

CT Foundation for Environmentally Safe Schools

A nonprofit organization dedicated to promoting policies, practices and resources that protect school occupants from environmental health hazards

www.pollutionfreeschools.org

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SUMMARY OF CT LAWS ON SCHOOL INDOOR ENVIRONMENTAL QUALITY

The CT General Statutes contain laws dealing with the following school indoor environmental quality (IEQ) issues: School Bus Emissions, Pesticide Usage, Indoor Air Quality (IAQ), High Performance School Buildings and Green Cleaning in Schools. This document summarizes CT School IEQ Laws as of August 2010.

CT SCHOOL BUS EMISSIONS LAW SUMMARY

(CT General Statutes Section Nos. 14-164 n and o, 14-277, 22a-21j and 22a-21k)

- Prohibits school bus drivers from idling bus engines for more than three consecutive minutes when the bus is stopped except where:
 - the bus is stopped because of traffic conditions or mechanical problems over which the driver has no control;
 - it is necessary to operate heating, cooling, or auxiliary equipment needed for the proper operation of the bus, such as the operation of safety equipment;
 - the outside temperature is below 20 degrees Fahrenheit;
 - it is necessary to maintain a safe temperature for special needs students;
 - the bus is being repaired; or
 - the driver is picking up or discharging passengers on a public highway or public road.

- Establishes fines for noncompliance: A first violation is an infraction, for which the total amount due is \$ 102, if paid by mail. Subsequent offenses are punishable by fines of between \$ 100 and \$ 500. Fines are enforceable by local police.

- Requires certain full-sized buses to be retrofitted with emissions-reducing equipment by September 1, 2010, as long as the work can be done within grant amounts established.
 - Requires, as an alternative, that a bus must meet US EPA 2007 emissions standards or use compressed natural gas or another alternative fuel certified by either the EPA or the California Air Resources Board in order to reduce soot emissions by at least 85% compared to ultra low sulfur diesel fuel.
 - Establishes CT Department of Environmental Protection (DEP) grants to cover the retrofitting costs
 - Requires CT DEP to develop an outreach plan to educate municipalities, school boards and bus companies about the law and help them with the retrofits.

CT SCHOOL PESTICIDE LAW SUMMARY

(CT General Statutes Section Nos. 10-231, 19a-79a, 22a-59a, 22a-61b, 22a-63 and 22a-66l)

(Note – The CT DEP website states that when it comes to indoor pesticide policy school districts “... can favor traditional pest control methods that utilize scheduled pesticide applications whether pests are present or not or a policy of integrated pest management (IPM) that utilizes all methods of pest control including structural maintenance, sanitation and the judicious use of pesticides if pest populations exceed an acceptable level.”)

- Requires that only licensed applicators can apply pesticides within any building or on the grounds of a public school, other than a regional vocational agriculture center, except in emergencies
- Bans application of pesticides during school hours or planned events, except in emergencies.
- Bans restricted pesticides, even in emergencies.
- Bars children from reentering an area where pesticide was used until it is safe according to the specifications on the pesticide label
- Requires school boards to provide parents, guardians and staff with a written statement at the beginning of the school year of the board's policy on pesticide application on school property and a description of any pesticide applications made at the school during the previous school year. (During the year for transfer students)
- Provides a registry at the school for parents, guardians and staff to sign up on who want to be notified before pesticides are sprayed
- Requires schools to maintain pesticide application records on site for five years
- Bans the use of lawn-care pesticides on the grounds and athletic fields of public and private schools with grades K-8, except in emergencies
- Makes the Department of Environmental Protection (DEP) responsible for administering and enforcing school pesticide applications

CT INDOOR AIR QUALITY IN SCHOOLS LAW SUMMARY

(CT General Statutes Section Nos. 10-220 (a) and (d), 10-282 (19), 10-283 (b), 10-286 (a) (9) and (c) (2), 10-291, 10-231 e and f)

For all schools:

- Requires Boards of Education to:
 1. Ensure operation and maintenance of heating, ventilation and air conditioning (HVAC) systems in accordance with prevailing standards
 2. Ensure operation of HVAC systems continuously while students and school staff occupy school facilities, with limited exceptions
 3. Adopt and implement an IAQ program that provides for ongoing maintenance and facility reviews necessary for the maintenance and improvement of the IAQ of its facilities
 4. Report every three years to the State Commissioner of Education on the condition of its facilities and on actions taken to implement its IAQ program. (By October 1, 2010, this report must be posted on each school's and/or the board's website.)
 5. Keep HVAC maintenance records for at least 5 years.
- Allows for the establishment of an Indoor Air Quality (IAQ) Committee for each school to address issues affecting the health of school occupants. A school safety committee established pursuant to section 10-220f of the general statutes cannot be prohibited from addressing IAQ issues that affect the health of occupants of school facilities.
- Creates a "certified school indoor air quality emergency" category for receiving state bonding money.

For newer schools (constructed, extended, renovated or replaced after January 1, 2003):

- Requires comprehensive inspections and evaluations by the local board of education, prior to January 1, 2008 and every five years thereafter, to detect environmental problems. To be reviewed are HVAC and plumbing systems, radon levels, potential for exposure to microbial contaminants and chemical compounds, degree of pest infestation and pesticide usage, degree of moisture incursion, building cleanliness, building structural elements, use of space, presence of and plans for removal of hazardous substances and provision of IAQ maintenance training for staff.
- Requires that these inspection reports be made public at a Board of Education meeting.

For schools being constructed, extended or replaced:

- Requires a Phase I environmental site assessment.
- Requires the State Department of Education to deny approval of a school building project if:
 1. The site is in an area of moderate or high radon potential, unless construction techniques mitigate radon levels.
 2. New or replacement roofs do not have the required pitch and guarantees on materials and workmanship or are not built following correct construction practices.
 3. SMACNA or similar IAQ guidelines for construction during occupancy are not followed.
 4. The building maintenance staff is not trained in plant operation, including HVAC systems and IAQ issues.
- Increases the maximum square footage per pupil limit for grant purposes by up to 1% to accommodate the HVAC system.

CT HIGH PERFORMANCE SCHOOL LAW SUMMARY

(CT General Statutes Section Nos. 10-285a, 16a-38k and 29-256a)

- Applies to both state-owned buildings, including state schools, and public school facilities that satisfy the following criteria:
 1. New construction of a state facility, including a state school, that is projected to cost \$5 million or more, and is approved and funded on or after January 1, 2008;
 2. State facility renovation, including that of a state school, that is projected to cost \$2 million or more, and is approved and funded on or after January 1, 2008;
 3. New construction of a public school facility that is projected to cost \$5 million or more, and of which \$2 million or more is state funded and authorized by the CT General Assembly pursuant to Chapter 173 on or after January 1, 2009;
 4. Renovation of a public school facility costing \$2 million or more of which \$2 million or more is state funded and authorized by the CT General Assembly pursuant to Chapter 173 on or after January 1, 2009.
- Requires these schools to be built to meet all the mandatory requirements of the State of Connecticut Regulations of the CT Office of Policy and Management Concerning The Establishment of High Performance Building Construction Standards for State-Funded Buildings. Leadership in Energy and Environmental Design (LEED) Silver or a Two-Globe rating from the Green Globe system self-certification program may only be used as an alternative for meeting the optional strategies. (Section 16a-38k-7 of the Regulations of Connecticut State Agencies)
- Requires these schools to exceed the current building code energy efficiency standards by at least 20%
- Allows for a waiver of these requirements if the cost of compliance outweighs the benefits
- Requires the state building inspector and the Codes and Standards Committee to amend the State Building Code to require (1) buildings costing \$5 million or more built after January 1, 2009 and (2) renovations costing \$2 million or more starting January 1, 2010 to meet the LEED Silver Standard or its equivalent. Allows for a waiver of these requirements if the cost of compliance outweighs the benefits.

CT GREEN CLEANING PRODUCTS IN SCHOOLS LAW SUMMARY

(CT Public Act 09-81; CT General Statutes Section Nos. 10-220 and 10-231 g)

- Requires school districts to implement a green cleaning program to clean and maintain their schools by July 1, 2011.
 1. Green cleaning program means the procurement and proper use of environmentally preferable cleaning products as defined by the Department of Administrative Services (DAS) for all state-owned buildings. DAS currently requires that environmentally preferable cleaning products used in state-owned buildings be independently certified by one of two third-party certified organizations: Green Seal or Eco Logo.
 2. By July 1, 2011 and thereafter no person shall use a cleaning product in a public school unless it meets the DAS standard.
 3. The types of cleaning products covered in this legislation include: general purpose cleaners, glass cleaners, bathroom cleaners, floor finishes, floor strippers, hand cleansers and soaps.
 4. Any disinfectant, disinfecting cleaner, sanitizer or other antimicrobial product regulated by the federal Insecticide, Fungicide and Rodenticide Act is not covered by this law.

- Requires the State Department of Education and State Department of Public Health to amend the school facility survey (ED050) to include questions on a school's green cleaning policy on or before April 1, 2010.

- Requires school districts to provide school staff and, upon request, parents or guardians of students enrolled a written copy of the school's green clean policy by October 2010 and annually thereafter.

- Requires the school district green clean policy to include:
 1. The types and names of environmentally preferable products being used
 2. Locations of application of these products
 3. Schedule of cleaning
 4. The name of the supervisor in charge of green cleaning

- Requires the school district green clean policy to contain the 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."

- Requires school districts to provide a written copy of the green clean policy to parents and guardians of students who transfer to a school and to any staff hired during the school year.

- Requires the school district green clean policy and information provided on the school facility survey (ED050) about indoor air quality issues be posted on each school's and/or the board of education's website.