



Legislation Text

---

**File #:** Res 1975-2009, **Version:** \*

---

Res. No. 1975

Resolution urging the Department of Education to establish its own air quality standards to ensure the health and safety of all public school children and staff.

By Council Members Baez, Avella, Dickens, Gonzalez, James, Koppell, Sanders Jr. and Weprin

Whereas, The New York City Department of Education (DOE) is responsible for the education and safety of the City's 1.1 million school children; and

Whereas, The DOE's Division of School Facilities is responsible for the maintenance, repair, and safe operation of all school facilities; and

Whereas, The entity responsible for new construction, renovations and upgrades of capital projects in the City's public school system, as well as leasing space, is the New York City School Construction Authority (SCA), which was created in 1988 in response to the "deplorable physical condition" of the City's public schools and their "overcrowded, unsafe, unhealthy, and unusable" condition; and

Whereas, SCA is subject to the New York State Environmental Conservation Law and New York City's local zoning regulations, and must file a State Environmental Quality Review and the City Environmental Quality Review when selecting a school site; and

Whereas, An Environmental Impact Statement (EIS), describing both short and long-term environmental impacts of proposed sites, must also be prepared by the SCA; and

Whereas, The EIS must include a description of the action and its environmental setting, any adverse environmental effects, alternatives to the proposal, any irreversible and irretrievable commitment of resources, the growth inducing aspects of the proposal, and the effects of the

proposed action on the use and conservation of energy resources; and

Whereas, While New York State has siting requirements regarding environmental impact, a 2006 Center for Health, Environment, and Justice study revealed that 20 states have no school siting policies in relation to environmental hazards, clean-up requirements, and public input; and

Whereas, The study also indicates that New York State siting laws do not outright prohibit the siting of a school according to certain hazards, nor do they delineate factors that would exclude siting; and

Whereas, In 2008, USA Today conducted an extensive investigative report over eight months, analyzing the impact of industrial pollution on schools across the nation and used the United States Environmental Protection Agency's (EPA) Risk-Screening Environment Indicators (RSEI), a computer simulation to identify schools in potential toxic areas; and

Whereas, The investigative report revealed that despite the availability of the RSEI, there have been many instances of school siting in which the data was not taken into consideration; and

Whereas, In addition, the EPA estimates that 53 million children and approximately six million adults spend a significant part of their day in the more than 120,000 public and private school buildings throughout the United States, yet nearly one-third of these schools are in need of repair and are in poor condition, including environmental conditions which can be detrimental to the health and safety of these children and staff; and

Whereas, The EPA offers an Indoor Air Quality (IAQ) Tools for School program which attempts to protect children from a host of environmental concerns, including exposure to asbestos, lead, mercury, mold and moisture, radon, other chemicals, and pests; and

Whereas, The program works with schools, adopting indoor air quality management practices through identifying, evaluating, and correcting IAQ problems within a school building; and

Whereas, According to the Coalition for Healthier Schools, an estimated one in eight school-

aged children suffer from asthma, resulting in more than 15 million missed days of school annually;  
and

Whereas, According to Project ERASE (Eradicating Respiratory Asthma in Schools to help children Excel), New York City's childhood asthma rates are almost twice the national average and asthma is the leading cause of student absenteeism and hospitalization among City children; and

Whereas, Given New York City's vast school system, childhood asthma rates and the presence of pollutants in the City and vicinity, DOE should adopt high air quality standards and monitoring protocols to ensure that fervent and necessary attention is given to this important environmental factor for all schools, both those which are being sited as well as those already in existence; now, therefore, be it

Resolved, That the Council of the City of New York urges the Department of Education to establish its own air quality standards to ensure the health and safety of all public school children and staff.

JM  
LS# 6894  
February 18, 2009