


THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

Office of Facilities Planning, 89 Washington Avenue, Room 1060 Education Building Annex, Albany, NY 12234

Tel. (518) 474-3906

Website: <http://www.p12.nysed.gov/facplan/>

APPLICATION FOR USE - INSTRUCTIONAL BUILDING

SED Project #:

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8 digit district BEDS Code

4 digit building number

3 digit project number

INSTRUCTIONS

- For instructional buildings use this form. For non-instructional buildings please use Application for Use - Non-Instructional Building (FP-AU (NON-INSTR)).
- No space shall be used by a School District, BOCES or Charter School until a valid CERTIFICATE OF OCCUPANCY (CO) is issued by the Commissioner of Education. To obtain a CO for a facility that does not have a CO pursuant to the annual fire/safety inspection, execute and submit this form together with other required exhibits detailed below to the Office of Facilities Planning. Telephone: (518) 474-3906.
- After the initial approval, annual approval is required through the issuance of a Certificate of Occupancy (CO), based on the annual fire inspection mandated by Section 807-a of the Education Law.

Name of School District, BOCES or Charter School:		Date Submitted:	
		Date to Occupy:	
1. Building Name:		Approx. Year of Construction:	
2. Building Address:			
3a. Superintendent / CEO:		Telephone No.:	
		Email:	
3b. Architect/Engineer:		Telephone No.:	
		Email:	
3c. Local Code Enforcement Official: (for leased property only)		Telephone No.:	
		Email:	

4. Submission Requirements

The Uniform Fire Prevention and Building Codes of New York State (NYS Codes) and the New York State Education Department's Manual of Planning Standards (MPS) contain numerous requirements that are not fully addressed below. It is the responsibility of the design professional to ensure full compliance with all applicable regulations to safeguard the life, safety, health, and well-being of students and staff, and to support a conducive learning environment.

When submitting a lease for a building or portion thereof, please note that the authority having jurisdiction (AHJ) for issuing the building permit and one of the two required Certificates of Occupancy (CO) is the local municipality. The second required CO is issued by NYSED, based on a complete architectural and engineering submission, as detailed in sections a–e below. In many lease scenarios, the Existing Building Code (EBC) and the MPS will govern the requirements for any construction activity. It is highly recommended that any proposed construction be reviewed by NYSED prior to commencement to ensure the project will meet the requirements for a NYSED-issued CO.

Please also be aware that a Change of Occupancy under the EBC (e.g., converting a college facility classified as Group B Business to a P-12 facility classified as Group E Education) may apply when evaluating leased spaces.

To properly assess whether a leased or purchased school facility and its instructional spaces meet the requirements of the NYS Codes, the Regulations of the Commissioner of Education, and the MPS, we strongly recommend that a New York State-licensed professional architect and/or engineer—familiar with Group E Education requirements—prepare plans that, at a minimum, clearly demonstrate the following, as applicable:

(Indicate by checks in the boxes below all that apply)

- a. Site plans showing building location and:
 1. ☐ Survey map showing property boundaries
 2. ☐ Fire department access roads and fire hydrants
 3. ☐ Parking (including accessible parking); designated student drop off areas
 4. ☐ Accessible routes to the building
 - b. Architectural and Code Compliance Plans Addressing:
 1. ☐ Classification of construction work (new construction; addition; change of occupancy; etc.)
 2. ☐ Building construction type (e.g., 2B)
 3. ☐ Label each room's program use and area (in sf)
 4. ☐ Occupant load calculations and means of egress travel distances
 5. ☐ Door egress capacities and swing direction; corridors; stairs; elevators; accessible routes
 6. ☐ All fire rated wall and floor/ceiling assemblies; Fire Areas; Building Areas; smoke zones/compartments (note: student occupied spaces larger than 500 sf require 2 smoke zone exits)
 7. ☐ Rescue window locations and sizes
 8. ☐ Establish and maintain clear separations between students and other tenants
 - c. HVAC:
 1. ☐ Existing buildings: provide a survey of HVAC equipment (e.g., boilers; mechanical cooling; air handling units and rooftop units; terminal units – such as unit ventilators; VAV boxes; heat pumps) describe how each student occupied space meets code-required ventilation for outside air cfm and exhaust/relief air cfm and pathway.
 2. ☐ New construction: provide HVAC equipment schedules and specifications; HVAC controls and sequence of operations.
 - d. Plumbing and Fire Suppression:
 1. ☐ Plumbing fixture count – number of fixtures required by code and number provided – include water closets and urinals; lavatories; drinking fountains.
 2. ☐ Toilet facility designs shall preserve one's right to privacy for use of the water closet/urinal AND for use of the lavatory (sink) due to a range of privacy needs that students may have related to use of a sink/washing area.
 3. ☐ Public single-user toilet rooms shall have a door privacy lockset to preserve one's right to privacy for use of the water closet/urinal AND for use of the lavatory (sink)
 4. ☐ At least one accessible all-gender toilet facility is required.
 5. ☐ Sprinkler system – provide plans showing area of coverage; delegate authority – new construction.
 - e. Electrical:
 1. ☐ Engineering drawings showing lighting; lighting controls; emergency lighting (describe emergency power source, such as battery integral to the fixture; generator; central inverter battery); continuous lighting required; exit signs (face(s); chevron direction)
 2. ☐ Fire alarm system – provide plan(s) showing all pull stations; automatic smoke; heat; carbon monoxide area detectors; notification appliances i.e. horns; voice speakers; strobes; fire alarm control panel (FACP)-with or without emergency voice alarm communication system (EVACs); remote annunciator panel; connections to kitchen hood fire suppression system; HVAC equipment; smoke dampers; fire shutters; etc. Note: automatic fire detection (smoke or heat detectors as appropriate) is required, at a minimum, in corridor/stairs; assembly spaces (auditoriums; cafeterias; multipurpose assembly; gyms/pools with spectator seating); and vocational shops and science labs. Pay attention to sources of combustion products and carbon monoxide detection and alarm required.
 3. ☐ Access controls; security/lockdown notification system; door locks: In general, can lock people out – but cannot lock people in (note: electromagnetic door locks are prohibited; electric strikes and electric latch retraction is acceptable)
- 5. Other Exhibits that are required to complete review and issuance of SED Certificate of occupancy:**
- a. ☐ A completed Asbestos Management Plan Pursuant to AHERA, 40 CFR, Part 763.93
 - b. ☐ A Copy of the current Certificate of Occupancy indicating the applicable intended occupancy issued by the local code enforcement agency. If owned by a public school district or Charter School, certification by a NYS licensed architect or engineer that the whole building as well as the space being used complies with applicable provisions of the NYS Codes.
 - c. ☐ Fire safety report – conducted by a certified school fire safety inspector.
- 6. Exhibits that are the responsibility of the building owner:**
- a. ☐ State Historic Preservation Office review and approval where applicable (SHPO)
 - b. ☐ State Environmental Quality Review Act determination and associate action (SEQRA)
 - c. ☐ Local Authority Having Jurisdiction building permit (for leased projects involving construction only)

Signature of Superintendent or Chief Executive Officer

Date