



General Assembly

February Session, 2024

Raised Bill No. 287

LCO No. 2308



Referred to Committee on EDUCATION

Introduced by:
(ED)

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 370 of public act 22-118, as amended by section 42
2 of public act 23-167, is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) There is established a working group to study and make
5 recommendations related to indoor air quality within school buildings.
6 Such recommendations shall include, but need not be limited to:

7 (1) The optimal humidity and temperature ranges to ensure healthy
8 air and promote student learning;

9 (2) Threshold school air quality emergency conditions warranting
10 temporary school closures based on the presence of insufficient heat, an
11 excessive combination of indoor temperature and humidity levels, or
12 some other thresholds;

13 (3) Criteria for rating the priority of heating, ventilation and air
14 conditioning repair and remediation needs, including the public health

15 condition and needs of the students attending a school;

16 (4) Optimal heating, ventilation and air conditioning system
17 performance benchmarks for minimizing the spread of infectious
18 disease;

19 (5) Protocols to be used by school districts to receive, investigate and
20 address complaints or evidence of mold, pest infestation, hazardous
21 odors or chemicals and poor indoor air-quality;

22 (6) The frequency with which local and regional boards of education
23 should be providing for a uniform inspection and evaluation program
24 of the indoor air quality within school buildings, such as the
25 Environmental Protection Agency's Indoor Air Quality Tools for
26 Schools Program, and whether such program should be provided for at
27 all schools or only at those constructed before or after a certain date;

28 (7) Best practices for the proper maintenance of heating, ventilation
29 and air conditions systems in school buildings, including the frequency
30 and scope of such maintenance;

31 (8) A system of equitable distribution of funds, based on need, under
32 the heating, ventilation and air conditioning system grant program
33 pursuant to section 10-265r of the general statutes, as amended by this
34 act;

35 (9) Ways to make the reports and results of the uniform inspections
36 and evaluations of the indoor air quality and heating, ventilation and
37 air conditioning systems of school buildings, conducted pursuant to
38 section 10-220 of the general statutes, as amended by this act, accessible
39 and searchable;

40 (10) Any other criteria affecting school indoor air quality; and

41 (11) Proposals for legislation to carry out any of the recommendations
42 of the working group.

43 (b) The working group shall consist of the following members:

44 (1) Three appointed by the president pro tempore of the Senate, one
45 of whom is a representative of ConnectiCOSH, one of whom is a
46 representative of the Associated Sheet Metal and Roofing Contractors of
47 Connecticut, and one of whom is a member of the Senate;

48 (2) Three appointed by the speaker of the House of Representatives,
49 one of whom is a specialist in the field of children's health, one of whom
50 is a representative of the Connecticut State Building Trades Council, and
51 one of whom is a member of the House of Representatives;

52 (3) Two appointed by the majority leader of the Senate, one of whom
53 is a representative of the American Federation of Teachers-Connecticut
54 and one of whom is a representative of the Connecticut Association of
55 Public School Superintendents;

56 (4) Two appointed by the majority leader of the House of
57 Representatives, one of whom is a representative of the Connecticut
58 Education Association and one of whom is a representative of the
59 Connecticut Association of Boards of Education;

60 (5) Two appointed by the minority leader of the Senate, one of whom
61 is a specialist in the field of medicine on respiratory health and one of
62 whom is a representative of the Council of Small Towns;

63 (6) Two appointed by the minority leader of the House, one of whom
64 is an industrial hygienist and one of whom is a representative of the
65 Mechanical Contractors of Connecticut;

66 (7) Two appointed by the Governor, one of whom is a school nurse
67 and one of whom is a representative of the Connecticut Conference of
68 Municipalities;

69 (8) The Secretary of the Office of Policy and Management, or the
70 Secretary's designee;

71 (9) The Commissioner of Education, or the commissioner's designee;

72 (10) The Commissioner of Administrative Services, or the

73 commissioner's designee;

74 (11) The Labor Commissioner, or the commissioner's designee;

75 (12) The Commissioner of Public Health, or the commissioner's
76 designee;

77 (13) The Commissioner of Consumer Protection, or the
78 commissioner's designee; and

79 (14) The Commissioner of Energy and Environmental Protection, or
80 the commissioner's designee.

81 (c) All appointments to the working group shall be made not later
82 than sixty days after the effective date of this section. Any vacancy shall
83 be filled by the appointing authority.

84 (d) The member of the Senate appointed by the president pro
85 tempore of the Senate pursuant to subdivision (1) of subsection (b) of
86 this section and the member of the House of Representatives appointed
87 by the speaker of the House of Representatives pursuant to subdivision
88 (2) of subsection (b) of this section shall serve as the chairpersons of the
89 working group. Such chairpersons shall schedule the first meeting of the
90 working group, which shall be held not later than sixty days after the
91 effective date of this section.

92 (e) Not later than July 1, [2024] 2025, the working group shall submit
93 a report on its findings and recommendations to the Governor and the
94 joint standing committees of the General Assembly having cognizance
95 of matters relating to education, labor and public health, in accordance
96 with the provisions of section 11-4a of the general statutes. The working
97 group shall terminate on July 1, [2024] 2025, or on the submission of the
98 report, whichever is later.

99 Sec. 2. Subdivision (3) of subsection (d) of section 10-220 of the 2024
100 supplement to the general statutes is repealed and the following is
101 substituted in lieu thereof (*Effective July 1, 2024*):

102 (3) (A) [Prior to January 1, 2025, and every five years thereafter, a] For
103 the period commencing July 1, 2025, and ending and including June 30,
104 2030, each local or regional board of education shall provide for a
105 uniform inspection and evaluation of the heating, ventilation and air
106 conditioning system within each school building under its jurisdiction.
107 During such period, the board shall provide such inspection for at least
108 twenty per cent of the schools under its jurisdiction in each year until
109 each such school has been inspected. Each such school shall be so
110 inspected every five years thereafter. The Department of Administrative
111 Services may, upon request of a local or regional board of education,
112 grant a waiver of the provisions of this subparagraph if the department
113 finds that (i) there is an insufficient number of certified testing, adjusting
114 and balancing technicians, industrial hygienists certified by the
115 American Board of Industrial Hygiene or the Board for Global EHS
116 Credentialing, mechanical engineers or mechanical contractors licensed
117 in heating, ventilation and air conditioning systems to perform such
118 inspection and evaluation, or (ii) such board has scheduled such
119 inspection and evaluation for a date in the subsequent year. Such waiver
120 shall be valid for a period not to exceed one year.

121 (B) Such inspection and evaluation shall be performed by a certified
122 testing, adjusting and balancing technician, an industrial hygienist
123 certified by the American Board of Industrial Hygiene or the Board for
124 Global EHS Credentialing, [or] a mechanical engineer or a mechanical
125 contractor licensed in heating, ventilation and air conditioning systems.
126 Such heating, ventilation and air conditioning systems inspection and
127 evaluation shall include, but need not be limited to: [(A)] (i) Testing for
128 maximum filter efficiency, [(B)] (ii) physical measurements of outside
129 air delivery rate, [(C)] (iii) verification of the appropriate condition and
130 operation of ventilation components, [(D)] (iv) measurement of air
131 distribution through all system inlets and outlets, [(E)] (v) verification
132 of unit operation and that required maintenance has been performed in
133 accordance with the most recent indoor ventilation standards
134 promulgated by the American Society of Heating, Refrigerating and
135 Air-Conditioning Engineers, [(F)] (vi) verification of control sequences,

136 [(G)] (vii) verification of carbon dioxide sensors and acceptable carbon
137 dioxide concentrations indoors, and [(H)] (viii) collection of field data
138 for the installation of mechanical ventilation if none exist. The
139 ventilation systems inspection and evaluation shall identify to what
140 extent each school's current ventilation system components, including
141 any existing central or noncentral mechanical ventilation system, are
142 operating in such a manner as to provide appropriate ventilation to the
143 school building in accordance with most recent indoor ventilation
144 standards promulgated by the American Society of Heating,
145 Refrigerating and Air-Conditioning Engineers. The inspection and
146 evaluation shall result in a written report, and such report shall include
147 any corrective actions necessary to be performed to the mechanical
148 ventilation system or the heating, ventilation and air conditioning
149 infrastructure, including installation of filters meeting the most optimal
150 level of filtration available for a given heating, ventilation and air
151 conditioning system, installation of carbon dioxide sensors and
152 additional maintenance, repairs, upgrades or replacement. Any such
153 corrective actions shall be performed, where appropriate, by a
154 contractor, who is licensed in accordance with chapter 393. Any local or
155 regional board of education conducting an inspection and evaluations
156 pursuant to this subsection shall [(i)] (I) make available for public
157 inspection the results of such inspection and evaluation at a regularly
158 scheduled meeting of such board and on the Internet web site of such
159 board and on the Internet web site, if any, of each individual school, and
160 [(ii)] (II) submit the report and results of such inspection and evaluation
161 to the Department of Administrative Services using the form developed
162 pursuant to section 10-231h. A local or regional board of education shall
163 not be required to provide for a uniform inspection and evaluation
164 under this subdivision for any school building that will cease to be used
165 as a school building within the three years from when such inspection
166 and evaluation is to be performed. Any local or regional board of
167 education that has provided for an inspection that was performed in a
168 different format, but is deemed equivalent by the department, may use
169 such inspection in lieu of a uniform inspection and evaluation under this
170 subdivision. [The Department of Administrative Services may, upon

171 request of a local or regional board of education, grant a waiver of the
 172 January 1, 2025, deadline for the provision of a uniform inspection and
 173 evaluation under this subdivision if the department finds that (I) there
 174 is an insufficient number of certified testing, adjusting and balancing
 175 technicians, industrial hygienists certified by the American Board of
 176 Industrial Hygiene or the Board for Global EHS Credentialing or
 177 mechanical engineers to perform such inspection and evaluation, or (II)
 178 such board has scheduled such inspection and evaluation for a date after
 179 January 1, 2025. Such waiver shall be valid for one year.]

180 Sec. 3. Subdivision (3) of subsection (b) of section 10-265r of the 2024
 181 supplement to the general statutes is repealed and the following is
 182 substituted in lieu thereof (*Effective July 1, 2024*):

183 (3) The commissioner [shall not] may award a grant under the
 184 program to [any applicant that, on or after July 1, 2024, has not certified
 185 compliance with] an applicant for the performance of the uniform
 186 inspection and evaluation of an existing heating, ventilation and air
 187 conditioning system pursuant to subsection (d) of section 10-220, as
 188 amended by this act, except that the commissioner shall not award a
 189 grant under the program to any applicant for any other purpose
 190 authorized under this section that has not certified compliance with the
 191 uniform inspection and evaluation of an existing heating, ventilation
 192 and air conditioning system pursuant to subsection (d) of section 10-220,
 193 as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	PA 22-118, Sec. 370
Sec. 2	<i>July 1, 2024</i>	10-220(d)(3)
Sec. 3	<i>July 1, 2024</i>	10-265r(b)(3)

Statement of Purpose:

To (1) extend the reporting date of the indoor air quality within school buildings task force; (2) allow the cost of performing the uniform inspection and evaluation of HVAC systems to be a reimbursable cost under the heating, ventilation and air conditioning system grant

program; and (3) provide boards of education flexibility when it comes to performing such uniform inspection and evaluations.

[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.]