STATE OF NEW YORK

3397--A

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sens. SKOUFIS, ADDABBO, ASHBY, BAILEY, BRISPORT, BROUK, CANZONERI-FITZPATRICK, CHU, COMRIE, COONEY, GONZALEZ, GOUNARDES, HARCKHAM, HINCHEY, HOYLMAN-SIGAL, JACKSON, KAVANAGH, LANZA, LIU, MANNION, MARTINEZ, MARTINS, MATTERA, MAY, MAYER, MURRAY, MYRIE, PARKER, ROLISON, RYAN, SALAZAR, SCARCELLA-SPANTON, THOMAS, WEBB, WEBER, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, 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

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

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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 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, evacuation routes, shelter sites, and procedures for addressing medical needs, transportation and emergency notification of parents and guardians;

§ 3. This act shall take effect September 1, 2025.