

**NYS Education Law Regarding School Closure  
During an Emergency**

Schools are required to develop school emergency management plans. 18 NYCRR 155.17. Generally the school board or the school superintendent by delegation from the school board has authority to close a school to ensure the health of the students and staff. If a school superintendent refuses or fails to act the State Commissioner of Education can override and order the school closed.

“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. 18 NYCRR 155.17(m).

The State Commissioner of Education can be reached through the local (BOCES) District Superintendent, except in the cities of Buffalo, Rochester, Syracuse, Yonkers and New York. If the school is in those cities contacts should be made directly with the Commissioner’s office.