

State of Maine
STATE BOARD OF EDUCATION

Testimony of Fern Desjardins, Chair of the Maine State Board of Education

In Support of L.D. 1887: Resolve, To Improve Air Quality and Ventilation in Newly Constructed Schools.

Before the Joint Standing Committee on Education and Cultural Affairs

Sponsored by: Representative Arata

Date: May 9, 2025

Senator Rafferty, Representative Murphy, and Honorable Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Fern Desjardins, and I serve as Chair of the Maine State Board of Education. I am joining you virtually to submit testimony on behalf of the State Board in support of L.D. 1887, Resolve, To Improve Air Quality and Ventilation in Newly Constructed Schools.

The State Board strongly supports this bill. It is not surprising that it is before your committee for a hearing today. When L.D. 705 *Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools* became law without the Governor's signature as Resolve, Chapter 114 on July 15, 2021 in the First Session of the 130th Legislature, it carried a fiscal note as "Potential State Mandate – Unfunded". It determined the local cost to be "significant statewide". The law required amendments to rules Chapter 60: New School Siting Approval, Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, and Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units.

In the Second Regular Session of the 130th Maine Legislature L.D. 1935, *Resolve, Regarding Legislative Review of Portions of Chapter 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education and Maine State Board of Education*, was placed in the Legislative Files (died) when the Legislature adjourned Sine Die. Consequently, the State Board adopted the rules that were provisionally adopted in December 2021 through targeted rulemaking to include the same statement in Chapters 60, 61, and 125. It states, "The school administrative unit will utilize the best-available practice national standards of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) for inspection, maintenance, ventilation and filtration." (effective June 10, 2022)

Having standards governing air quality and ventilation helps to support the health, safety, and performance of students and educators in Maine's public schools. That the local cost of implementation would be significant was a red flag to SAU's impacted by the new law. To have all public schools in Maine meet air quality and ventilation standards without state or federal funds no later than July 1, 2026 can be a significant challenge for a number of SAU's. Therefore, the standards should be required for only newly constructed public schools.

Thank you for this opportunity to comment, and I would be happy to answer questions the committee may have.