

Factsheet: Legal Requirements for School Facilities

The Regulations of the Commissioner of Education of the State of New York (8 NYCRR 155) impose strict and specific health and safety requirements for educational facilities and for school construction projects.

- *Each school district must implement a monitoring system and establish a health and safety committee* that includes representatives from district officials, staff, bargaining units, and parents.

All health and safety complaints must be investigated. All written complaints must receive written responses. All correspondence must be available to the public. (Section 155.4 Subdivision (d))

- *All plans, specifications, and work regarding* the erection, enlargement, repair, replacement, maintenance, or remodeling of **occupied school facilities** must comply with the Uniform Safety Standards for School Construction and Maintenance Projects. (Section 155.2, Construction and Remodeling of School District Facilities)
- *A building condition survey* or visual inspection must be conducted each year.

The inspection is to include the building site itself, roofing, structural elements, exterior elements, interiors, electrical systems, plumbing, heating and cooling systems, ventilation systems, fire protection and security systems, and environmental and comfort features.

District health and safety committee must participate in the inspection. (Sect. 155.4, Uniform Code of Public School Building Inspections, Safety Rating and Monitoring)

- *Each school district must establish procedures* for the health and safety committee to monitor safety during school construction projects.

Preplanned emergency response procedures for construction-related incidents, including planning for relocation or evacuation, are required.

Pre-construction notification to parents, staff, and the community **is required.** The notification must include construction timetables and school safety requirements.

Construction areas must be separated from occupied spaces. Stairways, corridors, or elevators used by construction personnel must be separated from occupied spaces.

Affected occupied areas must be cleaned daily. (Section 155.5, Uniform Safety Standards for School Construction and Maintenance Projects)

- *There are strict requirements for noise abatement* and for control of chemical fumes, gases, and other contaminants during construction and maintenance projects.

Volatile organic compounds (VOCs) introduced by glues, paint, furniture, carpeting, wall coverings, etc., must be allowed time to “off-gas” before reoccupancy of an affected area is permitted.

Material Safety Data Sheets (as required by the New York State Right to Know Law) must be maintained at the site for all products used in the project and must be provided to anyone who requests them.

Asbestos and lead paint abatement must be handled in specific ways. The health and safety committee must participate in a post-construction inspection. (Section 155.5, Uniform Safety Standards for School Construction and Maintenance Projects)

For further information, contact:

- The New York State Education Department Office of Facilities Planning at 518-474-3906, or
- Your local teachers’ union or NYCOSH.