

ROBERT T. MATSUI
FIFTH DISTRICT, CALIFORNIA

COMMITTEE ON
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SUBCOMMITTEE ON
HUMAN RESOURCES

WHIP AT LARGE

WASHINGTON OFFICE:
2308 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0505
(202) 225-7163

DISTRICT OFFICE:
8058 FEDERAL BUILDING
850 CAPITOL MALL
SACRAMENTO, CA 95814
(916) 498-5600

Congress of the United States

House of Representatives

Washington, DC 20515-0505

September 4, 1998

Ms. Tonya Martin
Domestic Policy Office
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Ms. Martin:

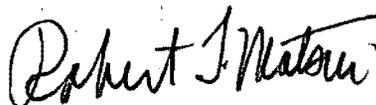
I am honored to bring to your attention two groups for inclusion in the White House Conference on School Safety to be held next month. I am confident that representatives from Minorities in Law Enforcement (MILE) and the LegiSchool Project, both of Sacramento, California, would make a valuable contribution to the conference.

For your review, I have enclosed background information on both of these organizations. MILE, represented by its executive director, Regis Lane, is a non-profit youth advocate organization which lobbies to ensure brighter futures for urban youth. It is the only ethnic coalition of law enforcement officers in my state dedicated to addressing the needs of urban youth. Mr. Lane can be reached at 916/812-9541.

The LegiSchool Project is an educational collaboration between California State University, Sacramento and the California State Legislature. It is designed to cultivate civic virtues among California's high school students. The executive director of The Center for California Studies at CSUS is Timothy Hodson. He can be reached at 916/278-6906.

Thank you in advance for considering the inclusion of MILE and the LegiSchool Project in the White House Conference on School Safety. I appreciate your attention to this matter.

Sincerely,



ROBERT T. MATSUI
Member of Congress

RTM:ct
Encl.

Letters

thought this
maybe of interest
to you.

thank you.

Kathleen Ahn
- 62578



Claire L. Barnett

New York Healthy Schools Network

96 South Swan Street, Albany, NY 12210

tel/518-462-0632 fax/518-462-0433

Send TO
DPC / Education
contact
EYI

***A Healthy Schools Network Report To
Parents, Educators, and Public Officials***

WHY WORRY WHEN YOU SEND YOUR CHILD TO SCHOOL

What We Recommend

Insiders' Views: What You Don't Know Can Hurt You

Why Children Need Healthy School Environments

The Hard Facts of School Facilities

Healthy Schools: Starting To Do It Right



Healthy Schools Network looks forward to hearing from more schools that have adopted board and/or administrative policies and procedures to protect children's environmental health and to improve facility management.

*Edited by Claire Barnett
Healthy Schools Network, Inc.
March 1999*

WHAT WE RECOMMEND: Support 'Healthy School Environments' Legislation

- **Make children's environmental health and safety a New York State Priority.**
Support S3615 Marcellino/A 2068 Englebright
The Children's Environmental Health & Safety Bill of Rights
- **Help schools stop indoor air pollution from toxic products and supplies.**
Support S3617 Marcellino/A 5178 Englebright
The School Pollution Prevention Purchasing Act
- **Create healthier standards for school construction so that schools have breathable indoor air, energy savings, and are not sited on or near hazards.**
Support S3614 Marcellino/A 4700A Englebright
The Improved School Siting and Construction Act
- **Stop the use of toxic pesticides by schools. If schools use pesticides, they must tell parents and school personnel in advance.**
Support S3621 Marcellino/A 4701A Englebright
The School Integrated Pest Management Program Act, and
Support A2042A Englebright
The Parent Notification of School Pesticide Use Act

- **Create school health and safety programs to help schools reduce risks.**
Support A 4702A Englebright
The Environmental Health and Safety Program in Schools Act
- **Restore school Minor Maintenance and Repair funds to the budget.**
- **Restore RESCUE funds for school construction and for providing public information about facility conditions to the budget.**

The following groups support the 'Healthy School Environments' legislation (list in formation): Environmental Advocates; Advocates for Children/NYC; American Lung Association of NYS; Citizens' Environmental Coalition; NYS Congress of Parents and Teachers (State PTA); New York State United Teachers; National Education Association/NY; Central NY Committee on Occupational Safety and Health; New York Committee on Occupational Safety and Health; Western NY Committee on Occupational Safety and Health; Natural Resources Defense Council; League of Conservation Voters of NYS; West Harlem Environmental Action; Civil Service Employees Association; Community Advocates for Educational Excellence; Physicians for Social Responsibility/NYC; New York Coalition for Alternatives to Pesticides; National Audubon Society/NYC; United Parents Association of NYC; Healthy Schools Network.

INSIDERS' VIEWS: What You Don't Know Can Hurt You

We all hear about many school problems: children with learning or social problems; violence; leadership issues; equity financing; overcrowded classrooms; lack of texts and labs; bus safety. But what many parents and community members don't hear, and what schools do not report, is that schools suffer from pervasive environmental problems that harm children and personnel. Some environmental problems are easily preventable or correctable; some take money or staff. The shocking cases below illustrate the pervasive nature of these concerns. Healthy Schools Network wants every child and employee to have an environmentally safe and healthy school.

- **Western NY.** The State Education Department approved a new school site: located under high power transmission lines, adjacent to a chemical dump, next to heavy metal manufacturers, and under an Air Force Base flight path. Healthy Schools Network's inquiry into the permit process revealed that the Department was failing to comply with State Environment Quality Review Act procedures requiring it to notify relevant state agencies and the public.
- **Western NY.** One parent has been urging school repairs and maintenance practices to eliminate polluted air since 1993. Her children need anti-inflammatory medications only during the school year. The school has refused to acknowledge or hear federal and state agency information on improving school air quality. Reports this parent, "Even if it takes me a year, I can almost always find out what really happened."
- **Western NY.** A parent seeking improved indoor air quality for her asthmatic, allergic child, such as control of printing press and other fumes seeping into classrooms, has found it easier to home-school her young child than to battle denial and foot-dragging by school officials.
- **Western NY.** Parents who complained at a 1997 Regents public hearing about access to environmental information have found even the Education Commissioner can't make the system work: his staff sat on his request for over a year. The children are frequently ill and required to attend school; the parents still don't have information.
- **Western NY.** Healthy Schools Network was called by an upset school principal, not because he needed information, but to complain that we had no right to give information to "his" parents. Healthy Schools had responded to the local parent association's request for information about US EPA's school air quality program.
- **Central NY.** Students and staff had continuing health complaints due to indoor air pollution; faculty feared job retaliation. After the superintendent rejected a parent-led community petition to stop the routine use of pesticides, he re-asserted control by treating the playing fields with herbicides before a soccer game, and by refusing to authorize the cleaning of the building's ventilation ducts.
- **Central NY.** A superintendent refused to halt a construction project despite serious respiratory illnesses in students, faculty on sick leave, and pleas from the building principal who also was ill. The district had the same problem two years earlier, according to state agency staff, who added that neither the state departments of Health or Education have the capacity for on-site enforcement of children's health protections in schools under renovation.
- **Northern NY/Adirondacks.** Hazards at a middle school included a rope ladder used as an exit on the third floor, loose asbestos, open stairwells that aided the spread of fire and smoke, over-crowded classrooms, and wiring dating back to the 1920s. A small fire in the first-floor bathroom was catastrophic; smoke quickly rose to the third floor, with only a limited means of escape. After requesting corrections, the Education Department issued a Temporary Certificate of Occupancy to allow school to be re-occupied.
- **Northern NY/Adirondacks.** A health-impaired middle-schooler was made ill by repeated exposures to out-dated, off-inventory pesticides, contrary to his health plan and state law. School officials denied having information about laws for school pesticide use or for enforcement of health plans; the regional BOCES said it was not allowed to talk to parents or the local parent association without the school superintendent's permission.
- **Northern NY/Adirondacks.** A parent visiting a school under renovation had an asthma attack walking into the building. The school promised but failed to control dust, fumes, and debris. A neighboring district allowed contractors to excavate a new basement with diesel equipment under the building while school was in session.
- **Northern NY.** A parent of a child suffering from her third bout of bronchitis this winter in a school where staff are also ill, is re-requesting air test data. The principal shared inconclusive tests from the early 1990s; the parent has independently learned that school conducted air tests two years ago after the ventilating system was replaced.
- **Northern NY.** Community members on a facility committee sought better than average air quality and energy efficiency in their new community center school. After presenting their own research, they were told by the contractor that it was too late, even though ground-breaking was months away on a \$11 million all-new building.
- **Mid-Hudson.** A low-income single parent, pleading for a cleaner indoor environment for her asthmatic child was reminded by the principal that children are required to go to school, that children who can't keep up are sent to special education, and that schools are mandated to report child neglect - such as too many absences. She moved out of town.
- **Mid-Hudson.** A school is closed from spring break until the end of the school year. Despite parent and teacher protests, the school engaged in too-hasty and ill-timed floor replacement over spring break and, upon reopening, found the school's concrete subfloor, installed furniture, and walls saturated with solvents whose fumes immediately affected the health of students and staff.
- **Mid-Hudson.** A parent finally moved her child to another school after repeated complaints to reduce noise, improve air quality, and clean up the white dust from interior demolition work conducted while school was in session went unanswered. The dust covering the cafeteria proved to be heavily contaminated with asbestos.
- **Mid-Hudson.** A parent enrolled her child in a private school after she inadvertently discovered the public school's dry-erase markers for white boards used in all the classrooms set off her daughter's severe headaches, as well as headaches in several other first graders.
- **New York City.** An academically talented student has now switched schools three times to avoid the construction fumes and dust that trigger severe, prolonged asthma attacks. Because of these academic schedule interruptions, his parents are no longer assured that he is eligible to return to his original competitive high school.

(Continued on next page)

- **New York City.** The New York City Board of Education renovated a leased space that had been a dry cleaning plant, then bussed in elementary students from another neighborhood. Community groups, who knew the site was a potential state Superfund site, were unable to get the board to close the school or tell parents until the story was front-page news for a week. State Education also had approved the lease.
- **New York City.** While the City banned coal boilers years ago, it exempted its schools, leaving hundreds of buildings with dangerous, back-firing coal boilers that spew fumes and particulates into classrooms. A year ago, scores of students were treated and released from local hospitals with carbon monoxide poisoning that can cause permanent neurological damage and other health problems. Schools have no carbon monoxide detectors; after 1996 state bond funds are used up, City schools will still have 125-150 coal boilers remaining.
- **New York City.** A child was killed at a poorly-supervised school construc-

tion site after a rooftop brick fell four stories onto her head. Instructions for work site health and safety were casually ignored.

- **Long Island.** An immigrant parent was told her asthmatic nine-year-old should drop out if she could not breathe in school. The district offered no other solutions.
- **Long Island.** After a moldy classroom prompted too many teacher asthma attacks and hospitalizations, the local union got the window replaced, the decayed carpet eliminated, and the ventilating ducts disinfected. The teacher has returned and is now somewhat healthier.
- **Long Island.** A school was given a permit to pave around the building with 500 PPM lead-contaminated incinerator ash bound in asphalt. The New York State Regents, who two years earlier had been urged to adopt measures to eliminate new sources of lead in schools, took no action. Department staff verbally assured the Regents it would not happen again. A follow-up student project is measuring lead content of the run-off.

WHY CHILDREN NEED HEALTHY SCHOOL ENVIRONMENTS

Children are compelled to attend school. Biologically, children are not just little adults: they are uniquely vulnerable to environmental health and safety hazards. Occupational safety and health standards were not designed for children, nor do they apply to children attending school. Schools are not required to employ school nurses, nor report pupil accident, illness, or injury.

US Environmental Protection Agency. "Children are particularly at risk from environmental hazards in three ways: because children's systems are still developing... they are more susceptible to environmental threats; because children eat proportionately more food, drink more fluids, and breathe more air per pound of body weight, and because they play outside more, they are more exposed to environmental threats; because children are least able to protect themselves, their behavior... such as crawling on the ground or the floor... exposes them to different environmental hazards." (US Environmental Protection Agency, *Environmental Health Threats to Children*, EPA 175-F-96-001; September 1996)

American Public Health Association. The American Public Health Association, recognizing that most environmental health regulations are based on data primarily from research on adult humans... and recognizing that there are tens of thousands of chemicals in commercial use whose toxicity has never been tested and whose potential dangers to children are unknown... supports the inclusion of protection of children in all environmental policy, legislation, and regulation; (and) supports federal, state, and local policies that build healthy environments for children and that prevent exposures to environmental hazards... (Policy #9511 adopted by the Governing Council of the American Public Health Association, November 1995)

American Academy of Pediatrics. A "healthful school environment" is defined as "one that protects students and staff against immediate injury or disease and promotes prevention activities and attitudes against known risk factors that might lead to future disease or disability." (American Academy of Pediatrics, Committee on School Health, *School Health Policy and Practice*, Fifth Edition, 1993)

First National Research Conference on Children's Environmental Health.

"In the United States, children spend most of their time indoors, where they may be exposed to a number of indoor air pollutants. There is considerable evidence that childhood asthma can be exacerbated by exposure to indoor air pollutants." (Ruth A. Etzel, Medical Epidemiologist, *Asthma and Acute Pulmonary Hemorrhage Among Infants: Respiratory Diseases Linked to Indoor Air Pollution*, First National Research Conference on Children's Environmental Health, 1997) **National Institutes of Health.** "Asthma... mortality among children... has doubled over the last decade... and five million suffer from the disease... Air pollution is of special significance because it is preventable." (Landrigan, et al., Children's Health and the Environment: A New Agenda for Prevention Research, *Environmental Health Perspectives*, June 1998, NIH Publication No. NIH 98-218, p 788) Chlorpyrifos, the most commonly applied pesticide in New York State schools, has been linked to headaches, dizziness, loss of coordination, and muscular weakness. (New York State Department of Law, 1994; Devra Lee Davis & A. Karim Ahmed, *Exposures From Indoor Spraying of Chlorpyrifos Pose Greater Risks to Children than Currently Estimated*, Environmental Health Perspectives, Vol. 106, No. 6, June 1998). **American Lung Association.** "Asthma is the sixth ranking chronic condition in our nation and the leading serious chronic illness of children in the U.S. It is also the number one cause of school absences attributed to chronic conditions... Among the substances that may trigger attacks: smoke, airborne molds, ... dust, ... many household and industrial products; air pollutants; scents..." (*Lung Disease Data*, American Lung Association, 1998-99) Nationally, the American Lung Association has just announced a major focus campaign to improve indoor quality in schools.

THE HARD FACTS OF SCHOOL FACILITIES

US Government Accounting Office. "While laws compel children to attend school, some school buildings may be unsafe or even harmful to children's health." Half of schools surveyed by the US GAO self-reported at least one unsatisfactory environmental condition, and the cost of repairs ran over \$112 billion. (United States Government Accounting Office [USGAO], *School Facilities: Condition of America's Schools*, 1996)

New York State Education Department. New York State's 4,200 classroom buildings enrolling nearly 3 million children are operated by over 700 school districts. New York's schools require an estimated \$25-30 billion in repairs to correct hazards. The poorest children have the school in the worst condition. Problems include faulty wiring, fire safety problems, indoor air pollution (24% of schools), serious overcrowding, and poor heating (20%) and ventilation (37%). (New York State Education Department; USGAO, 1996) While the Education Department is charged with protecting pupil health and safety, it has not required schools to submit five-year Capital Asset Preservation Plans; it does not require schools to employ school nurses; it does not report pupil accident, illness, or injury; it does not have staff to help with environmental issues. (Education Department staff interviews, 1997-99)

New York City Board of Education. A 1998 survey of facility needs estimated that schools needed \$11 billion to create "adequate" facilities. The surveys failed to evaluate polluted indoor air, the cost of controlling lead

contamination in soil, paint, or tap water, or to ensure that all students have playgrounds and playing fields. New York City has 1,100 schools enrolling 1.1 million pupils who are 78% African-American, Hispanic, or Other Minority.

New York State Attorney General. Of schools surveyed by the Attorney General, 87% used pesticides. Pesticides are applied in every New York City school and at least 88% of Long Island public schools; upstate schools reported a 74% use rate. "The pesticides most frequently used in schools may cause short-term, acute, or... chronic health effects... such as... vomiting, headaches, skin irritations... behavioral and emotional disturbances... (and) asthma-like problems." (New York State Department of Law, *Pesticides in Schools: Reducing the Risks*, February, 1994) **New York State Comptroller.** Audits (1992-97) have revealed that schools have poorly funded maintenance programs; have misallocated funds for facilities; use poor purchasing practices; don't do energy audits; and have failed to follow meager child health laws written in the 1940s. While schools are just beginning to consider energy conservation, even the Pentagon in Washington, D.C. has "gone green" with a 25% energy savings retrofit; real estate developers are not creating "green" office towers and hotels to meet consumer demand for facilities that are healthier for occupants. (Healthy Schools Network research files)

STATE EFFORTS FALL SHORT: School Environments Haven't Improved

The State Board of Regents' efforts have fallen short. While it has studied school facility problems and adopted new policies, none of its legislative proposals have linked funds to resolving environmental problems or protecting children's health. Reforms recommended to the Regents by the School Environmental Quality Subcommittee (1994) were strongly supported in the field. (*Survey of School Officials*, Office of Facilities Planning, 1994)

There are mixed results from the Governor and the Legislature, while the Governor attempted to repeal laws and funds to protect public health (1995), he led the 1996 state bond act which included \$125 million to remove coal-boilers from schools. In 1997, a \$2.4 billion school facility bond act, championed by the Assembly Speaker, was narrowly defeated for lack of information about how funds would be spent. In 1998, the Governor vetoed the Legisla-

ture's request for additional funds for school construction. Although state aid for school construction has doubled since 1994 to \$909 million, school repair needs remain severe.

In 1998, fewer than one-third of school union presidents reported health and safety committees; 34% of 506 local presidents reported that conditions threatened public health (New York State United Teachers 1998 Local Presidents' Survey). Schools were the most hazardous of all inspected workplaces in Tompkins County reported the Ithaca-based Mid-State Labor Coalition (AFL-CIO) upon reviewing recent federal inspection reports. And 12% of all adult clinic patients seen over nine years were personnel complaining of chemicals in use in schools, reported the state-funded Central New York Occupational Health Clinic in 1998.

HEALTHY SCHOOLS: STARTING TO DO IT RIGHT

While there are plenty of problems and the need for school repair and construction funds is severe, there are zero or low-cost steps schools are taking today to protect children and improve environmental practices.

• **Fulton City School District.** The City of Fulton School District has created a District Safety Committee (DSC) whose mission is to "ensure that students and staff are provided with classrooms, buildings, and grounds (a school environment) which is safe, secure and healthy, clean and in good repair." Founded in 1992, the DSC is comprised of representatives of many stakeholder groups. The DSC meets regularly; the board's pro-active response to indoor air quality and pest management issues have resulted in lower insurance premiums for the district and voter approval of a local bond act.

• **East Greenbush Central School District.** In 1997, the East Greenbush Central School Board of Education adopted a comprehensive policy on School Environmental Quality and procedures for a Health and Safety Committee. The district also is cooperating with state agencies to improve energy efficiency and indoor air quality.

• **Pittsford Central School District.** As a result of progressive leadership, including a safety and health committee at the Pittsford District Teachers Association, the district has addressed safety and health concerns associated with the upgrading of middle schools, especially auditoriums, to the construction of an addition to the middle schools two years ago. Not unlike many schools, the Pittsford District had indoor air quality programs, most notably with an art kiln and with inadequate fresh air in the science instruction classrooms and in a storage area. Inadequate ventilation was the primary culprit.

• **Herricks Union Free School District** has adopted as its own the Regent's Guiding Principles of Environmental Quality, adopted board policy to promote and implement Integrated Pest Management and selected prior notification, and

has hired its own health and safety professional to train staff, review asbestos reports, and proactively respond to environmental concerns.

• **Baldwin Union Free School District.** The district has significantly reduced the use of pesticides with a written least-toxic Integrated Pest Management plan. A Board of Education member attending the NYS School Boards convention in Rochester last fall reported there are no costs to prior notification of the use of pesticides.

• **Little Falls City School District.** The district created an employee Health and Safety committee during the course of construction that successfully protected the health of building occupants. The building contractor reported at a Fall 1998 Empire State Reports Conference that the committee provided useful, effective on-site assistance.

• **Oswego City School District** is reducing its use of indoor pesticides; according to 1998 Freedom of Information Act responses, it has eliminated the use of herbicides on playing fields.

• **Baldwinsville Central School District** has created an intensive energy efficient program in conjunction with Niagara Mohawk Power Corporation, as well as established a no-pesticide, organic playing field. It also used low-odor custodial supplies.

• **New York City School District.** A public school building principal and custodian have successfully worked with the parent of a young child with health problems triggered by environmental factors. With an air cleaner in the classroom, the teacher reports that all the children are healthier, and the asthmatics appear to need fewer medications.

Why Worry When You Send Your Child to School was prepared by Healthy Schools Network, Inc., to help the public hold officials accountable for improving school facilities. ©1999

Healthy Schools Network, Inc.

is a not-for-profit organization dedicated to securing policies and actions that will create schools that are environmentally responsible to children, personnel, and to their communities. Centered on children's environmental health, Healthy Schools Network's activities include information, education and coalition-building. It was founded in late 1994 as the New York's Healthy Schools Network, a broad-based coalition of parent, environment, public health, and education groups united in support of the New York State Regents' Guiding Principles of School Environmental Quality (below). Since 1996, it has operated a nationally unique Information and Referral Clearinghouse to help parents and others protect children and help local schools improve their environmental conditions and practices.

Members of the Board of Directors: Officers: Katherine Kennedy, Esq. President; Richard Monaco, Vice President; Kenneth Scallon, Secretary; James Wood, Treasurer. **At Large:** Galen Kirkland, Esq.; Joyce Chicoine; Geraldine Hogan; John Phillips; Francisco Valle; Jeff Jones.

Staff: Claire Barnett, Executive Director; Marian Wise, Esq., Research Consultant; Student Interns Lori King and Danielle Cox. New York City Healthy Schools Working Group Coordinator, Jill Chaifetz, Esq., Executive Director, Advocates for Children of New York City.

Guiding Principles of School Environmental Quality adopted by the New York State Board of Regents, December 1994

- Every child and school employee has a right to an environmentally safe and healthy learning environment which is clean and in good repair.
- Every child, parent and school employee has a 'right to know' about environmental health issues and hazards in their school environment.
- School officials and appropriate public agencies should be held accountable for environmentally safe and healthy school facilities.
- Schools should serve as role models for environmentally responsible behavior.
- Federal, State, local and private sector entities should work together to ensure that resources are used effectively and efficiently to address environmental health and safety conditions.

Healthy Schools Network, Inc. • 96 South Swan Street • Albany, New York 12210

Tel/518-462-0632 Fax/518-462-0433

healthy.schools@compuserve.com

www.hsnet.org