



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

EXECUTIVE DEPUTY COMMISSIONER
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January 31, 2022

Cynthia A. Herubin, CIA, CGAP
Audit Manager
Office of the State Comptroller
110 State Street
Albany, NY 12236

Dear Ms. Herubin:

The Commissioner of the New York State Education Department (NYSED) respectfully submits the following information regarding the implementation status follow-up observations that were contained within the Office of the State Comptroller's report titled "Facility Planning Bureau Project Review, Report 2021-F-25".

Recommendation 1: Take steps to develop clear criteria and goals for project review timeliness.

NYSED Response: Thank you for acknowledging our success in reducing the queue time for project submission to receive review. (From upwards of 40 weeks at the conclusion of the audit, to an average of 6 weeks during the follow up.) This success is the result of implementation of an array of management strategies and clear communication of our expectations to our reviewers.

Our work must always balance the need for speed of review with our responsibility to ensure that our school buildings are safe for their occupants. Public school building occupants rely on us to confirm that the buildings in which they learn and work are compliant with the fire and building codes. Our efforts to improve our work will not cease, but it will always move toward the joint goals of increased safety and speed. We are certain that the Office of the State Comptroller recognizes that this is our duty.

To further clarify the goals for review timeliness, we will continue to monitor staff progress toward project approval goals.

Recommendation 2: Develop a risk-based approach for conducting site visits of projects under construction to gain reasonable assurance that consultants and contractors are not beginning construction before receiving final project approval and that projects are being constructed in accordance with approved plans and specifications.

NYSED Response: Travel directives related to the COVID-19 pandemic and continued concerns about the health and safety of our staff and the occupants of school district buildings have curtailed travel throughout much of the period since the original audit. In addition, staffing vacancies resulting from the state's hiring freeze have limited our construction site visits, since travel days spent away from project reviews have the direct result of lengthening review times – especially in periods of significant staffing gaps. Faced with difficult choices, NYSED hesitated to worsen delays for reviews of the mostly health and safety related projects that were submitted during this time.

As our staffing recovers from the hard hiring freeze, the selection of future site visits will be made via a risk-based evaluation taking into consideration project specific factors such as scope, location, cost, construction duration, and construction period.

Recommendation 3: Take steps to improve the information technology systems used to track and monitor capital construction projects. At a minimum, this should include the development of a reliable web-based portal and the ability to generate management reports on relevant capital construction project information for all Districts.

NYSED Response: We are committed to using data from our newly developed software to continue to improve our management. The new system becoming operational remains a top priority, as outlined.

If you have any questions regarding this response, please contact Christina Coughlin, Assistant Commissioner, at Christina.Coughlin@nysed.gov.

Yours truly,



Sharon Cates-Williams

c: Christina Coughlin
Sara Madison
James Kampf
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