THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

PRESIDENT OF THE UNIVERSITY
AND COMMISSIONER OF EDUCATION

October 2005

TO: District Superintendents
Superintendents of Schools
Nonpublic and Private School Administrators
Charter School Administrators

FROM: Richard P. Mills, Commissioner of Education
Daniel D. Hogan, Commissioner Office of General Services

SUBJECT: Environmentally Sensitive Cleaning and Maintenance Products in Schools

The State Education and State Finance laws were recently amended in relation to the procurement and use of environmentally sensitive cleaning and maintenance products in New York State elementary and secondary schools (Education Law 409-I and Finance Law 163-b). The intent of the law is to reduce "...exposures of children and school district staff to potentially harmful chemicals and substances used in the cleaning and maintenance of schools." The effective date of these laws is **September 1, 2006.**

The following school facilities are covered by this new rule:

- Public and nonpublic elementary and secondary schools
- City school districts
- BOCES
- Special act school districts
- Private and parochial schools
- Charter schools
- Approved private schools for the education of students with disabilities

In accordance with the laws, the following agencies are working together to develop guidance materials and specifications, including sample lists for purchasing cleaning and maintenance products: the State Education Department (SED); State Office of General Services (OGS); State Department of Health (DOH); State Department of Environmental Conservation (DEC); and the State Department of Labor (DOL). OGS is responsible for establishing State contracts for schools to purchase such cleaning and maintenance products. We are working with the OGS Procurement Services Group to develop a State contract for environmentally sensitive cleaning products. The above noted agencies are also working to gather information on this topic and will seek input from interested parties.

The law stipulates that schools "shall follow such guidelines, specifications, and sample lists when purchasing cleaning and maintenance products for use in the facilities." We anticipate having the guidance prepared by early 2006. The State Education Department and the State Office of General Services will disseminate these guidance materials to all schools covered by this rule once they have been completed. Technical assistance will also be available from the above noted State agencies to support schools in implementing this rule. See the following link for the text of this law: http://www.assembly.state.ny.us/leg/?bn=S05435&sh=t

Please feel free to contact either Carl Thurnau (cthurnau@mail.nysed.gov) or Kurt Larson (Kurt.Larson@ogs.state.ny.us) with any questions on this new law.