



New York State Office of the State Comptroller
Thomas P. DiNapoli

Division of State Government Accountability

Oversight of School Fire Safety Compliance

State Education Department



Report 2015-S-86

August 2016

Executive Summary

Purpose

To determine if the State Education Department (Department) is providing effective oversight to ensure school compliance with required fire safety procedures including inspections, reporting, and monitoring. Our audit did not include a review of compliance issues for schools operating within New York City. The audit covered the period January 1, 2013 through May 18, 2016.

Background

The Department is responsible for overseeing school fire safety and for ensuring schools comply with fire safety provisions established in State Education Law, the State Uniform Fire Prevention and Building Code, and Department regulations. These include requirements for mandatory building and fire inspections, fire drills, and other fire safety activities. Each public, private, charter, and Board of Cooperative Educational Services (BOCES) school building must be inspected annually by qualified fire inspectors and the results filed with the Department. The Department also issues a Certificate of Occupancy (CO) annually to each BOCES, public, and charter school. State Education Law mandates that if an inspection identifies violations that are severe enough, the Department will not issue the CO until the violations have been corrected and a re-inspection has been done. As of November 2015, there were approximately 2,900 public schools, 50 charter schools, 40 BOCES, and 1,100 private schools operating in the State (excluding New York City).

Key Findings

- We found the Department does not adequately monitor whether schools are in compliance with all fire safety regulations and accurately report all violations. Our visits to 25 schools found many did not complete the required number of fire drills, and emergency evacuation plans at six schools did not include procedures to address evacuation of students who have disabilities or special needs. Additionally, we observed several violations and deficiencies, including: electrical hazards such as overloaded power strips and extension cords; missing or outdated fire extinguishers; partially obstructed means of egress; and violations cited in prior inspections that had not been corrected.
- Almost 50 percent of private schools did not submit required inspection reports for the 2015-16 school year. Even so, the Department does not follow up to prompt compliance and, as a result, has little assurance that all these schools were actually inspected.
- In 2015, the Department implemented a new electronic system that allows schools to self-report inspection data, but has taken no steps to verify the accuracy of information provided by schools. Further, officials did not implement tools or commands to enable staff to analyze the data or produce reports to monitor school compliance. For example, the Unit cannot easily determine how many, or which, schools' inspection reports are outstanding at any given point in time.

Key Recommendations

- Develop a risk-based approach for verifying, by site visit or other means, whether information provided in fire inspection reports is accurate and schools are complying with fire safety requirements.

- Develop and implement actions to follow up with non-compliant private schools to encourage and improve their submission of annual fire safety inspection reports.
- Develop, in conjunction with information technology staff, the capabilities and data reliability of the new fire inspection data system, so that it can be used to easily access, analyze, and generate management reports on relevant inspection information for all schools.

State of New York
Office of the State Comptroller

Division of State Government Accountability

August 24, 2016

Ms. MaryEllen Elia
Commissioner
State Education Department
89 Washington Avenue
Albany, NY 12234

Dear Commissioner Elia:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage government resources efficiently and effectively and, by so doing, providing accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *Oversight of School Fire Safety Compliance*. This audit was performed pursuant to the State Comptroller's authority under Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Office of the State Comptroller
Division of State Government Accountability

Table of Contents

Background	5
Audit Findings and Recommendations	7
School Compliance With Fire Safety Procedures	7
School Inspection Data Analysis	9
Recommendations	10
Audit Scope, Objectives, and Methodology	10
Authority	11
Reporting Requirements	11
Contributors to This Report	13
Appendix	14
Agency Comments	15
State Comptroller's Comments	18

State Government Accountability Contact Information:

Audit Director: John Buyce

Phone: (518) 474-3271

Email: StateGovernmentAccountability@osc.state.ny.us

Address:

Office of the State Comptroller
 Division of State Government Accountability
 110 State Street, 11th Floor
 Albany, NY 12236

This report is also available on our website at: www.osc.state.ny.us

Background

The State Education Department (Department) is responsible for overseeing school fire safety, including mandatory fire and building inspections, and for ensuring schools' compliance with fire safety provisions established in the State Education Law, the State Uniform Fire Prevention and Building Code, and Department regulations. The Department's Facilities Planning Unit (Unit) is responsible for the fire safety program for schools located outside New York City. The New York City Board of Education and the City of New York have separate requirements for school fire safety within their jurisdiction. Our audit did not examine compliance with those requirements.

The Department's New York State Public School Facility Fire Safety Inspections Manual (Manual) provides guidance to school authorities and fire safety inspectors on the requirements for annual fire safety inspections of public school facilities. All buildings owned, operated, or leased by a public school district, a Board of Cooperative Educational Services (BOCES), a charter school established after 2010 (hereinafter referred to as charter schools), as well as non-public schools (private schools) are to be inspected annually for fire safety.

Some examples of requirements schools must meet to be in compliance are:

- Various electrical regulations designed to prevent overloaded circuits, such as the requirement that power supplies and extension cords be plugged directly into approved receptacles and may serve only one portable appliance. As a result, power strips or surge suppressors cannot be plugged into one another (daisy chained) to serve multiple devices.
- Having an evacuation plan readily available. The Department recommends that the plan address the evacuation of non-ambulatory individuals on floors that are not on an egress level.
- Conducting at least 12 fire drills in each school year, eight of which must be held between September 1 and December 1, and at least one-third of which shall be through use of the fire escapes on buildings that have them.
- Supplying annually inspected fire extinguishers spaced no more than every 120 feet.
- Conducting monthly fire and arson prevention training to educate children on the dangers of falsely reporting a criminal incident, an impending explosion or fire emergency involving danger to life or property, an impending catastrophe, or a life safety emergency.

Inspections must be performed by a qualified inspector as defined by the State Fire Administrator. These include representatives from local fire departments, code enforcement officials, or building safety inspectors. Inspectors are required to record all violations and give school officials a list of the locations of those violations. The intent of the annual inspection is to ensure all public school, charter school, and BOCES buildings are operated in compliance with the State Education Law, Department regulations, and applicable sections of the State Uniform Fire Prevention and Building Code. In contrast, private schools are required to follow State Uniform Fire Prevention and Building Code.

All violations are categorized by type and scored using the following matrix:

	Violation Type	Point Value
Level 1	Minor Violation	1
Level 2	Major Violation	2
Level 3	Severe Violation	3

If an inspection finds a severe violation (Level 3), or any combination of other violations totaling 11 or more points, a Certificate of Occupancy (CO) should not be issued. Wherever possible, all violations should be corrected immediately.

Schools are required to submit completed fire inspection reports to the Department each year. The Department is required to review the reports for compliance and may make recommendations to school authorities relating to school fire safety. The inspection reports are crucial since the Department relies on them to ensure all schools are inspected and deficiencies are corrected.

The Department also relies on the inspection reports to issue COs annually to public schools, BOCES, and charter schools. If an inspection identifies severe enough violations, the Department will not issue the CO until the violations have been corrected and a re-inspection has been done and filed. In contrast, local municipalities are largely responsible for private schools' fire safety and for issuing permits and COs from their building and zoning departments. As of November 2015, there were approximately 2,900 public schools, 50 charter schools, 40 BOCES, and 1,100 private schools in the State (excluding New York City).

In July 2015, the Department implemented an online system that is now used by public schools, BOCES, and charter schools to enter the information from a completed inspection report. With the exception of private schools, schools no longer submit hard copy inspection reports to the Department. Previously, hard copy reports were submitted and entered into a mainframe system by Department staff. After the school's superintendent certifies that the information entered through the online system is correct, school officials can print out a copy of their CO.

Audit Findings and Recommendations

We found the Department does not adequately monitor whether schools are in compliance with all fire safety regulations and accurately report all violations. Our visits to 25 schools found many did not complete the required number of fire drills or give mandated arson prevention training. We also observed several violations and deficiencies such as overloaded power strips strung together, partially obstructed exit doors, and violations cited in prior fire inspection reports that had not been corrected. We also found that nearly 50 percent of private schools did not submit inspection reports for the 2015-16 year to the Department. Therefore, the Department has little assurance that all these schools were actually inspected. Finally, we also found that some schools' emergency evacuation plans did not account for students with special needs.

In 2015, the Department implemented a new electronic inspection reporting system for schools. However, the Department did not implement tools or commands to enable Unit staff to analyze the data or produce management reports to monitor school compliance. For example, the Unit cannot easily determine how many, or which, schools' inspection reports are outstanding at any given point in time. Department officials cited a decline in staff as a cause of the deficiencies we noted.

School Compliance With Fire Safety Procedures

The Department relies largely on the fire inspectors and schools to certify compliance with fire safety requirements, follow up on any violations, and accurately report required information. Although their new systems are largely automated, Unit staff stated that they review all inspection reports in cases where they need to issue a CO to a school, but they cannot demonstrate this review occurs in all cases because the reviews are not well documented. Additionally, Unit staff do not take steps to verify school compliance, either through visits to a sample of schools or analysis of their data. Unit officials told us they had multiple individuals assigned to monitor fire safety inspections in the past, but since September 2015 have had just one person performing the duties related to fire and health safety. This individual performs these tasks part time in addition to his other duties as a senior architect.

School Fire Safety Compliance Records

We visited a sample of 25 schools (see Appendix) to determine whether they were complying with the fire safety procedures. Our sample included 16 public schools, two BOCES, two charter schools, and five private schools. At each location, we reviewed inspection reports from 2013 through 2016, as well as records to support fire safety activities such as fire drills, fire and arson training, and emergency evacuation plans. We found a number of violations as follows:

- For the 2014-15 school year, seven of the 25 schools we visited did not complete the 12 required fire drills for the year. Five of these schools also did not complete the required number of drills between September 1 and December 1. Even so, six of these seven schools inaccurately reported to the Department that they had completed all the required

drills. The seventh school had not submitted its inspection report to the Department. We noted similar deficiencies for the 2013-14 school year.

- Two of the eight schools that held summer classes during 2014-15 did not do the required drills for the summer, and another could not provide documentation to show that it had completed them, although officials maintained the drills were performed.
- None of the 25 schools we visited had conducted all the required monthly sessions of fire/arson prevention training for the three years 2013-14, 2014-15, and 2015-16. However, for the respective years, 22, 21, and 20 schools had reported to the Department that these activities were completed.
- One of the 25 schools did not have an emergency evacuation/management plan readily available at the time of our site visit.
- Thirteen of 19 schools' emergency evacuation/management plans that we examined contained a section for the evacuation of children with disabilities/special needs. However, six schools' plans did not contain such a section. Also, Department guidance recommends the plans address non-ambulatory students, but does not address students with other special needs, such as sensory disorders or difficulty following instructions, that may affect their ability to evacuate quickly and orderly.
- An increasing number of private schools routinely do not submit fire safety reports to the Department. Our analysis showed the reports were not submitted by 410 (37 percent), 441 (40 percent), and 500 (46 percent) private schools during the 2013-14, 2014-15, and 2015-16 school years, respectively. Furthermore, the Unit does not follow up with these schools to prompt compliance. As a result, the Department has little assurance that these schools were actually inspected as required.

Observations of School Premises

During our tours of selected school areas, we observed numerous fire safety violations, including electrical hazards. These include overloaded power strips and extension cords at five schools and "daisy-chained" power strips (one power strip plugged into another) at four schools. An example of an electrical violation is shown in the photograph below.



We also found schools had violations in other categories, including outdated and missing fire extinguishers at seven and five schools, respectively; obstructed means of egress (per photograph to the right) at four schools; and items that were not flame retardant hanging from the ceiling at 18 schools.

Four schools also failed to correct violations cited in previous inspection reports. Of the four, officials at two schools could not remember where the violations were located, and thus officials were unable to show us that the violations were corrected. At another school, officials did not act on the recommendation to hardwire carbon monoxide detectors into its electrical system due to “cost constraints,” and officials of the remaining school simply did not agree with the recommended corrective action and decided not to implement it.



School Inspection Data Analysis

As of December 2015, the Department did not have a database that accurately captured a complete record of all fire inspections completed for each school. Although Unit staff stated the information in the new system was accurate, we found duplicate information that they were unaware of and unable to explain. The Department relies solely on school officials' certification that the information they entered is accurate. However, no data reliability checks have been performed to ensure the information is complete and reliable. Additionally, Unit staff do not routinely obtain supporting documentation from schools, even on a sample basis, to check the accuracy of the data in the new system.

The new system also enables schools to print their own COs as long as they do not enter any severe violations (Level 3) or violations whose point scores total 11 or more. This eliminates the need for Unit staff to manually review inspection reports and information on violations before the CO is issued. However, there are no controls in the new system to prevent a school official from simply omitting severe violations or violations totaling 11 points or more, whether in error or intentionally, and then inappropriately obtaining a CO.

We also noted that this new system does not have tools or commands to enable Unit staff to analyze the data or produce management reports to monitor school compliance. Officials stated the system is only used to determine if an inspection report has been submitted or if a CO has been issued for a given facility, which is what they need to know on a daily basis. Unit staff indicated they haven't explored the potential to use the system as a monitoring tool due to the limited staff resources available for the fire safety function.

Similarly, the prior mainframe system also had significant limitations in terms of usefulness and, therefore, functioned primarily as a repository of inspection data. Unit staff stated the information in the mainframe system had also not been verified for accuracy and was not necessarily correct or complete. Additionally, the system could not provide staff with essential program monitoring information, including identifying schools that received Level 3 violations and, therefore, should not have been issued a CO.

Program-wide data and trend analyses are critical tools that can identify weaknesses or highlight anomalies in operating activities that are not otherwise apparent. We are confident that, if the current database were utilized to its fullest capabilities, it would improve the Department's ability to monitor school compliance. For example, the Unit could potentially determine how many – and which – schools' inspection reports are outstanding at any given point in time and initiate follow-up actions. Such efforts could also help maximize the effectiveness of the Unit's limited staff resources.

Recommendations

1. Develop a risk-based approach for verifying, by site visit or other means, whether information provided in fire inspection reports is accurate and schools are complying with fire safety requirements.
2. Formally assess the need to issue guidance to school districts regarding whether school emergency management plans should address any unique evacuation procedures for people with special needs.
3. Develop and implement actions to follow up with non-compliant private schools to encourage and improve their submission of annual fire safety inspection reports.
4. Develop, in conjunction with information technology staff, the capabilities and data reliability of the new fire inspection data system, so that it can be used to easily access, analyze, and generate management reports on relevant inspection information for all schools.

Audit Scope, Objectives, and Methodology

The objective of our audit was to determine whether the Department is providing effective oversight to ensure school compliance with fire safety procedures, including inspections, reporting, and monitoring. Our audit did not include a review of compliance issues for schools operating within New York City. Our audit scope covered the period January 1, 2013 through May 18, 2015.

To accomplish our objective, we interviewed Department officials and examined relevant documents and records. We also reviewed relevant laws, regulations, policies, and procedures. We assessed internal controls at the Department and the schools as they relate to the fire safety activities and inspections. We reviewed information and hard copy fire safety inspection reports

provided to the Department for the 2013-14, 2014-15, and 2015-16 school years. We also made site visits to 25 schools across New York State, including 16 public schools, two BOCES, two charter schools, and five private schools. We selected our sample randomly after taking into account certain judgmental factors including location, school type, and the extent of any previously noted violations.

We also conducted data reliability testing on the Department's Mainframe and Application Business Portal databases and determined them to be unreliable. We significantly limited our use of the data contained within the portals and relied instead mostly on hard copy documentation. However, we did use the NYSED Application Business Portal (Portal) as one of the resources for selecting a sample of schools that had severe (Level 3) violations. We verified the information against hard copy information and observations made during our site visits. We used this hard copy information and our observations, not the information in the Portal, to form the basis for our findings. Finally, we examined the Department's internal controls and assessed their adequacy as they related to our objective. We interviewed Department staff and reviewed the schools' fire safety inspection reports that were submitted for the years 2013-14, 2014-15, and 2015-16 to determine if reported violations were corrected.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

Reporting Requirements

A draft copy of this report was provided to Department officials for their review and formal comment. Their comments were considered in preparing this final report and are attached in their entirety at the end of it. Department officials generally agreed with our observations, but

raised concerns about certain recommendations, citing limited staff resources available to verify school compliance. Our rejoinders to certain Department comments are included in the report's State Comptroller's Comments, which clarify issues by focusing on approaches the Department can employ to better utilize limited staff resources and certain information it collects.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Commissioner of Education shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

Contributors to This Report

John F. Buyce, CPA, CIA, CFE, CGFM, Audit Director

Stephen Goss, CIA, CGFM, Audit Manager

Heather Pratt, CFE, Audit Supervisor

Michele Turmel, Examiner-in-Charge

Jeffrey Dormond, Senior Examiner

Joseph Robilotto, Senior Examiner

Marzie McCoy, Senior Editor

Division of State Government Accountability

Andrew A. SanFilippo, Executive Deputy Comptroller

518-474-4593, asanfilippo@osc.state.ny.us

Tina Kim, Deputy Comptroller

518-473-3596, tkim@osc.state.ny.us

Brian Mason, Assistant Comptroller

518-473-0334, bmason@osc.state.ny.us

Vision

A team of accountability experts respected for providing information that decision makers value.

Mission

To improve government operations by conducting independent audits, reviews and evaluations of New York State and New York City taxpayer financed programs.

Appendix

Schools Visited by Type and Location

School name	Type	County
Vestal Senior High School	Public	Broome
Stafford Middle School	Public	Clinton
Virgil Elementary School	Public	Cortland
East High School	Public	Erie
Wells School	Public	Hamilton
Northeast College Prep High School	Public	Monroe
Turtle Hook Middle School	Public	Nassau
Frazer K-8 School	Public	Onondaga
Commack Road Elementary School	Public	Suffolk
Yonkers Middle School	Public	Westchester
Duanesburg Elementary School	Public	Schenectady
Niskayuna High School	Public	Schenectady
Mont Pleasant Middle School	Public	Schenectady
Forest Park Elementary School	Public	Albany
Ward Melville Senior High School	Public	Suffolk
Willsboro Central School	Public	Essex
Rubin Pollak Education Center	BOCES	Sullivan
BOCES Wilson Tech McGuire #1	BOCES	Suffolk
Discovery Charter School	Charter	Monroe
Newburgh Preparatory Charter High School	Charter	Orange
Faith Christian Academy	Private	Dutchess
Transfiguration	Private	Westchester
Bais Trany of Monsey	Private	Rockland
The Sara Marie School	Private	Saratoga
Our Savior New American School	Private	Suffolk

Agency Comments



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER
Office of Performance Improvement and Management Services
O: 518.473-4706
F: 518.474-5392

July 27, 2016

Mr. John Buyce
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, NY 12236-0001

RE: Response to Draft Report SED Oversight of School Fire Safety Compliance
(2015-S-86).

Dear Mr. Buyce:

The following is the New York State Education Department's (Department) response to the draft audit report, SED Oversight of School Fire Safety Compliance (2015-S-86).

Recommendation 1: Develop a risk-based approach for verifying, by site visit or other means, whether information provided in fire inspection reports is accurate and schools are complying with fire safety requirements.

We agree with the need for accurate fire safety reporting information and documentation. State Education Department Facilities Planning (Facility Planning) has implemented in the 2015-2016 school year a new portal for school districts to submit their annual Public School Fire Safety Inspection Reports. This system is accurate and easily accessible. Operators familiar with and experienced in this new system are able to determine the cause of any violations discovered during the annual fire safety inspection.

Facilities Planning does not have sufficient resources to provide regional staff or representation in the field. Multiple regional offices of several staff each would be required to monitor school district compliance associated with over 10,000 school building and facility inspections annually.

Therefore, Facilities Planning has worked with the NYS Department of State to develop the fire safety inspection process and school inspection course recommended for all school fire inspectors. We must rely on the professional conduct of trained fire inspectors, and the school district superintendents who are required to certify the Fire Safety reports. Facilities Planning, in conjunction with SED's Information Technology department continues to add features to the new reporting system and incorporate suggestions from users in the field.

*
Comment
1

*See State Comptroller's Comments, Page 18.

Recommendation 2: Formally assess the need to issue guidance to school districts regarding whether school emergency management plans should address any unique evacuation procedures for people with special needs.

School districts are required to maintain a current emergency management plan, and it should include procedures for evacuation of people with special needs. The plan should be updated every year as the school population changes, and the needs of the individuals in the district can change.

Education Commissioner's Regulation §155.17 requires public school district boards of education, other than school districts in cities with populations exceeding one million persons, as well as BOCES to maintain a school emergency management plan. The plan must be updated no later than October 1 of each school year.

School Administrators must work with the students, parents, aides, and emergency responders annually to develop and maintain a current and comprehensive plan to address any additional procedures required for people with special needs.

All people with mobility impairments are protected by Title II of The Americans with Disabilities Act. State, local, and government services must be provided without discrimination on the basis of any disability. SED recommends School Districts follow the federal laws and guidelines when preparing their emergency evacuation procedures.

Recommendation 3: Develop and implement actions to follow up with non-compliant private schools to encourage and improve their submission of annual fire safety inspection reports.

We agree that there is a need for compliance with Education Law 807a for submission of Non-public Fire Safety Reports from the Non-public schools to Facilities Planning.

SED currently sends e-mail and postal mail notifications to the non-public schools indicating when the inspection reports are due. Reminders and late notices are sent out to the Non-public schools, to let the schools know what they need to do to be in compliance with Education Law 807a. There are over 1,200 Non-public school facility buildings (excluding New York City and the surrounding Boroughs).

SED Facilities Planning is the repository for the Non-public Fire Safety Inspection Reports, receives a copy of the reports, and records the reports as received. Please note, however, that we are not the code enforcement authority for non-public schools, a responsibility that falls to the local jurisdiction wherever the non-public school is located.

The department does take action as necessary to follow up on violations discovered in non-public schools, or follow up with non-public entities that have not submitted reports. We have recently been involved in numerous non-public school inspections in Rockland County, and have coordinated our efforts with both the NYS Department of State as well as local code enforcement. This effort has resulted in significantly greater compliance with fire safety requirements and inspection cycles in this geographic area.

The Department will continue to monitor this issue appropriately.

*
Comment
2

Recommendation 4: Develop in conjunction with information technology staff, the capabilities and data reliability of the new fire inspection data system, so that it can be used to easily access, analyze, and generate management reports on relevant inspection information for all schools.

While the Department agrees with the need to develop and monitor school district compliance through management reports, we do not agree that the new Fire Safety data collection and reporting system is the appropriate tool or resource to use for this purpose. We do not agree with the features the Comptroller's office would like to see implemented in the Facility Planning – Fire Safety reporting system.

*
Comment
3

The new Fire Safety reporting system was designed to allow the School Districts to submit and certify their Fire Safety reports to the SED Portal. The intention when the system was designed and created was to have an efficient, and user friendly way to submit the Fire Safety reports to Facilities Planning.

The new system has benefited the department by reducing labor costs, postage and mailing costs, and the time involved to generate a Certificate of Occupancy for over 10,000 facility buildings. We have immediate access to data that was previously difficult to retrieve in the old mainframe system.

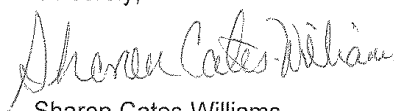
The goal of streamlining the previously labor intensive process has been accomplished. SED's mission is to provide a safe environment for the occupants of school facilities has not been compromised by implementing the new system.

We will continue to work with our Information Technology department to see if reporting modules can be created and added to the new reporting system or if the management reports should be created in another manner to accomplish this goal.

In addition to the recommendations above, Facilities Planning is actively working to improve our reporting process where needed.

If there are any questions regarding this response, please contact Carl Thurnau, Director at 518 474-3906.

Sincerely,



Sharon Cates-Williams

cc: Steve Goss
Michele Turmel
Carl Thurnau
David Seidner
Thalia Melendez

State Comptroller's Comments

1. We do not recommend that SED directly monitor schools' data reporting and program compliance, including the use of field (or site) visits to every school building. Rather, we recommend that SED use a risk-based approach to target higher-risk schools for some form(s) of verification. Selection could be based on several factors, including analysis of available data, compliance history, and/or compliance with school construction and maintenance requirements. Similarly, verification efforts could take various forms, ranging from requesting additional documentation for further review to site visiting a limited number of schools.
2. Neither during audit fieldwork nor with their response to the draft report did officials provide documentation of the purported follow-up activities. In fact, during our audit, officials told us they did little to follow up with private schools, due to limited staff resources and officials' belief that SED had limited enforcement authority over non-public entities. Instead, officials told us that they focus on public schools, over whom they believe they have clearer enforcement authority.
3. We recognize that the portal was created primarily to increase the efficiency of inspection data collection from the schools. However, such information is less useful if it cannot be monitored, analyzed, and used to help management make better, more informed decisions. Now that SED has this new data collection system in place, we urge officials to assess ways to better use its information as a management tool to improve program effectiveness and increase safety in schools. Although our report cites examples of the types of analyses that could be done, we did not recommend the specific features to be added to the reporting system. Instead, we recognize that identifying such features is a management function that is best accomplished by identifying and assessing user needs, including those of pertinent program staff.