
SENATE COMMITTEE ON EDUCATION
Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 1126
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Urgency: No
Consultant: Kathleen Chavira
Hearing Date: June 24, 2015
Fiscal: Yes

Subject: School facilities: heating, ventilation, and air conditioning: inspection reports

SUMMARY

This bill requires a county office of education, a school district and a public school, as specified, to post on its Internet Web site, 1) the most recent date of a heating, ventilation and air conditioning (HVAC) system inspection report and 2) information on how to obtain the report.

BACKGROUND

Existing law defines "good repair" as meaning that a facility is maintained in a manner that assures that it is clean, safe, and functional as determined by an inspection and evaluation instrument developed by the Office of Public School Construction. Existing law requires that these instruments include specified criteria, including that mechanical systems, including heating ventilation and air conditioning systems, are functional and unobstructed and appear to supply adequate amount of air to all classrooms, work spaces, and facilities. (Education Code § 17002)

Existing law requires the State Allocation Board (SAB) to require school districts to make all necessary repairs, renewals and replacements to ensure that a project funded by state bond funds is at all times maintained in good repair, working order and condition and requires a school district to establish a restricted account within the school district general fund for the purpose of providing moneys for ongoing and major maintenance of school buildings. (EC § 17070.75)

Existing law authorizes the Occupational Safety and Health Standards Board to adopt, amend or repeal occupational safety and health standards and orders. (Labor Code §142.3) Under this authority the Board has adopted regulations regarding the inspection and maintenance of HVAC systems. These regulations require HVAC inspection at least annually, and problems found during these inspections must be corrected within a reasonable time. Inspections and maintenance of the HVAC system must be documented in writing and the employer is required to record the name of the individual(s) inspecting and/or maintaining the system, the date of the inspection and/or maintenance, and the specific findings and actions taken. The employer is required to retain these records for at least five years and to make all records required by this

section available for examination and copying, within 48 hours of a request, as specified. (California Code of Regulations, Title 8, § 5142)

ANALYSIS

This bill:

- 1) Requires a public school that maintains an Internet Web site, to:
 - a) Post the most recent date of a heating, ventilation, and air conditioning system inspection report on its internet website.
 - b) Post information on how the report may be obtained on its internet website.
- 2) Requires, for schools that do not maintain a website, the school district to comply with the posting requirements outlined in #1.
- 3) Requires a county office of education to comply with the posting requirements outlined in #1 for schools in its jurisdiction.
- 4) Makes a number of related declarations and findings.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, there is no mechanism in current law to ensure schools are annually servicing their heating, ventilation and air conditioning (HVAC) systems. Dirty HVAC systems expose children and staff to rot, mold, and other airborne pathogens, which contribute to respiratory illnesses. The author notes that asthma is one of the leading reasons students miss school due to illness.
- 2) ***Mandates.*** While current law requires that inspection reports must be presented within 48 hours of a request, this bill would additionally require that districts, schools and county offices clarify for the public on their websites, when the annual inspection occurred and how to obtain the information that current law requires that they be provided, if so requested. Legislative Counsel has identified potentially reimbursable state mandated costs. According to the Assembly Appropriations Committee analysis, actual costs to post HVAC information online are unknown, but likely minor.

SUPPORT

California Association of Sheet Metal and Air Conditioning Contractor's National Association
California Federation of Teachers

OPPOSITION

Association of California School Administrators
California Association of School Business Officials
Coalition for Adequate School Housing

County School Facilities Consortium
San Diego Unified School District

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