

The Guide To



Healthy Schools Network, Inc.

RESCUE

Health and Safety Requirements for Public Schools in New York State

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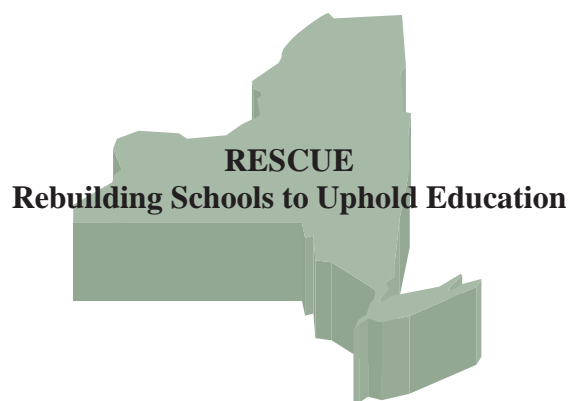
www.healthyschools.org

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The New York State Education Department has regulations on health and safety in schools that have been in place since October 1, 1999. Healthy Schools Network promoted these regulations, and has since been working to get them followed in schools throughout the state. These state-aided mandates, known as RESCUE (Rebuilding Schools to Uphold Education) regulations, if followed, will provide protection for the health and safety of New York State schoolchildren and personnel.

Yet RESCUE helps only when parents, teachers, administrators, and all school personnel use them. This guide provides an overview of RESCUE, and how the requirements are used to have a healthier school.

- **FIND OUT** what your school should be doing.
- **TELL** your school to protect the health and safety of children and school personnel.



FOR NATIONAL READERS :

Your state might have a once-every-five-year or an annual school inspection program. Unions representing school personnel may negotiate for health & safety committees. Ask your local board of education or superintendent about building inspections. Ask to see a copy of the most recent inspection report.

If you are concerned about common building problems (such as air quality or pesticide use), urge your board to appoint a school facility environmental health committee that includes parents and members of the community who will be voting on the school budget or bond act.

EACH SCHOOL DISTRICT IN NEW YORK STATE MUST MEET THE FOLLOWING REQUIREMENTS:

Facilities Planning

- Develop and keep on file a comprehensive long-range plan for educational facilities.
- Prepare a five year capital facilities plan, updated annually.

Inspections

- Every five years, on or before November 15, districts must conduct a thorough Building Condition Survey of each school, signed by a licensed architect or engineer.
- Annually, each school must be visually inspected for structural problems. Reports of these inspections must be filed with the Commissioner of Education by January 15 and be made available to the public.

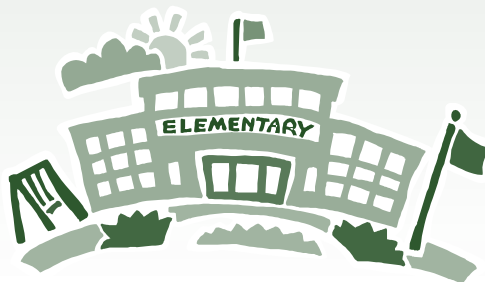
Rating

- Each district must provide every year and make public a "safety rating" of each school, keyed to the building systems that are on the five-year and annual visual inspections.

Monitoring

Each district must establish a process to monitor the conditions of schools to maintain safety and good repair. The plan must include:

- Establishment of a health and safety committee comprised of representation from district officials, staff, bargaining units, and parents. This committee is appointed by the board of education and must be involved with the investigation and disposition of written school health and safety complaints.
- Establishment of a comprehensive maintenance plan for all major building systems to ensure the building is maintained in good repair. This plan must include a least toxic approach to integrated pest management and establishment of maintenance procedures and guidelines that will contribute to acceptable indoor air quality. This plan must be made available to the public.
- Annual review and approval by the Board of Education of the annual visual inspections and the five-year building condition surveys.
- Annual fire safety inspections.



Construction and Remodeling

- The Board of Education is responsible for monitoring construction and maintenance projects for health and safety. Plans to protect health and safety in accordance with these regulations must be included in the contract.
- The Health and Safety Committee must be involved in monitoring safety and addressing complaints. The committee must be expanded to include the project architect, construction manager and contractors.
- The Board of Education is required to provide advance notice to parents, staff and the community regarding major school construction projects.
- Construction areas must be separated from occupied parts of the building to prevent the passage of dust and construction debris.

School Facility Report Cards

- By January 1 of each year, schools must provide a school facility report card to the local Board of Education.
- The school facility report card shall contain the following information in a format prescribed by the commissioner:
 - (1) building age
 - (2) building size
 - (3) enrollment by building
 - (4) rated capacity of the building
 - (5) list of program spaces
 - (6) probable useful life of the building
 - (7) five-year building condition survey results
 - (8) annual building visual inspection results
 - (9) school building safety rating
 - (10) certificate of occupancy status and expiration date
 - (11) five-year capital facilities plan status
 - (12) estimated costs to restore the school buildings to a state of good repair;
 - (13) estimated costs to keep the building in a state of good repair
 - (14) projected operations and maintenance spending for the current school year
 - (15) need for routine maintenance, repairs, rehabilitation, reconstruction, construction and other improvements
 - (16) estimated energy costs for the current school year
 - (17) a description of Health and Safety Committee activities
 - (18) the following environmental information
 - (i) status of the Federal Asbestos Hazard Emergency Response Act (AHERA) plan
 - (ii) status of measures taken to assure acceptable indoor air quality
 - (iii) status of any required lead testing
 - (iv) status of any required radon testing
 - (v) status of the district's integrated pest management program; and
 - (vi) name of the right-to-know designee for the building



(The full text of the regulations can be found at www.emsc.nysed.gov/facplan/policy/8NYCRR155,5,15,00.html)