



General Assembly

Substitute Bill No. 287

February Session, 2024



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2 of public act 23-167, is repealed and the following is substituted in lieu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] public act
39 22-118, accessible 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) (1) Not later than July 1, [2024] 2025, and annually thereafter until
93 July 1, 2029, the working group shall submit a progress report on its
94 findings and recommendations to the Governor and the joint standing
95 committees of the General Assembly having cognizance of matters
96 relating to education, labor and public health, in accordance with the
97 provisions of section 11-4a of the general statutes.

98 (2) Not later than January 1, 2030, the working group shall submit a
99 final report on its findings and recommendations to the Governor and
100 the joint standing committees of the General Assembly having
101 cognizance of matters relating to education, labor and public health, in

102 accordance with the provisions of section 11-4a of the general statutes.

103 (3) The working group shall terminate on July 1, [2024] 2030, or on
104 the submission of the final report, whichever is later.

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106 supplement to the general statutes is repealed and the following is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

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

127 (B) Such inspection and evaluation shall be performed by a certified
128 testing, adjusting and balancing technician, an industrial hygienist
129 certified by the American Board of Industrial Hygiene or the Board for
130 Global EHS Credentialing, [or] a mechanical engineer or a mechanical
131 contractor licensed in heating, ventilation and air conditioning systems.
132 Such heating, ventilation and air conditioning systems inspection and
133 evaluation shall include, but need not be limited to: [(A)] (i) Testing for

134 maximum filter efficiency, [(B)] (ii) physical measurements of outside
135 air delivery rate, [(C)] (iii) verification of the appropriate condition and
136 operation of ventilation components, [(D)] (iv) measurement of air
137 distribution through all system inlets and outlets, [(E)] (v) verification
138 of unit operation and that required maintenance has been performed in
139 accordance with the most recent indoor ventilation standards
140 promulgated by the American Society of Heating, Refrigerating and
141 Air-Conditioning Engineers, [(F)] (vi) verification of control sequences,
142 [(G)] (vii) verification of carbon dioxide sensors and acceptable carbon
143 dioxide concentrations indoors, and [(H)] (viii) collection of field data
144 for the installation of mechanical ventilation if none exist. The
145 ventilation systems inspection and evaluation shall identify to what
146 extent each school's current ventilation system components, including
147 any existing central or noncentral mechanical ventilation system, are
148 operating in such a manner as to provide appropriate ventilation to the
149 school building in accordance with most recent indoor ventilation
150 standards promulgated by the American Society of Heating,
151 Refrigerating and Air-Conditioning Engineers. The inspection and
152 evaluation shall result in a written report, and such report shall include
153 any corrective actions necessary to be performed to the mechanical
154 ventilation system or the heating, ventilation and air conditioning
155 infrastructure, including installation of filters meeting the most optimal
156 level of filtration available for a given heating, ventilation and air
157 conditioning system, installation of carbon dioxide sensors and
158 additional maintenance, repairs, upgrades or replacement. Any such
159 corrective actions shall be performed, where appropriate, by a
160 contractor, who is licensed in accordance with chapter 393. Any local or
161 regional board of education conducting an inspection and evaluations
162 pursuant to this subsection shall [(i)] (I) make available for public
163 inspection the results of such inspection and evaluation at a regularly
164 scheduled meeting of such board and on the Internet web site of such
165 board and on the Internet web site, if any, of each individual school, and
166 [(ii)] (II) submit the report and results of such inspection and evaluation
167 to the Department of Administrative Services using the form developed
168 pursuant to section 10-231h. A local or regional board of education shall

169 not be required to provide for a uniform inspection and evaluation
170 under this subdivision for any school building that will cease to be used
171 as a school building within the three years from when such inspection
172 and evaluation is to be performed. Any local or regional board of
173 education that has provided for an inspection that was performed in a
174 different format, but is deemed equivalent by the department, may use
175 such inspection in lieu of a uniform inspection and evaluation under this
176 subdivision. [The Department of Administrative Services may, upon
177 request of a local or regional board of education, grant a waiver of the
178 January 1, 2025, deadline for the provision of a uniform inspection and
179 evaluation under this subdivision if the department finds that (I) there
180 is an insufficient number of certified testing, adjusting and balancing
181 technicians, industrial hygienists certified by the American Board of
182 Industrial Hygiene or the Board for Global EHS Credentialing or
183 mechanical engineers to perform such inspection and evaluation, or (II)
184 such board has scheduled such inspection and evaluation for a date after
185 January 1, 2025. Such waiver shall be valid for one year.]

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

189 (3) The commissioner [shall not] may award a grant under the
190 program to [any applicant that, on or after July 1, 2024, has not certified
191 compliance with] an applicant for the performance of the uniform
192 inspection and evaluation of an existing heating, ventilation and air
193 conditioning system pursuant to subsection (d) of section 10-220, as
194 amended by this act, except that the commissioner shall not award a
195 grant under the program to any applicant for any other purpose
196 authorized under this section that has not certified compliance with the
197 uniform inspection and evaluation of an existing heating, ventilation
198 and air conditioning system pursuant to subsection (d) of section 10-220,
199 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)

ED *Joint Favorable Subst.*