STATE OF NEW YORK

9011

IN ASSEMBLY

February 1, 2024

Introduced by M. of A. EACHUS, DINOWITZ, SHIMSKY, ALVAREZ, TAYLOR, WALKER, CUNNINGHAM, JACOBSON, GUNTHER, CONRAD, LUNSFORD, WALLACE, SEAWRIGHT, OTIS, PAULIN, LEVENBERG, SHRESTHA, ZEBROWSKI, JENSEN, SLATER, BRABENEC, SMITH, BARRETT, MORINELLO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing a maximum temperature in school buildings and indoor facilities

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

Section 1. The education law is amended by adding a new section 409-n 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, including, but not limited to, kitchen and cafeteria workers, 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 include, but not be limited to, 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. Educational and support services spaces cannot be occupied if room temperature reaches eighty-eight degrees Fahrenheit.

§ 2. Paragraph a of subdivision 3 of section 2801-a of the education law, as amended by section 1 of part B of chapter 54 of the laws of 2016, 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,

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

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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 one hundred eightieth day after it shall have become a law.