



NO ONE LEFT BEHIND: SCHOOL EMERGENCY PLANNING & STUDENTS WHO HAVE DISABILITIES

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As we begin this new school year during an era of COVID-19, school safety and security remains our top priority. However, many in the school community continue to share inadequacies in addressing the needs of students and school personnel with disabilities in school safety policies and procedures. For example, we have heard stories of students with mobility needs being left on upper floors during school fire drills and students with autism not being fully supported during active shooter drills. Arizona's families are often unaware of if, or how, their students are protected.

A review of the Americans with Disabilities ACT (ADA), 504 laws, Federal Emergency Management Agency/Emergency Management Institute (FEMA/EMI) school safety guidance, state statutes and Arizona minimum requirements was completed to determine if policies and procedures adequately addressed the needs of our most vulnerable students. The review concluded that federal and state agencies offer an abundance of guidance but little regulation and even less oversight. In addition, current state statute appears to be inconsistent with ADA and 504 laws. This is especially problematic for community members with disabilities as they are exponentially more vulnerable than community members who do not have disabilities.

Furthermore, parents of students with access and functional needs are most likely unaware of Emergency Operations Plans (EOP). Parents and guardians must be informed of school safety practices and included in Emergency Operations Planning where appropriate. In addition, several federal agencies agree that more emphasis should be placed on a positive school climate to provide the greatest level of protection to students who have disabilities. This would ensure that everyone is included and supported before, during, and after a crisis.

The attached report includes current Arizona EOP laws, and the need for - and examples that support - Inclusive School Emergency Operations Planning. Our goals are to increase awareness of inclusive EOPs in school communities, advocate for statewide policies and procedures that align with best practices and ensure students who have disabilities in school communities are included in planning and prepared for emergencies. Some items proposed may need additional funding to support students with disabilities and provide the protection and safety that they deserve. We are committed to working with everyone involved and impacted in our school communities to increase the safety of all of our students, not just some.

A handwritten signature in black ink, appearing to read "Erica S. McFadden".

Erica S. McFadden, PhD, MSW
Executive Director

A handwritten signature in black ink, appearing to read "Kelly Carbello MSW".

Kelly Carbello, MSW
Peoria Unified SD Parent
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A handwritten signature in black ink, appearing to read "Monica Ceja Martinez".

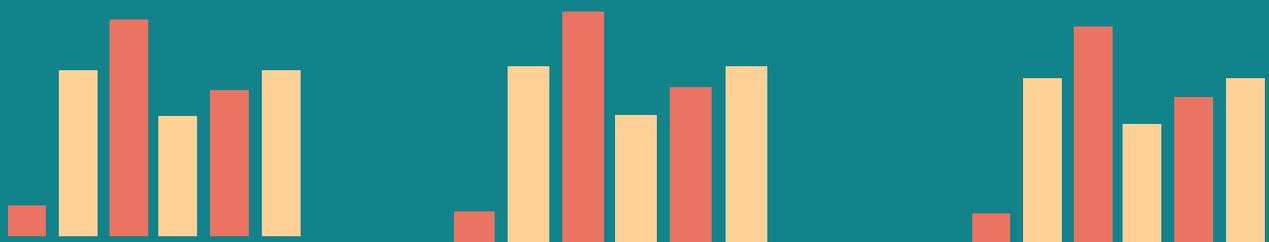
Monica Ceja Martinez, MBA
Former School Board President
Peoria Unified SD

ONE Community Working Together

There have been more than 100 school shootings in the U.S. since the Sandy Hook shooting in Newtown, Connecticut on December 14, 2012. That day, Michelle Gay lost her daughter Joey, who was on the autism spectrum, had apraxia, and was considered nonverbal. Michelle has since spoken out about her daughter's school and said, "We had procedures and practices in place, and to be honest with you — they weren't very considerate of my daughter at all."

School Emergency Operations Plans (EOPs) are the guidelines schools use to prepare for and respond to emergencies. According to FEMA, an emergency is, "any natural or man-made catastrophe that warrants action to save lives and to protect property, public health, and safety." Under this definition, school EOPs are not limited to hurricanes, floods, fires, and active shooters. The broad definition allows school EOPs to develop inclusive policies and procedures that go beyond what may be considered a common or typical emergency. This includes public health emergencies and pandemics that impact school districts. Well-developed School EOPs cover school climate, bullying, and student wellness, all of which fall under prevention, FEMA's first mission area.

Although there have been advances in crisis training, safety drills, and strategy, inclusive safety measures for students and staff who have disabilities still have not been adequately developed. For example, the Department of Homeland Security (DHS) and the Readiness and Emergency Management for Schools Technical Assistance Center (REMS-TA) have recommended, "Run, Hide, Fight," if there is an active shooter. However, for the 14 percent of students with a disability in the public education system, one or all three of those recommendations are not possible (National Center for Education Statistics, 2020).



Those who have disabilities often face physical, communication, cognitive, learning, and emotional barriers in response to a crisis. Each barrier must be addressed in a School EOP to ensure that those who have disabilities will not be left behind. There are federal resources and guidance, but despite the need, there are no inclusivity mandates.



While state to state, schools across the country prioritize student safety needs, not all schools prioritize the safety needs of students who have disabilities. Each state is responsible for setting policies on how to incorporate students who have intellectual or developmental disabilities (I/DD) or other disabilities into School EOPs. Currently, only four states have laws that mandate students with disabilities be included in School EOP planning. Arizona is not one of them. Furthermore, it is unclear how School EOP policies are enforced, how schools are monitored for compliance, and how many schools have inclusive EOP teams.

As a result, students who have disabilities may be excluded from not only planning, but also training and drills. It is not just active shooter drills. Fire drills, lockdowns, and weather drills may also fail to include safety accommodations for students who have disabilities. In addition, with minimal oversight, the absence of a uniform reporting system, and lack of inclusion on school EOP teams, students and staff who have disabilities are more likely to be injured - or worse - in an emergency.

Students who have an Individualized Education Program (IEP) or 504 plan must be included in school planning efforts, ensuring that the implementation of EOPs meets the needs of these students. For example, an inclusive planning team would allow for individual stakeholders, including students who have IEPs or 504s, to share what pandemic related strategies worked and did not work for them to modify current EOPs.



The Americans with Disabilities Act (ADA) was enacted in 1990 to ensure people who have disabilities have equal opportunities for employment and equal access to public accommodations, transportation, and commercial facilities. The ADA was created after years of the lives of individuals who have disabilities not being valued at the same level as those who do not have disabilities. Public and private schools fall under the "public place" of the ADA ruling.

Furthermore, section 504 of The Rehabilitation Act of 1973 was enacted to ensure that barriers are removed for students who have disabilities. Section 504 serves and protects children and adults who have disabilities from discrimination in school settings and beyond. Excluding students who have disabilities from school EOPs and omitting necessary steps to keep them as safe as students who do not have disabilities may be violations of the ADA and Section 504.

State agencies, school districts, and schools may prepare for emergencies and adhere to provisions of federal disability law by following FEMA guidelines and using FEMA resources. FEMA School EOP publications include sections dedicated to planning for people who have disabilities and access and functional needs. Crises cannot always be averted, but Arizona elected officials and appointees must craft and monitor EOP policies to make sure schools are safe for students, staff, and visitors who have disabilities.

The appendices in this report provide helpful information for the school community so they may assess where changes need to be made. The appendices also include guidance and strategies for developing inclusive emergency operations plans.

Current State Requirements: An Analysis

Arizona Revised Statute. ARS§15-341(A)(31) - *“In conjunction with local law enforcement agencies and emergency management agencies, develop an emergency response plan for each school in the school district in accordance with minimum standards developed jointly by the department of education and the division of emergency management within the department of emergency and military affairs”.*

As the above points out, current law offers no assurances that minimum requirements will meet ADA and 504 standards. Nor does the law mandate inclusive planning practices or parent or family participation.

The Minimum Requirements for Arizona School Emergency Operations Plans document does not offer a list of specific requirements but rather a list of required content areas. The document also includes an array of resources and guidance from multiple sources for developing high quality School EOPs.

The following is the content area checklist for Minimum Requirements:

- ✓ Introduction
- ✓ Purpose
- ✓ EOP Activation and Communication
- ✓ Situation Overview
- ✓ Direction, Control, and Coordination
- ✓ Emergency Operations Plan
- ✓ Attachments



This checklist provides a framework for inclusive planning. For example, the *Situation Overview* section requires officials to identify the number of students who have “access and functional needs” per school building and the *Direction, Control and Coordination* section states schools are to designate primary and alternate evacuation routes and assembly areas that include students who have access and functional needs.

Although helpful, neither of these sections specify how the students are identified, where the information is to be stored, who will have access to the information or how staff will be trained on assisting individuals who have access and functional needs. It is up to each school site to determine how to communicate the information, whom to communicate it to and how to prepare individuals who need accommodations. The Minimum Requirements also do not include specific reporting policies or procedures, so how school EOPs are being monitored is unclear. Families have no way of knowing if students who have access and functional needs are being identified nor if evacuation sites are accessible. Furthermore, although School EOPs are public documents (with certain information being classified), most members of the school community have little, if any awareness of School EOPs. Aside from public inspection, school EOPs are only reviewed by the state if a complaint is made to the Arizona Attorney General's Office. In essence, there is no way of knowing if schools are meeting minimum requirements, if plans are updated as required, or if schools are using inclusive practice.

The Importance of School Climate

In March 2021, the National Threat Assessment Center (NTAC) released, *Averting Targeted School Violence: A U.S. Secret Service Analysis of Plots Against Schools*. NTAC studied 67 plots to attack schools from 2006-2018. The findings were consistent with prior studies that concluded the following:

1. *Targeted School Violence is preventable when communities identify warning signs and intervene.*
2. *Schools should seek to intervene with students before their behavior warrants legal consequences.*
3. *Students were most often motivated to plan a school attack due to a grievance with classmates.*
4. *Students are best positioned to identify and report concerning behaviors displayed by their classmates.*
5. *The role of parents and families in recognizing concerning behavior is critical to prevention.*

According to the 2018 edition of *K-12 School Security: A Guide for Preventing and Protecting against Gun Violence* from the U.S. Department of Homeland Security, detecting and addressing concerning behavior, thoughts, or statements is more effective than any physical security measure. School climate is an integral part of emergency operations planning. The school community as a whole must be confident in their ability to recognize concerning behavior. They must also trust that if they report concerns, their concerns will be responded to appropriately.

In the 2002 book *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, positive school climate is "an educational setting where there is a climate of safety, and adults and students respect each other." Students have at least one positive connection to an adult in authority, and can openly share their concerns without fear of shame and reprisal. They try to help friends and fellow students in distress, bringing serious concerns to the attention of adults. Thus, a positive school climate is the product of a school's attention to fostering safety, promoting a supportive academic, disciplinary, and physical environment; and encouraging and maintaining respectful, trusting, and caring relationships throughout the school community.

Recommendations: Moving Forward in Arizona:

1. **Revise statutory language.** Four states – Washington, New Mexico, Pennsylvania, and California – have specified in state statutes that students and staff who have disabilities must be included in school safety planning, training, drills, and selection of adaptive safety equipment. These states also require students, parents, and community members to have some level of involvement in emergency planning. Arizona can draw from these statutes to develop its own policies and practices that mandate inclusive EOPs.
2. **Develop a state Inclusive School EOP guide for public and private schools.** The guide should include clear definitions of what constitutes an emergency that falls under EOP, such as public health emergencies. The guide should also include best practices, guidance, and recommendations for inclusive school EOPs. The Readiness and Emergency Management for Schools Technical Assistance Center (REMS-TA) offers a wealth of resources for schools on how to effectively address access and functional needs in school EOPs. The following checklist is what should be included in state guidance on inclusive school EOPs (more information located in Appendix B):
 - ✓ As recommended by FEMA, Inclusive Emergency Operations Planning teams should be developed with input from multiple stakeholders, including students and staff who have disabilities, parents, subject matter experts, and community partners.
 - ✓ Physical, communicative, program, transportation, cognitive, learning, and emotional barriers of their students and staff must be considered, as indicated in the Access and Functional Needs Annex of the EOP.
 - ✓ The student's IEP or 504 plan and any Individual Service Plans should include the same emergency plans.
 - ✓ A statewide uniform reporting system, a Monitor for the system, and a citizen review board to address gaps should be created to satisfy and track complaints and make recommendations to the Monitor to ensure School EOP compliance.

Peoria Unified School District is piloting an informal School Community Preparedness Council. The 'Council' was the result of an informal district school safety task force created and led by school community members. The purpose of the Council is to complement school district/site EOPs and EOP planning teams by making recommendations and participating in school climate improvement activities. Some of these activities include connecting with neighbors and nearby businesses, increasing awareness of EOPs and access and functional needs, providing trainings, and coordinating with groups to provide preparedness activities. The Council's highest priority is on school community members who have access and functional needs.



“Integrating the needs of specific individuals with certain care requirements as well as anticipating potential life-threatening emergency needs is an essential part of EOPs. It is important to ensure that your plan takes into account the needs of all the children and staff members in the program for good emergency management.” - ADHS Bureau of Child Care Licensing, D.E.E.P. Committee

Conclusion

Students and staff must be confident in their ability to recognize concerning behavior and more importantly, they must have confidence in the people and systems to which they report information. Inclusive planning and inclusive practices may foster relationships that improve school climate. Greater emphasis should be placed on school climate - not only to adhere to NTAC recommendations - but to provide the greatest level of protection to students. Being prepared for emergencies with the inclusion of the needs of specific students before a crisis occurs is critical. Teachers and school leaders must take into consideration the range of intellectual, social, emotional, and physical development of students to maximize student safety before, during, and after an emergency. The ADA and the Rehabilitation Act call for inclusion in the classroom.

APPENDIX A

Americans with Disabilities Act Requirements Checklist

Use the following FEMA checklist to assess the school's current level of safety related to the Americans with Disabilities Act. If an element is in place, check YES. If changes need to be made, check IMPROVE. If the element is not in place, check NO. If the school plans to implement this missing element, check IMPLEMENT. In some cases, an element may be not applicable (N/A) to your school.

Checklist Element	<u>YES</u>	NO	N/A	Implement	Improve
1. The school has addressed ADA requirements and has plans for compliance.					
2. The school has considered appropriate accommodations for students with disabilities.					
3. The school has developed procedures to accommodate students with disabilities in the event of an emergency.					
4. The school's emergency alarm system is in compliance with ADA requirements, taking into consideration students and staff who may be hearing or visually impaired.					
5. In the event of a hostage or intruder event, the school has considered the unique safety needs of students and staff members with disabilities.					

APPENDIX B

SAMPLE GUIDELINES FOR AN INCLUSIVE SCHOOL EOP

The following recommendations may be adapted to help schools keep their students and staff who have disabilities safe. The recommendations stem from the report, *Supporting Students with Disabilities During School Crises*, by the Council for Exceptional Children.



PLAN DEVELOPMENT

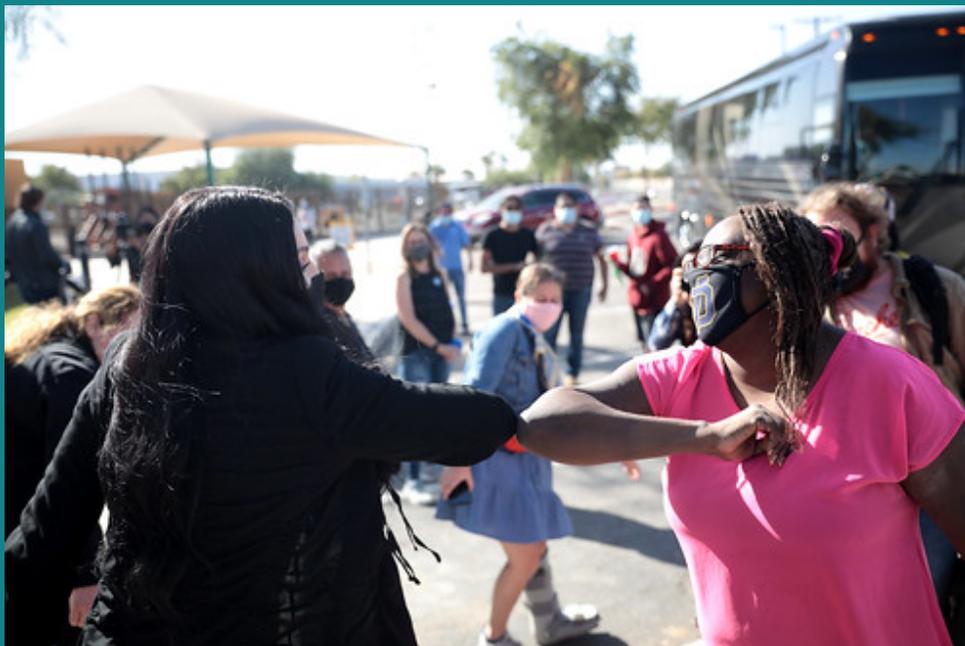
- ✓ Create individual emergency/disaster plans for each student who has access and functional needs.
- ✓ Include input from special education teachers, paraprofessionals, parents and students.
- ✓ Identify students' strengths, medical needs, communication needs, sensory needs, and other critical information, such as the student being terrified of loud alarms and hiding at the sound of them.
- ✓ Include strategies to help students remain calm and adapt to sudden changes.
- ✓ Consider using a buddy system, especially for children with hearing impairments.

APPENDIX B- Continued

SCHOOL READINESS

Consider your school's readiness. Are educators and other classroom staff included in the planning and training and exercises of the larger school plan? What supports do students need? Who will be responsible for the supports? Who needs access to student information? Have parents contributed? Has the EOP been updated in the past year? When done properly, EOPs include procedures and training for evacuating all school occupants — including students with disabilities — in a variety of emergencies and building conditions and by a variety of routes.

- ✓ Review student access and functional needs.
- ✓ Obtain adaptive and assistive tools, like noise canceling headphones.
- ✓ Practice. Exercises are critical.
- ✓ Monitor to make sure school EOPs meet minimum requirements.
- ✓ Work with emergency planners and law enforcement to ensure that facilities are accessible.



APPENDIX B- Continued

STUDENT READINESS

As with all students, preparing students who have disabilities for emergencies requires consistency, care and consideration. Trainings and exercises should not be traumatic. Students who have disabilities may need more time to get used to changes in their typical daily routines. This should be reflected in planning. In addition, some classrooms may not be staffed to assist each student who needs assistance in the classroom. Emergency staff may include teachers from other nearby classrooms and/or paraprofessionals and other school support staff.

Include students, family and providers in planning.

- ✓ Modify training and exercises as appropriate.
- ✓ Develop a student skills assessment to include sensory needs, behavioral supports, and ways to help students process directions.
- ✓ Ensure emergency staff is available to meet needs of each student in the classroom.
- ✓ Allow time throughout the school year for students to become familiar with emergency staff.
- ✓ Incorporate information into students' Individualized Education Programs (IEPs) and Individual Service Plans (ISPs).
- ✓ Communicate needs and plans to all of child's educators, service providers, support staff and family.
- ✓ Practice positions and silence.
- ✓ Complete appropriate trainings and exercises with individuals, small groups and entire class.

APPENDIX C

THE PARENT PREPAREDNESS CHECKLIST

The Parent Preparedness Checklist is specific to Emergencies that may occur when your child is at school. This list was created based on training and experiences. We recommend creating both hard copies and electronic copies of any documents you may need.

For your child's school, keep emergency contact information updated:

- Provide at least 4 emergency contacts to pick-up your student (parent/s, guardian/s family, other parents in your child's classroom/school).
- Health insurance information and/or copy of insurance cards.
- Cell phone numbers for everyone in the house.
- Parent/Guardian contact information: phone number, address, work name, address, supervisors' names, department, special instructions.
- Your child's functional or adaptive needs.
- Copies of legal documents - ID, court orders, IEP, ISP, etc

Information for Emergency Contacts:

- School Site EOP procedures involving you, the parent or guardian. school information, name of school, address phone number, teachers' names, school schedules, extra-curricular activities - days, times, locations, coaches/facilitator's names and contact info.
- Special instructions for pick up, entry and exit to school, parking, front office location, staff names, best pick up drop off spots, where kids usually meet, (on 3x5 cards).
- Health insurance information and/or copy of insurance cards.
- Health sheet for everyone in the family with a chronic medical condition (allergies, current meds, chronic illness, behavior plans, etc.)

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