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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Cotter, Read, Chippendale, Casimiro, Fogarty, Donovan, Shallcross Smith, Potter, Furtado, and Noret

Date Introduced: February 06, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following section:

3 **16-21-44. School air quality.**

4 (a) The following words and phrases when used in this section shall have the following
5 meanings:

6 (1) "Certified testing, adjusting, and balancing technician" means:

7 (i) A technician, tradesperson, or apprentice certified to perform testing, adjusting, and
8 balancing of heating, ventilation, and air conditioning systems by the Associated Air Balance
9 Council, the National Environmental Balancing Bureau, or the testing, adjusting and balancing
10 bureau; or

11 (ii) A person certified to perform ventilation assessments of heating, ventilation, and air
12 conditioning systems through a certification body accredited in accordance with the ISO/IEC 17024
13 personnel certification standard.

14 (2) "HVAC" means heating, ventilation and air conditioning.

15 (3) "MERV" means minimum efficiency reporting value.

16 (4) "PM2.5" means particles less than two and one-half (2.5) micrometers in diameter.

17 (5) "PM10" means particles less than ten (10) micrometers in diameter.

18 (6) "Professional engineering standards" means nationally recognized, science-based
19 technical standards for the design, operation, maintenance, and performance of indoor spaces,

1 developed through an accredited consensus process, as in effect at the time the inspection,
2 evaluation, or work is performed. Relevant standards include, but are not limited to,
3 ANSI/ASHRAE Standard 62.1 (ventilation for acceptable indoor air quality), ANSI/ASHRAE
4 Standard 55 (thermal environmental conditions for human occupancy), and ASHRAE Standard 241
5 (control of infectious aerosols).

6 (7) "Qualified personnel" means either;
7 (i) A certified testing, adjusting, and balancing technician; or
8 (ii) A skilled and trained workforce under the supervision of a certified testing, adjusting,
9 and balancing technician.

10 (8) "Skilled and trained workforce" means a workforce, managed in conformance with the
11 Davis-Bacon Act, 40 U.S.C. §§ 3141 through 3148, in which at least sixty percent (60%) of the
12 workers are graduates of or registered in and attending an apprenticeship program registered with
13 the department of labor and training, division of apprenticeship training.

14 (9) "Verification" means the process of evaluating a system, component, or product to
15 determine whether it complies with specified requirements, design specifications, or regulations.

16 (b) The department of health shall establish guidelines for indoor air quality in schools,
17 including recommended thresholds and/or rates for environmental conditions that directly affect
18 health and learning. Required areas of focus include:

19 (1) Temperature;
20 (2) Humidity;
21 (3) Carbon dioxide;
22 (4) PM2.5;
23 (5) PM10;
24 (6) Ventilation; and
25 (7) Filtration.

26 (c) The department of education school building authority, as part of the needs survey
27 outlined in § 16-105-3, shall expand services to include uniform inspection and evaluation of the
28 indoor air quality within each school building, including heating, ventilation and air conditioning
29 systems when present. The inspection shall be conducted in conjunction with local school boards,
30 and shall identify any deficiencies from the department of health recommendations established
31 pursuant to the provisions of subsection (b) of this section, as well as other conditions that may
32 affect building performance or occupant health. Implementation of the expanded assessment scope
33 under this subsection, including HVAC and indoor air quality-related evaluations, shall be subject
34 to the availability of state funding appropriated for statewide school facility assessments. Inspection

1 results shall include estimated costs to address identified issues through capital construction,
2 renovation, maintenance, or other school facility investments, as outlined in §16-105-3. The
3 inspection and evaluation shall be performed by qualified personnel at least once every five (5)
4 years. The department of education shall define the assessment procedures and data collection
5 methods, which shall include, but not be limited to, the following:

6 (1) Environmental measurements including air temperature, humidity, carbon dioxide,
7 PM2.5, and PM10 under occupied conditions;
8 (2) Evaluation of filtration levels and maintenance practices;
9 (3) Verification of the physical condition and operational performance of ventilation
10 system components, in accordance with professional engineering standards; and
11 (4) Verification that required maintenance of ventilation systems has been performed in
12 accordance with professional engineering standards.

13 (d) The department of education shall make the inspection and evaluation results easily
14 available online and send the test results directly to:

15 (1) Each school's principal;
16 (2) The department of elementary and secondary education; and
17 (3) The appropriate local school board.
18 (e) All schools with HVAC systems shall install filtration that achieves MERV levels of
19 thirteen (13) to the extent determined to be feasible and appropriate for the existing HVAC system,
20 as determined by the school board, in accordance with the latest professional engineering standards
21 and recommendations. If it is determined by the school board that the existing HVAC system is not
22 designed to achieve MERV levels of thirteen (13), the school shall install filtration that achieves
23 the highest level feasible without significantly reducing the lifespan or performance of the existing
24 HVAC system. School personnel shall inspect and replace filters as recommended by manufacturer
25 guidelines. All HVAC adjustments shall be performed by qualified personnel.

26 (f) The department of education, in coordination with the department of health, shall submit
27 a report to the general assembly within one year of the effective date of this section with
28 recommendations to improve indoor air quality in public schools. The report shall provide an
29 update on indoor air quality procedures, guidelines, and best practices, along with the status of
30 funding necessary to support expanded indoor air quality and HVAC improvements and
31 assessments in schools. The report shall also utilize data collected as part of the needs survey
32 outlined in §16-105-3. Thereafter, the needs survey and corresponding report shall be conducted
33 on a five (5) year cycle, consistent with § 16-105-3, subject to the availability of funding.

34 (g) The department of education shall designate and publicly identify a point of contact to

1 receive and respond to concerns related to indoor air quality and ventilation systems in public
2 schools.

3 (h) The department of health and department of education are hereby authorized to
4 promulgate rules and regulations necessary to carry out the purposes of this section.

5 SECTION 2. Section 16-7-44 of the General Laws in Chapter 16-7 entitled "Foundation
6 Level School Support [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is
7 hereby amended to read as follows:

8 **16-7-44. School housing project costs.**

9 (a) School housing project costs, the date of completion of school housing projects, and the
10 applicable amount of school housing project cost commitments shall be in accordance with the
11 regulations of the commissioner of elementary and secondary education and the provisions of §§
12 16-7-35 — 16-7-47; provided, however, that school housing project costs shall include the purchase
13 of sites, buildings, and equipment, the construction of buildings, and additions or renovations of
14 existing buildings and/or facilities. School housing project costs shall include the cost of interest
15 payment on any bond issued after July 1, 1988, provided that such bond is approved by the voters
16 on or before June 30, 2003, or issued by a municipal public building authority or by the appropriate
17 approving authority on or before June 30, 2003. Except as provided in § 16-7-41(d), for those
18 projects approved after June 30, 2003, interest payments may only be included in project costs
19 provided that the bonds for these projects are issued through the Rhode Island health and
20 educational building corporation. School housing project costs shall exclude: (1) Any bond
21 issuance costs incurred by the municipality or regional school district; (2) Demolition costs for
22 buildings, facilities, or sites deemed surplus by the school committee; and (3) Restrictions pursuant
23 to § 16-7-44.1. A building, facility, or site is declared surplus by a school committee when the
24 committee no longer has such building, facility, or site under its direct care and control and transfers
25 control to the municipality, § 16-2-15. The council on elementary and secondary education will
26 promulgate rules and regulations for the administration of this section. These rules and regulations
27 may provide for the use of lease revenue bonds, capital leases, or capital reserve funding, to finance
28 school housing provided that the term of any bond, or capital lease shall not be longer than the
29 useful life of the project and these instruments are subject to the public review and voter approval
30 otherwise required by law for the issuance of bonds or capital leases. Cities or towns issuing bonds,
31 or leases issued by a municipal public buildings authority for the benefit of a local community
32 pursuant to chapter 50 of title 45 shall not require voter approval. Effective January 1, 2008, and
33 except for interim finance mechanisms, refunding bonds, borrowing from the school building
34 authority capital fund, and bonds issued by the Rhode Island health and educational building

1 corporation to finance school housing projects for towns, cities, or regional school districts
2 borrowing for which has previously been authorized by an enabling act of the general assembly,
3 all bonds, notes, and other forms of indebtedness issued in support of school housing projects shall
4 require passage of an enabling act by the general assembly.

5 (b) Enhanced reimbursement for indoor air quality improvements.

6 (1) The council of elementary and secondary education shall provide an enhanced
7 temporary school housing aid reimbursement rate of five percent (5%) for approved school
8 construction projects that include eligible indoor air quality improvements.

9 (2) Eligible indoor air quality improvements may include, but shall not be limited to:

10 (i) HVAC repairs, upgrades, and/or replacements;

11 (ii) Increased ventilation;

12 (iii) Air filtration or air cleaning technologies; and

13 (iv) Other building system improvements demonstrated to improve indoor air quality.

14 SECTION 3. This act shall take effect upon passage.

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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 inspections and evaluations of the indoor air quality of each school
- 2 building, including heating, ventilation and air conditioning systems. The act would also identify
- 3 schools that may be eligible for an enhanced temporary school housing aid reimbursement rate of
- 4 five percent (5%) for approved school construction projects that include eligible indoor air quality
- 5 improvements.
- 6 This act would take effect upon passage.

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