

SUBJECT: Requiring indoor air quality assessments for new or renovated schools

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Gray, Coleman, Capelo, Delisi, Glaze, Longoria, Maxey, Uresti, Wohlgemuth
0 nays

WITNESSES: For — Edward Carter, American Lung Association of Texas; Melody Chatelle, Texas Classroom Teachers Association; Rene Lara, Texas Federation of Teachers; *Registered but did not testify:* Reggie James, Consumers Union SW Regional Office; Richard Kori, TSTA; Joel Romo, Association of Texas Professional Educators; G.K. Sprinkle, American Lung Association, Craig Tonnget, Texas PTA

Against — None

On — Vincent Torres; *Registered but did not testify:* Claren Kotrla, Quade Stahl, Texas Department of Health

BACKGROUND: Health and Safety Code, ch. 385 requires the Texas Board of Health to establish voluntary guidelines for indoor air quality in schools. No school board liability exists for an injury caused by a failure to comply.

Education Code, subchapter A, ch. 46 sets forth guidelines and the formula for the Instructional Facilities Allotment, which guarantees a school district a certain amount per student in state and local funds for each cent of tax effort to pay the principal of and interest on eligible bonds issued to construct, acquire, renovate, or improve an instructional facility.

DIGEST: HB 2007 would amend Health and Safety Code, ch. 385 to require the Texas Board of Health to establish mandatory indoor air quality guidelines for construction and substantial renovation of public school buildings. The bill would not create school board liability for an injury caused by failure to comply with the mandatory guidelines.

The bill would amend Education Code, subchapter A, ch. 46 to require a survey of indoor air quality for renovation projects. Such a survey would

take place after the renovation was complete, and would analyze the facility's overall indoor air quality. A school district that failed to complete the survey would not be permitted to use state funds to make payments on bonds issued in connection with the renovation.

The indoor air quality survey requirement would not apply to a renovation project for which working drawings were completed before the September 1, 2001, effective date of the bill. Such a project would be governed by the law in effect at the time the drawings were completed, and that law would be continued in effect for that purpose.

**SUPPORTERS
SAY:**

The state should protect the health of Texas schoolchildren by monitoring indoor air quality in public schools. Poor air quality can cause a variety of problems, such as headaches, sore throats, recurring respiratory illnesses, itchy eyes, stomach aches, and rashes or other allergic reactions. Exposure to airborne toxins also can cause heightened sensitivity, where the person exposed becomes highly sensitive to a variety of chemicals or other substances. Poor air quality exacerbates existing health conditions such as asthma, which is on the rise among Texas children.

Children are especially susceptible to illnesses caused by airborne toxins because they have smaller bodies, and thus they accumulate toxins in greater concentrations than adults. Children also are especially vulnerable because their bodies are still developing and are incapable of processing toxins in the same manner as adults. Poor indoor air quality may lead to lowered performance or illness in both children and adults, but children are less likely to associate these problems with air quality. Parents who do not spend much time at their children's school also may not realize that poor indoor air quality could be the cause of their children's problems. Ensuring indoor air quality is important because most people spend approximately 90 percent of their time indoors. The state devotes a great deal of time and energy to monitoring outdoor air quality, but not to indoor air quality.

Few schools have taken action to adopt the voluntary air quality standards. The Texas Department of Health fields hundreds of questions each year from parents who are concerned about indoor air quality in public schools. Recent air quality problems caused by mold uncovered during renovations at several schools have heightened public awareness of indoor air quality.

Most indoor air quality problems in public schools are caused by new construction or renovation work. Some construction materials are faulty and have a negative impact on air quality. In addition, many modern construction materials are synthetic and “off-gas,” or emit, toxic fumes including chemicals and volatile organic compounds when initially installed. Off-gassing decreases after installation. Students, teachers, and other school employees often report headaches and other poor air quality symptoms after a classroom, wing, or building has been renovated. Requiring inspection after renovation or new construction would help to ensure that children were not attending school in buildings where construction material emissions were threatening air quality.

Required air quality assessments would raise awareness of air quality issues, and reduce costs related to construction and renovation. Awareness would encourage schools to incorporate up-to-date information concerning construction materials and techniques and avoid making the same errors other schools have made in the past. In the past, construction and renovation costs have been driven up dramatically due to resulting poor air quality that necessitated expensive clean-up. Air quality assessments and air quality awareness would assist schools in the construction and renovation planning stages and help them to avoid creating poor air quality.

Raising air quality awareness also would help schools to better allocate their maintenance dollars. For example, a school experiencing a roof leak could avoid an expensive mold problem by focusing on air quality issues in the repair planning stages. Two schools in Texas recently experienced severe mold problems associated with roof leaks which forced them to relocate students and cost more than \$3 million each to repair and mitigate the mold problem.

Improving air quality would reduce lost instructional time. When teachers are out sick, students lose teaching continuity. When students are out sick, they are more likely to fall behind or require additional assistance with missed school work. Schools also would improve the work environment for teachers and save school districts money spent on substitute teachers and sick pay. Teacher organizations receive numerous calls from teachers concerned about air quality issues.

While this bill would require the state to invest some money in the program, protecting the health of our children is one of the best ways to allocate state dollars. Children are vulnerable, and the youngest children are unable to speak up or otherwise take action to protect themselves. The program also would protect the health of teachers and school employees, as well as members of the public who spend time in school buildings for sporting events, performances, extracurricular activities, and other purposes.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

According to the fiscal note, the bill would cost the Texas Board of Health \$178,244 in fiscal 2002-03, plus \$85,501 per fiscal year in 2004, 2005, and 2006.

A related bill, HB 2006 by Naishtat, et al., requiring school districts to assess school indoor air quality using Texas Department of Health uniform standards, also in on today's General State Calendar.