

**BILL:** Senate Bill 835  
**TITLE:** Public Schools – Heating, Ventilation, and Air–Conditioning Systems and Carbon Dioxide Monitors – Monitoring and Reporting Requirements  
**DATE:** March 7, 2023  
**POSITION:** OPPOSE  
**COMMITTEE:** Budget and Taxation  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes Senate Bill 835 which would mandate reassessments of Heating, Ventilation and Air Conditioning (HVAC) systems in all schools. Such assessments were very recently completed, and the results informed the work of Maryland’s Public School Construction Program and each local school system. At the same time, these assessments were extraordinarily time consuming and disruptive for the dedicated staff engaged in the daily operation and maintenance of Maryland’s 1,400 public schools. Therefore, MABE strongly opposes the mandated inspections and classroom carbon dioxide monitoring equipment proposed by this legislation.

MABE does not believe the proposal to require school systems to participate in the extensive standard setting, inspection, and compliance system proposed by Senate Bill 835 is necessary to ensure high quality indoor air quality in schools or a prudent, cost-effective use of limited resources. Local school systems could certainly benefit from increased school maintenance budgets and staffing levels, but do not lack sufficient assessment data to identify areas for routine maintenance or systemic renovations and replacements of equipment and systems.

Ensuring indoor air quality in the public school setting is an important component of a school system's strategy to maintain healthy school environments. Local school systems are continuously devoting staff time and resources to efforts to provide healthy school environments, including addressing indoor air quality issues. Risk managers and facility maintenance staff recognize the need for a comprehensive preventative strategy, including educating and training staff, and providing them with the maintenance budgets to support these strategies. For example, routine cleaning and/or replacement of filters for HVAC systems is a simple yet essential component of a successful IAQ program. In addition, routine monitoring coupled with prompt responses to problems when they do occur can avoid the emergence of more serious and costly problems. These are examples of best practices that must be vigorously and continually implemented to ensure that indoor air quality does not become a negative factor for our students and teachers.

The COVID-19 pandemic resulted in revisions to public health and safety standards for all commercial buildings, including revised guidance from the Centers for Disease Control (CDC) for school facilities. These standards have resulted in a wide array of previously unbudgeted investments in building systems, equipment, supplies, and school maintenance and custodial personnel. Fortunately, significant federal funding was provided to local school systems to support COVID-19 responses to ensure the safe operation of school facilities, including: purchasing personal protective equipment (PPE) and supplies to sanitize school facilities; and inspection, testing, maintenance, repair, and installation of new systems to improve the indoor air quality in school facilities, including heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

However, in order to sustain the benefits of these one-time COVID-related expenditures local school systems are in need of increased investments by the State and local governments for school facilities maintenance personnel and maintenance budgets. Specifically, MABE would prefer to focus on securing sufficient state and local funding for school construction and maintenance programs, and promoting the accepted best practices described above, rather than on mandating a new procurement program devoted to monitoring and responding to carbon dioxide levels in schools. Again, MABE agrees that indoor air quality is a very important health issue, but opposes the extensive set of HVAC system inspections mandated contained in Senate Bill 835.

For these reasons, MABE requests an unfavorable report on Senate Bill 835.