



General Assembly

February Session, 2020

***Raised Bill No. 5431***

LCO No. 2459



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING INDOOR AIR QUALITY IN SCHOOLS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-231e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2020*):

3 (a) [For purposes of] As used in this section and sections 2 to 4,  
4 inclusive, of this act:

5 (1) "School facility" means any permanent building or portable  
6 building or structure or commercial space owned, rented, operated or  
7 leased by a local or regional board of education, including, but not  
8 limited to, donated space, that is used as a classroom or day care or any  
9 other space for education services, including, but not limited to,  
10 classrooms, cafeterias, staff lounges, staff offices, auditoriums,  
11 gymnasiums and libraries;

12 (2) "HVAC system" means the equipment, distribution network and  
13 terminals that provide, either collectively or individually, heating,  
14 ventilation or air conditioning to a building;

15       (3) "School activity hours" means any time of day in which students  
16 or school personnel occupy a school facility throughout the year;

17       (4) "Standard 62" means the American Society of Heating, Ventilating  
18 and Air Conditioning Engineers Standard 62 entitled "Ventilation for  
19 Acceptable Indoor Air Quality", as referenced by the State Building  
20 Code adopted under section 29-252; and

21       (5) "Routine indoor air quality monitoring program" means testing  
22 procedures, testing protocols and testing frequency to ensure that the  
23 maintenance and operation of HVAC systems are in accordance with  
24 Standard 62.

25       (b) Each local [or] and regional board of education shall ensure that  
26 its [heating, ventilation and air conditioning] HVAC system is (1)  
27 maintained and operated in accordance with [the prevailing  
28 maintenance standards, such as] Standard 62, [at the time of installation  
29 or renovation of such system,] and (2) operated continuously during  
30 [the hours in which students or school personnel occupy school  
31 facilities] school activity hours, except (A) during scheduled  
32 maintenance and emergency repairs, and (B) during periods for which  
33 school officials can demonstrate to the local or regional board of  
34 education's satisfaction that the quantity of outdoor air supplied by an  
35 air supply system that is not mechanically driven meets the Standard 62  
36 requirements for air changes per hour. A local or regional board of  
37 education shall close a school for the day if Standard 62 cannot be  
38 maintained by the school for two or more consecutive school activity  
39 hours.

40       (c) Each local and regional board of education shall maintain each of  
41 its school's gymnasiums at an indoor temperature not lower than sixty-  
42 five degrees Fahrenheit and no higher than eighty-five degrees  
43 Fahrenheit while the gymnasium is in use by students. A local or  
44 regional board of education shall require that a school close its  
45 gymnasium for the day when the temperature required pursuant to this  
46 subsection cannot be maintained for two or more consecutive hours

47 while the gymnasium is in use by students.

48 [(c)] (d) Each local [or] and regional board of education shall maintain  
49 records of the maintenance of its [heating, ventilation and air  
50 conditioning] HVAC systems for a period of not less than five years.

51 Sec. 2. (NEW) (*Effective July 1, 2020*) (a) On or before June 30, 2021,  
52 the Department of Public Health shall establish a routine indoor air  
53 quality monitoring program for use by the local and regional boards of  
54 education that is (1) consistent with Standard 62, and (2) approved by a  
55 scientist with expertise in indoor air quality and an industry  
56 professional having knowledge of and experience with Standard 62. The  
57 department shall post the details of such program on its Internet web  
58 site.

59 (b) On or before June 30, 2024, and triennially thereafter, the  
60 Department of Public Health shall review and approve the routine  
61 indoor air quality monitoring program to ensure its efficacy.

62 Sec. 3. (NEW) (*Effective July 1, 2020*) (a) On or before June 30, 2022,  
63 each local and regional board of education shall implement in each of  
64 its schools the routine indoor air quality monitoring program developed  
65 by the Department of Public Health pursuant to section 2 of this act. A  
66 local or regional board of education may transfer execution of its routine  
67 indoor air quality monitoring program to its regional council of  
68 government with the combined approval of the Department of Public  
69 Health and the regional council of government, provided the local or  
70 regional board of education shall retain legal and fiscal responsibility  
71 for the implementation of the program.

72 (b) On or before June 30, 2022, the Department of Public Health shall  
73 establish reporting requirements for local and regional boards of  
74 education to ensure the routine indoor air quality monitoring program  
75 is in effect at each of their school facilities during school activity hours.

76 (c) On or before June 30, 2022, the Department of Public Health shall  
77 establish a voluntary contractor certification program for school facility

78 indoor air quality services. On or before June 30, 2022, a local or regional  
79 board of education entering into a contract for indoor air quality services  
80 shall do so only with a contractor certified by the Department of Public  
81 Health to provide such services.

82       Sec. 4. (NEW) (*Effective July 1, 2020*) (a) On or before December 31,  
83 2020, each superintendent for a local or regional school district shall (1)  
84 designate an individual within the local or regional board of education  
85 to be responsible for receiving complaints of poor indoor air quality  
86 within a school facility, including, but not limited to, evidence of mold,  
87 pest infestation or hazardous odors or chemicals, and reporting such  
88 complaints to the superintendent, (2) make available on the district's  
89 Internet web site the procedure for any party to file such a complaint  
90 with the designated individual, (3) forward any such complaint to the  
91 president of any bargaining unit whose members may be affected by  
92 such reported condition, and (4) report such a complaint to the  
93 superintendent's local or regional board of education at the next  
94 regularly scheduled meeting.

95       (b) The local and regional boards of education shall investigate any  
96 indoor air quality complaint filed pursuant to subsection (a) of this  
97 section and determine the existence of any health hazard. Upon  
98 confirmation of the presence of a health hazard, the local or regional  
99 board of education shall notify the Labor Department's Occupational  
100 Safety and Health Administration of such health hazard and develop  
101 and implement a plan for remedying such hazard. The local and  
102 regional boards of education shall submit such plan to the Department  
103 of Public Health for approval, in a manner determined by the  
104 Commissioner of Public Health.

105       (c) On or before June 30, 2021, each local and regional board of  
106 education shall participate in the United States Environmental  
107 Protection Agency's Air Quality Flag Program.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>July 1, 2020</i>	10-231e
Sec. 2	<i>July 1, 2020</i>	New section
Sec. 3	<i>July 1, 2020</i>	New section
Sec. 4	<i>July 1, 2020</i>	New section

**Statement of Purpose:**

To require local and regional boards of education to maintain healthy indoor air quality in their schools.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*