



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3713

Introduced 2/17/2023, by Rep. Camille Y. Lilly

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.196 new

Amends the State Board of Education Article of the School Code. Provides that the State Board of Education shall require all school districts to undertake a ventilation verification assessment of all mechanical ventilation systems in the school district performed by a certified assessor or a mechanical engineer and shall be based on physical measurements made during the assessment. Provides that if an assessment is performed by a certified assessor, the assessment report shall be reviewed by a mechanical engineer. Provides that the ventilation verification assessment shall verify whether the existing mechanical ventilation system is operating in accordance with design parameters and meets the requirements of any applicable building codes. Provides that the ventilation verification assessment for a heating, ventilation and air conditioning system shall follow specified standards. Provides that the verification assessment report from the mechanical engineer shall include appropriate corrective actions needed for the mechanical ventilation system or the heating, ventilation and air conditioning infrastructure, including installation of appropriate filters, installation of carbon dioxide sensors and additional maintenance, repairs, upgrades or replacement. Provides that the State Board shall require all school districts to make the appropriate corrective actions identified in the ventilation verification assessment. Sets forth requirements for corrective actions, standards, and verification of work.

LRB103 29805 RJT 56212 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 2-3.196 as follows:

6 (105 ILCS 5/2-3.196 new)

7 Sec. 2-3.196. School ventilation.

8 (a)As used in this Section

9 "certified assessor" means:

10 (1) a certified technician; or

11 (2) a person who is certified to perform ventilation
12 verification assessments of heating, ventilation and air
13 conditioning systems through a certification body
14 accredited by the American national standards institute.

15 "Certified technician" means a person who is certified as
16 a testing and balancing technician by an accredited
17 organization; provided that the accreditor of the
18 certification organization is approved by the construction
19 industries commission.

20 "Mechanical engineer" means a professional engineer
21 licensed as a mechanical engineer by the state board of
22 licensure for professional engineers and professional
23 surveyors and who has professional experience with heating,

1 ventilation and air conditioning systems.

2 "Skilled and trained construction workforce" means a
3 workforce in which at least forty percent of the workers are
4 graduates of or registered in and attending an apprenticeship
5 program registered with the workforce solutions department or
6 an apprenticeship program to which the department has granted
7 reciprocal approval for the applicable construction
8 occupation.

9 (b) The State Board shall require all school districts to
10 undertake a ventilation verification assessment of all
11 mechanical ventilation systems in the school district
12 performed by a certified assessor or a mechanical engineer and
13 shall be based on physical measurements made during the
14 assessment. If an assessment is performed by a certified
15 assessor, the assessment report shall be reviewed by a
16 mechanical engineer. The ventilation verification assessment
17 shall verify whether the existing mechanical ventilation
18 system is operating in accordance with design parameters and
19 meets the requirements of any applicable building codes. The
20 ventilation verification assessment for a heating, ventilation
21 and air conditioning system shall include:

22 (1) testing for maximum filter efficiency;

23 (2) measurements of outside air rate;

24 (3) verification of operation of ventilation
25 components;

26 (4) measurement of all air distribution inlets and

1 outlets;

2 (5) verification of unit operation and that required
3 maintenance has been performed;

4 (6) verification of control sequences;

5 (7) verification or installation of carbon dioxide
6 sensors; and

7 (8) collection of field data for the installation of
8 mechanical ventilation if none exists.

9 (c) The verification assessment report from the mechanical
10 engineer shall include appropriate corrective actions needed
11 for the mechanical ventilation system or the heating,
12 ventilation and air conditioning infrastructure, including
13 installation of appropriate filters, installation of carbon
14 dioxide sensors and additional maintenance, repairs, upgrades
15 or replacement.

16 (d) The State Board shall require all school districts to
17 make the appropriate corrective actions identified in the
18 ventilation verification assessment. These corrective actions
19 shall include testing, adjusting and balancing the public
20 school mechanical ventilation system and, if necessary or
21 cost-effective, shall include repairs, upgrades or replacement
22 of the existing heating, ventilation and air conditioning
23 system or the installation of a stand-alone mechanical
24 ventilation system. The corrective actions identified in the
25 ventilation verification assessment may include general
26 maintenance, reading and adjustment of ventilation rates,

1 filter replacement to meet a minimum efficiency reporting
2 value of at least thirteen, carbon dioxide monitor
3 installation or whole-system installation or replacement.
4 Portable filtration and air cleaners shall be used only if the
5 existing heating, ventilation and air conditioning
6 infrastructure cannot provide minimum filtration and
7 ventilation requirements or, as recommended by a mechanical
8 engineer, as a supplemental enhancement to the permanent
9 heating, ventilation and air conditioning infrastructure when
10 the desired indoor air quality cannot be achieved with the
11 mechanical ventilation system or there are concerns with
12 outdoor air contaminants such as those created by wildfires
13 and pollution.

14 (e) School districts shall ensure that all work required
15 by the ventilation verification assessment is performed using
16 a skilled and trained construction workforce that is in
17 compliance with the Construction Industries Licensing Act and
18 rules promulgated in accordance with that act. The public
19 school facilities authority shall work in consultation with
20 the department and the construction industries division of the
21 regulation and licensing department to ensure that the
22 assessments and construction required by the Public School
23 Ventilation Improvement Act meet all standards and
24 requirements.

25 (f) Upon completion of work, the school district shall
26 submit a ventilation verification report to the department.

1 The report shall include:

2 (1) the name and address of the public school and the
3 person preparing and certifying the report;

4 (2) the name and address of the certified assessors,
5 certified technicians, mechanical engineers and
6 contractors who performed verification assessments or
7 construction and copies of certifications and licenses;

8 (3) a copy of the procurement documents; and

9 (4) documentation of:

10 (A) initial operating ventilation rate
11 verifications;

12 (B) adjustments, repairs, upgrades or
13 replacements;

14 (C) final operating conditions, including the
15 minimum efficiency reporting value of the filtration
16 system and verified ventilation and exhaust rates for
17 classrooms, auditoriums, gymnasiums, restrooms,
18 offices and other occupied spaces;

19 (D) verification of carbon dioxide monitors,
20 including make and model of the monitors; and

21 (E) verification that all work has been tested and
22 adjusted by certified technicians or mechanical
23 engineers.

24 (f) The school district shall have a ventilation
25 verification assessment performed on all mechanical
26 ventilation systems in the school district at least every five

1 years. The ventilation verification assessment and the
2 ventilation verification reports are public documents and
3 shall be available to the public upon request.