Lighting and Cameras
 - a. Lighting has been provided around the perimeter of all school buildings.
 - b. There are cameras at each building inside and outside to monitor activity in parking lots as well as inside the school building.

E. Code of Conduct

A Code of Conduct for students has been developed in accordance with the Dignity for All Students (DASA) requirements. Broome Tioga BOCES has considered a zero tolerance policy for acts of violence and instead is using a review of such incidents on a case by case basis.

The Student Code of Conduct is located on the Broome Tioga BOCES website:

<https://www.btboces.org/Downloads/1718%20Student%20Handbook%20%20%20FINAL%2073117.pdf>

SECTION IV: RECOVERY

A. Obtaining Assistance During Emergencies from Emergency Services Organizations and Local Government Agencies

During emergencies, local government agencies, including emergency services, can be obtained via the local emergency management office or through the local emergency communication center. The Incident Commander will authorize the procurement of these agencies.

B. A System for Informing All Educational Agencies Within a School District of a Disaster

The district will notify any appropriate educational agencies within its boundaries, as well as adjacent to its boundaries in the case of a disaster that would affect any of these agencies. The Incident Commander will determine the extent of notification and delegate its delivery. The agencies to be contacted are listed in the Building Level Emergency Plans.

C. Maintaining Certain Information About Each Educational Agency Located in the School District

- 1) Each Building Level Emergency Response Plan will include the following information for schools and daycares within the district:
 - a. School population;
 - b. Number of staff;
 - c. Transportation needs, and
 - d. Business and home telephone numbers of key officials of each such educational agency.
- 2) The Building-Level School Safety Teams will insure that this information is current and accurate.
- 3) Vital Education Agency Information and Building Contact information are available in Building Emergency Plans.

D. Crisis Response Assistance

- 1) Crisis response for incidents requiring the assistance of counselors will use in-house psychologists, counselors and social workers to assist.

Appendix 1 BT BOCES Hazards Identified by Building

Central Business Office (CBO)

Buildings & Surrounding Areas

Route 17C	Susquehanna River
Rail Road	Tri Cities Airport
Endicott Water Treatment Facility	

Duplicating Center

Buildings & Surrounding Areas

Surrounding Neighborhood	Railroad
Rt. 26	Agway
Huron Waste Treatment	

East Learning Center

Buildings & Surrounding Areas

Route 363	Columbus Park
Route 11	Surrounding Streets
Local Gas Stations	Railroad Yard

Education Center and Instructional Support Center (ISC) I

Buildings & Surrounding Areas

Project Adventure Trail	Flight Pattern of Greater Binghamton Regional Airport
Gas Tank	Marshy land
Surrounding woods, fields, cliff	Routes 17 (86) & 81

Johnson City Learning Center (JCLC)

Buildings & Surrounding Areas

Binghamton Johnson City Joint Water Treatment Facility	Route 17C
Railroad	Local Creek
Route 17	Route 201

West Learning Center (WLC)

Buildings & Surrounding Areas

West Learning Center	Creek
Apalachin Elementary School (Cafeteria)	Wooded Area
Propane Tank	Route 17
Rt 434	Owego Water Treatment Facility

Appendix 1 BT BOCES Hazards Identified by Building

Weather Hazards

#	Hazard	Chance for Occurrence
1	Extreme Heat above 95 degrees F – difficulty keeping people cool	Usually July through September several different times per year
2	Flooding due Hurricanes	Medium
3	Winter Storms/Blizzards	Medium
4	Thunderstorms	Medium
5	Tornadoes	Low
6	Brush Fires	Low
7	Hurricane Winds	Low
8	Earthquakes	Low
9	Droughts	Rare

Appendix 2

Broome-Tioga BOCES Sites

Site	Contact
Leslie F. Distin Education Center 435 Glenwood Road Binghamton, NY 13905	Tom McNair
Instructional Support Center 435 Glenwood Road Binghamton, NY 13905	John Harvey
East Learning Center 164 Hawley Street Binghamton, NY 13901	Chuck Wheeler
Johnson City Learning Center 500-502 Main Street Johnson City, NY 13790	Lynette Bryan
West Learning Center 471 Pennsylvania Avenue Apalachin, NY 13732	Marie Keesler
Central Business Office 100 Marshall Rd. Endwell, NY 13760	Kathy Blackman
N. Loder Ave Center 1 N. Loder Ave. Endicott, NY 13760	John Harvey

Commissioner's Regulation 155.17

Appendix 3:

§ 155.17 School safety plans.

(a) Development of school emergency management plans. Each board of education of a school district, other than a school district in a city having a population of more than one million inhabitants, and each board of cooperative educational services shall prepare by October 1, 1990, and shall update by October 1st of each succeeding school year, a school emergency management plan as prescribed in this section to insure the safety and health of children and staff and to insure integration and coordination with similar emergency planning at the municipal, county and State levels, which plan, and any amendments thereto, shall remain in effect until the adoption of a comprehensive multi-hazard, district-wide school safety plan and building-level school plans pursuant to subdivisions (b) and (e) of this section, at which time it shall be superseded by such plans. A copy of the plan shall be available in each school district for inspection by the public and shall be made available to the commissioner upon request.

(b) Development of school safety plans. Every board of education of a school district, every board of cooperative educational services and county vocational education and extension board and the chancellor of the City School District of the City of New York shall adopt by July 1, 2001, and shall update by July 1st of each succeeding year, a district-wide school safety plan and building-level school safety plans regarding crisis intervention and emergency response and management, provided that in the City School District of the City of New York, such plans shall be adopted by the chancellor of the city school district. Such plans shall be developed by a district-wide school safety team and a building-level school safety team, as such terms are defined in subdivision (c) of this section, and shall be in a form developed by the commissioner in consultation with the Division of Criminal Justice Services, the superintendent of the State Police and any other appropriate State agencies. A school district having only one school building shall develop a single building-level school safety plan, which shall also fulfill all requirements for development of a district-wide plan to insure the safety and health of children and staff and to insure integration and coordination with similar emergency planning at the municipal, county and State levels. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed.

(c) Definitions. As used in this section:

(1) *Educational agencies* means public and nonpublic elementary and secondary schools, public and private nursery schools, approved private schools for the education of students with disabilities as defined in section 200.1(d) of this Title, and public and private schools for the education of preschool children with disabilities.

(2) *Superintendent* means a superintendent of schools or a district superintendent

of schools, as appropriate.

(3) *Disaster* means occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade causes, such as fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, windstorm, wave action, epidemic, air contamination, drought, explosion, water contamination, chemical accident, war or civil disturbance.

(4) *Emergency* means a situation, including but not limited to a disaster, that requires immediate action, occurs unpredictably, and poses a threat of injury or loss of life to students or school personnel or of severe damage to school property.

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- (5) *Emergency services organization* means a public or private agency, organization or group other than a governmental agency, which provides police, fire, medical, ambulance, rescue, housing or other services for the relief of human suffering, injury or loss of life or property as a result of an emergency.
- (6) *School cancellation* means a determination by school officials that a school or schools should not be in session for one or more school days due to an emergency.
- (7) *Early dismissal* means returning students to their homes or other appropriate locations before the end of the school day.
- (8) *Evacuation* means moving students for their protection from a school building to a predetermined location in response to an emergency.
- (9) *Sheltering* means keeping students in school buildings and providing them with shelter when it is deemed safer for students to remain inside rather than to return home or be evacuated.
- (10) *Building-level school safety plan* means a building-specific school emergency response plan that addresses crisis intervention, emergency response and management at the building level and has the contents prescribed in paragraph (e)(2) of this section.
- (11) *Building-level school safety team* means a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the board of education, the chancellor in the case of New York City, or other governing body. The building-level team shall include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel, other school personnel, community members, local law enforcement officials, local ambulance or other emergency response agencies, and any other representatives the school board, chancellor or other governing body deems appropriate.
- (12) *District-wide school safety plan* means a comprehensive, multi-hazard school safety plan that covers all school buildings of the school district, BOCES or county vocational education and extension board, that addresses crisis intervention, emergency response and management at the district level and has the contents prescribed in paragraph (e)(1) of this section.
- (13) *District-wide school safety team* means a district-wide team appointed by the board of education, the chancellor in the case of New York City, or other governing board. The district-wide team shall include, but not be limited to, representatives of the school board, student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.
- (14) *Emergency response team* means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, local law enforcement officials, and representatives from local, regional and/or State emergency response agencies and assists the school community in responding to a serious violent incident or emergency. In a school district in a city having a population of more than one million inhabitants, such emergency response team may be created on the district-level with building-level participation, and such district shall not be required to establish a unique team for each of its schools.
- (15) *Post-incident response team* means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a serious violent incident or emergency. In a school district in a city having a population of more than one million inhabitants, such post-incident response team may be created on the district-level with building-level participation, and such district shall not be required to establish a unique team for each of its schools.
- (16) *School safety plan* means a district-wide school safety plan or a building-level school safety plan.
- (17) *Serious violent incident* means an incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff because of an imminent threat to their

Appendix 3:

Commissioner's Regulation 155.17

safety or health, including, but not limited to: riot, hostage-taking kidnapping and/or the use or threatened use of a firearm, explosive, bomb, incendiary device, chemical or biological weapon, knife or other dangerous instrument capable of causing death or serious injury.

(d) School emergency management plans. A school emergency management plan shall be designed to prevent or minimize the effects of emergencies and to coordinate the use of resources, and shall include, but not be limited to:

- (1) the identification of sites of potential emergency;
- (2) the identification of appropriate responses to emergencies;
- (3) a description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
- (4) a description of procedures to coordinate the use of school district resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;
- (5) the identification of district resources which may be available for use during an emergency;
- (6) in the case of a school district, a system for informing all educational agencies within such school district of an emergency;
- (7) a description of plans for taking the following actions in response to an emergency where appropriate:
 - (i) school cancellation;
 - (ii) early dismissal;
 - (iii) evacuation;
 - (iv) sheltering; and
- (8) in the case of a school district, certain information about each educational agency located in the school district, including information on school population, number of staff, transportation needs and the business and home telephone numbers of key officials of each such agency; and
- (9) the procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of article 2-B of the Executive Law.

(e) School safety plans. District-wide school safety plans and building-level school safety plans shall be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and school districts with local and county resources in the event of such incidents or emergencies.

(1) District-wide school safety plans. A district-wide school safety plan shall be developed by the district-wide school safety team and shall include, but not be limited to:

- (i) the identification of sites of potential emergency;
- (ii) except in a school district in a city having a population of more than one million inhabitants, a description of plans for taking the following actions in response to an emergency where appropriate:
 - (a) school cancellation;
 - (b) early dismissal;
 - (c) evacuation;
 - (d) sheltering;
 - (iii) policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel and visitors to the school;
 - (iv) policies and procedures for responding to acts of violence by students, teachers, other

(b) Commissioner's Regulation 155.17

school personnel and visitors to the school, including consideration of zero-tolerance policies for school violence;

(v) appropriate prevention and intervention strategies, such as:

(a) collaborative arrangements with State and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;

(b) nonviolent conflict resolution training programs;

(c) peer mediation programs and youth courts; and

(d) extended day and other school safety programs;

(vi) policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;

(vii) except in a school district in a city having a population of more than one million inhabitants, a description of the arrangements for obtaining assistance during emergencies from emergency services organizations

(c) and local governmental agencies;

(d) (viii) except in a school district in a city having a population of more than one million inhabitants, the procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of article 2-B of the Executive Law;

(ix) except in a school district in a city having a population of more than one million inhabitants, the identification of district resources which may be available for use during an emergency;

(x) except in a school district in a city having a population of more than one million inhabitants, a description of procedures to coordinate the use of school district resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;

(xi) policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident or an early dismissal;

(xii) policies and procedures relating to school building security, including, where appropriate, the use of school safety officers and/or security devices or procedures;

(xiii) policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community and environmental factors to teachers, administrators, parents and other persons in parental relation to students of the school district or board, students and other persons deemed appropriate to receive such information;

(xiv) policies and procedures for annual multi-hazard school safety training for staff and students;

(xv) procedures for review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials;

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(xvi) the identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;

(xvii) strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence

and establishing anonymous reporting mechanisms for school violence;

(xviii) a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;

(xix) in the case of a school district, except in a school district in a city having more than one million inhabitants, a system for informing all educational agencies within such school district of a disaster; and

(xx) in the case of a school district, except in a school district in a city having more than one million inhabitants, certain information about each educational agency located in the school district, including information on school population, number of staff, transportation needs and the business and home telephone numbers of key officials of each such agency.

(2) School emergency response plan. A school emergency response plan shall be developed by the building-level school safety team and shall include the following elements:

(i) policies and procedures for the safe evacuation of students, teachers, other school personnel and visitors to the school in the event of a serious violent incident or other emergency which may occur before, during or after school hours, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation and emergency notification to persons in parental relation to a student;

(ii) designation of an emergency response team, other appropriate incident response teams, and a post-incident response team;

(iii) procedures for assuring that crisis response, fire and law enforcement officials have access to floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;

(iv) establishment of internal and external communication systems in emergencies;

(v) definition of the chain of command in a manner consistent with the National Interagency Incident Management System (NIMS)/Incident Command System (ICS);

(vi) coordination of the school safety plan with the statewide plan for disaster mental health services to assure that the school has access to Federal, State and local mental health resources in the event of a violent incident;

(vii) procedures for an annual review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials; and

(viii) policies and procedures for securing and restricting access to the crime scene

Appendix 3:

in order to preserve evidence in cases of violent crime on school property

(3) Each board of education, chancellor or other governing body shall make each district- wide and building-level school safety plan available for public comment at least 30 days prior to its adoption, provided that only a summary of each building-level emergency response plan shall be made available for public comment. Such district-wide and building-level plans may be adopted by the school board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties. Each district shall file a copy of its district-wide comprehensive safety plan with the commissioner and all amendments to such plan shall be filed with the commissioner no later than 30 days after their adoption. A copy of each building-level safety plan and any amendments thereto, shall be filed with the appropriate local law enforcement agency and with the State Police within 30 days of its adoption. Building-level emergency response plans shall be confidential and shall not be subject to disclosure under article six of the Public Officers Law or any other provision of law.

(4) The commissioner may grant a waiver of the requirements of Education Law section 2801-a , this subdivision and subdivision (b) of this section to any school district or board of cooperative services or county vocational education and extension board for a period of up to two years from July 24, 2000 upon a finding by the commissioner that such district had adopted a comprehensive school safety plan on or before November 1, 2000 which is in substantial compliance with the requirements of Education Law section 2801-a.

(f) Use of school property. Each board of education and board of cooperative educational services shall cooperate with appropriate State, county and city agencies in developing agreements for the use of school-owned facilities and vehicles during a disaster. School districts and boards of cooperative educational services are required to relinquish to the appropriate State or county agencies the control and use of school transportation vehicles and facilities in accordance with county emergency preparedness plans or directives.

(g) Communication liaisons.

(1) Except in a school district in a city having a population of more than one million inhabitants, each district superintendent, during a local or State emergency, shall act as the chief communication liaison for all educational agencies within the supervisory district territorial limits.

(2) The superintendent of schools in the Cities of Buffalo, Rochester, Syracuse and Yonkers, during a local or State emergency, shall act as the chief communication liaison for all educational agencies located within the city district.

Appendix 3:

Commissioner's Regulation 155.17

h) Reporting. Each superintendent shall notify the commissioner as soon as possible whenever the emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and shall provide such information as the commissioner may require. School districts within a supervisory district shall provide such notification through the district superintendent, who shall be responsible for notifying the commissioner. Such information need not be provided for routine snow emergency days.

(i) Instruction. Each public school superintendent and each chief school administrator of an educational agency other than a public school shall take action

to provide written information, by October 1st of each school year, to all students and staff about emergency procedures.

(j) Drills. Each school district and board of cooperative educational services shall, at least once every school year, and where possible in cooperation with local county emergency preparedness plan officials, conduct one test of its emergency plan or its emergency response procedures under each of its building-level school safety plans, including sheltering or early dismissal, at a time not to occur more than 15 minutes earlier than the normal dismissal time.

(1) Parents or persons in parental relation shall be notified at least one week prior to the drill.

(2) Such drills shall test the usefulness of the communications and transportation system during emergencies.

(3) The provisions of section 175.5(a) of this Title regarding the length of school day for State aid purposes shall not apply to school days in which less than the minimum number of hours is conducted because of an early dismissal pursuant to this subdivision.

(k) Reports by educational agencies. Except in a school district in a city having a population of more than one million inhabitants, the chief executive officer of each educational agency located within a public school district shall provide to the superintendent of schools information about school population, number of staff, transportation needs and the business and home telephone numbers of key officials of such educational agencies.

(l) Nothing contained in subdivision (a) or (c) of this section shall prevent an educational agency from using, in part or in total, an emergency management plan previously developed in cooperation with a county or other municipality as the emergency management plan required in this section until the adoption of school safety plans as required by subdivision (b) of this section; provided, however, that all applicable requirements of this section shall be met.

(m) Commissioner of Education. The Commissioner of Education or his or her designee may order emergency response actions by individual school districts in the event that the local officials are unable or unwilling to take action deemed to be appropriate by State and/or county emergency personnel in accordance with county or State emergency preparedness plans or directives.

Historical Note Sec. filed Dec. 23, 1997; renum. 155.21, new added by renum. 155.13, filed Sept. 21, 1999; ams. filed: Nov. 14, 2000 as emergency measure; Feb. 9, 2001 as emergency measure; March 23, 2001 as emergency measure; April 27, 2001 eff. May 17, 2001.

<u>Education Law 408.b</u>

Appendix 3:

Education Law 408.b

*S 408-b Submitting plans and specifications of school buildings with local fire and law enforcement officials. The appropriate authorities for each public and private school building in the state shall submit the most current plans and specifications for each school building under their responsibility to the fire and law enforcement officials in the city, towns or village where the school building is located. The commissioner may adopt such rules and regulations as are necessary and appropriate to implement the provisions of this section to facilitate its purpose of providing quick and easy access to and passage through school buildings should it be necessary for fire or law enforcement reasons. Such regulations shall authorize submittal of simplified plans showing access and passage ways for older schools where original plans or blue prints may not exist or where the school authorities can justify a claim of hardship in meeting the requirements of this section.

*NB Effective March 19, 2001

Appendix 4:

Memorandums of Understanding Emergency Plan School Cooperation

EMERGENCY PLAN SCHOOL COOPERATION AGREEMENT

This agreement is made and entered into by the School Districts, hereinafter referred to as "Schools" within Broome and Tioga Counties, State of New York.

Pursuant to the terms of the School Emergency Plans, Schools may provide emergency services on behalf of the students, faculty and staff.

The parties hereto mutually desire to reach an understanding that will result in making School facilities and vehicles available to each other.

Now, therefore, it is mutually agreed between the parties as follows:

1. Each School agrees that after meeting responsibilities to pupils, it will permit, to the extent of its ability, and upon request of another school, the use of its physical facilities and transportation vehicles by the requesting school, in response to a disaster as defined by Executive Law Section 20 (2) (a).
2. The requesting School agrees that it shall exercise reasonable care in the conduct of its activities in such facilities and vehicles and further agrees to replace or reimburse the responding School for any food or supplies that may be used. Further, the responding school agrees to provide New York State Certified bus drivers as available.
3. Notwithstanding any other agreements, the requesting School agrees to defend, hold harmless and indemnify the responding School against any liability in respect to bodily injury, death and property damage, arising from the use of the responding Schools equipment, property, or vehicles by the requesting School.

11. Owego-Apalachin Central School District

Robert G. Lewis

Date 10/11/95

12. Spencer-Van Etten Central School District

Date _____

13. Susquehanna Valley Central School District

Richard T. Standa

Date 10/11/95

14. Tioga Central School District

Patrick Daugherty

Date 10/17/95

15. Union-Endicott Central School District

Alan Kistner

Date 10/11/95

Signatures valid indefinitely.

EMERGENCY PLAN
SCHOOL COOPERATION AGREEMENT


This agreement is made and entered into by the School District of Broome and Tioga Counties, State of New York.

Pursuant to the terms of the School Emergency Plan, Schools may provide emergency services, on behalf of the **United Faculty and Staff**.

in partnership mutually desire to reach an understanding that, in return for the services provided, the School District will provide the following:

Now, therefore, the parties agree to the following:

1. The School District will provide transportation for pupils, to the extent of the ability of the School District, in response to a request of the School District, for the purpose of providing emergency services to the School District.
2. The School District will provide transportation for the purpose of providing emergency services to the School District, in response to a request of the School District, for the purpose of providing emergency services to the School District.
3. The School District will provide transportation for the purpose of providing emergency services to the School District, in response to a request of the School District, for the purpose of providing emergency services to the School District.

16. Vestal Central School District


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18. Vestal Central School District
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19. Whiting Point Central School
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20. Vestal Central School District
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Signatures valid indefinitely.

Appendix 4:

Memorandums of Understanding - Red Cross



**American
Red Cross**

Southern Tier Chapter

620 East Main Street
Endicott, New York 13760
Tel: 607-785-7207
Fax: 607-785-7216
<http://www.southern-tierredcross.org>

101 Main Street
Cooperstown, NY 13326
Tel: 607-547-2441
Fax: 607-547-7445

376 Chestnut Street
Oneonta, NY 13820
Tel: 607-432-5353
Fax: 607-432-4259

176 Main Street
Owego, NY 13827
Tel: 607-687-1413
Fax: 607-687-3790

27 West Main Street
Norwich, NY 13815
Tel: 607-334-4565
Fax: 607-336-4896

21 Liberty Street
Sidney, NY 13838
Tel: 607-561-2643
Fax: 607-563-8190

Making a
difference
in our
community
since 1907.



AGREEMENT TO PERMIT THE USE OF A FACILITY AS A RED CROSS EMERGENCY SHELTER

This agreement is made and entered into between:

Owner: Broome-Tioga BOCES
435 Glenwood Road
Binghamton, NY 13905

And

Red Cross: American National Red Cross
Southern Tier Chapter, Emergency Services Dept.
620 East Main Street, Endicott, NY 13760
(607) 785-7207

HUMAN RESOURCES

MAY 21 2007

RECEIVED

This agreement is effective upon fixing of last signature.
Owner or Red Cross may terminate agreement upon 30 days' notice.

Terms & Conditions

This Agreement is made for the temporary use of a facility for use as a public shelter during a natural disaster or other condition or event requiring the activation of the disaster relief functions of the American Red Cross. This agreement represents an understanding that will result in providing the facility owned by Broome-Tioga BOCES for use as an emergency shelter for the benefit of the community.

Owner's Responsibilities:

- (a) Upon request by the Red Cross (orally or in writing) Owner will make the facility available to the Red Cross for use as a shelter.
- (b) Owner will appoint a Facility Coordinator to coordinate the use of the Shelter with the Red Cross Shelter Manager. The Facility Coordinator and Shelter Manager will jointly conduct a pre-inspection survey of the Shelter before it is turned over to the Red Cross. The pre-inspection survey will be used to identify and record any existing damage or conditions. The Facility Coordinator will secure all equipment that is not available for use by the Red Cross in the operation of the Shelter.
- (c) The Facility Coordinator will, if it is deemed appropriate by the Shelter Manager and Facility Coordinator, designate a Foodservice Manager who will coordinate with the Shelter Manager to provide food and supplies as needed and/or a Facility Custodian who will coordinate with the Shelter Manager to order and provide all additional sanitation and custodial supplies as needed. All purchases will be approved by the Shelter Manager. The Red Cross will pay or reimburse Owner for all food, sanitation and custodial supplies used in the course of operating the shelter.

*For more information on how to leave a lasting legacy
for the Southern Tier Chapter, please call (607) 785-7207*



American Red Cross

Southern Tier Chapter

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(d) Safety of the Shelter populations shall be exclusively the role of the Red Cross. Owner shall not distribute or reveal any information concerning occupants of the Shelter without the express written consent of the Shelter Manager. No press releases or other information shall be disseminated without the express written consent of the Shelter Manager. Owner will refer all media questions related to the Shelter Manager.

(c) Within 30 days after the close of a Shelter, the Facility's Coordinator shall submit to the Red Cross all invoices to the address above. Invoice backup must include detail on any materials or goods used or consumed.

Red Cross Obligations:

(a) The Red Cross Shelter Manager has primary responsibility for the operation of the Shelter. Red Cross will post and identify the Shelter. Red Cross will remove all Red Cross Signs when the Shelter is closed. Red Cross and all of its agents, employees and volunteers will exercise reasonable care in the operation of any Shelter.

(b) The Red Cross will reimburse Owner for reasonable actual out-of-pocket costs and expenses for operations expenses, including replacement of food, supplies and equipment. Property damage, lost or stolen due to the negligence of Red Cross will be compensated based on depreciated actual cash value. Reimbursement for any extraordinary or capital expenses (including without limitation, painting, carpeting, wiring and structural work) is limited to replacement at actual cash value of the property. In such cases, Red Cross will select bids obtained by Owner from at least three reputable contractors.

(c) The Red Cross will notify the Owner or facilities Coordinator of the closing schedule for the Shelter. After the Shelter has been closed, the Facility Coordinator and Shelter Manager will conduct a post-closure survey to ensure that the Shelter is returned to the Owner in the same condition as it was when it was opened, ordinary wear and tear excepted.

Signatures to this Agreement:

Authorized Signature
Title: Deputy Superintendent
Broome-Tioga BOCES

Authorized Signature
Southern Tier Chapter
American Red Cross

Appendix 4:
Memorandums of Understanding – BDDSOO Gym Evacuation Site for
Education Center and Instructional Support Center

Broome Developmental Disabilities State Operations Office

Revocable Permit

For Short-Term Use of Facility Space

PERMIT, made on _____, 2018, by and between Broome-Tioga BOCES, whose address is 435 Glenwood Road, Binghamton, New York, 13905, hereinafter referred to as PERMITTEE, and THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as the STATE, the OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES, hereinafter referred to as the OPWDD, and the DORMITORY AUTHORITY OF THE STATE OF NEW YORK, hereinafter referred to as the AUTHORITY.

1. **Purpose and Proposed Use:** PERMITTEE's sheltering in the gym in the event of an emergency evacuation of PERMITTEE's property.
- a. STATE, through the Broome Developmental Disabilities State Operations Office (BDDSOO) of the OPWDD, agrees to provide sheltering space for PERMITTEE to the best of its ability during an emergency, when requested by an authorized representative of PERMITTEE. The request is to be made by the District Superintendent/designee of PERMITTEE to the Director/designee of BDDSOO.
 - b. BDDSOO will activate their Incident Command System (ICS) to address PERMITTEE's individual relocation. BDDSOO's Incident Commander will work with PERMITTEE's Incident Commander to ensure that a timely, safe transition is accomplished.

Description of Premises to be used: The gym at the BDDSOO, located at 249 Glenwood Road, Binghamton, NY 13905.

Date(s) and Time(s) of Use(s): During school hours in the event of emergency evacuation of PERMITTEE's property.

The PERMITTEE is hereby granted permission to use the above described premises ("PREMISES") for the purposes stated. Such permission is limited to the time(s) and date(s) listed above and expires on the last date listed above, unless revoked at an earlier time. The permission granted hereby may be revoked at any time.

The PERMITTEE must bring its own activity materials to use on site, including food.

The PERMITTEE shall keep the PREMISES in a clean, orderly, neat, and sanitary condition, and shall vacate the PREMISES at the earlier of the conclusion of the period specified above or revocation of the permission granted hereby.

Upon vacating the PREMISES, the PERMITTEE shall restore them as nearly as possible to the condition in which the PERMITTEE found them.

The PERMITTEE accepts this permit upon and subject to all the terms, stipulations and conditions outlined below.

2. Term and Termination: The term of this permit is five years from the date executed by both parties. Notwithstanding the foregoing, the PERMITTEE and STATE shall have the right to terminate this agreement upon at least fifteen (15) days prior written notice. The permit shall terminate on the date specified in the notice.
3. Payment: Broome-Logan BOCES will reimburse BDDSOO for any costs involved in using the facility and the facility resources.
4. Indemnity and Insurance: The PERMITTEE agrees to assume all responsibility for its activities on the PREMISES and shall be fully responsible and answerable in damages for any and all accidents and/or injuries to persons or property, including death, and hereby agrees to indemnify and hold harmless the people of the State of New York ("STATE"), the Office for People With Developmental Disabilities ("OPWDD") and the Dormitory Authority of the State of New York ("AUTHORITY") from any and all claims, suits, actions, damages and costs of any activities, including all costs incurred by the STATE, OPWDD, in defending itself or its employees in any action or proceeding arising out of the PERMITTEE's use of the PREMISES.

The PERMITTEE agrees to obtain and maintain or have its comprehensive liability insurance coverage in an amount no less than one million dollars (\$1,000,000.00) combined (bodily injury and property damage) single limit per occurrence, and two million dollars (\$2,000,000.00) aggregate extended to the PREMISES for the date(s) and time(s) of use by the PERMITTEE. The People of the State of New York, the OPWDD, shall be named as insured on the policy. A satisfactory certificate of insurance must be provided to the Developmental Disabilities State Operations Office ("DDSOO") prior to the PERMITTEE's use of the PREMISES.

No act or omission of the DDSOO or its employees with regard to said certificate (e.g. failure to request or review) shall be deemed a waiver of PERMITTEE's obligation to obtain the required liability coverage.

- S. Risks Assumed by Permittee: The PERMITTEE solely assumes the following distinct and **several risks whether such risks arise from acts or omissions, whether supervisory or otherwise**, of the AUTHORITY, of the STATE, of any director, officer, employee, contractor, agent or invitee of PERMITTEE, of third persons or from any other cause, whether such risks are within or beyond the control of the PERMITTEE and whether such risks involve any legal duty, primary or otherwise, imposed upon the AUTHORITY or the STATE, excepting only risks which arise from the affirmative acts of the STATE's officers or employees or the AUTHORITY, its member, officers, employees or representatives:
 - A. the risk of loss or damage including direct or indirect damage or loss, of whatever **nature to any equipment, tools, materials, fixtures or property furnished, used, installed or received by PERMITTEE** its directors, officers, employees, agents, **contractors or invitees;**

8. the risk of claims, just or unjust, by third persons against the AUTHORITY or the STATE or PERMITTEE on account of wrongful death, bodily injuries or property damage, direct or consequential, loss or damage of any kind whatsoever arising, or alleged to arise out of, or as a result of, or in connection with the use of the premises by PERMITTEE, its officers, directors, employees, agents, contractors or invitees, whether actually caused by, or resulting from the use of the premises, or **out of, or in connection with the operations or presence of PERMITTEE, its officers, directors, employees, agents or contractors at or in the vicinity of the premises;**
- C. the responsibility and liability for any and all damage, injury, loss or expense of any kind or nature whatsoever, including death resulting therefrom, to all persons, and to all property, caused by, resulting from, arising out of, or occurring in connection with the use of the premises by PERMITTEE, its officers, directors, employees, **agents, contractors or invitees;**
- O. the PERMITTEE's obligations under this section shall not be deemed waived, limited or discharged by the procurement or enumeration of any insurance for liability for damages. The termination of this permit for any reason shall not release PERMITTEE from its obligations under this section.
- 6. Personal Property:** Any and all articles of personal property, including, but not limited to, equipment, owned or installed by PERMITTEE, at its *sole* cost and expense, are and shall remain the property of PERMITTEE and may be removed by it at any time. PERMITTEE shall pay the cost of repairing any damage to the premises arising from the removal of such articles.
- 7. Damages:** PERMITTEE shall be responsible at its sole cost and expense, for the immediate repair of any damage done to the premises or to any STATE equipment or improvements by any action or omission to act by PERMITTEE, its officers, directors, employees, **agents, contractors or invitees, including, where appropriate, replacement of the equipment or improvement.**
- Should any inspection by the STATE, or the STATE's designee, reveal damages to the **premises caused by PERMITTEE, its officers, directors, employees, agents, contractors or invitees,** the STATE may, upon written notice, require that such damage be corrected. Notice shall set forth specific damage(s) in need of repair.
- 8. Destruction of Premises:** If the premises are destroyed in its entirety, this agreement shall terminate. If the premises are only partially destroyed, either party may terminate this **agreement pursuant to section 2 of this Permit.**
- 9. Alterations:** PERMITTEE may not make any alterations to the premises without first obtaining the written prior approval of the STATE.
- 10. Notices:** Any notice by PERMITTEE to the STATE, OPWDD and AUTHORITY shall be deemed to be given if mailed by registered or certified mail, addressed to: OPWDD, 44 Holland Avenue, Albany, NY 12229; Broome County, 435 Glenwood Road, Binghamton, NY 13905; and OASNY 51 S Broadway, Albany, NY 12207.

- U. Representations: It is understood and agreed by and between the parties hereto that no representations or promises have been made with respect to the premises other than those contained and referred herein
12. Assignments: PERMITTEE shall not assign any rights or duties under this Permit, and shall not allow any other person to set the premises without the prior written consent of the STATE.
13. Entire Agreement: This permit constitutes the entire agreement between the parties hereto and no statement, promise, condition, understanding, inducement or representation, oral or written, expressed or implied, which is not contained herein shall be binding or valid. This permit shall not be changed, modified or altered in any manner except by an instrument in writing, executed by the parties hereto and approved in the same manner as this permit.
14. **Non-Waive**: No rule by title ALTHORITY, OPWOD or SIAI to insist upon strict performance of any agreement, term, covenant, or condition of this Permit, or to exercise any right or remedy consequent upon a breach of this Permit, and no acceptance of full or partial consideration during the continuance of any such breach, shall constitute a waiver of any such breach of such agreement, term, covenant, or condition. No agreement, term, covenant, or condition hereof to be performed or complied with by PERMITTEE, and no breach thereof, shall be waived, altered or modified except by a written instrument executed by the STATE, OPWOD and AUTHORITY. No waiver of any term shall affect or alter this Permit, but each and every such agreement term, covenant and condition hereof shall continue in full force and effect without respect to any other than the Cisting or subsequent breach thereof.

By 
 Allen Buyck, District Superintendent

Date: 12/5/18

STATE OFFICE FOR PEOPLE WITH
 DEVELOPMENTAL DISABILITIES

 J. Williams, Director
 BDDSOO /

Date: 11/15/18

AGREEMENTS REQUIRING BOARD APPROVAL

DIVISION: MSS

The People of the State of New York, The Office for People With
Developmental Disabilities (OPWDD), The Dormitory Authority of

- Official Name of Agreeing Party: the State of New York (DASNY) -----
- Description : Broome-Tioga BOCESemergency evacuation shatter agreement
- Requisition Number(if any) : _____
- Division Contact: Mc...y... -----
- Division Approval / 747 Date : 1-11-18
- Cost: N/A -----or- Revenue Yes Q No Q -or- NIA Q
- Effective Date(s) : 12/5/18-12/4/23

BUSINESS OFFICE:

- Agreement Previously Approved by Attorney / / Yes **D** No **0**
- Approved by Central Office Staff Member / / by -----
- Sent to Attorney ...!!_ / /...!!...
- Reviewed by Attorney _!!_ / /...!!_
- Board Approval **12** / /...!!...
- Send copy of executed agreement back to the contact -Ly.mcc:hc _____

ADDITIONAL NOTES:

Fully Executed
Signed by Al Baych
12/5/18