



# House of Representatives

General Assembly

**File No. 513**

*January Session, 2009*

Substitute House Bill No. 6496

*House of Representatives, April 6, 2009*

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING GREEN CLEANING PRODUCTS IN SCHOOLS.**

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this  
2 section, (1) "green cleaning program" means the procurement of  
3 environmentally preferable cleaning products for use in school  
4 buildings and facilities and the utilization of best cleaning  
5 management practices, and (2) "environmentally preferable cleaning  
6 product" includes, but is not limited to, general purpose cleaners,  
7 bathroom cleaners, carpet cleaners, glass cleaners, floor finishes, floor  
8 strippers, hand cleaners and soaps and vacuum cleaners, but does not  
9 include any disinfectant, disinfecting cleaner, sanitizer or any other  
10 antimicrobial product regulated by the federal Insecticide, Fungicide  
11 and Rodenticide Act, 7 USC 136 et seq.

12 (b) On or after October 1, 2011, each local and regional board of  
13 education shall implement a green cleaning program for the cleaning

14 and maintenance of school buildings and facilities in its district. No  
15 person shall use a cleaning product inside a school unless such  
16 cleaning product meets standards set by a certified independent third  
17 party, as described in subsection (c) of this section. Such cleaning  
18 product shall, to the maximum extent possible, minimize the potential  
19 harmful impact on human health and the environment.

20 (c) A certified independent third party is an entity that: (1) Has an  
21 open and transparent process for establishing certification standards  
22 for environmentally preferable cleaning products that allows  
23 participation by the public and stakeholders; (2) clearly defines the fees  
24 that manufacturers are required to pay for certification as an  
25 environmentally preferable cleaning product; (3) clearly identifies any  
26 potential conflicts of interest that may exist between such third party  
27 and any manufacturer of environmentally preferable cleaning  
28 products; (4) (A) uses criteria for certification as an environmentally  
29 preferable cleaning product, that includes consideration of human  
30 health and safety, ecological toxicity and other environmental impacts  
31 and resource conservation, as appropriate, for the product and its  
32 packaging, on a life-cycle basis, and (B) publishes such criteria; (5)  
33 conducts periodic revisions and updates of certification standards; (6)  
34 monitors and enforces certification standards by periodically  
35 inspecting manufacturing facilities; (7) has a legally registered  
36 certification mark; (8) makes certification standards available to  
37 purchasers and manufacturers on its web site; (9) develops certification  
38 standards by consensus, if possible; and (10) establishes leadership  
39 levels in certification standards for products.

40 (d) On or before April 1, 2010, the Department of Administrative  
41 Services, in consultation with the Department of Environmental  
42 Protection and the Department of Public Health, shall develop and  
43 post guidelines on the department's web site for the procurement of  
44 environmentally preferable cleaning products and best cleaning  
45 management practices in schools.

46 (e) On or before April 1, 2010, the Department of Administrative

47 Services shall prepare a list of vendors who (1) sell environmentally  
48 preferable products, which meet the standards established by a  
49 certified independent third party, (2) provide free training for the use  
50 of such products, and (3) offer discounts through bulk purchasing  
51 agreements. Such list shall be reviewed and updated every two years.

52 (f) On or before April 1, 2010, the Department of Education, in  
53 consultation with the Department of Public Health and the  
54 Department of Environmental Protection, shall amend the school  
55 facility survey form to include questions regarding the phase-in of  
56 green cleaning programs at schools.

57 (g) On and after July 1, 2011, facility managers, custodians and  
58 indoor air quality committees shall receive training in best cleaning  
59 management practices as part of the green cleaning program in the  
60 district and shall complete a refresher training course every five years.

61 (h) On or before July 1, 2010, and annually thereafter, the local or  
62 regional board of education shall provide for the mailing of notice to  
63 parents and guardians or students regarding the school district's green  
64 cleaning policy. Such notice shall include (1) the types and names of  
65 environmentally preferable cleaning products being applied in schools,  
66 (2) the location of the application of such cleaning products in the  
67 school buildings and facilities, (3) the schedule of when such cleaning  
68 products are applied in the school buildings and facilities, (4) the  
69 statement, "No parent, guardian, teacher or staff member may bring  
70 into the school facility any consumer product which is intended to  
71 clean, deodorize, sanitize or disinfect.", and (5) the name of the school  
72 administrator, or a designee, who may be contacted for further  
73 information. Such notice, as well as the report submitted to the  
74 Department of Education pursuant to subsection (a) of section 10-220  
75 of the general statutes, as amended by this act, shall be made available  
76 on each individual school's web site.

77 Sec. 2. Section 10-220 of the general statutes is repealed and the  
78 following is substituted in lieu thereof (*Effective October 1, 2009*):

79 (a) Each local or regional board of education shall maintain good  
80 public elementary and secondary schools, implement the educational  
81 interests of the state as defined in section 10-4a and provide such other  
82 educational activities as in its judgment will best serve the interests of  
83 the school district; provided any board of education may secure such  
84 opportunities in another school district in accordance with provisions  
85 of the general statutes and shall give all the children of the school  
86 district as nearly equal advantages as may be practicable; shall provide  
87 an appropriate learning environment for its students which includes  
88 (1) adequate instructional books, supplies, materials, equipment,  
89 staffing, facilities and technology, (2) equitable allocation of resources  
90 among its schools, (3) proper maintenance of facilities, and (4) a safe  
91 school setting; shall have charge of the schools of its respective school  
92 district; shall make a continuing study of the need for school facilities  
93 and of a long-term school building program and from time to time  
94 make recommendations based on such study to the town; shall adopt  
95 and implement an indoor air quality program that provides for  
96 ongoing maintenance and facility reviews necessary for the  
97 maintenance and improvement of the indoor air quality of its facilities;  
98 shall adopt and implement a green cleaning program, pursuant to  
99 section 1 of this act, that provides for the procurement and use of  
100 environmentally preferable cleaning products in school buildings and  
101 facilities; shall report biennially to the Commissioner of Education on  
102 the condition of its facilities and the action taken to implement its long-  
103 term school building program, [and] indoor air quality program and  
104 green cleaning program, which report the Commissioner of Education  
105 shall use to prepare a biennial report that said commissioner shall  
106 submit in accordance with section 11-4a to the joint standing  
107 committee of the General Assembly having cognizance of matters  
108 relating to education; shall advise the Commissioner of Education of  
109 the relationship between any individual school building project  
110 pursuant to chapter 173 and such long-term school building program;  
111 shall have the care, maintenance and operation of buildings, lands,  
112 apparatus and other property used for school purposes and at all times  
113 shall insure all such buildings and all capital equipment contained

114 therein against loss in an amount not less than eighty per cent of  
115 replacement cost; shall determine the number, age and qualifications  
116 of the pupils to be admitted into each school; shall develop and  
117 implement a written plan for minority staff recruitment for purposes  
118 of subdivision (3) of section 10-4a; shall employ and dismiss the  
119 teachers of the schools of such district subject to the provisions of  
120 sections 10-151 and 10-158a; shall designate the schools which shall be  
121 attended by the various children within the school district; shall make  
122 such provisions as will enable each child of school age, residing in the  
123 district to attend some public day school for the period required by  
124 law and provide for the transportation of children wherever  
125 transportation is reasonable and desirable, and for such purpose may  
126 make contracts covering periods of not more than five years; may  
127 place in an alternative school program or other suitable educational  
128 program a pupil enrolling in school who is nineteen years of age or  
129 older and cannot acquire a sufficient number of credits for graduation  
130 by age twenty-one; may arrange with the board of education of an  
131 adjacent town for the instruction therein of such children as can attend  
132 school in such adjacent town more conveniently; shall cause each child  
133 five years of age and over and under eighteen years of age who is not a  
134 high school graduate and is living in the school district to attend  
135 school in accordance with the provisions of section 10-184, and shall  
136 perform all acts required of it by the town or necessary to carry into  
137 effect the powers and duties imposed by law.

138 (b) The board of education of each local or regional school district  
139 shall, with the participation of parents, students, school administrators,  
140 teachers, citizens, local elected officials and any other individuals or  
141 groups such board shall deem appropriate, prepare a statement of  
142 educational goals for such local or regional school district. The  
143 statement of goals shall be consistent with state-wide goals pursuant to  
144 subsection (c) of section 10-4. Each local or regional board of education  
145 shall develop student objectives which relate directly to the statement  
146 of educational goals prepared pursuant to this subsection and which  
147 identify specific expectations for students in terms of skills, knowledge  
148 and competence.

149 (c) Annually, each local and regional board of education shall  
150 submit to the Commissioner of Education a strategic school profile  
151 report for each school under its jurisdiction and for the school district  
152 as a whole. The superintendent of each local and regional school  
153 district shall present the profile report at the next regularly scheduled  
154 public meeting of the board of education after each November first.  
155 The profile report shall provide information on measures of (1) student  
156 needs, (2) school resources, including technological resources and  
157 utilization of such resources and infrastructure, (3) student and school  
158 performance, (4) equitable allocation of resources among its schools,  
159 (5) reduction of racial, ethnic and economic isolation, and (6) special  
160 education. For purposes of this subsection, measures of special  
161 education include (A) special education identification rates by  
162 disability, (B) rates at which special education students are exempted  
163 from mastery testing pursuant to section 10-14q, (C) expenditures for  
164 special education, including such expenditures as a percentage of total  
165 expenditures, (D) achievement data for special education students, (E)  
166 rates at which students identified as requiring special education are no  
167 longer identified as requiring special education, (F) the availability of  
168 supplemental educational services for students lacking basic  
169 educational skills, (G) the amount of special education student  
170 instructional time with nondisabled peers, (H) the number of students  
171 placed out-of-district, and (I) the actions taken by the school district to  
172 improve special education programs, as indicated by analyses of the  
173 local data provided in subparagraphs (A) to (H), inclusive, of this  
174 subdivision. The superintendent shall include in the narrative portion  
175 of the report information about parental involvement and if the district  
176 has taken measures to improve parental involvement, including, but  
177 not limited to, employment of methods to engage parents in the  
178 planning and improvement of school programs and methods to  
179 increase support to parents working at home with their children on  
180 learning activities.

181 (d) Prior to January 1, 2008, and every five years thereafter, for  
182 every school building that is or has been constructed, extended,  
183 renovated or replaced on or after January 1, 2003, a local or regional

184 board of education shall provide for a uniform inspection and  
 185 evaluation program of the indoor air quality within such buildings,  
 186 such as the Environmental Protection Agency's Indoor Air Quality  
 187 Tools for Schools Program. The inspection and evaluation program  
 188 shall include, but not be limited to, a review, inspection or evaluation  
 189 of the following: (1) The heating, ventilation and air conditioning  
 190 systems; (2) radon levels in the water and the air; (3) potential for  
 191 exposure to microbiological airborne particles, including, but not  
 192 limited to, fungi, mold and bacteria; (4) chemical compounds of  
 193 concern to indoor air quality including, but not limited to, volatile  
 194 organic compounds; (5) the degree of pest infestation, including, but  
 195 not limited to, insects and rodents; (6) the degree of pesticide usage; (7)  
 196 the presence of and the plans for removal of any hazardous substances  
 197 that are contained on the list prepared pursuant to Section 302 of the  
 198 federal Emergency Planning and Community Right-to-Know Act, 42  
 199 USC 9601 et seq.; (8) ventilation systems; (9) plumbing, including  
 200 water distribution systems, drainage systems and fixtures; (10)  
 201 moisture incursion; (11) the overall cleanliness of the facilities; (12)  
 202 building structural elements, including, but not limited to, roofing,  
 203 basements or slabs; (13) the use of space, particularly areas that were  
 204 designed to be unoccupied; and (14) the provision of indoor air quality  
 205 maintenance training for building staff. Local and regional boards of  
 206 education conducting evaluations pursuant to this subsection shall  
 207 make available for public inspection the results of the inspection and  
 208 evaluation at a regularly scheduled board of education meeting and on  
 209 each individual school's web site.

210 (e) Each local and regional board of education shall establish a  
 211 school district curriculum committee. The committee shall  
 212 recommend, develop, review and approve all curriculum for the local  
 213 or regional school district.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section

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Sec. 2	October 1, 2009	10-220
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**Statement of Legislative Commissioners:**

In section 1 (d) the phrase "on the department's web site" was added after "post" for clarity.

**ED**      *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

## OFA Fiscal Note

### State Impact:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Dept. of Administrative Services	GF - Cost	40,500	54,000
State Technical High Schools	GF - See Below	See Below	See Below
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	10,299	13,732

Note: GF=General Fund

### Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Local and Regional School Districts	STATE MANDATE - See Below	See Below	See Below

### Explanation

The bill requires local and regional boards of education to implement a “green cleaning program” on or after October 1, 2011. It is anticipated that using cleaning products that meet the standards outlined in the bill, will not result in an additional cost to local and regional boards of education. In some instances, green cleaning products have been found to be less expensive than non-green products.

The bill also requires the Department of Administrative Services (DAS), by April 1, 2010, to develop guidelines for the green cleaning

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller on an actual cost basis. The following is provided for estimated costs associated with additional personnel. The estimated non-pension fringe benefit rate as a percentage of payroll is 25.43%. Fringe benefit costs for new positions do not initially include pension costs as the state's pension contribution is based upon the 6/30/08 actuarial valuation for the State Employees Retirement System (SERS) which certifies the contribution for FY 10 and

programs and provide a list of vendors who sell, and train people in how to use, environmentally preferable products. The bill also establishes qualifications for the certified independent third parties that determine which cleaning products are environmentally preferable for use in schools.

DAS currently has guidelines for use by state agencies and their contractors for environmentally preferred cleaning products. However, DAS has no expertise or experience in determining “best cleaning management practices” in schools. The state standards for cleaning products differ from those outlined in the bill, and this bill would require DAS to create separate guidelines for use only by local and regional boards of education.

It is anticipated that DAS would need one additional position, with an annualized salary of approximately \$54,000 (9 months funding in FY 10), to handle the new responsibilities in the bill. This new position will be responsible for researching, training and setting of criteria involved in developing and maintaining guidelines for the green cleaning programs, and researching and evaluating vendors who sell green cleaning products. The new position would also develop and post guidelines and prepare and maintain lists of the numerous third party entities’ that set standards for environmentally preferable products.

The bill requires that on and after July 1, 2011 facility managers, custodians, and indoor air quality committees shall receive training in best cleaning practices related to the green cleaning program. It is anticipated that this could result in a minimal cost to municipalities as well as the Technical High School System. Based on similar training requirements it is anticipated that the training could be conducted for approximately \$100 per staff member. The cost for training would not be incurred until FY 12.

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FY 11. Therefore, new positions will not impact the state's pension contribution until FY 12 after the next scheduled certification on 6/30/2010.

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In addition to training requirements, local and regional boards of education are required, beginning in FY 11, to annually notify students or parents and guardians about the school district's green cleaning policy and to publish the notices on the school's website. This is anticipated to result in a minimal cost to local and regional school districts associated with the printing and distribution of the green cleaning policy.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation. The requirement and corresponding costs mentioned above, for training facility managers, custodians, and indoor air quality committees would begin in FY 12.

Sources: [www.education-world.com](http://www.education-world.com); Bristol Press, October 2008; Connecticut Department of Administrative Services

**OLR Bill Analysis****sHB 6496*****AN ACT CONCERNING GREEN CLEANING PRODUCTS IN SCHOOLS.*****SUMMARY:**

This bill requires local and regional school boards to implement a green cleaning program to clean and maintain their schools. The program must provide for procurement and use of environmentally preferable cleaning products in schools. The bill also prohibits schools from using any cleaning products inside their schools that do not (1) meet standards for environmentally preferable cleaning products set by a certified independent third party that meets criteria the bill establishes and (2) as far as possible, minimize potential harmful effects on human health and the environment. Since the bill makes these provisions effective “on or after” October 1, 2011, it is not clear when school boards must implement them.

By April 1, 2010, the bill requires the Department of Administrative Services (DAS) to develop guidelines for the green cleaning programs and provide a list of vendors who sell, and train people in how to use, environmentally preferable products. It requires the State Department of Education (SDE) to change its school facilities survey form to include questions on phasing in green cleaning programs at schools. In developing green cleaning program guidelines and changes in school facilities forms, DAS and SDE must consult with the departments of Environmental Protection (DEP) and Public Health (DPH).

By July 1, 2010 and each year thereafter, the bill requires school districts to notify students or parents and guardians about the district’s green cleaning policy and to publish the notices on each school’s website. The notice must state that parents, guardians, and school staff

are prohibited from bringing any cleaning, deodorizing, sanitizing, or disinfecting product to school.

On and after July 1, 2011, the bill also requires school facility managers, custodians, and indoor air quality committees (see BACKGROUND) to be trained in best cleaning management practices and to complete a refresher course every five years.

The bill expands the existing biennial report each school district must make to the education commissioner on the condition of its school facilities and the implementation of its indoor air quality program in those facilities to also cover implementation of the green cleaning program in each school. The bill requires the district to post the report information on each school's website.

Finally, the bill requires districts to post on the appropriate school's website the results of any required evaluations and inspections of the building's indoor air quality. By law, such an inspection is required before January 1, 2008 and every five years thereafter for any school building that is built, extended, renovated, or replaced on or after January 1, 2003. The website posting requirement is in addition to existing requirements that the results of the evaluation be available for public inspection at a regularly scheduled board of education meeting.

EFFECTIVE DATE: October 1, 2009

### **ENVIRONMENTALLY PREFERABLE CLEANING PRODUCT**

Under the bill, an "environmentally preferable cleaning product" includes general purpose, bathroom, and carpet cleaners; hand cleaners and soaps; floor finishes and strippers; and vacuum cleaners. It does not include antimicrobial products regulated under the Federal Insecticide, Fungicide and Rodenticide Act, such as disinfectants, disinfecting cleaners, and sanitizers. Environmentally preferable cleaning products must also be certified as such by a certified independent third party that meets the bill's criteria.

### **CERTIFIED INDEPENDENT THIRD PARTY**

The bill establishes the following qualifications for the certified independent third parties that determine which cleaning products are environmentally preferable for use in schools. Such an entity must:

1. have an open process for establishing certification standards that allows public and stakeholder participation;
2. if possible, develop its standards by consensus;
3. define the fees manufacturers must pay for certification and identify any potential conflicts of interest between a manufacturer and the entity;
4. publish and use certification criteria that consider human health and safety, ecological toxicity and other environmental effects, and appropriate resource conservation for the product and its packaging on a life-cycle basis;
5. periodically revise and update its standards and make them available on its website;
6. periodically inspect manufacturing facilities to monitor and enforce standards;
7. have a legally registered certification mark; and
8. establish leadership levels in certification standards for products.

#### **STATE AGENCY REQUIREMENTS AND DEADLINES**

Under the bill, by April 1, 2010, DAS must:

1. in consultation with DEP and DPH, develop and post on its website guidelines for procuring environmentally preferable cleaning products and for best cleaning management practices in schools; and
2. prepare a list of vendors who (a) sell the certified products, (b) provide free training in how to use them, and (c) offer discounts for bulk purchases. DAS must review and update the vendor list

every two years.

Also by April 1, 2010, SDE, after consulting with DPH and DEP, must change its school facility survey form to include questions about the green cleaning program phase-in.

### **ANNUAL SCHOOL DISTRICT NOTICE**

Every year, starting by July 1, 2010, the bill requires each school district to mail a notice to parents and guardians or students about its green cleaning policy. The notice, which must also be available on each school's website, must include:

1. the names and types of environmentally preferable cleaning products used in the schools and where in the buildings they are applied;
2. the schedule for applying the products; and
3. the name of the school administrator or designee whom the parent, guardian, or student may contact for more information.

The notice must also contain the following statement: "No parent, guardian, teacher, or staff member may bring into the school facility any consumer product which is intended to clean, deodorize, sanitize or disinfect."

### **BACKGROUND**

#### ***Indoor Air Quality Committee***

The law allows school boards to establish an indoor air quality committee for each school district or facility to increase staff and student awareness of environmental facets affecting the health of school facility occupants, including air quality, water quality, and radon. These committees must include at least (1) one administrator, (2) one maintenance staff member, (3) one teacher, (4) one school health staff member, (5) one parent of a student, and (6) two members-at-large from the school district (CGS § 10-231f).

### **COMMITTEE ACTION**

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Education Committee

Joint Favorable

Yea 31    Nay 0    (03/16/2009)