STATE OF NEW YORK

752

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EACHUS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to policies regarding maximum temperatures in school buildings and facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 409-n of the education law, as added by a chapter of the laws of 2024 amending the education law relating to establishing a maximum temperature in school buildings and indoor facilities, as proposed in legislative bills numbers S. 3397-A and A. 9011-A, is amended to read as follows:

§ 409-n. Maximum temperatures in school buildings and facilities. All common, union free, central, central high schools, city school districts and boards of cooperative educational services shall develop a policy for ensuring the health and safety of students, faculty, and other employees, on extreme heat condition days. For the purpose of this section, extreme heat condition days shall be defined as days when the occupiable educational and support services spaces are found to be eighty-two degrees or greater Fahrenheit. For the purpose of this section, support services spaces shall not include kitchen areas used in the preparation of food for consumption by students. For the purpose of this section, room temperature shall be measured at a shaded location, three feet above the floor near the center of the room. Schools shall be required to take action to relieve heat-related discomfort when the occupied space temperature reaches eighty-two degrees Fahrenheit. These actions may include, but are not limited to, turning off the overhead lights, pulling down shades or blinds, turning on fans, opening classroom doors and windows to increase circulation, turning off unused electronics that produce heat, and providing water breaks. [~~Educational~~] **Such policy shall include a plan to remove students and staff from occu-**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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pied spaces where practicable when educational and support services spaces [~~cannot be occupied if room temperature reaches~~] reach eighty-eight degrees Fahrenheit.

§ 2. Paragraph a of subdivision 3 of section 2801-a of the education law, as amended by a chapter of the laws of 2024 amending the education law relating to establishing a maximum temperature in school buildings and indoor facilities, as proposed in legislative bills numbers S. 3397-A and A. 9011-A, is amended to read as follows:

a. policies and procedures for response to emergency situations [~~including extreme heat conditions~~], such as those requiring evacuation, sheltering, and lock-down. These policies shall include, at a minimum, evacuation routes, shelter sites, and procedures for addressing medical needs, transportation and emergency notification of parents and guardians;

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the education law relating to establishing a maximum temperature in school buildings and indoor facilities, as proposed in legislative bills numbers S. 3397-A and A. 9011-A, takes effect.