



## Regulation of the Chancellor

Number: A-850

Subject: SUSTAINABILITY

Category: STUDENTS

Issued: January 17, 2013

### **SUMMARY OF CHANGES**

This regulation supersedes Chancellor's Regulation A-850 dated July 15, 2009.

This regulation has been updated as follows:

- Reflects current organization at the New York City Department of Education ("DOE") and the DOE's policy. (See Section V).
- Changes the name of the regulation to "Sustainability" and highlights the importance of Sustainability in DOE buildings. (See Sections I, II, and III).
- Provides that all DOE schools and facilities operating within the DOE's jurisdiction, including charter schools located in DOE buildings, implement and maintain a site-specific waste prevention, reuse, recycling plan and energy conservation plan ("Sustainability Plan"). (See Sections II and V(J)).
- Clarifies the roles and responsibilities of DOE personnel responsible for implementing Sustainability plans. (See Section V).
- Sets forth new timelines and processes for reporting progress on Sustainability Initiatives. (See Section V (J)).
- Establishes the DOE's policy for approving or denying building improvement requests submitted by a school or facility. (See Section VI).
- Names of offices have been updated.



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### **ABSTRACT**

The New York City DOE of Education (“DOE”) recognizes that recycling and sustainability are important priorities. In coordination with New York City’s new initiatives on sustainability as outlined in PlaNYC, New York City’s Local Law No. 41 of 2010 “Citywide Recycling,” and Local Law No. 22 2008, “New York City Climate Protection Act,” this regulation requires all DOE facilities and schools to adopt and report on sustainability practices, to emphasize the importance of sustainability, to create a culture that accepts fiscal responsibility for sustainability goals, to enhance building performance, and to foster a sense of citizenship in our students by encouraging students to focus on sustainability.

In particular, this regulation requires every facility and school operating within the DOE’s jurisdiction, including charter schools located in DOE buildings, to complete and implement a site-specific waste prevention, reuse, recycling, and energy conservation plan (“Sustainability Plan”)<sup>1</sup> that shall be distributed by the DOE’s Director of Sustainability annually. In addition, all facilities and schools under the DOE’s jurisdiction must complete the annual Sustainability Survey distributed by the DOE. The Sustainability Plan, among other things, shall provide information on each facility’s recycling and waste reduction activities and energy consumption. This regulation sets forth procedures and practices to standardize Sustainability Plans in all DOE facilities and schools, and requires all DOE employees to comply with the DOE’s sustainable initiatives.

### **I. OVERVIEW**

Recently, New York City and the City Council have enacted a series of laws and programs that require the DOE and other city agencies to focus on reducing greenhouse emissions and sustainability in general. In 2007, the city outlined its environmental policy in PlaNYC

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<sup>1</sup> Information regarding the DOE’s sustainability initiatives, the Sustainability Plan, and the Annual Sustainability Survey may be found at <https://www.schools.nyc.gov/school-life/buildings/sustainability>

which requires among other things, for city owned buildings to reduce greenhouse emissions by 30 percent. In 2010, the City Council enacted Local Law No. 41 “Citywide Recycling” which, among other things, requires the Chancellor to designate a “Sustainability Director” who is responsible for developing the DOE’s sustainability policies, guidelines, and goals to promote waste prevention, reuse and recycling practices across all DOE schools and buildings. Moreover, in August of 2011, City Hall created a new program, the Energy Incentive Alignment Program, that shifts budgetary responsibility to the DOE for all of its energy costs.

## II. **SUSTAINABILITY POLICY**

Sustainability greatly impacts our students’ health, school buildings, and the environment in general. Since sustainability is an important priority and because it is critical to the city’s future, the DOE is committed to:

- Encouraging schools to adopt sustainability goals for energy conservation, recycling, ecology, and green curriculum;
- Implementing energy conservation practices and programs in order to decrease expenditures and to reduce greenhouse gas emissions;
- Implementing recycling and waste reduction practices to (1) reduce the amount of waste disposed in landfills that could have otherwise been recycled, reused or composted, which would create local economic opportunities, (2) reduce the fiscal burden of landfill disposal, and (3) reduce greenhouse gas emissions from waste hauling and disposal;
- Promoting programs that (1) encourage schools to create gardens, plant trees, and open more playgrounds to connect students and staff with nature, (2) encourage healthy lifestyle choices, and (3) to meet the goals within PlaNYC and the City’s Million Trees program<sup>2</sup>, and
- Reducing energy consumption and the DOE’s carbon footprint by requiring that all DOE schools and facilities under the DOE’s jurisdiction, including charter schools located in DOE buildings, remove non-essential personal equipment (e.g., microwave ovens, mini refrigerators, coffee makes, personal fans, and personal heaters) from cubicles, offices and classrooms because these items not only consume a large amount of electricity, but also pose a fire hazard to our students and staff and attract vermin. Each school or facility will instead have this type of equipment available for use in at least one central location, such as a resource room, teacher’s lounge, or other available space in the building; and

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<sup>2</sup> The City’s Million Trees program seeks to have the city plan and care for one million new trees over the next decade.

- Providing resources and guidance to DOE schools on how to incorporate sustainability within the common core curriculum and how to build student leadership skills community engagement around sustainability principles.

As such, all facilities and schools under the DOE's jurisdiction, including charter schools located in DOE buildings, must create a site-specific Sustainability Plan that outlines the school or facility's sustainability goals. Each school year, the DOE shall distribute an online application form or template that enables schools, including charter schools, to create and submit their Sustainability Plans to the DOE. Moreover, each school year, all schools and facilities within the DOE's jurisdiction shall complete an Annual Sustainability Survey.

The Sustainability Plan will require principals, or in non-school buildings, building captains, to complete the following information:

- Identify the Sustainability Coordinator for the school or building;
- Identify members of the Green Team<sup>3</sup>;
- Identify current sustainability practices;
- Identify energy conservation goals and action items;
- Identify recycling goals and action items;
- Identify ecology goals and action items and
- Identify Green curriculum items or programs that seek to incorporate sustainability in the curriculum.
- Commit to removing all non-essential personal equipment (e.g., microwave ovens, mini refrigerators, coffee makes, personal fans, and personal heaters) from cubicles, offices and classrooms.

### III. **KEY SUSTAINABILITY PROGRAMS**

The DOE's Sustainability recommendations, guidelines, and other information related to sustainability are available at

<http://schools.nyc.gov/community/facilities/sustainability/default.htm>

Key sustainability programs that the DOE encourages for all facilities and schools under the DOE's jurisdiction include:

- Increasing the number of schools that participate in the Green Cup Energy Challenge<sup>4</sup>

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<sup>3</sup> A school's Green Team typically includes the principal, sustainability coordinator, teachers, students, custodian engineer, UFT chapter leader, parents and other school community partners that the principal would deem appropriate to include. More information on the Green Team and ideas on how to get started may be found at <https://www.schools.nyc.gov/school-life/buildings/sustainability>

<sup>4</sup> The Green Cup Energy Challenge refers to a program that encourages all DOE schools to collectively conserve energy and reduce greenhouse emissions. Schools in the Challenge read

annually.

- Implementing a food waste composting program at all DOE schools and facilities, beginning with pilot programs at selected schools.<sup>5</sup>
- Providing sustainability training opportunities for sustainability coordinators, custodian engineers, building managers and School Food staff.

#### IV. **COMPLIANCE**

The Division of School Facilities (“DSF”), with the support of the Division of Accountability, Performance and Support (“DAPS”), is responsible for ensuring that the

required Sustainability Plans are completed and implemented for each DOE facility.

All DOE employees are required to practice and promote recycling, waste reduction, and reuse. Furthermore, all DOE employees must comply with the procedures governing the procurement of all goods, including but not limited, to paper products, office equipment and electronics as set forth in the Environmentally Preferable Purchasing Laws. <https://www1.nyc.gov/site/mocs/reporting/citywide-indicators/reducing-the-environmental-footprint-of-new-york-city.page>

To the extent that a school or facility under the DOE’s jurisdiction, including a charter school located in DOE buildings, cannot comply with the terms and provisions of the DOE’s Sustainability Plan, the school or facility shall seek a waiver from the Chancellor by submitting a written request to DSF.

#### V. **ROLES & RESPONSIBILITIES**

##### A. Chief Executive Officer for the Division of School Facilities

The Chief Executive Officer (“CEO”) for the Division School Facilities (“DSF”) shall present the Annual Sustainability Report on behalf of the Chancellor to the New York City Department of Sanitation’s (“DSNY”) Commissioner by January 1st of each year for the preceding Fiscal Year.

##### B. Director of Sustainability

The Director of Sustainability shall be responsible for setting policies, guidelines, and goals to promote waste prevention, reuse and recycling practices, energy conservation, ecological improvements, water efficiency, air quality and other sustainability related programs to be implemented by the Sustainability Coordinators in individual schools.

The Director of Sustainability shall be responsible for the development of the Sustainability Plan application which will be used to support the DOE’s Sustainability

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their meters every week and participate in a competition. See <http://www.greencupchallenge.net/nyc/index.html> for more details.

<sup>5</sup> For more information on the City’s composting program please see <https://www.grownyc.org/compost>.

Initiative targets. The Director of Sustainability shall ensure that all schools and buildings under the DOE's jurisdiction complete and submit the Sustainability Plan annually.

The Director of Sustainability shall send an annual Sustainability Survey to all Sustainability Coordinators to gather Sustainability Plan implementation progress from schools. The Director of Sustainability shall prepare an annual report ("Sustainability Report") for the CEO on recycling, energy conservation and all other sustainability related activities for the DOE as indicated above.

C. Deputy Director of Recycling

The Deputy Director of Recycling shall be responsible for the development and coordination of the DOE's recycling policy for all DOE facilities and for coordinating the recycling portion of the Sustainability Report. The Deputy Director of Recycling shall distribute policy and guidelines on recycling and waste reduction to all DOE facilities and will provide technical assistance to individual schools when needed.

D. Deputy Director of Energy

The Deputy Director of Energy shall be responsible for the development and coordination of the DOE's Energy Conservation policy, liaise with the New York City DOE of Citywide Administrative Services Division of Energy Management ("DCAS DEM"), coordinate with utility companies to ensure that the DOE is correctly charged for all utility usage and that there are no inaccuracies in the estimated bills, and for updating EPA Energy Star Portfolio Manager accounts.

The Deputy Director of Energy shall distribute policy and guidelines on energy load management to DOE facilities and provide technical assistance to DOE facilities when needed. The Deputy Director of Energy shall communicate utility information to Custodian Engineers and Sustainability Coordinators periodically and promote energy conservation programs, such as the Green Schools Alliance Green Cup Challenge, and provide training programs as needed.

E. Children First Network Facility Liaison

Each Field Support Center shall designate a facility liaison who shall assist with the DOE's efforts to monitor, evaluate, and report on implementation of the Sustainability Plan for the schools in the borough or Affinity Group. The facility liaison shall coordinate with the Deputy Director of Facilities as needed.

F. Principals

Each principal shall be responsible for ensuring the completion of the Sustainability Plan and its implementation at his or her school. Each Principal shall designate a person from the school's administrative or teaching staff to be the Sustainability Coordinator for that individual school.

If a school is located on a "campus" (i.e. a building containing more than one school or program), the Principals for the various schools may appoint one person to serve

as the Sustainability Coordinator for all the schools in the building.

Principals shall ensure compliance with heating and air conditioning directives received from the DCAS DEM and DOE of Health and Mental Hygiene as appropriate.

G. Building Captains

Each Building Captain in a non-school DOE building shall be responsible for the completion of the Sustainability Plan and its implementation at his or her building. Each Building Captain shall designate a person from the building occupants to be the Sustainability Coordinator for that individual building.

Each Building Captain in a non-school DOE building shall remove all non-essential personal equipment (e.g., microwave ovens, mini refrigerators, coffee makers, personal fans, and personal heaters) from cubicles and offices permanently. Building Captains shall maintain compliance with heating and air conditioning directives received from the DCAS DEM and DOE of Health and Mental Hygiene as appropriate.

H. Sustainability Coordinators

The Sustainability Coordinator shall be responsible for:

- Completing and implementing the school's Sustainability Plan, or in the case of non-school buildings, the building's Sustainability Plan. Sustainability Coordinators shall review and report to the Principal/Building Captain on recycling practices at the school or building. Serving as the conduit for sustainable curriculum development initiatives in school buildings.
- Utilizing the U.S. EPA Energy Star Portfolio Manager provided by the DOE in assisting with energy conservation programs.
- If a school is located on a campus, Sustainability Coordinators from each school shall hold periodic campus-wide sustainability meetings to coordinate their conservation efforts (e.g., turn off the lights and equipment that are not in use).
- Sustainability Coordinators shall complete and submit to the DOE's Director of Sustainability the Annual Sustainability Survey.
- The Sustainability Coordinator shall consult with representatives from all sectors of the school or DOE Building, including Principal(s), food services, administrative and facilities staff, and wherever possible, parents and students, in developing and implementing all of the sustainability initiatives at the school.

I. Deputy Director of Facilities

The Deputy Director of Facilities shall monitor Custodian Engineers and Building Managers to ensure compliance with each school's Sustainability Plan.

J. Custodian Engineers and Building Managers

Each Custodian Engineer and Building Manager shall be responsible for:

- Providing designated recycling receptacles at each school with a clear plastic bag (Paper receptacles may be unlined);
- Monitoring that recyclable materials from smaller recycling receptacles are placed into larger clear plastic bags (as needed) for DSNY pick-up during collection from classrooms. Separated recyclables shall never be placed in the same bag with garbage;
- Notifying Sustainability Coordinators and Principal(s)/Building Captains of any non-compliant rooms, areas or staff;
- Setting out all recyclables in clear plastics bags in the designated area for regularly scheduled New York City DOE of Sanitation (“DSNY”) pick-up;
- Optimizing building operations to improve energy performance of the buildings and attending the Building Operators Certificate training program offered by the City of New York (at no cost);

K. Reporting

1. Each Principal and Building Captain shall designate a Sustainability Coordinator for the school or building respectively by the last Friday of September each year and shall inform the Director of Sustainability through a website that will be distributed to all Principals and Building Captains.
2. Each Sustainability Coordinator must complete a Sustainability Plan as directed and provided by the DOE and ensure that the Sustainability Plan is signed by the Sustainability Coordinator, Principal, and Custodian Engineer/Building Manger by the last Friday in October each year. In DOE buildings without schools, the plan should be signed by the Sustainability Coordinator, Building Captain and Custodian Engineer/Building Manager.
3. Each Sustainability Coordinator must complete the Annual Sustainability survey issued by the Director of Sustainability by the second Friday in June each year.
4. Each Building Captain in a building without any schools shall report that all non-essential personal equipment (e.g., microwave ovens, mini refrigerators, coffee makes, personal fans, and personal heaters) is removed from offices and cubicles on an annual basis as part of the Sustainability Plan.
5. The Director of Sustainability shall prepare an Annual Sustainability Report for the CEO to be submitted to the Chancellor by January 1st of each year. The Annual Sustainability Report shall include waste preventive measures that have been adopted and implemented by the DOE for the preceding fiscal year.

**VI. BUILDING IMPROVEMENT PROJECTS**

- A. When a school requests approval for a building improvement project that would increase the energy consumption of the building (e.g., a request for an air conditioner or a Smart Board), the principal or building captain must first submit his/her proposal to the CEO. Such proposal will include equipment-specific energy load information and a plan that describes how the requested equipment complies with the school's Sustainability Plan energy reduction targets. All such requested equipment should not increase a school's energy consumption. If such requested equipment does increase a school's energy consumption, a school must complete the energy reduction form that the Director of Sustainability will send to the school or building. Purchase of equipment or services related to such building projects is contingent on receiving approval by the CEO.
- B. If the CEO approves a request for a building improvement project based upon the information the school provides on the energy reduction form, and it is later discovered that the school or building is not in compliance with the terms of the energy reduction form, the DOE reserves the right to remove or request removal the equipment that was approved.

**VII. INQUIRIES**

Inquiries pertaining to this regulation should be addressed to:

Director of Sustainability

N.Y.C. DOE of Education

44-36 Vernon Blvd.

Long Island City, NY 11101

Telephone: 718 349-5487/8

Fax: 718-349-5767