



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 96
[2009 Senate Bill 41]

**Indoor Environmental Quality in
Public and Private Schools**

2009 Wisconsin Act 96 directs the State Superintendent of Public Instruction to establish an Indoor Environmental Quality in Schools Task Force. Act 96 directs the task force to make recommendations for the Department of Public Instruction (DPI) for the development of a model management plan for maintaining indoor environmental quality in public and private schools. The task force, under the legislation, will consist of the State Superintendent, the Secretary of Commerce, the Secretary of Health Services, and 11 members representing various school or health-related groups and associations.

The 11 members representing the school or health-related groups or associations are as follows:

1. One member who is a representative of the Wisconsin Association of School Boards.
2. One member who is a representative of the Wisconsin Association of School District Administrators.
3. Three members who are representatives of the Wisconsin Association of School Business Officials and have expertise in indoor environmental quality in schools.
4. One member who is a representative of the Wisconsin Council of Religious and Independent Schools.
5. One member who is a representative of the Wisconsin Association of School Nurses.
6. One member who is a representative of the largest statewide labor organization representing teachers.
7. One member who is a representative of the largest statewide labor organization representing parents of pupils.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

8. One member who is an occupational health physician or allergist and who has expertise in indoor environmental quality in schools.
9. One member who is registered as an architect and who has expertise in school design and construction.
10. One member who is registered as a professional engineer and who has expertise in the design of mechanical systems for schools.
11. Two members who are industrial hygienists certified by the American Board of Industrial Hygiene and who have expertise in indoor environmental quality in schools.

The members of the task force are to be appointed by the State Superintendent. The task force is assigned the following responsibilities under the legislation:

1. To make recommendations to the department for the development of a model management plan for maintaining indoor environmental quality in public and private schools that reflects best management practices. The task force must consider all of the following components in making its recommendations:
 - a. Designating a school district or private school employee as the indoor environmental quality contact for the school district or private school.
 - b. Establish an indoor environmental quality committee composed of school administrators, teachers, educational support professionals, and custodial and maintenance staff.
 - c. Developing a plan for communicating with school district or private school employees, pupils, and parents and guardians of pupils about indoor environmental quality programs, including test results and proposed schedules for remediation.
 - d. Identifying procedures for handling complaints about indoor environmental quality.
 - e. Acknowledging that the school district or private school will continue to meet all health and safety laws or codes that apply to the school district or private school.
 - f. Developing a plan for addressing indoor environmental quality issues noted during an evaluation of building systems performed in accordance with department rules on safe and healthful facilities.
 - g. Providing for an annual review of the management plan by the indoor environmental quality contact and the school board or private school governing board.
2. Recommend indoor environmental quality training requirements for school district or private employees who are responsible for the operation and maintenance of schools.
3. Recommend educational materials related to indoor environmental quality in schools.
4. Recommend model specifications for the design and construction of school facilities and for the additions and structural alterations to school facilities that promote indoor environmental quality and that ensure that the building's systems are planned, designed, installed, tested,

operated, and maintained to perform efficiently and to meet the school district's or private school's needs.

Upon completing its duties, the task force is directed to report its findings and recommendations to the appropriate standing committees of the Legislature and to the Governor.

Under the legislation, by the first day of the 12-month beginning after the month on which the task force submits its report, DPI must establish a *model management plan* and practices for maintaining indoor environmental quality in public and private schools. In developing the plan and practices, the department shall consider the recommendations of the task force.

By the first day of the third month beginning after the month in which the department establishes the model management plan and practices, each school board shall provide for the development of a plan for maintaining indoor environmental quality in its schools.

By the first day of the 12-month beginning after the month in which the department establishes the model management plan and practices, each school board shall implement a plan for maintaining indoor environmental quality in its schools. In addition, each school board is required to provide a copy of the plan implemented under the legislation to any person upon request.

Effective date: The Act took effect December 29, 2009.

Prepared by: Russ Whitesel, Senior Staff Attorney

January 11, 2010

RW:ty