

SENATE No. 1382

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act for healthy and green public schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/22/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/8/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/16/2021</i>

SENATE No. 1382

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1382) of Joanne M. Comerford, Jason M. Lewis, Patricia A. Duffy, Michael O. Moore and others for legislation relative to healthy and green public schools. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act for healthy and green public schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by adding after section
2 237 the following section:-

3 Section 238. (a) The department of public health and the department of elementary and
4 secondary education shall implement a healthy and green public schools initiative consisting of:

5 (1) an assessment of the extent to which school buildings in the Commonwealth provide
6 students a healthy environment that is conducive to learning while efficiently using energy and
7 resources and limiting exposure to toxic building materials, referred to in this section as “healthy
8 and green schools”;

9 (2) the development of standards for healthy and green schools, which shall be developed
10 in consultation with the advisory board and in light of national standards; and

11 (3) recommendations and a plan for all schools to equitably meet healthy and green
12 school standards by 2050.

13 (b) The assessment shall evaluate the extent to which each school building in the
14 Commonwealth provides students a healthy environment that is conducive to learning while
15 efficiently using energy and resources and limiting exposure to toxic building materials. Factors
16 to be considered shall include, but not be limited to, the following considerations:

17 (1) protection against infectious disease, including COVID-19 and influenza;

18 (2) sufficient ventilation and air circulation, including adequate outdoor air exchange,
19 filtration and circulation;

20 (3) healthy indoor air quality, including limits on pollutants, exposure to toxic substances,
21 chemical emissions and vapor intrusion;

22 (4) adequate availability of clean and safe water and water fountains;

23 (5) appropriate thermal comfort, humidity and temperature controls;

24 (6) protections against pests with effective use of integrated pest management;

25 (7) limits on pollutants, dust, mold and allergens;

26 (8) appropriate artificial lighting and plentiful natural light;

27 (9) proper acoustic and noise control;

28 (10) proper maintenance of mechanical systems;

29 (11) design that promotes physical activity and meets accessibility standards;

30 (12) opportunities to increase energy efficiency and efficient use of resources including
31 low flow fixtures;

32 (13) opportunities to shift to fossil-free fuels; and

33 (14) proper access to greenspace.

34 The assessment may rely on existing data or be objectively measured. The assessment
35 shall include a public searchable online dashboard with the findings for all school buildings in
36 each city and town in the commonwealth.

37 (c) In consultation with the advisory board and national standards, the departments shall
38 determine standards for healthy and green schools.

39 (d) The departments shall issue recommendations, including an analysis that summarizes
40 the findings of the assessment and provides recommendations for implementing healthy and
41 green school standards for cost-effective renovation and rehabilitation of existing school
42 buildings and for new school building construction, and a plan for implementing these standards
43 for all schools by 2050. The plan shall prioritize addressing schools with the greatest needs first.

44 The recommendations shall consider the unique environmental conditions of schools
45 located in urban, industrial and other areas facing particular site challenges and shall take into
46 account the need to address historic patterns of injustice and inequity in education and schools.
47 The recommendations shall consider the particular needs of students in special education
48 programs.

49 The recommendations shall estimate the cost of bringing all schools into compliance with
50 the standards by 2050, including the ongoing cost of maintenance and repair and recommend a

51 plan to fund these costs. The funding plan shall take into account the varying funding capacity of
52 cities and towns in the commonwealth. The funding plan shall also compare those costs with
53 long-term savings in health and medical costs, energy costs, maintenance and other savings, and
54 the growth in economic activity of bringing schools to the standards, including increased jobs
55 and job training.

56 (e) The healthy and green public schools initiative shall be guided by an advisory board
57 which shall direct all work of the initiative and shall approve the assessment, standards and
58 recommendations. The advisory board shall consist of the following members or their designees:
59 the commissioner of public health, who shall serve as chair; the commissioner of elementary and
60 secondary education, who shall serve as vice-chair; the executive director of the Massachusetts
61 School Building Authority; a representative of the the Massachusetts Municipal Association; a
62 representative of the Massachusetts Association of School Committees; a representative of the
63 Massachusetts Teachers Association, a representative of the American Institute of Architects-
64 Massachusetts; a representative of the the Massachusetts Association of School Superintendents;
65 a representative of the Massachusetts Smart Growth Alliance; a representative of the Center For
66 Green Schools; a representative of the Collaborative for High Performance Schools and 8
67 additional members to be appointed jointly by the chair and vice-chair, 2 of whom shall be
68 academic experts in assessing the impact of school design on student health and energy
69 efficiency; 1 of whom shall represent rural regions of the commonwealth; 1 of whom shall
70 represents gateway cities; 1 of whom shall represent the business community; 1 whom shall
71 represent communities of color; 1 of whom shall represent the construction industry, and 1 of
72 whom shall be a parent of a child in a public school.

73 The chairs of the house and senate committees on ways and means, joint committee on
74 education, and joint committee on public health, or their designees, shall be observers to the
75 advisory board and shall be invited to all its meetings.

76 (f) To perform the work required under this section, the departments shall contract with
77 an independent research or academic organization with expertise in healthy and green schools.
78 The staff of the Massachusetts School Building Authority shall assist the departments in all work
79 required under this section.

80 (g) Funding for the healthy and green schools initiative shall be provided without further
81 appropriation by the Massachusetts School Building Authority pursuant to a budget to be
82 approved by the advisory board.

83 (h) Following the completion of the initial assessment and recommendations by the
84 departments under this section, the departments shall issue updated assessments, status reports
85 and recommendations to implement the goals of this section no later than every two years after
86 completion of the initial recommendations.

87 SECTION 2. The initial findings of the assessment required under section 238 of chapter
88 111 of the general laws shall be published online on the public web sites of the departments and
89 provided to the senate and house committees on ways and means and the committees on public
90 health and education no later than June 30, 2022. The initial standards and recommendations
91 under said section shall be published online on the public web sites of the departments and
92 provided to the senate and house committees on ways and means and the committees on public
93 health and education no later than December 31, 2022.