

Written Testimony of Diane L. Ethier

Acting President and Legislative Co-Chair, Connecticut Foundation for Environmentally Safe Schools (ConnFESS)

Indoor Air Quality mentor and presenter for the National Education Association Health Information Network

National Education Association's representative to the School Subcommittee of the National Institutes of Health's National Asthma Education and Prevention Program

ConnFESS representative to the CT Department of Public Health's CT School Indoor Environment Resource Team

Before the Connecticut General Assembly Education Committee, March 23, 2009

Testimony in opposition to Section 6 of Raised Senate Bill No. 1142: An Act Concerning Relief of State Mandates on School Districts

Senator Gaffey, Representative Fleischmann and members of the Education Committee:

My name is Diane Ethier and I represent the CT Foundation for Environmentally Safe Schools (ConnFESS). I am testifying in strong opposition to Section 6 of Raised Senate Bill No. 1142: AAC Relief of State Mandates on School Districts. Since 2000 members of ConnFESS have been appearing before various committees of the CT General Assembly and trying to convey the following two main messages: 1) Indoor environmental quality (IEQ) issues can dramatically impact the long-term health of school occupants and the quality of education that students receive and 2) Healthier indoor environments in schools will lead to improved health for students and staff and ultimately lead to improved attendance, performance and productivity. Section 6 of SB 1142 undermines these messages and significantly weakens the legislative intent of the 2003 Indoor Air Quality (IAQ) in Schools law.

I taught high school mathematics in CT for thirty years before I was forced to retire due to occupational asthma caused by the poor IAQ in my school building. A reporter once described my school as "... an aging, leaky, stuffy, and stained structure, a sort of bricks-and-mortar monument to budget cuts and deferred maintenance." Five-Year Capital Improvement Plans turned into Ten- and Fifteen-Year plans without ever being acted upon. Since my retirement in 2003, I have been educating school stakeholders on the state and national level to identify and resolve indoor air quality (IAQ) problems and reduce asthma triggers in schools. School maintenance is routinely underfunded, understaffed and the first to be cut during tough economic times. **The US EPA stresses that deferred maintenance due to budget cuts, poor maintenance practices, lack of regularly scheduled training of school staff on the operation and maintenance of systems, staff turnover and lack of communication can all eventually lead to sub-standard maintenance and incorrect operation of building systems, which in turn lead to health problems and reduced productivity for students and staff.** Section 6 of SB 1142 encourages the deferred maintenance and lack of communication that EPA warns can lead to multiple problems.

The passage of AAC Indoor Air Quality in Schools in 2003 came after dozens of teachers, parents and students came to this building for four years in a row to testify before the Select Committee on Children, the Environment Committee and the Education Committee on health problems related to poor indoor air quality in CT school buildings. Their testimony at public hearings from 2000-2003 established the statewide problems related to deferred maintenance and a lack of public access to information regarding school IAQ. The practice of cutting building maintenance budgets and postponing repairs had created health hazards, liability issues and increased costs for remediation. Their testimony was supported by members of the medical community, industrial hygienists, American Lung Association of CT and representatives of CEA, CT AFT and CT PTA and other education groups. The language in Section 6 of SB 1142 is completely unacceptable to school IAQ advocates and it also contradicts three years of work done (2001-2003) by the members of the Education and Environment Committees in developing safeguards and standards to protect school occupants in CT.

We were promised when the IAQ in Schools law passed in 2003 that it was just the first step in providing safe and healthy environments for all school occupants. ConnFESS sees Section 6 of SB 1142 as a major step back in the process. We were assured that the annual reporting process that was built into the 2003 law put “teeth” into it, guaranteeing ongoing oversight and accountability. Section 6 extracts these guarantees.

School districts were required by this 2003 law to adopt and implement an IAQ program and to report annually on actions taken to implement that IAQ program (Question 37 on the CT State Department of Education (SDE) School Facilities Survey, ED050). The annual reporting process was intended to provide the ongoing documentation needed to ensure some level of compliance with adopting and implementing an IAQ program and make information more readily accessible, in a timely manner, to members of the school community (i.e. Right to Know).

The 2003 IAQ in Schools law also required the Commissioner of Education to use the information provided by school districts to prepare an annual report for the Education Committee of the CT General Assembly on the condition of CT school facilities and actions taken by districts to implement long-term school building programs and indoor air quality programs. The legislative intent of this annual Commissioner’s report was to provide the Education Committee with a timely oversight mechanism to protect the millions of dollars of taxpayers’ money invested in ESC funds and school construction bonds every year.

SDE revised its existing ED050 School Facilities Survey (attached to my testimony) as the vehicle for collecting information on school IAQ and then reporting that information to this Education Committee. Much of the information requested in the 50+ questions on the

ED050 survey, such as the year of original construction, the total square footage of the building and the number of classrooms do not need to be reported every year. However, **keeping track of how school indoor air quality issues are identified and remediated, one question out of more than 50, is a completely different kind of issue. More and more research proves that indoor air quality impacts the health of school occupants as well as the quality of education taking place in our schools.**

Section 6 proposes a 5 year period between reports on school facility conditions and IAQ issues. A lot can happen at a school in the course of five years. At the school district where I taught for 30 years the following events happened from 2004 to 2009: the old” sick” high school that was plagued by moisture incursion, a non-functional ventilation system and mold contamination was demolished and replaced in 2006 by a brand new high school that has already experienced mold in the ventilation system, inadequate ventilation, a leaky roof that must be completely replaced and numerous health complaints from occupants.

All CT school children and employees need to be guaranteed a safe school environment, free of preventable health hazards. Reporting on school IAQ issues was required annually in the original 2003 IAQ in Schools law; however, annual reporting never actually happened. Reporting was changed to every other year in 2006 to reflect what was happening, i.e. SDE generated reports in 2003 and 2005 only. The language of Section 6 of SB 1142 that requires reporting only every 5 years negates what school advocates have been trying to do since 2000 to improve the indoor environments in CT schools. In this economic crisis we all know that school maintenance budgets will be the first to be cut and that deferred maintenance will become the common practice. Coupling that with decreased reporting on actions taken to improve IAQ is another environmental health crisis in the making for students and school staff. Reporting on IAQ issues every five years sends the message that the health of school occupants is of minimal importance and deprives members of the CT General Assembly and the general public of the opportunity be informed about the IAQ conditions in CT school facilities in a timely manner.

I thank the co-chairs and the members of the Education Committee for this opportunity to testify yet again on the issue of IAQ in CT schools.

Diane Ethier
19 Cooney Road
Pomfret Center, CT 06259

Completed by: _____ Title: _____ Telephone: _____ Fax: _____

Town: _____ Town code: _____
 School: _____ School code: _____
 Check box if this facility is no longer used for school purposes Year facility closed: _____

Section 1: Using the instruction booklet accompanying this survey, for questions 10 through 32 and 37 through 45 review the description of each item and respond accordingly.

1 Year of original construction: _____	7 Handicapped accessibility (check one):
2 Total square footage: _____	a) None _____
3 Total site acreage: _____	b) General areas only _____
4 Year of last major renovation: _____	c) All programs _____
5 Number of general classrooms (perm): _____	d) All areas _____
6 Number of portable classrooms: _____	8 Major code update since 1988 (Y/N): _____
6a In use since (year): _____	9 Building capacity: _____

Section 2: Using the instruction booklet accompanying this answer sheet, review the description of the choices that are provided for each item and select the one that best describes your school. Select one answer only for each item and report the number associated with that choice in the space provided.

Building Features:	Rating		Rating
	(Scale: 4 = excellent, 3 = good, 2 = fair, 1 = poor, 0 = missing. See instructions for detailed explanation)		
Dedicated Specialty Areas		18 Technology in the Classroom	_____
10 Art Room(s)	_____	19 Science Lab(s)	_____
11 Music Room(s)	_____	20 Library Media Center	_____
12 All-Purpose Room (Gym/Aud/Caf.)	_____	21 Language Lab(s)	_____
13 Gymnasium	_____	22 Technical/Career Education	_____
14 Auditorium	_____	23 Office/Administrative Space	_____
15 Cafeteria	_____	24 Guidance/Student Services	_____
16 Outdoor Play Area(s)	_____		
17 Outdoor Athletic Facilities	_____		
Systems		29 Interior Lighting	_____
25 Internal Communications	_____	30 Exterior Lighting	_____
26 Technology Infrastructure	_____	31 Roadways and Walks	_____
27 Air Conditioning	_____	32 Plumbing/Lavatories	_____
28 Heating	_____		

Building Conditions:

Indoor Air Quality (IAQ)

33 Has this facility been constructed, extended, renovated or replaced on or after January 1, 2003? ____ (Y/N)
 If yes, please continue. If no, go to Question 37.

34 Has the district provided for a uniform inspection and evaluation program of the indoor air quality within this building, such as the Environmental Protection Agency's Indoor Air Quality Tools for Schools Program? ____ (Y/N)
 (Required prior to Jan. 1, 2008) If yes, please continue. If no, go to question 37.

35 Please indicate the program chosen: ____ Tools for Schools ____ Other Name of other program: _____

36 If Tools for Schools, please enter date trained by State Dept. of Public Health _____ (date) or indicate here ____ that training is pending. If "Other" was selected above, please indicate whether or not the selected program provides for reviews, inspections, and evaluations of each of the following:

____ HVAC systems	____ Radon levels in water and air	____ Degree of pesticide usage
____ Ventilation systems	____ Microbiological particles	____ Chemical compounds
____ Pest infestation	____ Hazardous substances	____ Plumbing
____ Structural elements	____ Use of space	____ Staff maintenance training
____ Moisture incursion	____ Overall cleanliness	

37 Overall Indoor Air Quality _____ (see instructions)
 With respect to this facility and the Overall Indoor Air Quality rating provided, for each of the following issues, indicate either 1) not a problem; 2) identified as a problem but issue not addressed yet; 3) problem identified and scheduled for repair; or 4) was a problem but has been corrected.

Ventilation

- Obstructions of air vents
- Filters need upgrading or replacing
- HVAC units/ventilators need cleaning
- Arts/sciences room(s) need ventilating
- Outdoor air intakes need improving
- Bus exhaust

Source Reduction

- Radon remediation needed
- Asbestos remediation needed
- General cleaning improvement
- Carpet cleaning or removal needed
- Pests or pesticide use remediation
- Classroom animal dander exposure

Molsture Issues

- Leaks (other than roof), spills, molsture
- Plumbing problems
- Roof problems
- Basement or crawlspace needs upgrading
- Removal of water-damaged materials needed

Appearance/Upkeep

- | | | | |
|-------------------------|-------|----------------------|-------|
| 38 Building Facade | _____ | 42 Entrance/Hallways | _____ |
| 39 Grounds/Landscaping | _____ | 43 Lighting/Fixtures | _____ |
| 40 Classrooms | _____ | 44 Cafeteria | _____ |
| 41 Lavatories/Fountains | _____ | 45 Code Compliance | _____ |

District-wide facility planning/maintenance: (see instructions)

- D1 Long-Range Building Plan _____
- D2 Building Plan Implementation _____
- D3 Equipment Repair/Replacement _____
- D4 Building Maintenance Plan _____
- D5 Maintenance Plan Implementation _____
- D6 IAQ Maintenance Program _____
- D6a If yes, provide name of plan: Tools for Schools
 Other _____

D7 Indicate any additional actions that have been taken to implement the long-term IAQ program (check all that apply):

- Adopted district policy regarding custodial/maintenance staff training for IAQ.
- Established a staff IAQ coordinator position.
- Established a formal reporting/response procedure for IAQ issues.
- Other: _____