



General Assembly

January Session, 2021

Substitute Bill No. 288



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 Section 10-231e of the general statutes is repealed and the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, 2021*):

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, 2021*) (a) On or before June 30, 2022, the
52 Department of Public Health shall establish a routine indoor air quality
53 monitoring program for use by local and regional boards of education
54 that (1) is consistent with Standard 62, and (2) has been 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, 2025, and triennially thereafter, the
60 Department of Public Health shall review and update as necessary the
61 routine indoor air quality monitoring program to ensure its efficacy.

62 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) On or before June 30, 2023,
63 each local and regional board of education shall implement in each
64 school under the jurisdiction of such board the routine indoor air quality
65 monitoring program established by the Department of Public Health
66 pursuant to section 2 of this act. A local or regional board of education,
67 with the approval of the Department of Public Health and its regional
68 council of governments, may transfer implementation of such routine
69 indoor air quality monitoring program to such regional council of
70 governments, provided such board shall retain legal and fiscal
71 responsibility for the implementation of the program.

72 (b) On or before June 30, 2023, the Department of Public Health shall
73 establish reporting requirements for local and regional boards of
74 education to ensure that the routine indoor air quality monitoring
75 program is being properly implemented in the school facilities under
76 the jurisdiction of such board during school activity hours.

77 (c) On or before June 30, 2023, the Department of Public Health shall
78 establish a voluntary contractor certification program for school facility
79 indoor air quality services. On or before June 30, 2023, any local or
80 regional board of education entering into a contract for indoor air

81 quality services shall do so only with a contractor certified by the
82 Department of Public Health to provide such services.

83 Sec. 4. (NEW) (Effective July 1, 2021) (a) On or before December 31,
84 2021, the superintendent of schools for a school district shall (1)
85 designate an individual to be responsible for receiving complaints of
86 poor indoor air quality within a school facility, including, but not
87 limited to, evidence of mold, pest infestation or hazardous odors or
88 chemicals, and reporting such complaints to the superintendent, (2)
89 make available on the school district's Internet web site the procedure
90 for any party to file such a complaint with the designated individual, (3)
91 forward any such complaint to the president of any bargaining unit,
92 whose members may be affected by such reported condition, and (4)
93 report such a complaint to the local or regional board of education at the
94 next regularly scheduled meeting.

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

104 (c) On or before June 30, 2022, each local and regional board of
105 education shall participate in the United States Environmental
106 Protection Agency's Air Quality Flag Program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2021	10-231e
Sec. 2	July 1, 2021	New section
Sec. 3	July 1, 2021	New section
Sec. 4	July 1, 2021	New section

Statement of Legislative Commissioners:

In Section 2(a), Subdiv. (1) was moved before "is" for clarity; in Section 2(a)(2), "has been" was added before "approved" for clarity; in Section 2(b), "approve" was changed to "update as necessary" for clarity; in Section 3(a), "of its schools" was changed to "school under the jurisdiction of such board" for clarity and for consistency with standard drafting conventions, "developed" was changed to "established" for clarity and consistency with provisions of Section 2, and "execution" was changed to "implementation" for consistency with other provisions of the Section; in Section 3(b), "in effect at each of their school facilities" was changed to "being properly implemented in the school facilities under the jurisdiction of such board" for clarity; in Section 4(a), "of schools" was added for consistency with other provisions of the general statutes; and in Section 4(a)(2), "school" was added for consistency with other provisions of the general statutes.

PH *Joint Favorable Subst. -LCO*