

ENVIRONMENTAL LAW INSTITUTE
DATABASE OF
STATE INDOOR AIR QUALITY LAWS

DATABASE EXCERPT: IAQ IN SCHOOLS

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Washington, D.C.

May 2008

The Environmental Law Institute's Database of State Indoor Air Quality Laws contains a broad cross-section of policies on the subject of indoor air quality. The following chart collects those laws included in the database that deal with the subject of *indoor air quality in schools*. The chart does not purport to include every state law that addresses indoor air quality in schools. The chart 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. For a fuller compilation of IAQ laws, see the complete database chart. Like the complete database, this excerpt covers laws enacted through December 2007.

The abstracts for documents that were added or substantially amended in 2007 appear in **bold** type.

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 § 15-2131--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 SMACMA guidelines. Requires that all new HVAC systems be operated continuously during school activity hours, with stated exceptions.
AZ	Arizona Executive Order 2005-05
	Provides that all state-funded buildings shall meet at least the LEED silver-level standards, and directs all executive branch agencies to implement this standard "to the extent practicable." Also establishes energy efficiency and renewable energy goals for state-funded buildings and directs the Arizona School Facilities Board to report annually on progress in meeting those goals.
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.
AR	Arkansas Code Ann. §§ 6-21-801--814
	Requires school districts to develop 10-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 schools 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.

CA	California Public Resources Code § 42645
	Requires the state to establish a program to provide grants to school districts and schools to promote educational programs on source reduction and recycling. Provides that one of the criteria for awarding a grant is the extent to which the applicant has demonstrated a commitment to using environmentally preferable products (EPP) in the construction or modernization of public school facilities, and defines EPP to include the promotion of healthy indoor environments for children.

CA	California Labor Code § 142.3
	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 (Cal. Code Regs., tit. 8, §§ 5142, 5143) require that HVAC systems be operated continuously and inspected annually, and that HVAC inspection and maintenance records be made in writing and provided to the state and to employees upon request. Additional regulations governing general sanitation (Cal. Code Regs., tit. 8, § 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.

CA	California Education Code §§ 17070.96, 101012
	Allocates \$7.3 billion in state-issued general obligation bonds for K-12 new school construction and modernization projects. Designates \$100 million of this total as incentive grants for high performance schools -- projects that "promote the efficient use of energy and water, the maximum use of natural lighting and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and other characteristics of high-performance schools." Also directs all school districts that apply for new state construction funding to certify that they have at least considered the feasibility of incorporating these high performance goals into their school construction projects. Regulations adopted under the law (2 Cal Code Regs. 1859.70.4, 1859.71.6) establish the minimum criteria for receiving a grant, including the minimum IAQ-related criteria, as well as the formula for calculating the amount of the grant.

CA	California Executive Order S-20-04
	Re-establishes the state's commitment to its Green Building Action Plan and outlines additional measures to promote healthy, high performance building, including the use of LEED™ standards in state buildings. The state's Sustainable Building Task Force has developed a "LEED™ Supplement for California State Facilities," which adds minimum standards for certain design elements (including IAQ) beyond those established in the LEED™ rating system developed by the United States Green Building Council. The Executive Order also calls on the State Architect to adopt guidelines to enable and encourage schools built with state funds to be resource and energy efficient. A workgroup convened by the State Architect has concluded that the best guideline to meet this requirement is the Collaborative for High Performance Schools (CHPS) Best Practices Manual.
CA	California Health & Safety Code § 39930
	Requires the Air Resources Board, in consultation with other agencies, to provide a report to the state legislature 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. Requires 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 [see report at: http://www.arb.ca.gov/research/indoor/ab1173/finalreport.htm].
CA	California Health & Safety Code § 39619.6
	Requires the Air Resources Board and the Department of Health Services to conduct a comprehensive study and review of the environmental health conditions in portable classrooms. Directs 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. Provides that the study shall 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. [See report at: http://www.arb.ca.gov/research/indoor/pcs/pcs.htm].

CA	California Education Code §§ 17070.75, 17002(d)(1)
	Requires the state to mandate that school districts make all necessary repairs, renewals, and replacements to ensure that facilities being constructed or acquired are at all times maintained in good repair, working order, and condition. 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. State has developed a Facility Inspection Tool to be used in annual school inspections, which includes several IAQ-related items that address ventilation and mold/water damage.
CO	Colorado Revised Statutes Ann. § 25-1.5-101
	Authorizes the Department of Public Health to establish and enforce sanitary standards for the operation and maintenance of schools and other institutions. Regulations adopted under the law (Colorado Code, tit. 6, s. 1010-6) require schools to test for radon. Regulations also require that newly-constructed schools undergo radon testing within 19 months of occupancy and that remodeled schools be evaluated by the state to determine the need for radon testing. Regulations require that radon testing be carried out in a manner consistent with EPA guidance and that schools make the test results available.
CO	Colorado Senate Bill 07-051
	Establishes green building requirements for the construction or substantial renovation of facilities that are at least 5,000 square feet and that receive state funding equal to at least 25% of the project cost. Such projects must use a state-approved high performance building rating system and must achieve the highest rating that can be attained with a 15-year payback of any increased initial costs. Directs the Office of the State Architect to adopt a rating system and provides general criteria for doing so, but does not specify a rating system. This requirement becomes more significant in the school construction context following passage of another law (House Bill 1335) in 2008, which will increase the state’s role in funding school building projects.
CT	Connecticut General Statutes Ann. § 19a-37b
	Requires the Department of Public Health to adopt regulations establishing acceptable levels of radon in ambient air and drinking water in schools.

CT	Connecticut General Statutes Ann. § 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 Education 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 Ann. § 10-220
	Requires local or regional boards of education to adopt and implement an IAQ program that provides for ongoing maintenance and facility reviews. Requires boards of education to report biennially to the Commissioner of Education on facility conditions and on actions taken to implement their IAQ 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 testing of radon in air and water.
CT	Connecticut General Statutes Ann. §§ 10-282--283
	Authorizes 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.
CT	Connecticut House Bill No. 7432, Public Acts 06-187
	Establishes that new construction projects costing at least \$5 million and receiving at least \$2 million in state funding (as well as certain school renovation projects that receive at least \$2 million in state funding) must comply with state high performance building standards. Directs the state to develop such standards consistent with the criteria for a LEED silver-level rating or comparable standards approved by the state. Also provides for a 2% increase in state funding for schools that are required to meet the new standards.

DC	District of Columbia Statutes 6-1451.02
	Establishes green building requirements for public and private buildings in the District of Columbia. Directs the Mayor to promulgate rules to require public school new construction and substantial improvement to be verified as having achieved the LEED-Schools standard or a “substantially equivalent rating system that requires full-building commissioning.”
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 Ann. § 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 that persons who perform radon measurements and mitigation be certified by the department, and that the results of radon measurements 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 buildings shall not exceed 0.02 WL, including background (Fla. Admin. Code. r. 64E-5.1001).
HI	Hawaii House Bill 2175; Act 96
	Establishes the goal that all state agencies, including the Department of Education, shall design and construct buildings to meet the LEED silver-level standard, the Green Globes two-globe standard, or another comparable standard approved by the state. The law directs state agencies to implement these goals “to the extent possible” in planning and budget preparation and program implementation.

IL	Illinois Compiled Statutes Ann. Ch. 230 § 5-40
	Requires state-funded school construction projects to meet green building standards. Requires such projects to either receive LEED certification, meet the criteria of the Green Globes rating system, or meet other green building standards developed by the state.
IL	Illinois Compiled Statutes Ann. 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.
IN	Indiana Code §§ 16-41-37.5-1--3
	Requires the Department of Health to inspect a school after receiving a complaint about the school's indoor air quality, and to report the results of the inspection. Requires the department to assist the school in developing a plan to improve IAQ conditions found in the inspection. Establishes the School Air Quality Panel, and requires the panel to assist in developing air quality improvement plans. Also requires the panel to identify and make available to schools best operating practices for indoor air quality.
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.
ME	Maine Revised Statutes Ann., 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 Ann., 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 Ann., tit. 26, § 565-A
	Requires the Occupational Safety Rules and Regulations Board to work with the Bureau of Public Improvements 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 Ann., 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.
ME	Maine Revised Statutes Ann., 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.
MD	Maryland Act 2004, c. 306, § 7
	Requires the Board of Public Works to adopt regulations to develop design guidelines and provide financial incentives for school construction projects that use sustainable building or green architectural design features.
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. Requires the regulations to include specifications for preventing mold/water damage, limiting infiltration of pollutants, providing continuous ventilation, and using low-emitting building materials.

MA	Massachusetts General Laws Ann., 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 a new Massachusetts School Building Authority and school building grant program. Regulations governing these state-funded projects (963 Code Mass. Regs. 2.01) require that all reasonable efforts be made to ensure suitable indoor air quality. The regulations also establish specific requirements for state-funded projects in areas 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.
MI	Michigan Compiled Laws Ann. § 380.1285a
	Requires the state to develop standards for before- or after-school programs operated by school districts, and provides that the standards must address the indoor environment, among other issues.
MN	Minnesota Statutes Ann. § 123B.57
	Provides that in order to receive state health and safety revenue, school districts must adopt a health and safety program. Requires that the program include an IAQ management plan that incorporates a plan to test for and mitigate radon and a plan to monitor and improve indoor air quality. Establishes that health and safety revenues may be used for HVAC upgrades and mold abatement activities.
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 Ann. §§ 123B.71, .72
	Requires that, as part of the state's review and comment process for certain new school construction projects, a local school board must submit to the state a description of how indoor air quality issues have been considered. Also requires certification that a new school facility's design will provide the ability for monitoring of outdoor airflow and total airflow of ventilation systems, and that any HVAC system that is installed or modified must provide a filtration system with a current ASHRAE standard. In 2005, statute was amended to require that architects and engineers consider the ANSI Acoustical Performance Criteria, Design Requirements and Guidelines for schools for the maximum background noise level and reverberation times.

NH	New Hampshire Revised Statutes § 198:15-b, c
	Entitles school districts to receive additional state funding for school construction projects that meet the criteria of the New England version of the Collaborative for High Performance Schools (CHPS) standards, which includes certain mandatory and optional IAQ practices. Conditions receipt of any state school construction funds on submission of a written maintenance plan for the new facility. Also requires the state Department of Education to help ensure that eligible school districts apply for any assistance available from energy utility companies to promote IAQ and energy efficiency.
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.
NJ	New Jersey Executive Order No. 24 (2002)
	Requires that all new school designs incorporate the LEED™ guidelines developed by the United States Green Building Council.
NJ	New Jersey Statutes Ann. § 18A:7G-3, 9(b)(3) and 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 tit. 6, § 26A-2.1) require that maintenance activities include tests to monitor air quality.

NJ	New Jersey Statutes Ann. § 52:27D-130.4--5
	Requires the Department of Health and Senior Services 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.

NJ	New Jersey Statutes Ann. §§ 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 Ann. §§ 34:6A-1, et seq.
	Requires that every employer furnish a place of employment that is reasonably safe and healthful for employees, including adequate ventilation, and authorizes the state to adopt rules. Rules adopted under the law (NJ 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.

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NM	New Mexico Senate Bill 0827 (2007)
	Appropriates \$20 million for construction and expansion of public schools, including up to \$2 million to cover the additional initial costs of building high performance, green schools.
NM	New Mexico Stat. Ann. § 22-20-1
	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.
NY	New York Education Law § 409-I, New York State Finance Law § 163, 163-b
	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. The guidelines, developed by the Office of General Services, are available at http://www.ogs.state.ny.us/bldgadmin/environmental/greenguidelines.pdf .
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 NY Code Rules & Regs §§ 155.3--155.6) 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; and an annual safety rating and school facility report cards that include information on the status of IAQ activities and radon testing. 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. In 2007, the Department of Education added an appendix to its Manual of Planning standards to provide voluntary guidelines for building healthy, high performance schools. The appendix, titled "NYCHPS – High Performance Schools Guidelines," adapts the California CHPS guidelines to address New York code requirements and priorities. The NY-CHPS, for example, includes additional measures relating to IAQ.

NY	New York Education Law § 409-g
	Prohibits the purchase and use of any urinal or toilet deodorizer containing paradichlorobenzene in public or private elementary or secondary schools.
NC	North Carolina Gen. Stat. Ann. § 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.
OH	Ohio Revised Code §§ 3701.93--936 (also §§ 3313.473, 3314.15)
	Requires the State Health Department to oversee and coordinate annual school health and safety inspections, to be carried out by local boards of health. Provides that inspectors shall use forms, templates, and checklists developed or approved by the State Health Department. Requires inspection reports to include recommendations for measures to abate hazardous conditions, requires school districts to submit a written plan for abating such conditions, and establishes that the local board of health shall determine compliance with the plan. Also requires school administrators to provide inspectors with access to school facilities and records. Associated statute (Ohio Rev. Code § 3707.26) provides for annual sanitary inspections, which may be undertaken in addition to, or in conjunction with, the annual health and safety inspection. Rules adopted by the Health Department (Ohio Admin. Code ch. 3701-54) establish detailed standards and procedures for school inspections, including numerous IAQ-related items that must be evaluated, including radon and moisture/water damage. Among other things, rules require schools to maintain records demonstrating that the school has been built radon-resistant or has been tested for radon within the past five years.
PA	Pennsylvania Statutes, tit. 24, § 25-2574
	Requires that the state Department of Education increase the approved building construction cost for certain school construction projects that meet specified green building standards.

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 Joint Resolution 04-R 369
	Establishes a special joint commission to develop a comprehensive statewide plan to coordinate information and initiatives, and to identify resources, training and education needs, regarding school environmental health and safety issues. Designates members of the commission, including a variety of state agencies and non-governmental organizations.
RI	Rhode Island General Laws §§ 23-61 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; developing radon-resistant construction standards; developing a public information program; and issuing regulations establishing radon standards for air and water. Requires 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 (Code R.I. Rules § 14.120.007) require licensing and certification of radon mitigation and measurement professionals, as well as certification of radon analytical services. The regulations also establish radon measurement and mitigation protocols, and set forth requirements for radon testing and mitigation of high levels in public buildings, schools, and child care facilities. (See also R.I. Rules 16.21.25.)
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 Ann. § 49-2-121
	Encourages local education agencies to implement an IAQ inspection and evaluation program, such as EPA's IAQ Tools for Schools, which may address ventilation, radon, relative humidity, separation of students and staff from construction, and reduced use of cleaning and maintenance products. Directs the Department of Education to compile a statewide survey of IAQ in public schools.
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. Rules 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, tit. 5, §§ 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 recommended practices for operations and maintenance, as well as for design and construction, of schools and other public buildings.
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; a list of nontoxic or least-toxic supplies, equipment, materials, and a list of 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 Ann., 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 (Code of Vt. Rules 22.000.014 (6000)) establish a variety of requirements for school construction and renovation projects receiving state aid, including: that school boards adopt a plan to address indoor air quality during all phases of construction; that ventilation designs comply with ASHRAE standards; that project specifications include a commissioning plan that incorporates a variety of specified elements; that finishes emit as few VOCs as possible; and that sufficient time be allowed for off-gassing of pollutants.
VT	Vermont Public Act 147 (H. 864, s. 47)
	Creates a school construction standards committee for the purpose of developing a "comprehensive proposal to incorporate high performance school design and construction standards into Vermont school construction projects." The committee consists of representatives of the state agencies on education, public services and general services, as well as representatives of the Vermont Energy Investment Corporation, the state superintendents' association, and the state chapter of the American Institute of Architects. The committee issued its report in January 2007, recommending adoption of a high performance schools protocol (see report at: http://education.vermont.gov/new/pdfdoc/pgm_construction/high_performance_report_011507.pdf).
VA	Virginia Code Ann. § 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	Revised Code of Washington §§ 39.35D.010--.800, 39.04.330
	Requires that school construction projects receiving state funding be designed and built to meet either the Washington Sustainable Schools protocol or the LEED "silver" standard. Requires state to issue guidelines for verifying compliance with the standards. Also requires the state to amend fee schedules for A/E services to accommodate the new design requirements. Also establishes green building requirements for certain state building projects, but exempts affordable housing projects. Separate legislation appropriates additional funding for high performance school construction projects to help schools transition to the new requirements.

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.
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. [See manual at: http://www.doh.wa.gov/ehp/ts/IAQ/schoolIAQbmp.pdf] 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.
WV	West Virginia Code Ann. § 18-5-10
	Allows the state board of education to require that all plans for school buildings comply with the requirements of the law. Regulations adopted under the law (W. Va. Admin. Code 126-172-2) require that school facility ventilation systems maintain humidity levels below 60% and use appropriate filters. These regulations also require that outside air vents be located a minimum distance away from sources of air contaminants and that carbon monoxide monitors/alarms be installed in all areas that produce combustion gases.
WV	West Virginia Code Ann. § 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 126-174-2) establish procedures for school investigation and resolution of IAQ complaints.