

February 9, 2004

District Superintendent Meeting

TO: District Superintendents of Schools
FROM: Carl T. Thurnau, Coordinator
SUBJECT: Evening Assembly Event Alert

As you know, SED has code enforcement jurisdiction over public school facilities. However, a serious issue has been brought to the attention of this office by representatives of local building code officials and fire personnel. They have expressed grave concern over overcrowding, blocked exits, and lack of access for emergency response equipment as a result of blocked fire lanes at evening assembly events.

Assembly events are any activities in the school's large public spaces, such as cafeterias, pools, gymnasiums, auditoriums, etc. We share their concerns and are issuing this letter as an advisory of your responsibilities and those of the building principal.

The New York State Uniform Fire Prevention and Building Code (state code) contains provisions for the construction and safe operation of buildings. Obviously, constructing a safe building does no good if the features that provide that safety are ignored or purposefully thwarted in the operation of that building. Building Principals need to understand that the state code holds the building operator responsible for any violations of the safety provisions of the code.

The issues brought to our attention appear to be systemic across the state. We have all been at school events and witnessed the concerns that have been raised. I cannot express strongly enough how serious these basic fire safety issues are. Fire safety history has many examples of tragedies that have occurred when buildings filled to over-capacity experience emergencies. The first smell of smoke or the failure of the lighting system causes immediate panic. Blocked exits and obstructions in corridors such as tables and chairs cause confusion and further panic. Experience has shown that in these terrible tragedies, victims rarely die from the actual effects of fire, but instead from smoke inhalation or trampling during the confusion. To compound the disaster, the ability of emergency responders to reach the scene is often severely compromised by parking in fire access lanes in front of buildings.

These concerns were brought to us as a result of the frustration of the local fire, police, and code enforcement personnel. Because the State Education Department is the authority having jurisdiction for all code issues related to public schools, local agencies have no authority. However, they are experienced people who witness code violations and wish to avoid disaster in your community.

As one local official stated, *It is frustrating to call SED on Monday morning to advise of a life threatening situation which occurred the previous Friday or Saturday evening.*

These issues must be addressed immediately. Superintendents must advise building principals of their responsibility to ensure that their buildings are being operated safely during these events. Principals should enlist the assistance of their facilities directors and reach out to the local fire, police, and code enforcement officials to prepare a plan to limit occupancy, maintain exiting, and keep fire lanes clear. Many districts have voluntarily collaborated with local authorities and have developed policies which allow local authorities to issue tickets for illegally parked vehicles and, if necessary, to tow vehicles.

In closing, I would again like to articulate to you how serious an issue this is. If I can be of any assistance in this matter, please call me at 518 – 474-3906.

Carl T. Thurnau, Coordinator