



SHIPMAN

# Air Apparent: Requirements for IAQ and HVAC in CT Schools

Alfredo Fernández

November 22, 2025

# Takeaways



- New CT statutory IAQ & HVAC requirements
  - mandatory Tools for Schools compliance
- Increased frequency/costs of assessments and corrective actions
- Increased emphasis on government submissions, public disclosure
- Funding must be planned ahead
- Legal strategy

# Agenda

- IAQ issues in schools
- Statutory requirements
- Tools for Schools
- Managing IAQ & HVAC assessments
- Funding opportunities
- Risks and liabilities

**When was the last time**



**your filter was replaced?**

**LIVE**  
**BREAKING NEWS**

Education

# Teachers Call For Improvements to HVAC Systems

by **Christine Stuart** January 31, 2023, 10:00 am

- Twitter
- Facebook
- LinkedIn
- Reddit
- Email
- Print

# Facing costly HVAC fixes, some school leaders want state officials to make accessing funding easier

Connecticut Public Radio | By **Sujata Srinivasan**  
Published December 1, 2022 at 3:22 PM EST

- f
- Twitter
- in
- ✉



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MEMBER BENEFITS ▾

RESOURCES



## TEACHER PRIORITIES

### Improve Indoor Air Quality in Public Schools

CEA is advocating for legislation to ensure that our classrooms are healthy places for teachers to teach and students to learn.

# NEW HAVEN INDEPENDENT

Valley Independent Sentinel | La Voz Hispana | WNHH FM

## HVAC Breaks Spread Mold, Leaks In Schools

by **PAUL BASS** | Aug 30, 2021 3:10 pm

# Connecticut elementary school closed indefinitely due to mold

By Eyewitness News

Friday, November 2, 2018

- f
- Twitter
- ✉



# What is “IAQ”?



- Health of indoor environment
  - Comfort parameters + fumes, odors, particulates, pollen, pollutants, microbials
- Linked to health effects like asthma, allergies, headaches, dizziness and fatigue



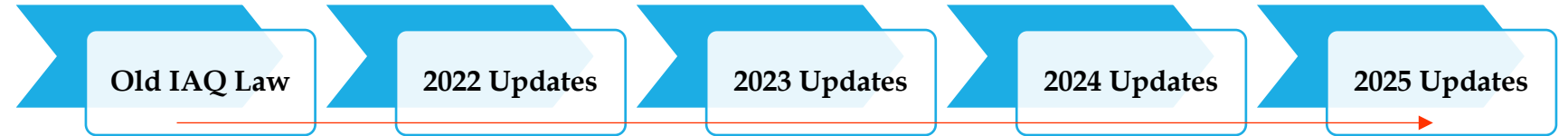
# Why Are CT Schools Prone to IAQ Issues?



- Low Bids
- Flat Roofs
- Limited O&M Budget



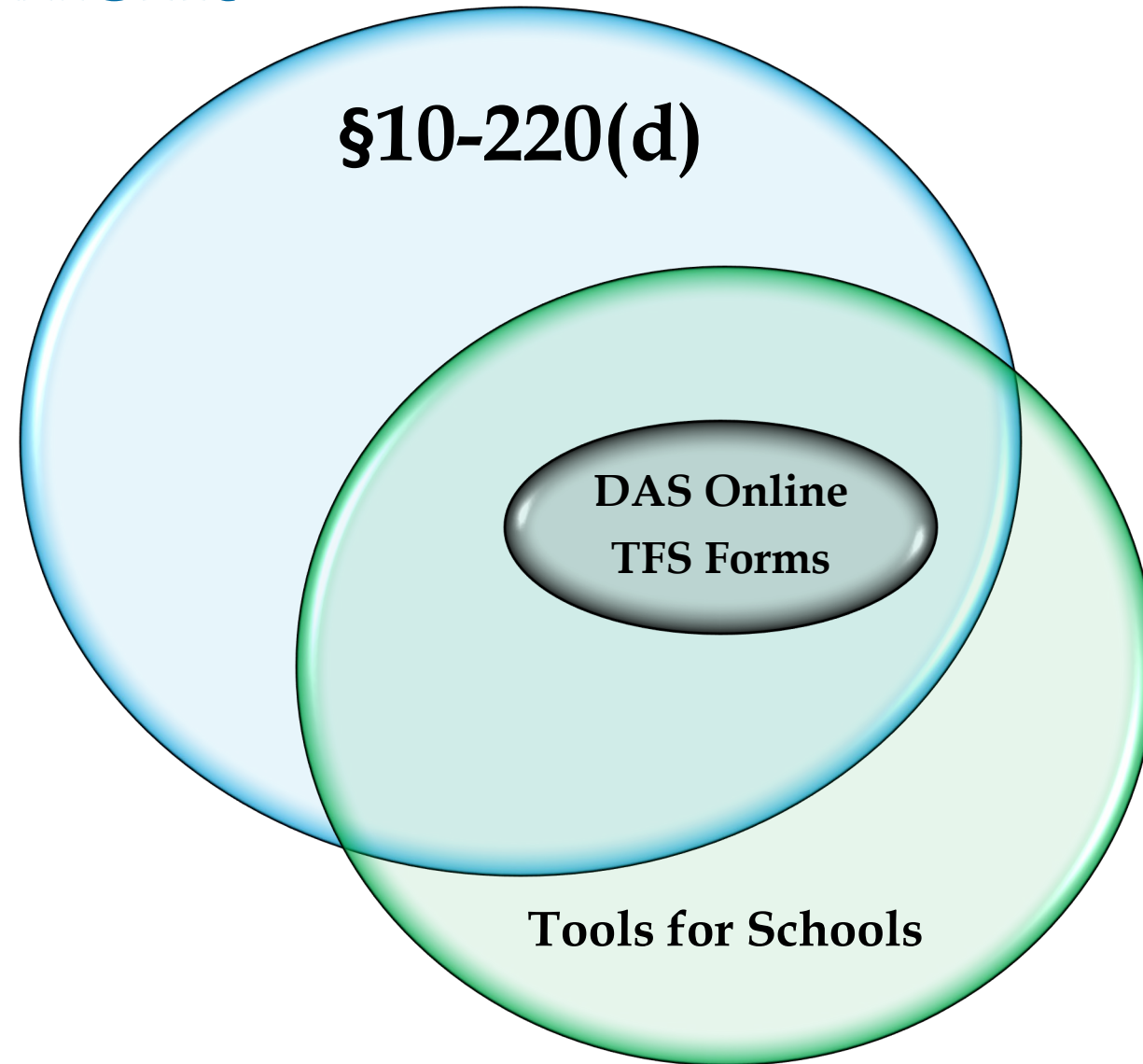
# New law!



CGS § 10-220(d) has changed a lot in the last few years

- ✓ IAQ assessment for **each school required annually**
- ✓ Districts **must use** EPA Tools for Schools
- ✓ Use **DAS forms** to submit IAQ & HVAC assessment results to State
- ✓ Share at BOE Meeting and on Website
- ✓ HVAC assessments at all schools by **June 30, 2031**

# IAQ Requirement Overlap



# IAQ Assessment Categories under CGS § 10-220(d)

HVAC systems

radon levels

potential exposure to fungi, mold, bacteria

chemical compounds including VOCs

degree of pest infestation

degree of pesticide usage

presence of EPCRA hazardous substances

ventilation systems

plumbing systems

moisture incursion

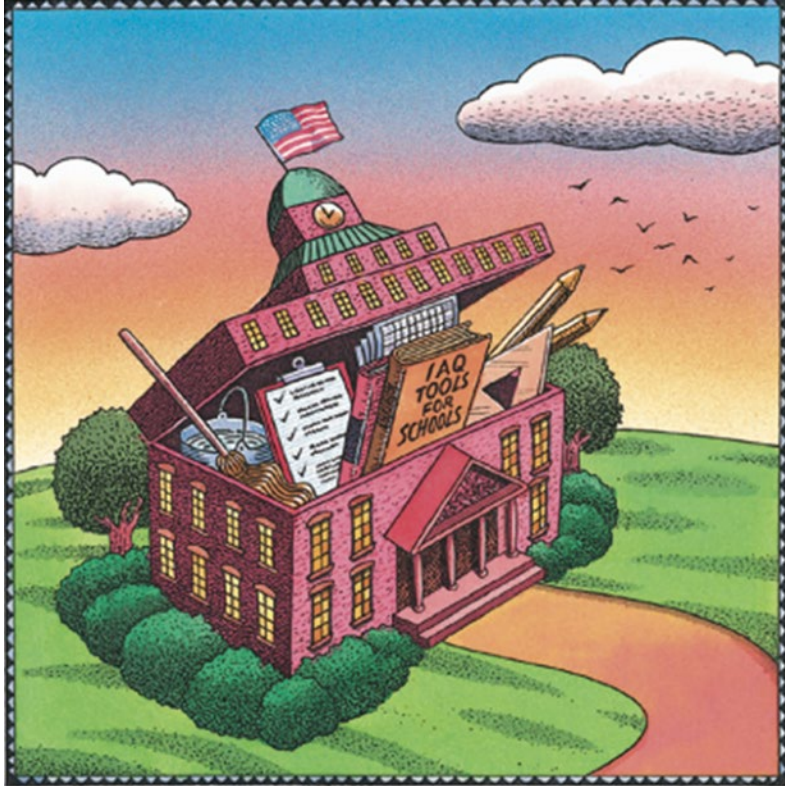
overall cleanliness

building structural elements

use of space

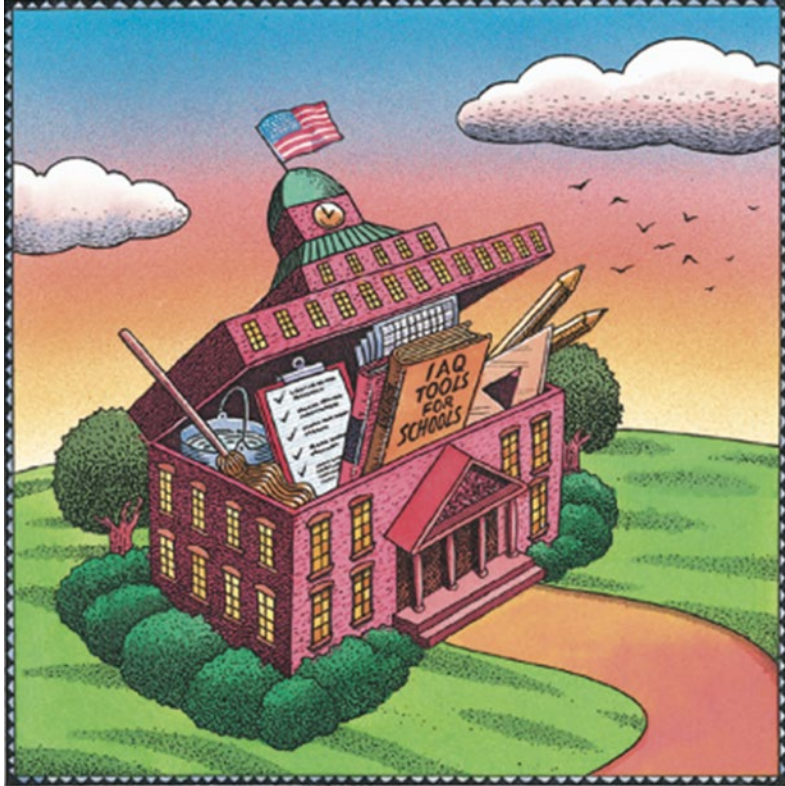
IAQ staff training

# Tools for Schools



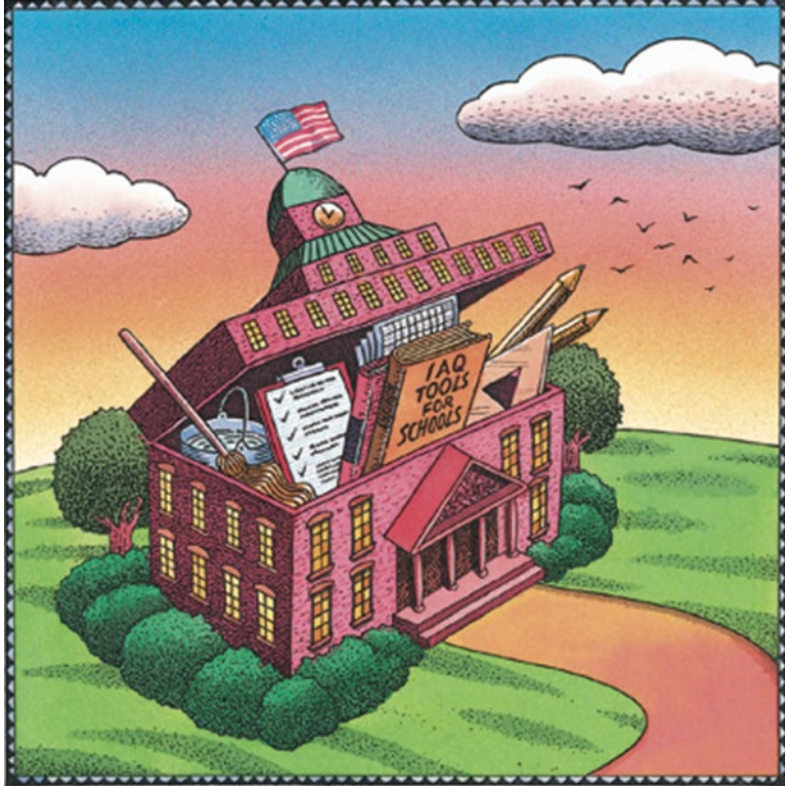
- EPA's guide to managing IAQ in schools
- Resolve IAQ problems before resorting to IAQ testing

# Tools for Schools



- Can be administered at district or school level
- **IAQ Coordinator**
  - Consider providing stipend to recruit most qualified person
  - If at district level, each school must have IAQ Contact

# Tools for Schools



- Assemble district-wide **IAQ Team** (this may also be done at school level)
- At least one Team member must have authority to make **district-wide** decisions

# Tools for Schools

## IAQ Coordinator, Team Tasks



- Gather information on IAQ in school through research
- Distribute and complete IAQ TFS checklists
- List identified problems
- Walkthrough inspection of school
- Establish IAQ policies and develop IAQ Management Plan
- Follow-up with inspections and conduct self-assessments
- Communicate success

# IAQ Assessments, Timing



- IAQ requirements apply to all public schools
- Annual IAQ assessment for each school, first due 12/31/24
- Next ones due 12/31/25

# HVAC Assessment Requirements under CGS § 10-220(d)

Maximum filter efficiency

Measurements of outside air delivery rate

Verification of ventilation components

Measurement of air distribution

Verification of control sequences

Verification of unit operation and compliance with ASHRAE standards

Verification of CO<sub>2</sub> sensors and acceptable CO<sub>2</sub> concentrations indoors

Collection of field data for the installation of mechanical ventilation if none exist

# 2024 Amendments to § 10-220(d) HVAC Assessments



- HVAC inspection & evaluation of **all schools** required before **June 30, 2031** and every 5 years thereafter
  - 5-year clock begins from the date of the assessment for each school
  - At least 20% by June 30, 2027
- Inspector must be a:
  - “certified testing, adjusting and balancing technician”
  - certified industrial hygienist (CIH) or
  - mechanical engineer

# HVAC Assessment Requirements



- **All HVAC** assessments must be completed before June 30, 2030 (with first 20% of schools completed by **June 30, 2026**)



- HVAC assessment must be conducted every five years

- **Waivers:** DAS may issue exemptions from June 30, 2026 HVAC assessment deadline for up to one (1) year, if:

- Assessment is scheduled but for a date in subsequent school year; or

- Qualified professionals are unavailable to complete the assessment



- **Alternative forms of HVAC assessment** that DAS deems equivalent to IAQ law requirements may be acceptable

# HVAC Assessment Schedule

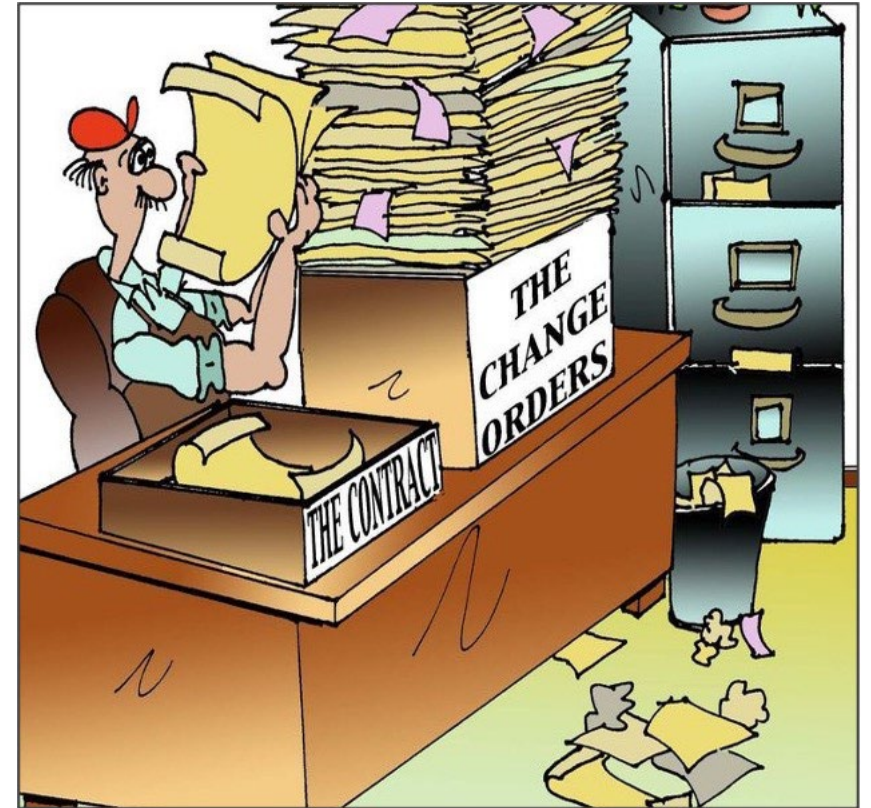
School Year Ending June 30	Minimum Percentage of Schools Assessed (Total)
<del>2026-2027</del> *2022-2027	20% (20%)
2027-2028	20% (40%)
2028-2029	20% (60%)
2029-2030	20% (80%)
2030-2031	20% (100%)

\*in 2025, the state legislature amended statute to allow assessments from July 1, 2022-June 30-2027 to count toward the first 20% milestone.

# Managing IAQ & HVAC Assessments

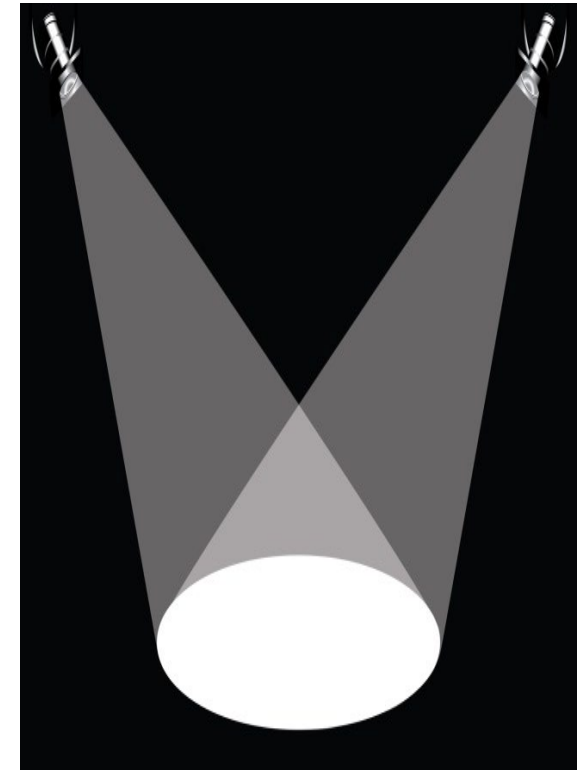
## Coordinating the Team

- IAQ & HVAC requirements have technical AND legal considerations
- Innovative solutions require technical AND legal expertise
- Lawyers AND consultants need to advise clients with one coordinated message
- Provide perspective, context and certainty where possible



# Managing IAQ & HVAC Assessments

- Attorney-Client Privilege
  - Engage consultant and communicate through counsel
  - Understand limits of ACP with clients and consultants
- Beware of written communications
  - Oral before written
  - Anything in writing may be discoverable (e.g., internal emails, texts, draft reports, notes, social media)
- Freedom of Information Act
  - Applicable to public entities (e.g., CT school districts)



# What Happens *After* IAQ & HVAC Assessments?



- **Written report**
  - must be made available on BOE/school websites and at regular BOE meetings
- **CT DAS standard reporting forms**
  - forms must be submitted for each school
  - see CT DAS website ([here](#))

# Six Annual (IAQ) Reporting Forms

## “every school, every year”

### Indoor Air Quality Annual Reporting Form

On and after January 1, 2024, and annually thereafter, each local or regional board of education shall provide for a uniform inspection and evaluation program of the indoor air quality within each school building using the Environmental Protection Agency's Indoor Air Quality Tools for Schools Program. See CGS § 10-220(d), PA 22-118, and PA 23-167.

To meet this annual IAQ reporting requirement, please complete the following steps:

1. Complete the following six EPA Tools for Schools Checklists for each school in your district:

- <https://www.epa.gov/sites/default/files/2014-08/documents/bldgmaintchklist.pdf>
- <https://www.epa.gov/sites/default/files/2014-11/documents/wastemgmtchklist.pdf>
- <https://www.epa.gov/sites/default/files/2014-08/documents/ventchklist.pdf>
- [https://www.epa.gov/sites/default/files/2014-11/documents/walkthruchklist\\_0.pdf](https://www.epa.gov/sites/default/files/2014-11/documents/walkthruchklist_0.pdf)
- <https://www.epa.gov/sites/default/files/2014-08/documents/pmcklist.pdf>
- <https://www.epa.gov/sites/default/files/2014-08/documents/foodsvchchklist.pdf>

2. Post the checklists on your board of education website and respective school website (if any); and

3. Complete the form below for each school in your district.

\* Required

1. Name of district \*



#### Instructions

1. Read the *IAQ Backgrounder* and the Background Information for this checklist.
2. Keep the Background Information and make a copy of the checklist for future reference.
3. Complete the Checklist.
  - Check the “yes,” “no,” or “not applicable” box beside each item. (A “no” response requires further attention.)
  - Make comments

### Building and Grounds Maintenance Checklist

Name: \_\_\_\_\_

School: \_\_\_\_\_

Room or Area: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Signature: \_\_\_\_\_

#### 1. BUILDING MAINTENANCE SUPPLIES

- |   | Yes                      | No                       | N/A                      |
|---|--------------------------|--------------------------|--------------------------|
| 1a. Developed appropriate procedures and stocked supplies for spill control .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1b. Reviewed supply labels .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1c. Ensured that air from chemical and trash storage areas vents to the outdoors.....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1d. Stored chemical products and supplies in sealed, clearly labeled containers .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1e. Researched and selected the safest products available .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1f. Ensured that supplies are being used according to manufacturers' instructions .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1g. Ensured that chemicals, chemical-containing wastes, and containers are disposed of according to manufacturers' instructions ..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1h. Substituted less- or non-hazardous materials (where possible) .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1i. Scheduled work involving odorous or hazardous chemicals for periods when the school is unoccupied .....                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 1j. Ventilated affected areas during and after the use of odorous or hazardous chemicals .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

#### 2. GROUNDS MAINTENANCE SUPPLIES

- 2a. Stored grounds maintenance supplies in appropriate area(s).....

Note: HVAC assessment has its own online form



# Funding



**Show me the money!!**

- New annual spend for IAQ
- HVAC costs to begin next school year (at least 20%)
- Buildings and Grounds Departments budgets and staffing are often tight
  - Ensure communication with boots on the ground

# Risks and Liabilities



# Legal Liability

- Statewide compliance?
  - Is your BOE in compliance with CGS § 10-220(d)?
- DPH appears to pick and choose what to enforce
  - Ex: Radon Program
- Liability considerations
  - Human health is paramount
  - De facto “**standard of care**”
  - Unions/parents can ask for compliance



# Legal Liability

## Inspections



- **Who?**
  - Conn-OSHA/DAS/DPH
  - Might include union reps
  - Train representative to “chaperone”
- **What?**
  - Pre-inspection, inspection, post-inspection
- **When?**
  - Anytime
  - Often after occupant complaint

# Key Takeaways – FTPPTF\*



Plan now with counsel and consultant (scheduling may be an issue)



Budget, budget, budget

- Explore, apply for grants
- Discuss budgets with town officials
- Set up system to track dates and budget for follow-up (1 & 5 year)



Update internal IAQ & HVAC policies, procedures and programs (e.g., Tools for Schools)



Prepare for public scrutiny after required disclosure of IAQ/HVAC reports

**\*Fail to Plan, Plan to Fail**



# Questions?



*Thank you for joining us!*

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