



## Office of Facilities Planning Newsletter #22 – December 2001

### **Get to Know us Better:**

We would like you to meet another of our Project Managers, Mary Ann Clune. Mary Ann received her BA from the College of New Rochelle and her MA from Syracuse University.

After teaching seven years in the Syracuse/Cortland area, she moved to the Buffalo area and spent many years at the hardest and most rewarding job of all—raising her children!

Mary Ann came to our Department in 1988 to "help save the school children from asbestos." She joined the asbestos unit within the office of Management Services and that unit was quickly dubbed "the Little Sisters of Madison Avenue" by coworkers. (The asbestos unit was located in the Cultural Education Center on Madison Avenue.) When the asbestos frenzy died down and that unit was dissolved, Mary Ann went to work in the Rate-Setting Unit where she helped in making their publications more user-friendly. Then, in November 1999, she became a Project Manager in our office.

Mary Ann has three beautiful daughters. The two oldest daughters live in the Buffalo area with their families where Mary Ann goes often to visit them. She also enjoys her grandchildren out there (one girl and three boys aged four and under). Her youngest daughter lives in Washington, D.C. where she joined an international law firm after serving four years in the Navy's JAG corps. (It truly is a small world—this daughter met Barb Boardman's son during an evening out on the town last April and the moms figured this out through casual office conversations!)

### **Pre-K or Day Care:**

While working on requests for Temporary Quarters, it has come to our attention that there are a substantial number of Pre-kindergarten (Pre-K) programs that fit the requirement for Child Day Care Centers, especially those located in leased spaces or operated by a BOCES.

Below is a hyperlink to the Commissioner of Education's Part 151-1.10 Facilities Requirements for the universal pre-kindergarten program. This regulation requires the Pre-K program meet the Office of Children and Family Services (OCFS) Regulations for Child Day Care Centers, Part 418. Of specific importance in the OFCS Regulation are Part 413, Definitions, and Part 418, Child Day Care Centers. The keys to Pre-K's being exempt from being licensed as a day care center are:

- To meet the definition for daycare it must have more than 6 children and operate for more than 3 hours per day,
- There can be no carryover of children in the under 3 hour program, i.e., children in a morning program cannot attend an afternoon program in the same facility,
- The program must be operated by a school district on the campus where the elementary and/or the secondary programs are conducted. A Pre-K program cannot be off-campus or in a rented temporary space.

Any program designated Pre-K operated in leased space or meeting the definition of Child Day Care Centers in any other fashion must be licensed by the OCFS as a Child Day Care Center. In addition, if it is in a leased

space it must have a Certificate of Occupancy as a Day Care Center from the local municipal code enforcement official.

The hyperlink for Part 151-1.10 Facilities Requirements for the universal pre-kindergarten program is: <https://www.p12.nysed.gov/facplan/policy/8NYCRR155,5,15,00.html> (151-1.10 is at the bottom of the page.) The hyperlink to the Office of Children and Family Services (OCFS) Regulations is: [http://www.ocfs.state.ny.us/main/beccs/daycare\\_regs.htm](http://www.ocfs.state.ny.us/main/beccs/daycare_regs.htm)

### **Energy Design:**

In the summer 2001 newsletter from the Office of Building Technology, State and Community Programs, there was an announcement that Department of Energy released a new software program in April. The software is a building energy computer simulation program that allows architects, engineers and building owners and managers to minimize energy use and cost and optimize building performance.

The DOE's EnergyPlus program will assist in significantly lowering energy use in buildings. EnergyPlus simulates whole-building approaches in design, planning and construction and opens new doors for energy savings, cost savings and indoor environmental quality enhancements. It allows users to calculate impacts of different heating, cooling and ventilating equipment and various types of lighting and windows to maximize building energy efficiency and occupant comfort.

For more information and to download EnergyPlus at no cost, please go to:

[www.eren.doe.gov/buildings/energy\\_tools/energyplus/](http://www.eren.doe.gov/buildings/energy_tools/energyplus/)

This information was forwarded to us from Peggy Heisch of the Wisconsin Focus on Energy - New Commercial Buildings Program. If you have any questions regarding this program, you can contact her at 1-800-864-6254, or email at [pheisch@ecw.org](mailto:pheisch@ecw.org).

### **Lead Investigation:**

We have noticed that almost all projects are now being investigated for lead before being submitted to SED for final approval. It has also come to our attention that many of the investigations are limited to lead paint. Please be aware that the investigation should include all materials that might have lead. Most notably the material that is conspicuously missing from many investigations is ceramic tile. Many ceramic tile glazes contain lead. Please include ceramic tile if you will be working in rooms with wall or floor tile.

### **Lead in Leachate:**

Please be sure to address the DEC requirements for lead in materials being removed from the site. DEC is checking construction sites across the state, including schools. Toxicity Characteristic Leachate Procedure Analysis must be performed to determine if the contents of waste may be disposed as construction debris or as a hazardous waste.

If you would like to have this Update sent directly to you by e-mail, please send your e-mail address to Joe Levy at [jlevy@mail.nysed.gov](mailto:jlevy@mail.nysed.gov)

Please continue to send in your comments and requests. If you have a subject you would like addressed, feedback on the material you read, input or general comments we are happy to hear from you.