

SENATE, No. 709

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Co-Sponsored by:

Senators Beck and Madden

SYNOPSIS

Establishes temperature control guidelines and standards for school facilities; appropriates \$100,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 11/24/2009)

1 AN ACT concerning temperature control of school facilities,
2 supplementing chapter 33 of Title 18A of the New Jersey
3 Statutes, and making an appropriation.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Each school district shall ensure that the schools of the
9 district provide students with a temperature-controlled environment
10 that is conducive to learning. Each school district shall:

11 a. strive to maintain, to the extent feasible, room temperatures
12 within the target range of 68 degrees Fahrenheit to 79 degrees
13 Fahrenheit in all occupied areas of school facilities;

14 b. measure the temperature of an occupied area of a school
15 facility when a temperature outside the target range is suspected;
16 the measurement shall be taken in the area where the greatest
17 temperature extreme is expected to occur;

18 c. evacuate students and staff from an occupied area with a
19 recorded temperature below 63 degrees Fahrenheit or above 89
20 degrees Fahrenheit within two hours of the temperature
21 measurement; and

22 d. report by telephone a temperature-related evacuation within
23 24 hours to the Department of Health and Senior Services.
24

25 2. The Department of Health and Senior Services shall conduct
26 an inspection of any school facility that is evacuated more than
27 once in a school year to ensure that the facility meets State indoor
28 air quality standards.
29

30 3. Each school district shall review and implement, to the extent
31 feasible and appropriate, temperature control measures including:

32 a. short term measures for excessive heat, such as limiting
33 student athletic activity, relocating students to areas of the building
34 at or below 89 degrees Fahrenheit, and using portable fans and air
35 conditioners;

36 b. long term measures for excessive heat, such as the installation
37 of energy-efficient windows, increasing shade in front of windows,
38 and the installation of ceiling fans, air conditioners, or other
39 permanent cooling equipment;

40 c. short term measures for excessive cold, such as using portable
41 space heaters, relocating students to areas of the building at or
42 above 63 degrees Fahrenheit, and increasing access to sunlight; and

43 d. long term measures for excessive cold, such as the installation
44 of permanent heating equipment and energy-efficient windows,
45 using programmable thermostats, and enhancing the maintenance of
46 heating equipment.

1 4. Any school district employee who makes a report of
2 excessive heat or excessive cold in a school facility shall be
3 protected from retaliatory action pursuant to the provisions of the
4 "Conscientious Employee Protection Act," P.L.1986, c.105
5 (C.34:19-1 et seq.)

6
7 5. There is appropriated \$100,000 from the General Fund to the
8 Department of Health and Senior Services for inspections
9 conducted pursuant to section 2 of this act.

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11 6. This act shall take effect immediately.

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14 STATEMENT

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16 This bill requires school districts to ensure that their schools
17 provide students with a temperature-controlled environment that is
18 conducive to learning. Under the bill, each school district must:

19 (1) strive to maintain, to the extent feasible, room temperatures
20 within the target range of 68 degrees Fahrenheit to 79 degrees
21 Fahrenheit in all occupied areas of school facilities;

22 (2) measure the temperature of an occupied area of a school
23 facility when a temperature outside the target range is suspected;
24 the measurement must be taken in the area where the greatest
25 temperature extreme is expected to occur;

26 (3) evacuate students and staff from an occupied area with a
27 recorded temperature below 63 degrees Fahrenheit or above 89
28 degrees Fahrenheit within two hours of the temperature
29 measurement; and

30 (4) report by telephone a temperature-related evacuation within
31 24 hours to the Department of Health and Senior Services.

32 In addition, this bill requires the Department of Health and
33 Senior Services to conduct an inspection of any school facility that
34 is evacuated more than once in a school year to ensure that the
35 facility meets State indoor air quality standards. This bill also
36 requires school districts to review and implement temperature
37 control measures, as feasible and appropriate. This bill appropriates
38 \$100,000 from the General Fund to the Department of Health and
39 Senior Services for the inspections conducted by the department as
40 required by this bill.

41 The Occupational Health Service within the Department of
42 Health and Senior Services currently administers the Public
43 Employees Occupational Safety and Health (PEOSH) Program, the
44 purpose of which is to develop and enforce occupational health
45 standards for public employees throughout the State and to
46 encourage employers and employees in their efforts to improve the
47 working environment. The responsibilities assigned to the

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- 1 department under this bill could be incorporated within the PEOSH
- 2 Program.