

1 (4) There is a widespread benefit from a marketplace that encourages innovation to
2 develop products that perform effectively while reducing their environmental impact.

3 **16-21.6-3. Definitions.** – The following words and phrases as used in this chapter, unless
4 a different meaning is plainly required by the context, shall have the following meanings:

5 (1) "Elementary and secondary schools" means facilities used for instruction of
6 elementary or secondary students by:

7 (i) Any school district;

8 (ii) Any charter school;

9 (iii) Any school for students with disabilities;

10 (iv) Any other private or parochial elementary or secondary school with greater than
11 twenty-five (25) students.

12 (2) "Environmentally preferable cleaning and maintenance products" means those
13 cleaning and maintenance products and equipment intended to clean surfaces within a school
14 facility (such as, but not limited to: glass cleaners, bathroom cleaners, carpet cleaners and general
15 surface cleaners) that perform effectively and simultaneously meet the cleaning needs of the
16 school while minimizing adverse impacts on human health and the environment.

17 (3) "Environmentally preferable paper" means janitorial paper products that minimize the
18 environmental impact resulting from their use, production, transport and disposal.

19 (4) "Facility" means any school building or facility used for instructional purposes and
20 the surrounding grounds or other sites used for playgrounds, athletics or other instructional
21 purposes.

22 **16-21.6-4. Green cleaning supply guidelines and specifications.** – (a) The department
23 of elementary and secondary education (which shall be designated the lead agency for the
24 purposes of this chapter) shall, in consultation with the department of health, and a panel of
25 stakeholders (to be appointed by the director of elementary and secondary education which shall
26 include cleaning industry representatives, nongovernmental organization, and others) establish
27 and amend on a biennial basis guidelines and specifications for environmentally preferable
28 cleaning and maintenance products, equipment and paper, for use in school facilities. The
29 department of elementary and secondary education shall provide multiple avenues by which
30 cleaning and maintenance products, equipment and paper may be determined to be
31 environmentally preferable under the guidelines. At a minimum, the guidelines shall include the
32 United States Environmental Protection Agency's Design for the Environment (DfE) Program,
33 the EcoLogo program administered by TerraChoice, Green Seal as avenues, as well as alternative
34 means of qualification, such as: a submission of testing by an accredited third-party verifying that

1 the product meets the criteria of one of the recognized standards and others as determined
2 appropriate by the department of elementary and secondary education.

3 (b) The guidelines and specifications established under this section shall not prohibit the
4 use of disinfectants, disinfecting cleaners, sanitizers, or any other antimicrobial product regulated
5 by the federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. Sec. 136 et seq.), when
6 necessary to protect public health; provided, that the use of these products is in accordance with
7 responsible cleaning procedures requirements. The guidelines and specifications may stipulate
8 environmentally preferable requirements preferability (including, but not limited to, the use of
9 third-party certifications of environmental preferability) to be made in reference to such products.

10 (c) The guidelines and specifications established under this section shall permit the use of
11 products outside the scope of the guidelines developed under this section, and those products
12 otherwise excluded from the environmental standards established by any of the generally
13 recognized third-party entities listed in the guidelines developed herein.

14 (d) Guidelines and specifications must be established after a review and evaluation of
15 existing research and must be completed no later than one hundred eighty (180) days after the
16 effective date of this chapter. Guidelines and specifications should include implementation
17 practices, including inspection and evaluation. The completed guidelines and specifications must
18 be posted on the department of elementary and secondary education website.

19 **16-21.6-5. Use of environmentally preferable cleaning supplies.** – No later than ninety
20 (90) days after implementation of the guidelines and specifications established under section 16-
21 21.6-4 herein, all elementary and secondary schools shall establish a sustainable cleaning policy
22 and exclusively purchase and use environmentally preferable cleaning products, equipment and
23 paper pursuant to said guidelines and specifications; provided, however, that schools shall not
24 dispose of existing products, equipment or paper, but rather shall be permitted to deplete existing
25 supplies and implement the new requirements in the procurement cycle for the following year.

26 **16-21.6-6. Dissemination.** – (a) Within thirty (30) days of the completion of the
27 guidelines and specifications pursuant to section 16-21.6-4 herein, the department of elementary
28 and secondary education shall determine and implement a method for disseminating to each
29 elementary and secondary school in the state, a copy of said guidelines and specifications. The
30 department of elementary and secondary education shall maintain a website that promotes the use
31 of environmentally preferable cleaning and maintenance programs, which provides information
32 on how procurement officials and others can determine which cleaning products, paper and/or
33 equipment meet the criteria for environmental preferability, and that will include best practices
34 for covered schools regarding environmentally preferable cleaning and maintenance products.

1 Said website should contain prominent language stating that the guidelines do not apply to
2 products excluded under subsections 16-21.6-4(b) and (c). The department of elementary and
3 secondary education shall also provide on-going assistance to schools to carry out the
4 requirements of this chapter.

5 (b) In the event that the guidelines and specifications under section 16-21.6-4 herein are
6 updated by the department of elementary and secondary education, the department shall provide a
7 copy of updates to each school and shall post all updated materials on its website.

8 SECTION 2. This act shall take effect upon passage.

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LC01601
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would require the use of environmentally preferable cleaning supplies in all
2 elementary and secondary schools.

3 This act would take effect upon passage.

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