

NYSED Office of  
Facilities Planning;  
Room 1060 EBA;  
Albany, NY 12234 —  
518-474-3906  
www.p12.nysed.gov/  
facplan

# NYSED Office of Facilities Planning Newsletter



Carl T. Thurnau, P.E. Issue #114 - April 2014

## Newsletter Highlights

Message from  
Carl Thurnau, PE

Updated Draft  
NYSED Manual of  
Planning Standards  
(MPS)

Carbon Monoxide  
Detector Study Law  
Enacted

U.S. DOE Green  
Ribbon Schools  
Nominee

Project Review  
Backlog and  
Updated Review  
Procedure

60th Anniversary  
Remembrance:  
Cleveland Hill

EPA: Reduction of  
Lead in Drinking  
Water Act

Changes at NY As-  
sociation for Super-  
intendents of School  
Buildings & Grounds

Application for Ap-  
portionment of  
Building Aid

Facilities Planning:  
True or False

Questions From the  
Field

## Your Critical Role in the School District

### A Message from NYSED Office of Facilities Planning Coordinator Carl Thurnau, PE

New York State school buildings vary greatly in size and geographic location. Our school districts range in size from one building to hundreds of buildings; from the heart of the Adirondacks, to the shores of Long Island, to the Canadian border; and from school facilities built in the 21st century buildings to those built in the 19th century.

The constant in each of these scenarios however, is the genuine importance of a knowledgeable and caring superintendent of school buildings and grounds, school facilities director—or an individual in an equivalent position. This is the person charged with caring for, maintaining, and upgrading school facilities to meet the ever changing needs of a 21st century educational system.

State Education Commissioner John Finley wrote in the 1915 Annual Report of the University of the State of New York on School Buildings and Grounds that “the schoolhouse and grounds should ..be the common center of interest and helpfulness for the entire community, the one place where all may take pride in meeting, on a common level, with equal rights and with common aims, hopes and aspirations; the one place where all may freely join in whatever will minister to the social, industrial, educational, and spiritual welfare of the community. The school building must be roomy, comfortable and sanitary, with ample facilities for the proper development of all essential educational activities.”

The Board of Regents affirmed these very beliefs in the 1994 “that every child has a right to an environmentally safe and healthy learning environment which is clean and in

good repair” and that “schools should serve as role models for environmentally responsible behavior.”

As school facility professionals, we have a collective obligation to the children of New York State to ensure that the schools they attend, whether in an urban, suburban, or rural setting, support Commissioner Finley’s vision of 99 years ago. You play a vital role in supporting and maintaining school facilities “where all may take pride.”

As we go about our work, I fully appreciate that budgets are tight, timelines are short, and staffing is limited. Even so— I ask you to consider these words as we work as partners to improve school conditions.

Is there a topic you would like addressed in the Facilities Planning Newsletter?

Please email suggested topics and comments to:  
Isahr@mail.nysed.gov.

## Updated NYSED *Manual of Planning Standards (MPS)*

At long last, the Office of Facilities Planning has issued an updated draft **2014 Manual of Planning Standards (MPS)**.

The updated draft **2014 MPS** is available for comment until **July 1, 2014**. Please submit comments to: **EMSCFP@mail.nysed.gov** and put "**MPS Comment**" in the subject line. We will review all comments received and make corrections, additions, or deletions as deemed necessary by facilities planning staff.

The final *MPS* will be released on or about October 1, 2014, and any projects received by the department on or after December 1, 2014 will be subject to the new *MPS*. Please review the updated draft at the following address: **2014 Manual of Planning Standards**: [www.p12.nysed.gov/facplan/documents/MPS-2014.pdf](http://www.p12.nysed.gov/facplan/documents/MPS-2014.pdf).

## Hard-Wired Carbon Monoxide Detector Study Law Enacted

On December 6, 2013, Governor Cuomo signed Chapter 543 of the Laws of 2013 requiring the New York State Education Department to conduct a study concerning the cost of installing hard-wired carbon monoxide detectors in instructional public school and BOCES facilities.

To assist Facilities Planning staff in completing this study, a short survey is being developed. In the near future, we will request that one survey be completed for each school district and BOCES.

The Department must report to the Governor and the Legislature no later than July 31, 2014— so please stay tuned for more information and updates.

Thank you for your assistance!!



## U.S. Department of Education—Green Ribbon Schools Nominee

New York State Education Commissioner John B. King, Jr. recently announced that New York State has nominated the **Eastchester School District - Anne Hutchinson Elementary School** for the U.S. Department of Education Green Ribbon Schools (ED-GRS) program.

The ED-GRS program recognizes schools where staff, students, officials and communities have worked together to produce energy efficient, sustainable and healthy school environments, and to ensure the environmental literacy of graduates.

The recognition award is part of a larger U.S. Department of Education effort to identify and disseminate knowledge about practices proven to result in improved student engagement, academic achievement, graduation rates, and

workforce preparedness, as well as a government-wide goal to increase energy independence and economic security.

Winners of the ED-GRS program will be announced by U.S. Department of Education Secretary Arne Duncan on Earth Day, April 22, 2014.

For more information on the Green Ribbon Schools program, please visit [ww2.ed.gov/programs/green-ribbon-schools/index.html](http://ww2.ed.gov/programs/green-ribbon-schools/index.html).



# Project Review Back Log and Updated Review Process

A few comments on the current Facilities Planning project review backlog. As you know we continue to struggle with the backlog. There are multiple reasons why it has stubbornly refused to come down, including a loss of staff, an increase in project submissions, and significant numbers of energy performance contracts.

We are currently experiencing a 35% increase in project submissions over this time last year. Much of this seems to be related to the new Final Cost Report process. In order for districts to begin getting State aid under the new rules, projects must be completed with final Certificates of Substantial Completion and Final Cost Reports submitted within 18 months.

Districts appear to be breaking down projects into smaller "bite size" pieces to ensure they are completed within the requisite time frame that allows State aid to flow at the appropriate time. More projects for the same work equals a bigger backlog. There are approximately 750 projects in the queue at this point in time.

Several design firms have put their heads together and contacted us to offer suggestions on process improvements. One such idea was to allow existing building code LEVEL I projects to be automatically approved. While we are not ready to allow automatic approval, we are willing to try to move these simpler projects in a shorter timeframe with the goal of getting more work accomplished this summer. **Effective immediately, LEVEL I projects will be handled on a weekly basis.**

Level 1 alteration as defined by the Existing Building Code of NYS, Chapter 4, Section 403 states:

"Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose."

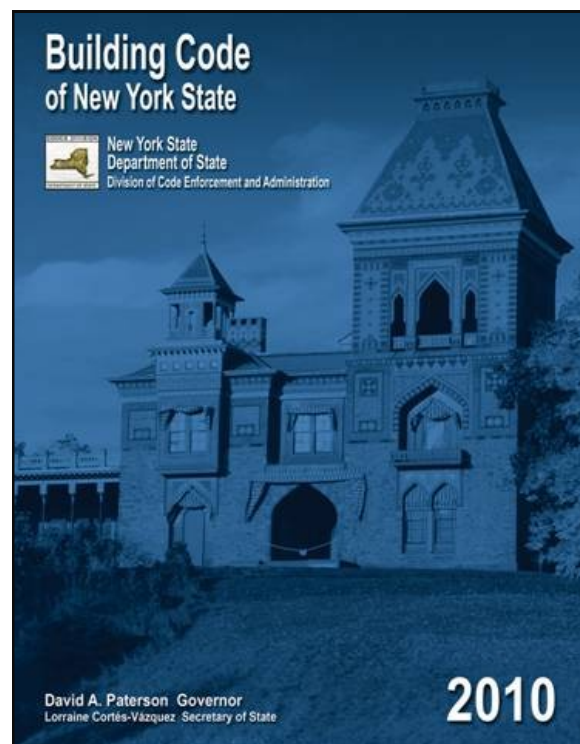
**This process will not include LEVEL II alternations:**

"Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment."

Therefore if you believe you have a LEVEL I project meeting the above definition that includes no LEVEL II work, please send an email to [EMSCFP@mail.nysed.gov](mailto:EMSCFP@mail.nysed.gov) and

put "LEVEL I" in the subject line, and identify the project number (and review number if you have it).

We will do our best to move these projects quickly in a manner that will not impact the existing backlog so as not to penalize those who have been patiently waiting.



## 60th Anniversary Remembrance: 15 Students Killed in Cleveland Hills School Annex Fire—Cheektowaga, New York

### Cleveland Hills School Annex Fire

March marked the 60th anniversary of the Cleveland Hills School Annex (CHSA) fire which took place on March 31, 1954 in Cheektowaga, New York and left 15 students dead. The following is a brief summary of the circumstances leading up to the fire, an account of the fire, and major changes in fire safety requirements which took place as a direct result of this tragic event.

### Building Background

The CHSA was constructed in 1941 by the federal government due to an influx of defense workers into Cheektowaga. It was a one-story 50 foot by 120 foot wooden structure with 7 classrooms, a teacher's workroom, a teacher's room, 4 toilets, closets, and store rooms. The building was constructed next to the Cleveland Hill School and the buildings were attached via a connecting passageway. Students in the CHSA used the Cleveland Hill School cafeteria for lunch. Classroom doors were wood panel, floors were wood, and the walls were covered with plasterboard with wooden wainscoting 4 feet up from the floor. The CHSA had a coal fired, forced hot air heating system with one large sheet metal duct extending from the furnace to the attic which led to a duct the entire length of the attic. Branch ducts fed each room.

### Circumstances Surrounding the Fire

The fire originated in the CHSA Teacher's Workroom and went through the closed wood door. The door to the music room, located diagonally across the hall, was open. The fire went through the closed door and flashed down the corridor. There was only one exit from the music room which led directly into the flames. The music room windows were broken which created a draft, resulting in the spread of the flames directly into the music room. The ignition source was never officially discovered, although students had been present in the Workroom earlier that morning to paint props for an upcoming play. Several 5-gallon paint cans were located in that room. It is not known what type of paint was being used.

### The Fire

The fire took place on Wednesday, March 31, 1954 at 11:35 AM. Since it was lunchtime, only one classroom (the music room) in the CHSA was occupied. There were

three adults present (a music teacher, a student teacher, and a choir gown salesman). There were 24 children in the music class. Deaths on scene were 10 children; 5 children died in the hospital. All students were in the 6th grade (ages 10-11).

### Fire Drills Requirements

**1954:** State Education law required that in school buildings of two stories or more housing more than 100 pupils fire drills be held at least 12 times a year, eight of which shall be held between September 1st and December 1st of each year. At least 1/3 were to be through the use of fire escapes where fire escapes are provided. The law applied to fire-resistive and non-fire-resistive buildings.

**Today:** (State Education Law § 807) It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, to instruct and train the pupils by means of drills, so that they may in a sudden emergency be able to leave the school building in the shortest possible time and without confusion or panic. Such drills or rapid dismissals shall be held at least 12 times in each school year, 8 of which required drills shall be held between September 1 and December 1 of each such year. At least 1/3 of all required drills shall be through use of the fire escapes on buildings where fire escapes are provided. In the course of at least 1 drill, pupils shall be instructed in the procedure to be followed in the event that a fire occurs during lunch period, provided however, that such additional instruction may be waived where a drill is held during the regular school lunch period.



[www.talkingproud.us/Culture/CleveHillFire/CleveHillFire/CleveHillFireAftermath.html](http://www.talkingproud.us/Culture/CleveHillFire/CleveHillFire/CleveHillFireAftermath.html)

# 60th Anniversary Remembrance: 15 Students Killed in Cleveland Hills School Annex Fire—Cheektowaga, New York (cont.)

## Classroom Exits and Fire Alarms

State Education Department Newsletter Sent to Architects, Superintendents, and High School Principals (March 15, 1953): *Elimination of Fire Hazards in School Buildings*

“The modern school building offers but little in the way of combustible material, but finished floor surfaces of wood, wood trim, equipment and furniture, supply and waste materials are in most cases inflammable.”

“It appears that measures to eliminate fire hazards can be divided into three categories as follows: (1) preventing fires from starting; (2) preventing spread of fires once they are started; (3) providing adequate means of escape in case of fire.”

“In our older buildings of all-wood construction or of wood-interior construction, there is almost nothing in the buildings of the nature of a fire stop. Once a fire gets a good start it goes all the way unless the local fire department is able to extinguish the flames.”

“All space, whether on first, second, or third floor, **should** have at least two means of escape remote from each other. This is true even if there is but one room involved.”

“The State Public Health Law (Section 334-a) requires that any school located in a fire district having a general fire alarm stations and an electrically operated fire alarm system **should** be equipped with a fire alarm box to be placed on school property.”

“All school buildings of two classrooms or more **should** be equipped with some method of giving an alarm of a fire. Either manual or electric control is acceptable depending upon the size of the building. The system alarm **should** be designed to permit operation from convenient locations in corridors and also from areas having unusual fire hazards such as shops, kitchens and boiler rooms, with a practice switch or operation control convenient to the office for use in fire drills. The school alarm **should** be connected to the fire department alarm box so that setting off the school alarm automatically gives the alarm to the fire department.”

## Requirements Post—March 31, 1954

Commissioner’s Regulation §167: Health and Safety For Existing School Buildings (Note this section was adopted February 26, 1954 and “filed” on March 31, 1954, the same day as the fire. It was amended after the fire on May 21, 1954 and included the following:)

“Two exits from individual rooms **may be required** at the discretion of the commissioner of education.”

“All school buildings of two classrooms or more **shall be** equipped with either manual or automatic fire-alarm system. In addition, schools located within a city, village, town or fire district having a general fire alarm stations and an electrically operated fire-alarm system, **shall** also comply with the requirements of section 334-a of the Public Health Law in relation to installation and maintenance in such schools of a fire-alarm box or boxes.”

“Fire extinguishers shall be so located in corridors that no point in the corridor and/or stairs is more than 100 feet distant.”

**Commissioner’s Regulation 167, Article XX was amended by the Board of Regents on June 28, 1963, with an effective date of September 1, 1965. The following are highlights of that amendment:**

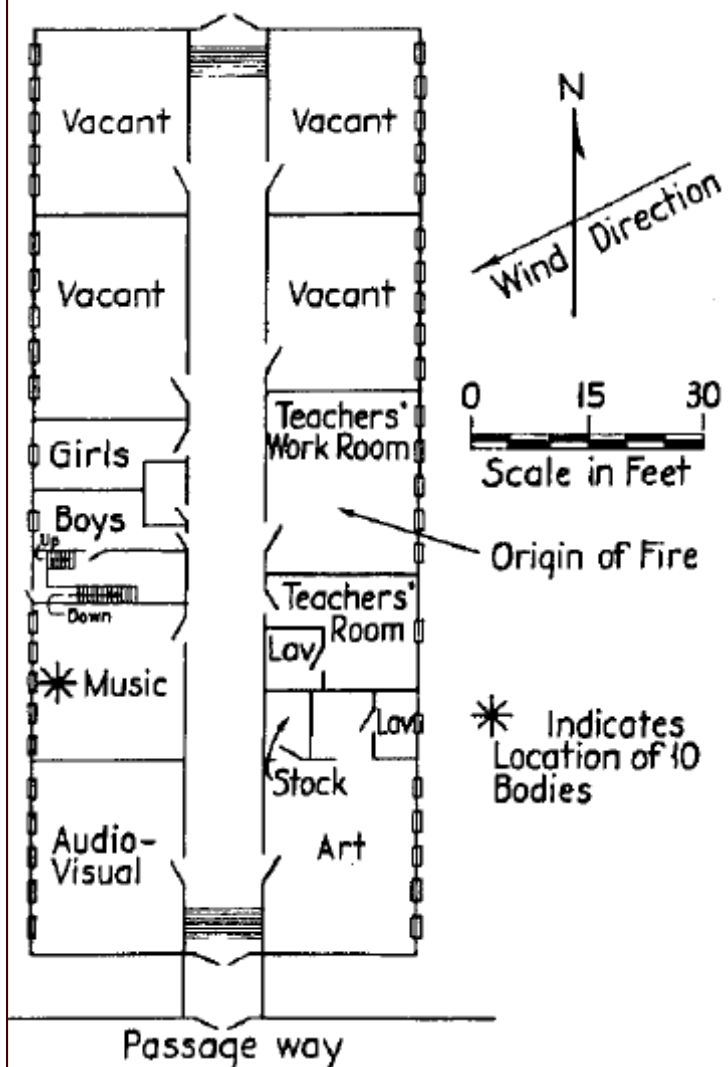
“Every classroom, unless it has a direct exit to the outside, **must be** equipped with at least one window of such size and design to permit egress through such window.”

“There **shall be** at least two means of egress remote from each other leading from each floor of pupil occupancy for all school buildings so that when a pupil enters into a corridor from a room of the pupil occupancy, he **shall** have a choice of two unobstructed means of egress in different directions.”

## Lessons Learned

It is hard to imagine that so many young lives were lost due to fire in a one-story school building. This incident reminds us all of the critical importance of fire drills, two unobstructed means of egress from classrooms, and much more—most of which we now take for granted. As you consider the events of March 31, 1954, please take the time to share this information with the staff in your school and remind them of the dire consequences that could result when fire safety is not taken seriously.

# 60th Anniversary Remembrance: 15 Students Killed in Cleveland Hills School Annex Fire—Cheektowaga, New York (cont.)



Floor plan of one-story annex of Cleveland Hill School. Since no architects plans were available, this plan is based on a sketch that appeared in the April 2 issue of the Buffalo Courier-Express and from an inspection of the ruins.

[www.nfpa.org/~media/Files/News%20and%20publications/NFPA%20Quarterly/ClevelandHillSchoolCheektowagaNY.pdf](http://www.nfpa.org/~media/Files/News%20and%20publications/NFPA%20Quarterly/ClevelandHillSchoolCheektowagaNY.pdf)

[www.talkingproud.us/Culture/CleveHillFire/CleveHillFire/CleveHillFireAftermath.html](http://www.talkingproud.us/Culture/CleveHillFire/CleveHillFire/CleveHillFireAftermath.html)



# EPA: Reduction of Lead in Drinking Water Act

<http://water.epa.gov/drink/info/lead/upload/epa815s13003.pdf>

<http://www.gpo.gov/fdsys/pkg/BILLS-111s3874enr/pdf/BILLS-111s3874enr.pdf>

The Federal **Reduction of Lead in Drinking Water Act** was enacted by Congress in January 2011 with an effective date of **January 4, 2014**. This new law redefines key requirements of the **Safe Drinking Water Act (SDWA) of 1986**.

SDWA provisions which have been amended include:

- The definition of “lead-free” in section 1417 of the SDWA, and
- Rules pertaining to the repair of existing and/or installation of new pipes, fittings, and fixtures .

## **REVISED Section 1417**

### 1. Redefine lead-free in the SDWA Section 1417(d) to:

- Lower the maximum lead content of the wetted surfaces of plumbing products such as pipes, pipe fittings, plumbing fittings, and fixtures from 8.0% to a weighted average of 0.25%;
- Establish a statutory method for the calculation of lead content; and
- Eliminate the requirement that lead-free products be in compliance with voluntary standards established in accordance with the SDWA Section 1417(e) for leaching of lead from new plumbing fittings and fixtures.

### 2. Create exemptions in SDWA Section 1417(a)(4) from the prohibitions on the use or introduction into commerce for:

- “pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption;” (SDWA 1417(a)(4)(A))
- “toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches in

diameter or larger.” (SDWA 1417(a)(4)(B)).

### **Accordingly, effective January 4, 2014 the definition of lead-free now means:**

- Not containing more than 0.2% lead when used with respect to solder or flux; and
- No more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

Therefore ANY pipe, fitting, or fixture installed after January 4, 2014 must meet the new lead-free definition. This change further requires that emergency plumbing repairs must also adhere to the new lead-free requirements—even if the installation of certain plumbing components are only temporary.

Plumbing projects submitted to the Office of Facilities Planning for review, must comply with this new Federal requirement.

Pipes, fittings, or fixtures installed prior to January 4, 2014 do not need to be replaced or repaired.

For more information on this Federal requirement, please see the links noted above or contact Stephen Howe at 518-474-3906.



## The Association for Superintendents of School Buildings and Grounds (SBGA) becomes the School Facilities Association (SFA)

The SBGA was formed in 1954 when Frank Gilson (the Supervising Architect for NYSED) and Dr. Foster Brown (the President of Oswego State College) discussed the need for better maintenance programs in the state's public schools. Gilson and Brown anticipated only a limited attendance at their first meeting, however their expectations were greatly exceeded.

Sixty years have passed and SBGA has expanded in size, scope, and stature. A Certified Director of Facilities (CDF) program, School Facilities Management Institute, Inc. (SFMI), and School Facilities Management Certificate, Associate's Degree Program at Mohawk Valley Community College, as well as a Bachelor's Degree in Business, Management and Economics with a concentration in Facilities Management through SUNY Empire State College have been created thanks to SBGA's leadership and advocacy.

In 2011, SBGA was instrumental in the passage of the New York State Director of Facilities law (Chapter 403—Laws of 2011), which cites the “continued, uninterrupted, adequate and efficient operation of school facilities” as “necessary for the general welfare of the people” and states that anyone who seeks to attain the position must possess “highly specialized ability, skill, training and knowledge.”

Building upon sixty years worth of accomplishments, a decision was made to change the name of SBGA to better reflect the pivotal role of the Association and its membership of Supervisors of Buildings and Grounds, Superintendents of Buildings and Grounds, Director of Operations, and Facilities Managers.

The new name, the **New York State School Facilities Association (NYSSFA)** represents an all encompassing professional approach to addressing the complex nature of managing school facilities. This new name also reflects the mission of the recently formed **National Council on School Facilities (NCSF)**, an organization of State-level PK-12 state facilities directors:

- to support states in their varied roles and responsibilities for the delivery of safe, healthy, and educationally appropriate public school facilities that are sustainable and fiscally sound.

The 2015 President-Elect of the NCSF is New York State's own Director of School Facilities Planning, Carl Thurnau.



## Application for Apportionment of Building Aid

As specified in the Master Plan for School District Reorganization, many districts are subject to reorganization and must submit an **Application for Apportionment of Building Aid** ([www.p12.nysed.gov/facplan/documents/AppforApportionment03-2013.pdf](http://www.p12.nysed.gov/facplan/documents/AppforApportionment03-2013.pdf)).

The application must be submitted for districts in reorganization classes 1 through 3. To determine which class a district is in, please consult this list ([www.p12.nysed.gov/facplan/ReorglistfromEMS7-19-13.htm](http://www.p12.nysed.gov/facplan/ReorglistfromEMS7-19-13.htm)).

The **Application for Apportionment of Building Aid** should be included with paperwork when a project is submitted to the Office of Facilities Planning for review and approval.

Once the Facilities Planning Project Manager has reviewed and approved the apportionment of building aid, the approval will be posted on the Facilities Planning Project Review and Approval Status web page at [www.p12.nysed.gov/facplan/articles/Projects.htm](http://www.p12.nysed.gov/facplan/articles/Projects.htm). Search projects by County, then school district.

Once you find your project on the Project Status page, scroll to the far right column labeled “Certificate of Apportionment”. If this column shows 'YES', the apportionment of building aid has been approved.

Facilities Planning will no longer issue a paper copy of the Certificate of Apportionment to the school district.





## Facilities Planning: True or False



Managing a school facility requires a skilled professional adept at understanding and interpreting a wide variety of requirements. This article addresses issues which school facility directors often need to address. This is a regular feature in the Facilities Planning newsletter.

### True or False?

School custodians who have direct with students must follow the identical fingerprinting clearance procedures as teachers.

### True.

Any school employee, regardless of their title, who has contact with students must be fingerprinted using criteria set forth in 8 NYCRR II C 87—see: [www.highered.nysed.gov/tcert/part87.html#two](http://www.highered.nysed.gov/tcert/part87.html#two).

A “Who Must Be Fingerprinted” chart is available at: [www.highered.nysed.gov/tcert/ospra/fingerprintingcharts.html](http://www.highered.nysed.gov/tcert/ospra/fingerprintingcharts.html).

### True or False?

School districts must close if the outside temperature and/or wind chill drops below a certain temperature.

### False.

The decision whether to close schools due to extreme cold weather and/or wind chills is a local decision.

The National Weather Service has developed guidance which may be helpful in making these types of decisions—see: [www.nws.noaa.gov/om/windchill/wind-chill-brochure.pdf](http://www.nws.noaa.gov/om/windchill/wind-chill-brochure.pdf).

### True or False?

Exit doors may be chained shut from the inside on weekends, evenings, and during school vacations.

### False.

Commissioner’s Regulation 155.7(9)(iii) states that :

*“Exit doors shall **not** be locked or chained or otherwise rendered inoperable from the inside at **any** time.”*

Consequently, doors **must never** be chained— at any time of the day or night.



## Questions From the Field:

This section will address an actual question which has been raised by a

School budgets are tight and its not unusual for well-meaning individuals (parent, staff, and other residents in the community) to offer used furniture to a school district.

While there is no one specific rule prohibiting schools from accepting a donated sofa or chair, there are rules and other points that need to be taken into consideration prior to accepting such an item.

- ✓ Does the furniture comply with Section 805 of the Fire Code of New York State?
- ✓ Upholstered furniture must have an identification label from an approved testing agency for code compliance. If there are no identification labels, the item would not be compliant and should not be allowed in a school facility.

Still another consideration, is what is inside and/or on an upholstered piece of furniture? Where has that furniture been and why is it being discarded?

- ✓ Are bed bugs or other insects living inside and/or on a donated piece?

The last thing you want to do is to introduce pests into a school where none previously existed.

The EPA Region 2 has developed a document entitled “*Bed Bugs Go To School*” which offers tips for preventing bed bugs in particular from moving into a school- see: [www2.epa.gov/sites/production/files/documents/BB\\_in\\_Schools\\_May\\_2012.pdf](http://www2.epa.gov/sites/production/files/documents/BB_in_Schools_May_2012.pdf)

- ✓ Are rodents nesting inside an upholstered piece of furniture?

Don’t invite mice to move into the school. If they do move in, the following guidance developed by Oregon State University and Washington State University Extension may be helpful in this type of situation: [http://schoolipm.wsu.edu/pdf/PNW\\_PPHouseMouse.pdf](http://schoolipm.wsu.edu/pdf/PNW_PPHouseMouse.pdf).

**The Lesson:** Don’t automatically accept donated furniture without first getting the item’s history and doing a thorough inspection before it comes into the school.