

ENVIRONMENTAL LAW INSTITUTE
DATABASE OF
STATE INDOOR AIR QUALITY LAWS

DATABASE EXCERPT: IAQ IN SCHOOLS

Environmental Law Institute[®]
Copyright © 2017
Washington, D.C.

March 2017

About the Database

The Environmental Law Institute's Database of State Indoor Air Quality Laws contains a broad cross-section of laws on the subject of indoor air quality. The following Database collects those laws included in the Database that deal with the subject of *indoor air quality in schools*. The Database highlights laws that address IAQ in schools directly or exclusively, but does not include general laws that may affect schools indirectly. For example, a law that authorizes a state agency to undertake research on indoor air quality generally may indirectly affect the school environment, but would not be included here. Moreover, the chart does not purport to include every state law that addresses indoor air quality in schools. For example, the Database does not include laws addressing green school construction, though a summary of those laws can be found in other ELI publications.

View the complete database chart at <http://www.eli.org/buildings/database-state-indoor-air-quality-laws>. Like the complete Database, this excerpt covers laws enacted through December 2016. The abstracts for documents that were added or substantially amended in 2016 appear in **bold** type.

To read other ELI summaries and analysis of state policy addressing IAQ in schools, please see our *Topics in School Environmental Health* resource, at www.eli.org/buildings/topics-school-environmental-health, or browse related materials at <http://www.eli.org/buildings/publications-topic#School>.

AL	2007 Alabama House Resolution No. 625
	Urges the state education agency to adopt EPA's IAQ Tools for Schools program for use in all public schools. Also urges local school boards to use the EPA program to implement an IAQ inspection and evaluation program.

AZ	Arizona Revised Statutes § 15-2002
	Requires the state school facilities board to provide information on improving and maintaining indoor environmental quality to school districts every two years.

AZ	Arizona Revised Statutes §§ 15-2131--2132
	Requires an environmental site assessment for all school construction projects. Provides that the state shall not approve school construction projects that do not incorporate adequate roof pitch; cannot meet residential environmental site assessment criteria; or do not incorporate IAQ guidelines consistent with SMACNA guidelines. Requires that all new HVAC systems be operated continuously during school activity hours, with stated exceptions.

AR	Arkansas Code §§ 6-21-801--814
	Requires school districts to develop six-year facilities master plans, and requires state to conduct random, unannounced inspections of school facilities to ensure compliance with facilities master plans. Requires the state to develop an Arkansas Facilities Custodial, Maintenance, Repair, and Renovation Manual to provide standards and guidance for school districts. Among other things, manual must include training criteria for the use and storage of supplies and equipment, with emphasis given to indoor air quality issues, and a suggested schedule for the sanitary inspection of all school buildings.

CA	California Education Code §§ 17070.75, 17002(d)(1)
	Requires school districts to establish a facilities inspection system to ensure schools are maintained in good repair, as a condition of receiving state school facility funds. Defines "good repair" to include interior surfaces free from water damage and showing no evidence of mold or mildew and to include functional and unobstructed HVAC systems. Requires state to develop an evaluation instrument consistent with the criteria set in the law. The Facility Inspection Tool developed by the state for use in school inspections includes several IAQ-related items that address ventilation and mold/water damage. (See http://www.dgs.ca.gov/opsc/Programs/deferredmaintenanceprogram/goodrepairstandards.aspx .)

CA	California Health & Safety Code § 39619.6
	Required the Air Resources Board and the Department of Public Health to conduct a comprehensive study and review of the environmental health conditions in portable classrooms. Directed the study to include a review of design and construction specifications; a review of school maintenance practices; an assessment of IAQ; and an assessment of potential toxic contamination, including mold contamination. Required the study to address the need for modified design and construction standards; emission limits for building materials and classroom furnishings; and other mitigation actions to ensure the protection of children's health. (Report available at: http://www.arb.ca.gov/research/indoor/pcs/pcs.htm .)

CA	California Health & Safety Code § 39930
	Required the Air Resources Board, in consultation with other agencies, to provide a report to the state legislature by January 2004 summarizing the following: the most recent empirical data on indoor air pollution; the potential adverse effects of indoor air pollution exposure on public health; information about the effects of existing regulations and current industry practices in mitigating exposures; and a listing of work performed by other state or federal entities regarding biological and radiological substances. Required that the report include a priority ranking of indoor air pollutants; an analysis of the potential health effects of indoor air pollutants; and options for mitigating those health effects in schools, nonindustrial workplaces, homes, and other indoor locations. (Report available at: http://www.arb.ca.gov/research/indoor/ab1173/finalreport.htm .)

CA	California Labor Code § 142.3
	<p>Authorizes the Occupational Safety and Health Standards Board to adopt occupational safety and health standards that are at least as effective as federal standards. Regulations promulgated under the law (8 Cal. Code Regs. 5142, 5143) apply to both private and public workplaces, such as schools. The regulations require HVAC systems to be operated continuously and inspected annually, and HVAC inspection and maintenance records to be made in writing and provided to the state and to employees upon request. Additional regulations governing general sanitation (8 Cal. Code Regs. 3362) provide that when exterior water intrusion, leakage from interior water sources, or other uncontrolled accumulation of water occurs, those conditions must be corrected because of their potential to cause the growth of mold.</p>

CO	Colorado Revised Statutes § 25-1.5-101
	<p>Authorizes the Department of Public Health and Environment to establish and enforce sanitary standards for the operation and maintenance of schools. Department regulations (6 Colo. Code Regs. 1010-6:6.1 et seq.) require schools to test for radon in accordance with procedures described in the 2015 AARST Protocols for Conducting Measurements of Radon and Radon Decay Products in Schools and Large Buildings and to maintain results on file at school. Newly constructed schools must test for radon within 19 months of occupancy and remodeled schools must be evaluated by the state to determine the need for radon testing. Regulations establish additional IAQ-related requirements, including installation of CO alarms, regular cleaning/replacement of ventilation system filters, and annual chemical inventories, and provide that "exposure to noise, dusts, toxic chemicals, or other hazards shall be controlled at all times including when the building or portion thereof is occupied during construction or remodeling."</p>

CT	Connecticut General Statutes § 10-220
	<p>Requires local or regional boards of education to adopt and implement an IAQ program that provides for ongoing maintenance and facility reviews, as well as a green cleaning program that provides for the procurement and use of environmentally preferable cleaning products. Requires boards of education to report triennially to the Commissioner of Construction Services on facility conditions and on actions taken to implement their IAQ program, green cleaning program, and long-term school building program. Requires that every five years, boards of education inspect and evaluate indoor air quality in all new and renovated school buildings, and lists 14 separate items to be included in the inspection and evaluation program, including radon levels in the air and potential for exposure to mold. Results of these evaluations must be provided at a board meeting and on the website of the board or individual school.</p>

CT	Connecticut General Statutes § 10-231e
	Requires local and regional school boards to ensure that their HVAC systems are maintained and operated in accordance with the prevailing maintenance standards at the time of installation or renovation of the system, and to operate those systems continuously during the hours of school occupancy. Also requires school boards to maintain records of HVAC maintenance for at least five years.

CT	Connecticut General Statutes § 10-231f
	Authorizes local and regional boards of education to establish an IAQ committee for each school district or facility and provides that such committees must include a maintenance staff member, teacher, school health staff member, and parent of a student. Also prohibits boards of education and school administrators from barring school safety committees from addressing IAQ issues that affect the health of school occupants.

CT	Connecticut General Statutes § 10-231g
	Requires each local and regional board of education to implement a green cleaning program. Requires that cleaning products used in schools meet guidelines or standards set by a national or international environmental certification program approved by the state Department of Administrative Services as minimizing potential harmful impacts on health and the environment. The Department has issued an environmentally-preferable purchasing policy approving products certified through the Green Seal or EcoLogo programs. (Policy available at: http://das.ct.gov/images/1090/EPP_Cleaning_Policy_072011.pdf .) Requires each board of education to provide a notice, posted on its website and delivered to staff (and parents, upon request), describing the district's green cleaning program. Notice must include the name, location and schedule for environmentally preferable cleaning products being applied in schools, a district contact for the program, and 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."

CT	Connecticut General Statutes § 10-291
	Requires public school building projects to incorporate the guidelines set forth in the Sheet Metal and Air Conditioning Contractors National Association's publication, "Indoor Air Quality Guidelines for Occupied Buildings Under Construction," or similar publications. Prohibits the Department of Construction Services from approving school building project plans that do not include provisions for training of building maintenance staff in the operation of HVAC systems and indoor air quality. Also requires the preparation of a Phase I environmental site assessment in school building projects, and establishes requirements relating to roof construction or replacement. Prohibits the department from approving school building project plans or sites if the site is in an area of moderate or high radon potential, except where the school building project plan incorporates construction techniques to mitigate radon levels.

CT	Connecticut General Statutes § 19a-37b
	Requires the Department of Public Health to adopt regulations to establish radon measurement requirements and procedures for evaluating radon in indoor air and reducing radon levels in public schools.

CT	Connecticut General Statutes §§ 10-282--283
	Authorizes the Commissioner of Construction Services in consultation with the Commissioner of Education to approve applications for grants to support school building projects to remedy certified school IAQ emergencies. Defines a certified school IAQ emergency as the existence of a building condition determined by the Department of Public Health to present a substantial and imminent adverse health risk that requires remediation in an amount greater than one hundred thousand dollars.

DC	District of Columbia Code § 38-825.01
	Requires D.C. Public Schools to use environmentally friendly cleaning supplies in its schools buildings and provides that the district may exhaust its existing supply of cleaners. Directs the Mayor to submit to the D.C. Council a report describing implementation of this requirement. Establishes an environmental programs office in the D.C. Department of General Services that is charged with, among other things, promoting EPA's IAQ Tools for Schools program, establishing an integrated pest management program, and developing a proposal for recognizing schools that significantly improve their environmental portfolio.

FL	1994 Florida Session Law Serv. ch. 94-156 (C.S.H.B. 251)
	Requires the Department of Management to recommend policies for strengthening workplace regulation of indoor air quality and evaluating indoor air quality in state buildings. Also requires the department to review indoor air quality in public schools and universities and to develop and provide education and informational materials to state agencies. Requires the department to report to the legislature on measures to implement these recommendations.

FL	Florida Statutes § 404.056
	Authorizes the Department of Health to establish environmental radiation standards for buildings and to conduct programs designed to reduce human exposure to harmful environmental radiation. Requires persons who perform radon measurements and mitigation to be certified by the department, and results of radon measurements to be reported to the department. Requires the department to administer a public information program. Requires radon testing of all public and private school buildings, 24-hour care facilities owned or regulated by the state, and state-licensed day care centers located in designated counties. Requires that a specified radon warning statement be provided prior to the sale or lease of a residential property. Regulations adopted under the law establish certification requirements (Fla. Admin. Code r. 64E-5.1201--1208). Regulations also establish that radiation exposure to the public from naturally occurring radioactive materials shall be maintained as low as reasonably achievable and that the annual average radon decay product concentration in a building shall not exceed 0.02 WL (4.0 pCi/L) (Fla. Admin. Code. R. 64E-5.1001).

HI	Hawai'i Revised Statutes § 302A-1509
	Provides that the Department of Education must require all public schools to give first preference, where feasible, to the purchase and use of environmentally-sensitive cleaning and maintenance products approved under the Green Seal program, for a variety of cleaning applications as specified in the law.

IL	Illinois Compiled Statutes Ch. 105, § 5/10-20.48
	Recommends that occupied school buildings be tested every five years for radon. Recommends that if radon levels are 4.0 pCi/L or above, the affected areas be mitigated by a licensed radon mitigation professional. Recommends that new schools be built using radon-resistant new construction techniques consistent with EPA guidance. Requires reporting of radon test results to the state Board of Education, which must submit a report every two years to the Governor and Legislature containing the results from all schools that have performed radon tests. (See also Ill. Comp. Stat. Ch. 105 § 5/34-18.39.)

IL	Illinois Compiled Statutes Ch. 105, § 5/34-205
	Requires the local board of education in cities with over 500,000 inhabitants to propose, by January 2012, school facility performance standards that address indoor air quality and other issues. Chicago Public Schools has proposed Facility Performance Standards pursuant to the law, which include requirements for use of low-VOC materials, green cleaning products, mechanical ventilation systems, minimum outdoor air supply, and minimum air filtration. (See http://www.cps.edu/About_CPS/Policies_and_guidelines/Pages/facilitystandards.aspx .)

IL	Illinois Compiled Statutes Ch. 105, §§ 140/1 et seq.
	Requires the state to establish and amend annually guidelines for environmentally-sensitive cleaning and maintenance products for schools. Requires all elementary and secondary schools to establish a green cleaning policy and to purchase and use environmentally-sensitive cleaning products pursuant to the guidelines and specifications established under the law. The Illinois Green Governments Coordinating Council has adopted a rule to implement the law (23 Ill. Admin. Code 2800.10 et seq.). Statute amended in 2009 to require that guidelines developed by the state be used for state-owned buildings as well.

IN	Indiana Code §§ 16-41-37.5-1--4
	Requires the Department of Health to adopt rules establishing an IAQ inspection, evaluation, and parent/employee notification program. Provides that, upon written air quality complaint, the Department shall inspect a school or state agency and issue a report of its findings. Requires the inspection report to identify conditions that could contribute to poor IAQ, provide guidance on steps to address IAQ issues, and request a response from the school or agency within 60 days. Directs the Department to assist the school or agency in developing a reasonable plan to improve IAQ conditions found during the inspection. Requires the Department to develop and revise every 3 years a manual of best practices for IAQ in schools and to provide the manual to the state Department of Education and to the superintendent and facilities manager of each school district. Regulations (410 Ind. Admin. Code 33-1-1 et seq.) address inspection procedures; designation of a school IAQ coordinator; and minimum facility criteria, including requirements for addressing mold and water intrusion and for ensuring that pollutants from construction activities do not enter occupied spaces.

IA	Iowa Code § 8A.318
	Requires state agencies, school districts, community colleges, and institutions controlled by the state Board of Regents, to evaluate and assess the implementation of a green cleaning policy. Requires these entities to purchase only those cleaning and maintenance products identified by the Department of Administrative Services or that meet nationally recognized standards, but allows school districts and educational institutions to opt out of the requirement upon notice to the state. Directs the Department to provide information on environmentally preferable cleaning and maintenance products on its website.

IA	Iowa Senate File 366
	Requires the state Department of Education to notify each school district and accredited nonpublic school of the risks associated with radon, provide information about radon testing and mitigation, and encourage schools to adopt a radon testing and mitigation plan. School districts and nonpublic schools are required to notify the Department of any current or anticipated radon testing and mitigation plans. The legislation further required the Department to report to the legislature on information collected from schools. (Report available at: https://www.legis.iowa.gov/docs/publications/DF/661702.pdf .)

ME	Maine Legis. Doc. 88 (2007)
	Requires the state Department of Education to develop and update annually a list of cleaning products that are certified under third-party, health-based criteria for safety and efficacy (such as Green Seal) or listed by the state Department of Administrative and Financial Services as environmentally-preferred janitorial products. Also requires the Department to recommend green cleaning procedures that decrease use of toxic chemicals, improve indoor air quality, and achieve performance standards for cleanliness. Requires the Department to compile, maintain, and publicize a list of school administrative units that have committed to implementing a green cleaning program.

ME	Maine Legis. Doc. 945 (2001)
	Legislative resolution creates a task force to examine the establishment and implementation of IAQ standards for schools. Establishes a number of mandatory considerations for the task force, and requires the task force to submit a report of findings and recommendations to the legislature. (Report available at: http://eric.ed.gov/?id=ED476044 .)

ME	Maine Revised Statutes, tit. 20-A, § 6302
	Requires school administrative units to ensure that HVAC systems are maintained and operated to provide at least the quantity of outdoor air required by the state building standards code at the time the systems were installed, and are operated continuously during school activity hours, with noted exceptions. Also requires school administrative units to be responsible for inspection of HVAC systems at least annually, to correct any problems within a reasonable time, and to maintain written records of HVAC system inspection and maintenance for at least five years.
ME	Maine Revised Statutes, tit. 20-A, §§ 258-A--B
	Provides for state inspections of schools. Requires the Commissioner of Education to inspect a school to test the air quality when requested by a school superintendent or school board, or when petitioned by 50% of the school's parents or 20% of the registered voters of the school unit.
ME	Maine Revised Statutes, tit. 26, § 565-A
	Requires the Occupational Safety Rules and Regulations Board to work with the Bureau of General Services to evaluate indoor air quality and ventilation in public school buildings and buildings occupied by state employees. Authorizes the board to propose more stringent air quality and ventilation standards.
ME	Maine Revised Statutes, tit. 30-A, § 6006-F
	Establishes the School Revolving Renovation Fund to make loans to school administrative units for school repair and renovation. Provides priority status to projects involving IAQ improvements.
ME	Maine Revised Statutes, tit. 5, § 1742-E
	Requires the Division of Safety and Environmental Services to provide asbestos, lead, and IAQ assessment and mitigation oversight services for public schools and state facilities, and establishes the Division as the lead agency in the state for these matters.

MD	Maryland Education Code § 5-112(e)
	Requires that each county board of education procure green product cleaning supplies to the extent practicable and economically feasible. Requires each county board of education to adopt written policies that: require the use of green product cleaning supplies; establish purchasing guidelines that meet third-party certification standards; establish green cleaning practices; and require staff training. The county boards must develop specifications that allow multiple avenues for certification of green product cleaning supplies, including Green Seal, Green Label, Environmental Choice, TerraChoice, Ecologo, or any other nationally recognized independent third-party entity that certifies environmentally preferable products.

MD	Maryland Education Code § 5-301
	Requires the state Board of Public Works to adopt regulations establishing criteria designed to enhance IAQ in relocatable (portable) school classrooms constructed after July 1, 2014 and that are purchased or leased using state or local funds. The regulations must include specifications that require units to be constructed in a manner that provides protection against water damage and with building materials that contain low amounts of volatile organic compounds consistent with industry standards. Also mandates that specifications require units to provide continuous forced ventilation while occupied. Regulations (Code of Md. Regs. 23.03.06.02) require that all relocatable classrooms at public schools conform to indoor environmental quality standards that meet the International Green Construction Code Chapter 8, as amended and adopted by The Maryland Green Building Council. Relocatable classrooms must also meet either the Model Performance Code for pre-manufactured units, or local building codes for locally-constructed relocatable classrooms.

MA	Massachusetts General Laws, ch. 70B, § 3
	Establishes a School Building Assistance program to provide funding to local governments for school construction and renovation, and authorizes the Board of Education to establish policies and standards regarding school construction. Amended in 2006 to create the Massachusetts School Building Authority and school building grant program. Regulations governing these state-funded projects (963 Code Mass. Regs. 2.04) require that all reasonable efforts be made to ensure suitable indoor air quality. The regulations also establish specific IAQ-related requirements for state-funded projects, including: ventilation and thermal comfort; containment procedures for pollutants created during renovation; filtration; walk-off mats; gas-fired equipment; siting of outside air intakes; and prevention of mold and water damage in building materials.

MN	1997 Minnesota Session Law Serv. 1st Sp. Sess. Ch. 4 (H.F. 1)
	Requires the state education agency, in collaboration with other state agencies, to develop a school IAQ maintenance manual and a manual for indoor air quality in school construction. Requires that the manuals contain specific information, including training needs and maintenance practices for ensuring good indoor air quality.

MN	Minnesota Statutes § 123B.571
	Authorizes the departments of health and education to develop a plan to encourage school districts to conduct radon testing, and authorizes districts to include radon testing as part of their 10-year facility plan. Also establishes that if school districts use long-term facilities maintenance revenues to conduct radon testing, they must comply with the state's radon testing plan. School districts that have tested for the presence of radon must report results to Department of Health and local school board.

MN	Minnesota Statutes § 123B.595
	Governs school district use of long-term facilities maintenance revenue. Provides that in order to qualify for such revenue, school districts must update annually and submit biennially a 10-year facility plan that includes provisions for implementing a health and safety program that complies with best practices for IAQ management. Establishes that revenue may be used for health and safety capital projects, which may include expenditures necessary for indoor air quality inspections, investigations, and testing; mold abatement; upgrades or replacement of mechanical ventilation systems to meet ASHRAE standards and the State Mechanical Code; cleanup after major weather-related disasters or flooding; and mitigation of specified indoor environmental pollutants, including mold and radon. (See also Minn. Stat. 123B.57.)

MS	Mississippi Code § 37-11-71
	Directs the state Department of Education to require all public school districts to take certain actions to manage asthma in the school setting. These actions include implementing an IPM plan, minimizing school bus idling, and requiring local school health councils to develop long range maintenance plans addressing IAQ issues in each school building. School districts are also required to direct local school health councils to adopt and implement a local school wellness policy that addresses: (1) minimizing children’s exposure to pollutants that trigger asthma; (2) assessing IAQ and ventilation in school buildings annually; (3) prohibiting the use of hazardous substances such as cleaning products and pesticides while children are present; and (4) ensuring that school construction projects implement containment procedures for pollutants that trigger asthma. Regulations under the law (Miss. Admin. Code t.7, 7-8) establish a K-8 Health Curriculum Resource that includes a teacher's classroom checklist with numerous IAQ-related items.

MO	Missouri Revised Statutes § 161.365
	Requires the state education agency to establish, update annually, and disseminate to all school districts' guidelines and specifications for green cleaning programs, which include the use of environmentally sensitive cleaning and maintenance products, paper products, and equipment purchases. Requires guidelines to provide multiple avenues for determining if cleaning products are environmentally sensitive. (Guidelines available at: http://dese.mo.gov/financial-admin-services/school-governance/safety .) School districts are required to disseminate the guidelines to every school within the district.

NV	Nevada Revised Statutes §§ 386.419, 386.4195
	Requires public schools to use only environmentally-sensitive cleaning and maintenance products for cleaning of all floor surfaces. Provides that if a school district determines that the associated costs are "unreasonable and would place an undue burden" on efficient school operation, the district may purchase and use a product that is not environmentally sensitive, after first posting notice of the product to be used.

NH	1993 New Hampshire Laws Ch. 103 (H.B. 369)
	Establishes a committee to study indoor air quality and fire safety in public schools. Requires the committee to determine the scope of IAQ problems in public school buildings, report on issues of poor indoor air quality, and make recommendations on policy strategies to prevent and correct such problems.

NH	2008 New Hampshire Laws Ch. 242 (House Bill 1171)
	Establishes a commission to study air quality issues in public school buildings. Directs the commission to study the feasibility of implementing air quality standards and performing regular air quality inspections in public school buildings, and to study successful, cost-effective school air quality initiatives within and outside of the state. Requires the commission to report its findings and recommendations for proposed legislation to the state legislature. (Report available at: http://www.bit.ly/1UIY2Xr .)

NH	New Hampshire Revised Statutes § 200:11-a
	Requires school principals to conduct an annual IAQ investigation of all school buildings, using a checklist provided by the state Department of Education. Requires completed checklists to be filed with the Department, the school board, and the local health officer and to remain on file for five years. Requires the state to review and consider the checklists when approving schools during the five-year school approval process. School IAQ Checklist adopted by the Department requires schools to indicate whether they follow a wide range of best practices for IAQ Management, including mold/moisture prevention and remediation. (See checklist at: http://www.education.nh.gov/program/school_approval/documents/a24iaq.doc .) Statute also requires the Department to encourage public schools to implement EPA's IAQ Tools for Schools program and to ensure that every school has a copy of the program materials.

NH	New Hampshire Revised Statutes § 200:48
	Requires the school board of each school district to develop and implement a policy governing air quality issues in schools. Provides that the policy must include methods to minimize or eliminate vehicle emissions.

NJ	New Jersey Statutes §§ 18A:7G-3, 9(b)(3), 13(d)
	Requires the Department of Education to promulgate rules requiring school districts to have comprehensive maintenance plans for school facilities. Regulations adopted under the law (N.J. Admin. Code 6A:26-20.3) require that maintenance activities include tests to monitor air quality.

NJ	New Jersey Statutes §§ 34:5A-10.1--10.5
	Prohibits the use of any hazardous substance in or on any building or grounds used as a school or child care center at any time when children are expected to be present in the building. Requires schools and child care centers to post notice of any construction or other activity that will involve the use of a hazardous substance. Also requires schools and child care centers to notify parents of these requirements and of the availability of facts sheets for any hazardous substances being used. Provides for local enforcement and directs the Department of Health to adopt regulations implementing the law that are consistent with federal and state IAQ standards and standards governing the exposure of children to hazardous substances.

NJ	New Jersey Statutes §§ 34:6A-1 et seq.
	Requires that every employer furnish a place of employment that is reasonably safe and healthful for employees and authorizes the state to adopt rules. Rules adopted under the law (N.J. Admin. Code 12:100-13.1 et seq.) establish safety and health standards for public workplaces, including certain requirements for addressing indoor air quality. The rules require that employers develop a plan for complying with the regulatory provisions and designate a person who is responsible for ensuring compliance. The rules also require employers to: establish and implement a preventive HVAC maintenance plan that includes a number of specified practices; undertake certain prevention and clean-up practices for microbial contamination; protect indoor air quality during renovation; respond to IAQ complaints; and keep and make available records of maintenance activities.

NJ	New Jersey Statutes §§ 52:27D-123A--123E
	Requires the state to adopt a radon hazard subcode to ensure that schools and residential buildings in areas of high radon potential are constructed in a manner that minimizes radon entry and facilitates any subsequent remediation activities. Authorizes state to include radon testing requirements. Regulations promulgated under the law (N.J. Admin. Code 5:23-10.1--10.4) establish the Radon Hazard Subcode, containing standards for radon-resistant materials and techniques to be used in certain residential and school buildings in designated areas of the state.

NJ	New Jersey Statutes §§ 52:27D-130.4--5
	<p>Requires the Department of Health to adopt standards for maximum contaminant levels for the interiors of child care facilities and schools, as well as procedures for assessing the indoor environment in such buildings. Mandates that these regulations protect the health of children and infants, and take into account the rate at which children and infants absorb, metabolize, and excrete compounds. Directs the department to establish a certification program for certifying that child care centers and schools meet the agency's standards. Prohibits the issuance of a construction permit to convert any building into a child care center or school if the building was formerly used for industrial, storage, or high hazard purposes, or is on a site where there is suspected contamination, unless the permit applicant obtains certification from the department demonstrating that the building was assessed and meets the agency's indoor environmental standards. Also prohibits construction of a child care facility or school on a site used for industrial or high hazard purposes, unless the applicant demonstrates that the site has been (or is being) remediated pursuant to state law. Provides for civil administrative penalties for noncompliance. Health regulations implementing the law (N.J. Admin. Code 8:50-1.1 et seq.) provide for licensure of indoor environmental consultants, standards for conducting indoor environmental assessments, and enforcement. State child care licensing regulations (N.J. Admin. Code 10:122-5.2) require certification that the facility has contacted the Department of Health to address risks posed by former uses.</p>

NM	New Mexico Statutes § 22-20-1
	<p>Appropriates \$300,000 to be expended during fiscal years 2007 and 2008 for the purpose of improving indoor air quality in schools by implementing EPA's IAQ Tools for Schools program in New Mexico. Separate legislation in 2007 appropriated \$27,000 to conduct environmental assessments of public schools pursuant to the program.</p>

NY	New York Education Law § 409-i, New York State Finance Law §§ 163, 163-b
	<p>Requires the state to maintain and distribute guidelines and specifications for environmentally sensitive cleaning and maintenance products for use in K-12 schools, as well as a sample list of products that meet the guidelines. Requires schools to follow these guidelines to identify and procure such products. Requires the state to maintain a list of contractors that produce, manufacture or offer for sale cleaning and maintenance products that meet the guidelines. (Office of General Services guidelines available at: https://greencleaning.ny.gov/Entry.asp.)</p>

NY	New York Education Law §§ 409-d, 409-e
	Requires the Commissioner of Education to establish, develop, and monitor a comprehensive public school building safety program which must include a uniform inspection, safety rating, and monitoring system. Regulations promulgated under the law (8 N.Y. Code Rules & Regs. 155.3--155.5) require a comprehensive maintenance plan for all major building systems, including provisions for establishing maintenance procedures and guidelines that will contribute to acceptable IAQ. Regulations also require: annual and five-year inspections that include IAQ components; an annual safety rating; and a process for monitoring the conditions of occupied schools to ensure they are maintained in good repair. Law also establishes requirements relating to IAQ during construction and renovation, and mandates establishment of health and safety committees at the school district level consisting of representation from district officials, staff bargaining units, and parents. (2014 legislation amended N.Y. Educ. Code 409-d to remove the statutory requirement for an annual visual inspection of schools until 2019.)

NC	North Carolina General Statutes § 115C-521.1
	Provides that public school classrooms used as licensed child care facilities for pre-school students must have floors, walls, and ceilings that are free from mold, mildew, and lead hazards.

NC	North Carolina General Statutes §§ 115C-12, 115C-47
	Directs the state to study methods for mold and mildew prevention and mitigation, and to incorporate recommendations into public school facilities guidelines as needed. Encourages local boards of education to remove and dispose of bulk mercury and mercury compounds in classrooms and prohibits the future use of mercury in classrooms, except in barometers. Also addresses other school environmental health issues such as arsenic-treated wood, pesticide use, and diesel emissions.

OR	Oregon Revised Statutes § 455.365
	Requires the state building code agencies to adopt design and construction standards for mitigating radon in new residential buildings and new public buildings, including schools, with standards to take effect between 2011-2013. Does not specify the radon control standard to be used, but requires the agencies to consider standards recommended by the U.S. EPA. New standard is to be applicable in seven counties listed in the law, as well as others the agency may consider appropriate in light of local radon levels. The state Building Code and Structures Board has incorporated the International Residential Code Appendix F (radon control) standard into the Oregon Residential Specialty Code and incorporated requirements for passive soil depressurization into the Structural Specialty Code for public buildings.

OR	Oregon Revised Statutes §§ 332.166--167
	Requires school districts to develop a plan that provides for radon testing in any frequently occupied room in contact with the ground or located above a basement or crawlspace, and for retesting at least once every 10 years. Requires test results to be provided to the local school board and the state Health Authority and made readily available to parents/guardians, staff and others. Also requires the state Health Authority to disseminate information on radon to school districts and to develop model plans for school districts to follow. Regulation adopted by the Oregon Department of Education (Or. Admin. Code 581-022-2223) requires each school district and public charter school to develop a "Healthy and Safe Schools Plan" that includes a plan to test for elevated levels of radon as mandated by the law, as well as plans: to test for and reduce exposure to lead in drinking water; to reduce exposure to lead paint; to implement IPM practices; and to communicate results for required tests. The regulation also requires school districts and charter school boards to annually provide a "high level summary of major mitigation efforts in the last year as a result of the Healthy and Safe Schools Plan" to building occupants, parents/guardians, and the community.

PA	2002 Pennsylvania Senate Resolution No. 171
	Urges the Department of Health to establish a task force to investigate mold in homes, schools, and other buildings.

RI	Rhode Island General Laws § 16-60-4
	Authorizes the state Board of Regents to approve standards for the design and construction of school buildings. Regulations adopted under the law (RIDE School Construction Regulations, R.I. Admin. Code 21-2-41:1.04--1.05) require all new school construction and school renovation projects that cost more than \$500,000 to incorporate a radon mitigation strategy if the site is located in an area with moderate or high radon potential. Regulations also require compliance with certain high performance construction standards, including protecting IAQ during renovation of occupied buildings.

RI	Rhode Island General Laws §§ 23-61-1 et seq.
	Authorizes the Department of Health to undertake a variety of radon-related activities, including: conducting a voluntary radon testing program; undertaking radon testing; requiring that owners of "public or high priority buildings" test for radon; recommending radon-resistant construction standards; developing a public information program; and issuing radon standards for air and water. Requires state certification or licensure of radon professionals and establishes monetary fines and other penalties for violations. Requires the state to establish regulations requiring the evaluation of all public buildings, schools, and day care centers for elevated radon levels. Establishes a fee on new residential construction. Regulations promulgated under the law establish licensing and certification requirements for radon mitigation and measurement professionals and radon analytical services (R.I. Admin. Code 31-1-25:B.1--B.8/R23-61-RC). Regulations establish radon standards; measurement and mitigation protocols; and requirements for testing and mitigation of high radon levels in public buildings, schools, and child care facilities. [See also R.I. Admin Code 31-1-37:28.0/R16-21-SCHO and 21-2-57:III.]

TN	2003 Tennessee Laws Pub. Ch. 381 (H.B. 891)
	Creates a special joint committee to study mold abatement in public schools, which must report findings and recommendations to the General Assembly no later than March 1, 2004.

TN	Tennessee Code § 49-2-121
	Encourages local education agencies to implement an IAQ inspection and evaluation program, such as EPA's IAQ Tools for Schools program, which may address ventilation, radon, relative humidity, separation of students and staff from construction, and reduced use of cleaning and maintenance products. Directs the state Department of Education to compile a statewide survey of IAQ in public schools by 2006.

TX	Texas Education Code § 42.352
	Authorizes the state Board of Education to establish standards addressing the adequacy of Texas public school facilities. Regulations adopted under the law (19 Texas Admin. Code 61.1036) establish a variety of requirements for state-funded school construction and renovation projects, as well as the recommendation that schools consider the use of designs, methods, and materials that will reduce the potential for IAQ problems. The regulations further recommend that districts use the state's voluntary IAQ guidelines and the EPA's IAQ Tools for Schools program, and that they consult with a qualified IAQ specialist during the design process.

TX	Texas Health & Safety Code, §§ 385.001--.003
	Requires the Board of Health to establish voluntary guidelines for indoor air quality in government buildings, including guidelines for ventilation and indoor pollution control systems. Provides that in establishing the guidelines, the Board must consider the potential effects of air contaminants and insufficient ventilation on human health; the potential health care costs resulting from exposure to indoor air contaminants; and the potential costs of compliance with the proposed guidelines. Regulations (25 Texas Admin. Code 297) incorporate the voluntary guidelines, which include a broad range of microbial management and other recommended practices for operations, maintenance, design and construction of schools and other public buildings. 2015 legislation (2015 Tx. S.B. 202) repealed these statutory provisions, removing this function from the state health department.

VT	Vermont Public Act 125 (H.B. 192)
	Requires the Department of Health and the Department of Buildings and General Services to create and maintain a website to serve as a clearinghouse for information on environmental health in schools, including information on: common materials and practices that may compromise indoor air quality; preventative maintenance options; nontoxic or least-toxic supplies, equipment, and materials; and environmental health criteria that schools may use in determining which materials to purchase or use. Also requires the departments to: help schools identify and address potential sources of environmental pollution; organize annual training workshops for various school personnel; assist schools in establishing comprehensive environmental health programs; and report annually to the state legislature on the extent of indoor air and hazardous exposure problems in schools. Further requires the departments to develop and distribute a model school environmental health policy to all schools.

VT	Vermont Statutes tit. 18, §§ 1781 -- 1784
	Requires those who provide cleaning products or services to schools to provide and use only environmentally preferable cleaning products, defined as those used by the state department of buildings and general services (under state contracts) or those certified by a nationally recognized organization that has developed a certification program that meets several criteria listed in the law or that is otherwise approved by the state department of health. Requires a distributor or manufacturer of cleaning products to provide a green cleaning training to each school district it provides with environmentally preferable cleaning products, at no cost to the district.

VT	Vermont Statutes, tit. 16, §§ 3447, 3448
	Establishes the framework for the state to provide financial assistance for school construction, and authorizes the state to adopt rules for the program. Rules adopted by the Department of Education (Vt. Admin. Code 7-1-14:6131) establish a variety of requirements for school construction and renovation projects receiving state aid, including: school board plans to address indoor air quality during all phases of construction; ventilation designs that comply with ASHRAE standards; project specifications that include a commissioning plan to incorporate a variety of specified elements; use of low-emitting finishes; and sufficient time for off-gassing of pollutants.

VA	Virginia Code § 22.1-138
	Provides that every school building in Virginia shall be tested for radon, and that the test results shall be available for public review.

WA	1994 Washington Senate Bill 6244
	Provides a maximum of \$70,000 for the development of best management practices by local school districts to improve IAQ in newly constructed school buildings. The IAQ manual is referenced as a voluntary guideline in the Department of Health's checklist of school health and sanitary standards, which governs school inspections. (See manual at: http://www.doh.wa.gov/Portals/1/Documents/Pubs/333-044.pdf .)

WA	Revised Code of Washington § 43.20.050
	Requires the state Board of Health to adopt rules controlling public health related to environmental conditions in public facilities, including schools. Rule adopted under the law (Wash. Admin. Code 246-366-001 et seq.) establishes general minimum standards for schools relating to heating, lighting, ventilation, sanitation, and cleanliness and requires that local health officers inspect schools periodically. In August 2009 the Board of Health adopted a revised rule (Wash. Admin. Code 246-366A-001 et seq.) that requires annual inspections by local health boards and establishes a more detailed set of facility standards. The revised standards address numerous IAQ issues (moisture, ventilation, and others), along with drinking water, playground safety, site assessment, and construction requirements. The state enacted budget legislation in 2009 that prohibits implementation of the revised rule until the legislature appropriates funding for implementation (see Wash. Eng. Sub. House Bill 1244 (Sec. 222)), and the Board has therefore delayed the effective date of the revised rules.

WA	Revised Code of Washington §§ 70.162.005--.050
	Requires the Department of Labor and Industries to develop policies for evaluating IAQ in state owned/leased buildings; for strengthening IAQ regulations in the workplace; and for improving IAQ in public buildings. Requires the Department to review IAQ programs in public schools and provide state agencies with educational and informational pamphlets on IAQ standards. Requires the Department to recommend to the legislature measures for improving IAQ in public buildings. Directs the State Building Code Council to bring ventilation and filtration standards into conformity with industry standards. Encourages state agencies to maintain and operate mechanical ventilation and filtration systems in a manner consistent with ASHRAE standards. Authorizes the Superintendent of Public Instruction to implement a model IAQ program.

WV	West Virginia Code § 18-5-10
	Authorizes the state Board of Education to require all school construction plans and specifications to comply with the provisions of the law. Regulations, in the form of a Handbook on Planning School Facilities (W. Va. Admin. Code 126-172-2--3), establish school design and construction requirements, including: incorporating ASHRAE 62; ensuring that ventilation systems be designed to maintain humidity levels at or below 60% and to use appropriate filters with a minimum of MERV 8 (and a recommended MERV 13); locating outside air vents at least 15 feet from pollutant sources; and installing carbon monoxide alarms in all areas that produce combustion gases.

WV	West Virginia Code § 18-9E-3
	Requires all new school buildings to be designed and constructed in compliance with current ASHRAE standards and requires the School Building Authority to promulgate rules consistent with ASHRAE standards for independent testing, adjusting, and balancing of HVAC systems in new and renovated school buildings. Requires that the Department of Education provide county maintenance personnel with additional training on school HVAC equipment. Requires the department to forward to the School Building Authority copies of any IAQ complaints that require system repair or replacement. Also requires the state Board of Education to develop rules allowing the use of appropriate floor covering in public schools; the rule adopted (W.V. Admin. Code 126-173-1--2) recommends restricting carpet to certain uses, requires that carpet meet industry standards, and further requires that custodial staff receive instruction on carpet maintenance. Requires the Division of Health to perform radon testing in new schools within one year of occupancy and at least once every five years thereafter. Requires the state to establish standards for safe levels of radon in public school buildings and requires mitigation if testing reveals high radon levels.

WV	West Virginia Code § 18-9E-5
	Requires the state Board of Education to promulgate rules that require each county board to investigate all reports of school IAQ problems. Requires the rules to designate an official responsible for addressing IAQ complaints and to set forth a procedure for filing complaints. Requires county boards to develop a plan of correction when complaints are found to be valid, and to include those plans in the ten-year, county-wide major improvement plan. Requires legislative oversight commission to make a recommendation for funding plans of correction in certain cases. Rules adopted under the law (W.V. Admin. Code 126-174-1--2) establish procedures for school investigation and resolution of IAQ complaints.

WI	Wisconsin Statutes §§ 118.075, 119.23(7)(g)
	Requires the state Department of Public Instruction to establish a model management plan and practices for maintaining indoor environmental quality in public and private schools, taking into account the recommendations of the Indoor Air Quality in Schools Task Force created under the law. Requires public school districts and certain private schools to develop a plan for maintaining indoor environmental quality in their schools within three months of issuance of the state model and to implement the plan within the following nine months. The Department's Model Management Plan, issued in February 2012, incorporates a variety of elements, including an IEQ coordinator, a communications plan, a complaint resolution process, maintenance/operations procedures, and IEQ policies.