

Board of Regents

September 9, 2019

**Office of Facilities Planning
Regulation Updates/Changes**

Why Regulation Changes Are Needed

2019 Enacted Budget included changes to Education Laws:

- **§409-d Comprehensive public school building safety program**
- **§3641 Special apportionments and grants-in-aid to school districts**

Changes to §409-d

Was: *Annual* visual inspections

Now: Visual inspections in **2020 and 2022**

After 2022: *only as deemed necessary* by
commissioner to maintain safety
of building and welfare of
occupants

Changes to §3641

Was: Building Condition Survey (BCS) **every five years by all** public school districts and BOCES

Now: *Staggered implementation* of BCS (1/5 of school districts and BOCES perform each year)

How will BCS staggering be implemented?

- **Districts were linked based on the Labor Market Region in which they are located** (*Capital Region, Central NY, Finger Lakes, Hudson Valley, Long Island, Mohawk Valley, North Country, Southern Tier and Western NY*)
 - Each BCS year includes a group from every Labor Market Region
- **Data regarding the number of buildings per district was used to equally distribute the number of buildings to be surveyed in a BCS cohort year within each Labor Market Region**

How will BCS staggering be implemented?

- **Data from the 2015 Building Condition Survey**
 - used to determine buildings identified as “Poor” or “Unsatisfactory”
- **Groups with the highest number of buildings identified as “Poor” or “Unsatisfactory”**
 - assigned to BCS cohort year 1 and 2 within each Labor Market Region

What are the next steps?

- **Communicate with districts and BOCES:**
 - **NYSED P12 Weekly**
 - **Facilities Planning website**
 - **Announcements to various organizations** (*NYSCOSS, NYSASBO, NYSSFA, etc.*)

- **Develop Guidance Documents:**
 - **District assignments to BCS years**
 - **Visual Inspection requirements**
 - **How to file BCS and Visual Inspections**