Guidelines for the Health and Safety Committee

The REbuild Schools to Uphold Education (RESCUE) Law of 1998 mandated changes in the Commissioner of Education's Regulation 8 NYCRR 155. Parts 155.3 through 155.6 are the RESCUE Regulation and they became effective October 7, 1999.

Under RESCUE, Health and Safety Committees are required in all districts. Districts are required to report on Health and Safety Committee activities under the monitoring requirements in 155.5. This Regulation, checklists of 155.5 requirements, and clarification articles are available on Facilities Planning's web site.

Administrators are encouraged to take advantage of this opportunity to delegate as much responsibility as possible to the Health and Safety Committee and to reserve their time for district and educational responsibilities. The following suggestions are provided to guide districts.

1. Establishing a Health and Safety Committee

   a. Recruitment of members should be publicly solicited by the administration. Canvas letters should be sent to staff, unions, and parents. This required representation should be filled by the most democratic method possible to assure public confidence, independence from administrative control, and to reach people with vested interest. An effort should be made to include persons with preexisting interests.
   
   b. Committees should have two chairpersons. This co-chair configuration allows easier access to the chain of command, eases the workload, and allows freedom in scheduling meetings, inspections, and/or investigations.
   
   c. It is suggested that representatives from each group be included from each school building in the district. This may be accomplished with building level committees and a central district wide committee.
   
   d. Committee report procedure should be established to provide input into the existing district administrative chain of command and maintenance work order system.
   
   e. The Committee must have access to the response to written complaints, construction meetings, reporting construction problems, creation of punch lists, and should be involved with generation and tracking written work orders for maintenance items.
   
   f. Procedures should be created to provide verbal input for immediate action on health and safety issues, and a written backup procedure for control purposes must be established.

2. Duties of the Health and Safety Committee:

The Health and Safety Committee's duties should be as broad as possible.

   a. Required duties:
1. Performing the regulatory functions noted in:
2. 155.4(b)2 (iii) (providing a member for the annual visual inspection)
3. 155.4(c) (1) (provide consultation for the building safety rating)
4. 155.4(d)(7) (be involved in disposition of complaints related to health and safety)
5. 155.5(i) (addressing complaints regarding excessive noise)
6. 155.5(n) (participate in post construction inspection to confirm that the area is ready to be opened for use)

a. Suggested duties:

1. Maintaining lists of persons needing notification prior to various maintenance or construction functions,
2. Maintaining or auditing schedules and initiating content for required notifications,
3. Monitoring the requirements of 155.5(a) during construction or maintenance activities,
4. Investigation and disposition of complaints required under 155.5(b),
5. Answering in writing written complaints, and possibly verbal complaints,
6. Maintaining complaint files, and possibly tracking verbal complaints,
7. Auditing health and safety issues and coordinating with security issues,
8. Auditing action taken on complaints that require maintenance,
9. Pesticide Designee per the Neighbor Notification Law,
10. Asbestos Designee under AHERA.

3. Operation of a Health and Safety Committee:

a. The Health and Safety Committee must have public authorization and support from the Board of Education and Superintendent of Schools.
b. The Health and Safety Committee is mandated to address health and safety concerns in occupied buildings. To do this they need to have:

1. A well publicized list of contact persons including locations and phone numbers for persons to contact to registering concerns,
2. Scheduled public meetings,
3. A protocol for monitoring construction and maintenance projects,
4. A protocol for immediate notification to the district's chain of command,
5. A protocol to track complaints in writing,
6. A protocol for investigations, inspections, or tests which address complaints,
7. A protocol for disposing of complaints after action or due consideration,
8. A file for maintaining records of complaints and copies of written responses,
9. A protocol for making records available to the public upon request.

4. Helpful Resources for the Health and Safety Committee
a. Tools for Schools Action Kit is available from your BOCES or the Environmental Protection Agency (EPA) at 1-800-438-4318. This kit is a packet of forms, checklists, surveys, guides, and an informative video. A problem-solving wheel is part of the kit and directs investigation of specific items based on specific complaints. Investigation techniques are provided that are inexpensive and directed at solving problems rather than documenting them.
b. The award winning "Indoor Air Quality Manual" developed by the Baldwin Union Free School District. Copies of this manual are available from the district at (516) 3377-9312. This working manual addresses many items that a Health and Safety Committee should be aware of and is credited with saving the district time and money.
c. The EPA guide "Building Air Quality Program".
f. The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA) Booklet "IAQ Guidelines for Occupied Buildings Under Construction".
g. New York State Association of School Superintendents of Buildings and Grounds "Maintenance Procedures Manual".

5. Useful web sites:

a. Office of Facilities Planning, New York State Education Department.
b. School Responsibilities Checklist under 155.5 - look under CHECKLISTS
   http://www.emsc.nysed.gov/facplan/articles/155.5schooldistrictrequirements.html
c. 155.5 Checklist of items to appear in contract documents - look under
   CHECKLISTS of items required by 155.
d. Eastern New York Occupational and Environmental Health Center
   http://www.envirocenter.com/envohp/
e. United States Environmental Protection Agency
   http://www.epa.gov/
f. Federal Emergency Management Agency
   http://www.fema.gov/
g. Healthy Schools Network, Inc. - not for profit advisory group
   http://www.healthyschools.org/
h. Integrated Pest Management Institute of North America, Inc.
   http://www.ipminstitute.org/
i. New York State Emergency Management Office
   http://www.nysemo.state.ny.us/
j. Occupational Safety & Health Administration, U. S. Department of Labor
   http://www.osha.gov/