
OLR Bill Analysis

sSB 1198

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE SCHOOL INDOOR AIR QUALITY WORKING GROUP.

SUMMARY

This bill requires school districts to do more frequent inspections and evaluations of public-school indoor air quality and to submit the inspection results to the Department of Administrative Services (DAS), which must post them on a new air quality inspection portal the bill requires DAS to create. Under current law, these inspections must be done every three years for any school constructed, extended, renovated, or replaced on or after January 1, 2003. The bill instead requires they be done annually beginning January 1, 2024.

It also gives school districts more time to do a less frequent heating, ventilation, and air conditioning system (HVAC) inspection that must be done by a certified technician, certified industrial hygienist, or a mechanical engineer. Current law requires these inspections to be done prior to January 1, 2024, and every five years after that. The bill moves the deadline to January 1, 2025, and creates a waiver process for certain situations.

The bill also makes various other changes related to school indoor air quality, including the following:

1. authorizes an additional \$300 million in state bonding to be used for the school HVAC system grant program (§ 4);
2. requires the Department of Public Health (DPH) to develop guidelines for an optimal temperature comfort range of 65 to 80 degrees Fahrenheit in school buildings and facilities, but allows gymnasiums and natatoriums to have a larger range (§ 5); and

3. expands the charge of the School Indoor Air Quality Working Group created under PA 22-118 and extends, from January 4, 2023, to July 1, 2024, the deadline by which it must report to the Education, Labor and Public Employees, and Public Health committees (§ 1).

EFFECTIVE DATE: July 1, 2023, except that the working group provisions take effect upon passage.

§ 3 — AIR QUALITY INSPECTIONS

Submitting Results to DAS

Under the bill, school districts must submit reports and results from each of the following types of inspections to DAS in accordance with the bill (see § 2 below).

Annual Air Quality Inspection or Evaluation

Current law requires school districts to do uniform indoor air quality inspections and evaluations every three years for any school built or renovated on or after January 1, 2003, and may do so using the federal Environmental Protection Agency’s (EPA) Indoor Air Quality Tools for School Program (see BACKGROUND). The bill instead makes the inspections annual and requires, rather than allows, the inspections to use Tools for Schools.

Under existing law, unchanged by the bill, the inspection or evaluation must include the following, among other things: HVAC systems; radon levels; potential for exposure to microbiological airborne particles, including fungi, mold, and bacteria; chemical compounds of concern to indoor air quality, including volatile organic compounds; pest infestation, including insects and rodents; the degree of pesticide usage; plumbing, including water distribution and drainage systems, and indoor air quality maintenance training for staff.

By law, the inspection results must be made public at a school board meeting and posted online.

HVAC Inspection by Certified Technician or Hygienist or Mechanical Engineer

The bill extends, from January 1, 2024, to January 1, 2025, the deadline by which school districts must start having HVAC inspections every five years that are done by a certified testing, adjusting, and balancing technician, industrial hygienist certified by the American Board of Industrial Hygiene or the Board for Global EHS Credentialing, or a mechanical engineer.

By law, a “certified testing, adjusting and balancing technician” is (1) a technician certified to do testing, adjusting, and balancing of HVAC systems by the Associated Air Balance Council, the National Environmental Balancing Bureau, or the Testing, Adjusting and Balancing Bureau (TABB) or (2) someone training under the supervision of a (a) TABB-certified technician or (b) person certified to do ventilation assessments of HVAC systems through a certification body accredited by the American National Standards Institute.

Waiver

The bill creates a process for DAS to grant waivers of the January 1, 2025, inspection and evaluation deadline. (It does not include a deadline to submit the waiver request or specify for how long the waiver is granted.)

Upon a school board’s request, DAS may waive the deadline if it finds one of the following:

1. there are not enough certified testing, adjusting and balancing technicians, certified industrial hygienists or mechanical engineers to do the inspection and evaluation;
2. the board had an inspection that was done in a different format that DAS deems is equivalent; or
3. the board scheduled the inspection and evaluation for a date after January 1, 2025.

§ 2 — SCHOOL INDOOR AIR QUALITY AND HVAC PORTAL

The bill requires DAS to establish and maintain an online School Indoor Air Quality and HVAC portal to collect and make available

reports and results of inspections and evaluations of school indoor air quality and HVAC systems the bill requires.

The department must prescribe how school boards submit the reports and results and may consult with HVAC and indoor air quality industry representatives to help develop a standard reporting form for the portal.

The portal must include (1) the standard reporting form and instructions on how to submit the form with the inspection results, (2) a searchable database of the inspection results, and (3) aggregated data of the results.

§ 4 — BONDING FOR SCHOOL INDOOR AIR QUALITY IMPROVEMENTS

The bill increases, from \$75 million to \$375 million, the bond authorization for funding under the HVAC system grant program. It also requires that \$150 million of this authorization take effect July 1, 2024.

Current law requires DAS to use the bond proceeds to provide grants-in-aid for school air quality improvements including upgrading, replacing, or installing HVAC equipment. The bill instead specifies the improvements include those authorized under the HVAC grant program (PA 22-118, § 367, codified at CGS § 10-265r).

§ 1 — INDOOR AIR QUALITY WORKING GROUP

PA 22-118 created a 23-member working group on school indoor air quality to study and make recommendations on various related issues, such as (1) optimal temperature ranges to ensure healthy air and promote student learning, (2) emergency air quality conditions that warrant temporary school closures, and (3) best practices for properly maintaining school HVAC systems. For the latter, the bill specifies that its recommendations must also include the frequency and scope of the maintenance.

The bill also requires the working group to study and recommend a needs-based system for equitably distributing funds under the HVAC system grant program for schools.

BACKGROUND

Tools for Schools

The EPA’s Tools for Schools program helps schools identify and address indoor air quality issues, including using its action kit, which has guidance for existing school staff to do practical inspections and take other steps at little or no cost.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 41 Nay 3 (03/24/2023)