*****Massachusetts Department of***

***Elementary and Secondary Education***

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| Jeffrey C. Riley  *Commissioner* |  |

# MEMORANDUM

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| **To:** | Members of the Board of Elementary and Secondary Education |
| **From:** | Jeffrey C. Riley, Commissioner |
| **Date:** | January 18, 2024 |
| **Subject:** | School Safety |

The Department of Elementary and Secondary Education (Department) provides districts and schools with training and technical assistance to promote school health and safety planning throughout the year. It is the Department's goal to support districts in creating and implementing plans that will improve and sustain the safety of their faculty, staff, students, and families. We will have a presentation and discussion on these initiatives at our meeting on January 23. This memorandum provides an overview.

State law (Section 363 of chapter 159 of the Acts of 2000 and Chapter 77 of the Acts of 2012) requires schools and districts to develop and [implement multi-hazard evacuation plans](https://www.mass.gov/doc/multi-hazard-evacuation-plans-in-schools-812012) and [medical behavioral emergency response plans](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter69/Section8A) in collaboration with local law enforcement and fire departments.

As school and district leaders collaborate with local partners in public safety and behavioral health services to carry out their responsibilities, the Department provides support through partnerships with federal and state agencies. The Department collaborates with the [U.S. Department of Education](https://www.ed.gov), the [Readiness and Emergency Management for Schools (REMS) Technical Assistance Center](https://rems.ed.gov/), and with other partners (including the [Executive Office of Public Safety and Security](https://www.mass.gov/orgs/executive-office-of-public-safety-and-security), the [Executive Office of Technology Services and Security](https://www.mass.gov/orgs/executive-office-of-technology-services-and-security?_gl=1*la528s*_ga*MTU2NTk2MTUzNC4xNTE2NjMxODM0*_ga_MCLPEGW7WM*MTcwNDQ3NDE0Ni42LjAuMTcwNDQ3NDE0Ni4wLjAuMA..), the State Police’s [Commonwealth Fusion Center](https://www.mass.gov/orgs/massachusetts-state-police), the [Department of Fire Services](https://www.mass.gov/orgs/department-of-fire-services), and the FBI’s Boston office) to provide school district personnel with training on developing district- and building-based emergency operation plans, behavioral threat assessments, cybersecurity, and how to respond to bomb threats and hoaxes.

The Department’s [Emergency Management Planning for Schools](https://www.doe.mass.edu/sfs/emergencyplan/?section=view-all#add-info-resources) webpage provides information, resources, and tools to help schools keep students safe, healthy, and ready to learn. The Department is providing funding to schools and districts to support these efforts at the local level through [Emergency Management Planning Grants (Fund Code 212)](https://www.doe.mass.edu/grants/2024/0212-2/?utm_source=DA-Commissioner%27s+Weekly+Update&utm_campaign=06a362eef3-EMAIL_CAMPAIGN_2023_12_12_12_15&utm_medium=email&utm_term=0_-06a362eef3-%5BLIST_EMAIL_ID%5D).

**Massachusetts Laws on School Safety**

Several Massachusetts laws address school safety. They include the following:

**Multi-Hazard Evacuation Plans for Schools**: Section 363 of Chapter 159 of the Acts of 2000 requires that superintendents of schools work with local police and fire chiefs to develop a school-specific multi-hazard evacuation plan for each school in the district. The plan must address fire and hazardous storms or disasters, as well as shootings, bomb threats, or terrorist activities. The plan must include a crisis response team, a designated manager of an incident, a communication plan, and protocols for safe and effective evacuations.

**Medical and Behavioral Emergency Response Plans**: G.L. c. 69, §8A requires each school committee and Commonwealth charter school board of trustees to adopt an emergency medical and behavioral response plan, update it as needed, and submit it to the Department every three years. The law was amended in 2022 to specify that these plans must address behavioral health medical emergencies as well as medical emergencies and must include protocols for informing parents/guardians and the Department when schools contact police, EMTs, or other non-behavioral health personnel to respond to a behavioral health crisis. The Department worked with stakeholders to produce a model plan, which is posted [online](https://www.doe.mass.edu/sfs/safety/medical-erp.html). Updated plans are to be submitted to the Department on or before September 1, 2024.

**An Act Relative to the Reduction of Gun Violence**, [Chapter 284 of the Acts of 2014](https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter284), amended and added several sections of the Mass. General Laws relating to school safety:

* **Safe and Supportive Schools Framework and Commission**: [G.L. c. 69, §1P](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter69/Section1P) directed the Department to develop the Safe and Supportive Schools Framework and Self-Reflection Tool. This resource provides guidance for schools and can be found on <https://sassma.org/>. This law also created the Safe and Supportive Schools Commission to collaborate with and advise the Department on framework implementation. More information and annual reports from the commission are posted at <https://www.doe.mass.edu/sfs/safety/commission.html>.
* **School Plans for Mental Health Needs**: [G.L. c. 71, §37Q](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section37Q) directs school districts, charter schools, approved day and residential special education schools, and collaborative schools to develop and implement a plan to address students’ general mental health needs.
* **Two-way Communication Devices:** [G.L. c. 71, §37R](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section37R) requires every public school to have a two-way communication device to be used solely for communicating with local police and fire departments in emergencies. The law is subject to appropriation.
* **No Unauthorized Firearms in Schools or on School Grounds**: G.L. c. 269, §10(j) prohibits anyone other than a law enforcement officer from carrying a firearm, loaded or unloaded, licensed or not, or any other dangerous weapon, in any school building or on school grounds without written authorization of the board or officer in charge of the school.

**School Fire Drills**: The Massachusetts Comprehensive Fire Safety Code – [School Fire Drills, 527 CMR 1.00, s. 20.2.4.2.1 et seq](https://www.mass.gov/regulations/527-CMR-100-massachusetts-comprehensive-fire-safety-code).- requires fire departments to conduct fire drills in schools four times a year.

**Fire on School Grounds:** [M](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter148/Section2A).G.L. c. 148, s.2A requires public and private school principals to notify the local fire department of any unauthorized fire with the school building or on school grounds. The Department and the State Fire Marshal recently issued a joint [memo](https://www.doe.mass.edu/news/news.aspx?id=27288) to school officials as a reminder.

**School Bus Safety Instruction**: [G.L. c. 90, § 7B (15)](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section7B) requires all students transported in a school bus to receive classroom instruction on safe bus riding practices at least three times during the school year and practice on-bus emergency evacuation drills at least twice during the school year.

**Anti-Bullying Law**: [G.L. c. 71, § 37O](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section37O) requires all districts and schools in the Commonwealth to create and implement bullying prevention and intervention plans. The plan must include procedures for promptly responding to and investigating reports of bullying (including cyberbullying) and retaliation and procedures for restoring a target’s sense of safety. Districts and schools must provide age-appropriate instruction on bullying prevention to all students. Resources on bullying prevention and intervention are posted on the Department’s [Bullying Prevention and Intervention page](https://www.doe.mass.edu/sfs/bullying/default.html).

At the Board meeting on January 23, Safe and Healthy Schools Coordinator Anne Gilligan will provide additional information and answer your questions.