



Joel I. Klein
Chancellor

DECLARATION PURSUANT TO EDUCATION LAW SECTION 2590-g(9)
CONCERNING CHANCELLOR'S REGULATION A-415
EMERGENCY NOTIFICATION SYSTEM

I, Joel I. Klein, Chancellor of the New York City Department of Education (Department), pursuant to Section 2590-g(9) of the New York State Education Law, do hereby determine that the emergency readoption of Chancellor's Regulation A-415 regarding the Emergency Notification System is necessary to preserve the health, safety and general welfare of the students and school system as a whole. This emergency declaration shall remain in effect for 60 days or until the Panel for Educational Policy (Panel) votes to approve the regulation, whichever comes first.

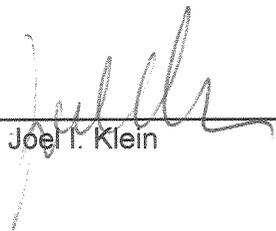
Education Law Section 409 was amended to require that on or before January 1, 2010, the Chancellor promulgate a regulation implementing an emergency alert notification system to convey timely information concerning emergency incidents or occurrences that pose an imminent threat to the health or safety of a substantial number of students, faculty and staff at a particular educational facility or program. Such emergency alert notification system must employ a variety of communication methods including the automated delivery of text messages, phone calls and/or electronic mail and to parents, faculty, staff, and elected representatives, who subscribe to receive emergency alert notifications.

Recognizing that emergency circumstances will sometimes require the Department to act before the Panel has an opportunity to vote on a matter, Section 2590-g(9) of the Education Law authorizes me to take action on an emergency basis, upon my determination that "immediate adoption of any item requiring [the Panel's] approval is necessary for the preservation of student health, safety or general welfare" and that compliance with provisions relating to public comment and the Panel's approval would be contrary to the public interest. A prior emergency adoption of the regulation took effect on December 29, 2009 in anticipation of the Panel voting on the regulation at its meeting of January 26, 2010. At that meeting, the vote on the regulation was moved to the Panel meeting scheduled for February 10, 2010. The February 10, 2010 Panel meeting was subsequently cancelled due to inclement weather, and the regulation currently is scheduled to be voted at the Panel meeting of March 23, 2010.

In accordance with Section 2590-g(9) of the Education Law and the foregoing amendment to Section 409 of the Education Law, I have determined that it is necessary to readopt Chancellor's Regulation A-415 to remain in effect for 60 days or until the Panel votes to approve the regulation, whichever comes first.

For the reasons set forth above, I hereby determine that the regulation must continue to be implemented to preserve the health, safety and general welfare of the students and school system as a whole and to comply with Section 409 of the Education Law.

Dated: New York, New York
March 1, 2010



Joel I. Klein