



Pennsylvania Association of School Business Officials

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Ms. Michelle L. Elliott
Regulatory Analyst
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

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Dear Ms. Elliott:

Subject: Safe Schools #6-325 (IRRC #2928)

On behalf of the School Safety Committee of the Pennsylvania Association of School Business Officials (PASBO), representing school business officials, facilities managers and other school professionals, we strongly urge the Independent Regulatory Review Commission (IRRC) to disapprove the State Board of Education's Safe Schools final-omit regulation #6-325 (IRRC#2928). The reasons for recommending disapproval are summarized below:

- Safe Schools #6-325 (IRRC# 2928) has significant fiscal and adverse personnel impacts on those "school entities" to which the regulation applies. For example, the regulation does not allow, or it is undefined, as to use of electronic submission of documents in lieu of hard copies. Personnel time will be committed to making copies and continually updating information to multiple agencies.
- "School entity" as defined in Safe Schools #6-325 (IRRC# 2928) applies only to public schools; it fails to consider the interests and safety of students educated in private and non-public schools as these schools are not required to comply with the requirements of the regulation. The safety and security of these children should also be of concern to the Commonwealth. Title 35 (relating to Health and Safety) in its requirement for school emergency plans covers all schools, and is therefore conflictive with Safe Schools #6-325 (IRRC# 2928).
- The regulation requires certain items (e.g. yearbooks) to be submitted annually to law enforcement, fire departments and county emergency agencies as part of a comprehensive disaster plan. Yearbooks are often outdated when printed and of little or no value in an actual emergency months after printing. The cost of producing additional yearbooks and other items will stretch already shrinking school budgets.

- An earlier version of Safe Schools #6-325 (IRRC# 2928) provided that documents must be provided to all to fire departments assigned to respond to an emergency at the school district. In response to multiple concerns expressed, the second submission of this regulation removed this requirement. The latest version of Safe Schools #6-325 (IRRC# 2928) reinserts this requirement. This is of utmost concern to PASBO's School Safety Committee. This provision could be misinterpreted by school personnel and law enforcement officers not familiar with the sensitive nature of information regarding special needs students, and ultimately result in a lawsuit involving the **Family Educational Rights and Privacy Act (FERPA)**. This in turn would result in another financial impact on the school district.
- The third submission of Safe Schools #6-325 (IRRC# 2928) was re-submitted only 3 days after the second version of the regulation was withdrawn. The latest version reinserts the original language without any involvement or discussion with interested stakeholders. The State Board of Education should withdraw Safe Schools #6-325 (IRRC# 2928) and convene a meeting of schools officials, law enforcement officers along with fire, EMS and emergency management officials to construct a viable alternative.

The intention of this legislation—improving school safety—is admirable. Yet, we urge the Independent Regulatory Review Commission to disapprove Safe Schools #6-325 (IRRC# 2928). The regulation simply isn't enough to accomplish school violence prevention, and would have adverse impact on the successful school safety and security programs already underway in school districts across the Commonwealth.

Respectfully,



Jeff Bryan
School Safety Committee, Chair



Jennifer Hoover-Vogel
PASBO, Legislative & Research Coordinator