

**Manual for**  
**Fire and Building Safety Inspections**  
**In Public and Nonpublic Schools**



**The University of the State of New York**  
**The State Education Department**  
**Office of Facilities Planning**  
**Fire Safety Unit**  
**Education Building Annex - Room 1060**  
**Albany, NY 12234**

## Excerpt....

- ***Provide public notice of inspections.***

In accordance with Educational Law, Section 807-a 5 (b) and (c), within 20 days of filing the report with the State Education Department, the school authorities shall cause public notice of the filing of the report to be given in substantially the following form: *“Notice is hereby given that the annual inspection for ... (year) of the ... school building (or of the ... and ... school buildings) of (name of school district or nonpublic school) for fire hazards which might endanger the lives of students, teachers, employees therein, has been completed and the report thereof is available at the office of (school district or nonpublic school) at ... for inspection by all interested persons.”* If the inspection was not made by the fire department or fire company responsible for fire protection of the building, such authorities shall cause a copy of such notice to be mailed to the chief of such fire department or company.

The school authorities shall have notice published at least once in a newspaper having general circulation in the postal area in which the school is located. If there is no newspaper having general circulation in the postal area, the school authorities shall post notice in ten conspicuous places in the postal area. Proof of posting or publication of such notice and the mailing of a copy of such notice to the fire chief shall be filed in the nonpublic school office or the public district office. Public schools may cause such notice to be published at least in their official newspaper in lieu of a general circulation newspaper.

- ***Post-inspection meeting and nonconformance action plan.***

In accordance with Educational Law, Section 807-a 5 (e), if there are nonconformances, the school authorities shall give at least 5 days notice by mail to the chief of the fire department or fire company responsible for fire protection of the school building of the date and the place of meeting of the trustees, board of education, or corresponding officers by what ever name known, to be held within 30 days following the public notice posting.

For those nonconformances that cannot be corrected immediately, the school authority is to develop a nonconformance action plan to make the corrections. This plan is to include a definitive timeline when possible. At the post-inspection meeting, the school authority presents the plan. The school authority shall confer with the fire chief concerning the nonconformances appearing on the inspection report and the measures proposed to be taken by the school authorities to correct the nonconformances. A plan shall be approved for correcting the nonconformances by the end of the meeting.

If there are no nonconformances, this meeting may be cancelled.

In accordance with 8 NYCRR 155.8 (c), facilities that are owned, operated or leased by a public school district or BOCES that are found to have nonconformances are required to be remedied immediately. If this time frame is not practical, they must be remedied in a time frame suitable to the Commissioner.

- ***Post Certificate of Occupancy***

In accordance with 8 NYCRR 155.8(e), no building that is owned, operated or leased by a board of education or a BOCES shall be occupied or otherwise used unless the building has a valid certificate of occupancy issued by the Commissioner. If the inspection indicates the building is suitable for occupancy and free of nonconformances, the Commissioner will issue a certificate of occupancy. For leased facilities, see Appendix B for further information.