

COVID Project FAQs
NYS Education Department: Office of Facilities Planning
Updated September 4, 2020

The following Q&A is intended to provide guidance on the placement of purchased shipping containers, tents, and modulares on district property; and leases not on district property.

1. Are districts permitted to lease structures on district sites?

Although it is not our usual practice to approve these leases, to address the COVID-19 pandemic, the Commissioner has approved short-term (up to one year) leases on district property to support social distancing during this emergency. This authorization is temporary.

2. Is relief being sought?

Leased structures on district property are not eligible for school building aid.

District letterhead

Date

Project #s

To: Office of Facilities Planning

For the above referenced temporarily leased _____ (unoccupied tents, storage containers, or modulars), I acknowledge:

- The leased _____ is placed on district property.
- The board has taken proper procedural steps to authorize the lease.
 - The Board of Education resolution is attached.
- The lease does not include an option to buy;
- The lease includes a provision that the lease shall be void and unenforceable if entered into in violation of section 801 of the General Municipal Law or section 410 of the Education Law; and
- The lease has an escape clause should school return to remote only learning or other circumstances.
- The authorization is temporary.
- The lease(s) must be short-term and one year or shorter.
- The _____ promotes social distancing during COVID-19.
- No lease aid is available.

Sincerely,

(Typed name)
Superintendent

District letterhead

Date

Project #s

To: Office of Facilities Planning

For the above referenced temporarily leased _____ (occupied tents or modulares), I acknowledge:

- The leased _____ is placed on district property.
- The leased _____ meets requirements for access by individuals with disabilities.
- The board has taken proper procedural steps to authorize the lease.
 - The Board of Education resolution is attached.
- The lease does not include an option to buy;
- The lease includes a provision that the lease shall be void and unenforceable if entered into in violation of section 801 of the General Municipal Law or section 410 of the Education Law; and
- The lease has an escape clause should school return to remote only learning or other circumstances.
- The authorization is temporary.
- The lease(s) must be short-term and one year or shorter.
- The _____ promotes social distancing during COVID-19.
- No lease aid is available.

Sincerely,

(Typed name)
Superintendent