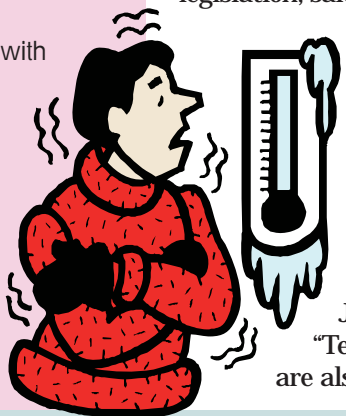


## Help pass the temperature bill

Passage of **S-2391** will require a coalition of NJEA members, opinion leaders, parents, and students, as well as community and environmental groups to show their support. Local associations can take action in these ways:

- Contact state legislators and ask them to support the bill.
- Contact Sen. Shirley Turner, chair of the Senate Education Committee, and ask her to post the bill for consideration as soon as possible.
- Hold information sessions for staff, students, and parents about the bill.
- Form local coalitions to lobby for the bill's passage.
- Testify about problems with temperatures in your district's schools when public hearings are held.
- Meet with administrators in your district to explain the advantages of the



prevent illnesses that are directly related to heat, such as exhaustion, fatigue, cramps, and rashes; as well as cold-related health effects including disease flare-ups and accidents.”  
 NJEA President Joyce Powell said, “Temperature extremes are also an important

**O**n Dec. 11, State Sens. Bob Smith (D-17) and Joseph Doria (D-31) introduced **S-2391**, a bill which would require schools to provide students with a temperature-controlled learning environment. NJEA worked with Sen. Smith to craft the bill after the November 2005 NJEA Delegate Assembly directed “that legislation be drafted in collaboration with the Work Environment Council (WEC), which would require schools to be closed if temperatures in rooms rise above or fall below a certain temperature, defined in the legislation.”

**S-2391** defines 68° F to 79° F as an acceptable range.

Anne Marie Abercrombie, chair of the NJEA Worksite Safety and Health Committee, a driving force behind the legislation, said, “We are trying to

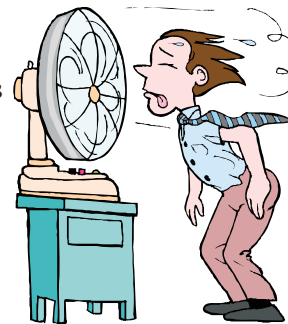
educational issue. Teaching, learning, and attendance are likely to suffer when temperatures rise too high or fall too low.”

The temperature range defined in **S-2391** is a guideline until it is exceeded by more than 10 degrees above or five degrees below recommended temperatures.

“This legislation will greatly benefit staff and students at minimal cost to a school district,” said Rick Engler, director of WEC. “The potential for energy and financial savings to districts through more efficient heating and cooling is timely and very exciting.”

If signed into law, **S-2391** would require districts to follow these guidelines:

- School districts must strive, to the extent feasible, to maintain room temperatures within the target range of 68° F to 79° F in all occupied areas of school facilities.
- When a temperature outside the target range is suspected, districts must measure the temperature of an occupied area of the school facility. The measurement must be taken in the area where



the greatest temperature extreme is expected to occur.

- When a recorded temperature is below 63° F or above 89° F a school must evacuate students and staff from the occupied area within two hours of the temperature measurement.
- Temperature-related evacuations must be reported within 24 hours to the N.J. Department of Health and Senior Services (DHSS).

The bill also requires school districts to review and implement feasible and appropriate temperature control measures. It lists many avenues that districts can explore for better control of excessive heat and cold.

In addition, the bill would require the DHSS Public Employees Occupational Safety and Health (PEOSH) Program to conduct an inspection of any school facility that is evacuated more than once in a school year to ensure that the facility meets state indoor air quality standards. The bill would appropriate \$100,000 from the General Fund to DHSS for the inspections.

## SCC: Much accomplished, much still needed

**A**cross New Jersey, the average school building is 50 years old, but in Newark, the average school is 83 years old. Many of the state's oldest schools, some of them as old as 100 and 135 years – are located in urban districts. Newark alone has 22 schools over a century old.

The New Jersey Supreme Court recognized this inequity when it found in its series of Abbott decisions that adequate educational facilities are part of the constitutional mandate to provide a thorough and efficient education.

In 2000, following intense lobbying from many education groups in the state, including NJEA, the Education Facilities Construction and Financing Act (EFCFA) became law. The bill represented an \$8.6 billion investment in public school construction over the decade, including full funding by the state, of all school renovation and construction projects in the Abbott school districts.

In 2002, Gov. Jim McGreevey issued Executive Order No. 24 creating the New Jersey Schools Construction Corporation (SCC), giving the SCC responsibility for the mandates of EFCFA.

Unfortunately, the SCC was set up with inadequate financial controls and due to cost overruns and mismanagement, the funding dried up long before all projects were finished. Thus, students and school staff in many cases still found themselves in unsafe and unsightly surroundings.

Old buildings, particularly in urban districts, continue to have serious problems: leaky roofs, mold, cracked blackboards, inadequate heating and cooling systems, and aging classroom furniture.

### What's the solution?

In early 2005, Gov. Richard Codey ordered the Inspector General (IG) to review the SCC. The IG reported serious management and financial problems at the agency and put all new contracts and change orders on hold.

The Education Law Center (ELC), an organization that advocates on behalf of public school children for access to an equal and adequate education, had raised many of these concerns well before the state stepped in. While funding was restored on some projects, the next few years were characterized by a series of reports from the IG while

ELC pursued a legal solution to the funding problem.

Finally, Gov. Jon Corzine ordered a top-to-bottom review of New Jersey's school construction program, and appointed a Special Counsel and working group to recommend reforms to the program.

In March 2006, the group released its initial report, proposing significant structural changes in the School Construction Program. According to ELC, the report failed to recommend any time frame for securing additional funding to restart stalled building projects. The work group's second report, issued in May, included a recommendation for additional funds to restart numerous school projects across the state.

A final report was released in September and recommended additional funding. ELC was satisfied that it represented “a solid framework for restarting the school construction program,” according to David Sciarra, ELC Executive Director, and urged the governor “to draft legislation to implement his recommendations, and work with the Legislature to approve the new funding and reforms.”

One month later, SCC officials appeared before a Legislative Joint

Committee to explain strategic and capital plans. The presentation included recommendations for additional funding and amendments to EFCFA.

Construction continues on 59 projects – all in Abbott districts – but no new projects will be undertaken until the Legislature authorizes more funding. Six of those projects are in Newark schools, including five distinct projects and one that is a series of health and safety upgrades.

To date, SCC has completed more than 60 new schools, major additions, and renovation projects. That includes Science Park High School, the first new high school built in Newark in 39 years.

“Research is clear that the quality of the school environment has a direct impact on student behavior and achievement,” noted NJEA President Joyce Powell. “That's why we urge legislators to address these needs quickly so every student attends a bright, clean, modern school. When this happens, children will get the message that they are valued and respected.”