

Response Requested by July 19, 2013

TO: Superintendents of Schools

CONTACTS: Business Managers
Buildings and Grounds Manager
Environmental, Health and Safety Coordinator

DATE: June 4, 2013

FROM: Brenda Cassellius
Commissioner

SUBJECT: Capital Expenditure: Health and Safety Revenue Application, Per Minnesota Statutes,
Section 123B.57

This memorandum provides information related to the district health and safety (H&S) revenue application for the 2013 Pay 2014 levy cycle. [This memorandum and related attachments is available on the department's website](#). The file is in PDF format and may be saved. Following is the list of attachments, health and safety reporting requirements and timelines.

1. H&S Website Instructions
2. Minnesota Department of Education (MDE) Summary of Allowable Expenditures
3. Environmental H&S Management Model Plan
4. Safety in Science Laboratories Checklist
5. [View State Fire Marshal School Inspection](https://dps.mn.gov/divisions/sfm/programs-services/Pages/school-inspection.aspx) (https://dps.mn.gov/divisions/sfm/programs-services/Pages/school-inspection.aspx)
6. Uniform Financial Accounting and Reporting Standards (UFARS) Finance (FIN) Code 366 Engineering Report and Five-Year Plan Forms
7. Steps to Follow for Projects Exceeding \$500,000 Total Cost
8. H&S Management Assistance Program/MDE Correspondence/Miscellaneous

H&S Program Revenue Application Requirement

Subdivision 1. Health and safety revenue application.

(a) To receive health and safety revenue for any fiscal year a district must submit to the commissioner a capital expenditure health and safety revenue application by the date determined by the commissioner. The application must include a health and safety budget adopted and confirmed by the school district board as being consistent with the district's health and safety policy under subdivision 2. The budget must include the estimated cost of the program per Uniform Financial Accounting and Reporting Standards (UFARS) finance code, by fiscal year.

Subd. 2. Health and safety policy.

To qualify for health and safety revenue, a school board must adopt a health and safety policy. The policy must include provisions for implementing a health and safety program that complies with health, safety, and environmental regulations and best practices including indoor air quality management.

To meet Minnesota Statutes, section 123B.57, Subdivision 1, reporting requirements, certified school board minutes must annually confirm: (1) a school board adopted "budget" per UFARS finance code and per fiscal year; and (2) a stand alone school board adopted health and safety policy. School board minutes, including estimated costs for Fiscal Years 2013-2015, adopted updates to the district's health and safety policy, or school board acknowledgement if there are no changes to the health and safety policy must be submitted to regional management assistant professionals by July 19, 2013. Documentation will be compiled and submitted to MDE by July 19, 2013, thereafter. School districts that are not members of a service cooperative may submit electronically to MDE at michael.oxborough@state.mn.us. MDE will not approve new health and safety projects or changes to existing projects until adequate documentation is received and verified.

Districts must enter or modify individual projects over the Internet by finance code and fiscal year. [The H&S website](https://w1.education.state.mn.us/HealthAndSafety/HealthAndSafety.do) (<https://w1.education.state.mn.us/HealthAndSafety/HealthAndSafety.do>) shows your district's H&S project detail. You may also reach this site from the [MDE main web page](#) and choosing School Support > Data Submissions > on the left side of the screen scroll down and choose "Health and Safety." Passwords to access district information are unchanged from last year. Please revise estimates for FY 2013 and FY 2014, and enter new projects for FY 2013, FY 2014 and FY 2015 for approval. For districts qualifying for aid, either the corrected amounts or the revenue limits with an adjustment for underlevies will be used to calculate your FY 2013 and FY 2014 aid entitlements.

It is important to have the most accurate H&S cost estimates in the proper fiscal year. The district's H&S cash flow is dependent on the accuracy of the initial and revised H&S cost estimates. At each fiscal year end, it is important to update project amounts on the H&S website to equal audited UFARS expenditures. This is important because **health and safety revenue is recalculated at the close of each fiscal year to be based on the lesser of approved costs on the health and safety website or district-reported UFARS data.** The last day FY 2013 health and safety projects will be approved is Friday, January 3, 2014. At that date, the database will be temporarily disabled for processing.

Projects That Exceed \$500,000. A project in a building may exceed \$500,000 in cost over one or several years. These must be treated separately in the application process, under Minnesota Statutes, section 123B.59, subdivision 1(b) (the Alternative Facilities statute). If the total project amount of "related" projects exceed \$500,000 for the same building, (Minn. Stat. § 123B.59, Subd. 2(b) refers), the work must be funded under Alternative Facilities [Minn. Stat. § 123B.59, Subd. 1(b)]. Consultation will be required for projects of \$500,000 to \$1,400,000 or more. A review and comment under Minnesota Statutes, section 123B.71, is required for projects with estimated costs of \$1,400,000 or more. Detailed information regarding projects exceeding \$500,000 is provided in Attachment 8 of the application materials.

Appeals Process. Every attempt has been made to maintain consistency with current statutes in the development of the application materials. In the event a district has identified a hazard that is not addressed as allowable in this letter, a district may request that the hazard be given funding consideration as a H&S project. MDE will not consider appeals for costs specifically excluded but will consider appeals where eligibility is unclear due to language or to the identified hazard. Contact [Michael Oxborough](#) to initiate agency consideration. All such requests shall be in writing and will be responded to in writing. E-mails are acceptable if the funding is less than \$10,000. In certain cases, a report from a qualified third-party evaluator may be required. A written request should contain the following: project number, description and amount, reason for denial, unresolved question(s) for consideration, reason(s) for reconsideration and a specific statement of what action the district requires. The appeal shall be clear as to how the requested approval relates to Minnesota Statutes, section 123B.57. Agency supervisory personnel will resolve appeals.

The information in this memo and its attachments officially expires September 30, 2014. Approvals may be given to projects after this date and before the 2014 revenue application letter but they are based on “best estimate” of the contents of the 2013 letter and are approved only to satisfy time-critical needs on the part of the district (i.e., emerging FY 2014 needs before July 2014). Approval does not guarantee revenue if any enabling statute changes after September 21, 2013. If it is reasonably anticipated that a law change after September 21, 2013, might affect the H&S statutory approval process, the approval process be postponed until the law change is known.

If you have any questions regarding application documents or processes, please contact [Michael Oxborough](#) at 651-582-8509.

Health and Safety (H&S) Program Revenue Application Requirement

During the 2011 special session, the legislature passed provisions amending language in Minnesota Statutes, section 123B.57, that affect the Payable 2013 levy application process.

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To meet Minnesota Statutes, section 123B.57, Subdivision 1 reporting requirements, certified school board minutes must annually confirm: (1) a school board adopted "budget" per UFARS finance code and per fiscal year; and (2) a stand alone school board adopted health and safety policy. School board minutes, including estimated costs for Fiscal Years 2013-2015, adopted updates to the district's health and safety policy, or school board acknowledgement if there are no changes to the health and safety policy must be submitted to regional management assistant professionals by July 19, 2013. Documentation will be compiled and submitted to MDE by July 19, 2013, thereafter. School districts that are not members of a service cooperative may submit electronically to MDE at michael.oxborough@state.mn.us. MDE will not approve new health and safety projects or changes to existing projects until adequate documentation is received and verified. Projects Temporarily Approved until November 1 (Assigned Provisional Project Approval (PPA)). MDE may determine that certain projects will require additional reporting or documentation after September 30, 2013 (1) certain FIN 366 projects; (2) certain FIN 363 projects; (3) projects exceeding \$500,000 in cost; and, (4) projects requiring Review and Comment under Minnesota Statutes, section 123B.71. To facilitate the process, projects that have a minimal (but not complete) level of reporting on these projects received at MDE by July 19, 2013 may receive a provisional approval, marked with a temporary PPA designator as an approval status. See the steps to follow for projects exceeding \$500,000 in total cost *Attachment 8*, FIN Code 366 Engineering Report, and Five-Year Plan form *Attachment 7* for details. For FIN 363 projects exceeding \$20,000 in cost, a SFM plan review is required (John Swanson john.swanson@state.mn.us or 651-334-3217). Districts have until November 1, 2013, to complete and submit the remainder of the required reporting to the MDE. Projects whose completed reporting is received by this date are eligible to have their approvals changed from "PPA" to "YES" which maintains funding authority. Otherwise, project approval will revert to "NMI" (needs more information) and funding authority will be withdrawn for Pay 2014. Only projects marked PPA on September 20, 2013, may be processed in this manner. All other non-approved projects must wait until Pay 2015 to obtain funding. The same criteria apply for Alternative Facilities projects exceeding \$500,000 but they are designated provisional project levy (PPL) (for levy) or provisional project bond (PPB) (for bond) instead of PPA.

Although the website is "mechanically" open to accept changes, projects identified after September 20, 2013, will not normally be processed until after July 26, 2014. The exception will be for FY 2013 projects being closed out during November-December 2013. To bring agency attention to the need for approval before then, the district must contact MDE. Every attempt has been made to incorporate H&S allowable and non-allowable expenditure information into this packet, so that the MDE program administrator can answer questions by referencing its contents and by giving interpretation, examples, illustrations and precedents. If you have any questions regarding documents, process or interpretations, please contact [Michael Oxborough](mailto:Michael.Oxborough) at 651-582-8509.

General Reporting Requirements

1. H&S projects must be reported via H&S website by the end of the day on July 19, 2013.
2. H&S Program Revenue Application must be received at MDE by July 19, 2013.
3. Additional Reporting Requirements (some or all may apply):
 - a. Project engineering report received by July 19, 2013 for certain FIN 363, 366 work.
 - b. Consultation requirements for Alternative Facilities projects with estimated cost exceeding \$500,000.
 - c. Review and comment requirements for Alternative Facilities projects exceeding \$1,400,000; \$500,000 for districts with an outstanding capital loan (unless exempted).
 - d. For all HVAC and mold abatement projects: Report information per Attachment 7 and IAQ exclusion statement (Attachment 8).

Pay 2014 Levy Timelines

June 2013. MDE issues 2013 revenue application packet. 2013 Pay 2014 website is officially open for new project information. District downloads H&S memo.

June 28, 2013. Latest date for bond issuance in order to qualify for debt service equalization aid on Pay 2014 levy.

July 19, 2013. *Health and Safety Program Revenue Application* received by MDE.

July 19, 2013. All districts must have completed logging new or revised project information onto the H&S website. All documentation for major projects must be received by this date. H&S website is taken down and all projects are temporarily removed. For projects exceeding \$500,000, take special note of Attachment 8 reporting requirements (includes "notice of intended projects" notification requirement). For FIN Code 366 projects requiring reporting, see Attachment 7.

By August 30, 2013. Website restored to show approvals, NMIs or NOs. OK to appeal projects flagged NMI (need more information) or NO after this date, but before September 7.

September 6, 2013. Last day district can make changes to website. Between September 6 and 20, department will review information provided by the district in order to finalize approvals.

September 20, 2013. Last day capital dataset is updated for levy limit calculations, to allow these to be certified to the county auditor by September 30, 2013, or if done the next succeeding day which is not a Saturday, Sunday, or legal holiday as provided by Minnesota Statutes, section 275.065 subdivision 1.

November 1, 2013. Last day to submit closeout documentation in support of PPAs or PPLs/PPBs (provisional approvals). Failure to obtain project approval by this date will change the project status to a NMI, resulting in a reduction of the certified 2013 Pay 2014 levy from the proposed levy.

November/December, 2013. Alternative Facilities publication of "notice of intended projects" must be completed "within 20 days of levy certification." Documentation of publication must be maintained for three years after the completion of the project.

Closeout FY 2013 Timelines

Early November 2013. Districts review and reconcile FY 2013 approved project costs and expenditure data reported by the district on UFARS. Health and safety staff must work with the business office to reconcile approved project costs to those reported on UFARS. Staff can use the Minnesota Funding Reports (MFR) posted on the MDE website to review UFARS data at a Finance Code level. [Access the Minnesota Funding Reports \(MFR\) on the Data Reports and Analytics web page](http://w20.education.state.mn.us/MDEAnalytics/Data.jsp) (<http://w20.education.state.mn.us/MDEAnalytics/Data.jsp>).

Choose the district from the alphabetical list, then
View: All Reports
Category: UFARS Turnaround Reports
Year: 12-13
Report: Expenditure by Finance Code Report

The report is organized by Finance Code, scroll down to the appropriate health and safety finance code (347, 349, 352, 358, 363, and 366) to find reported UFARS costs. Because this report is revised each time the district submits UFARS data, health and safety staff must check with the business office for final data.

November 30, 2013. Districts have until November 29, 2013, to modify their FY 2013 UFARS numbers. This activity is important because H&S revenue is based on the lesser of approved costs on the H&S website or district-reported UFARS data, the two amounts should accurately match.

December 31, 2013. Last day for districts to modify approval of FY 2013 projects. All projects identified after this date for work claimed in FY 2013 or before will not be honored and processed.

January 4, 2014. Last day agency will reconcile FY 2013 projects marked "NMI" or "NO." The H&S website is taken down and all projects are temporarily removed for system maintenance.

Health and Safety (H&S) Website Instructions

The [H&S website](https://w1.education.state.mn.us/HealthAndSafety/HealthAndSafety.do) (https://w1.education.state.mn.us/HealthAndSafety/HealthAndSafety.do) shows your district's H&S project detail. You may also reach this site from the [MDE main web page](#) and choosing School Support > Data Submissions > on the left side of the screen scroll down and choose "Health and Safety." Enter the district's unique 4-digit district number, and MDE assigned 4-digit password. If the district does not have a 4-digit district number, zero must be used as a prefix, for example, 0196. If the password is unknown, please contact [Michael Oxborough](#) at 651-582-8509.

Fiscal Year	Finance Code	Building Name	State Approval	Approved Amount
District 0000	Project Number	Project Description		Proposed Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>		0.00
		<input type="text"/>		<input type="text" value="0.00"/>

Populate all data entry fields (highlighted in red) for the fiscal year (2-digits), finance code (347, 349, 352, 358, 363, 366) building name, project description and proposed amount (only numbers 0-9 and decimal; No comma, dollar sign or other special characters), then click "Add Project."

14	347	High School		0.00
Update	GEN.	Repair guards on bench grinder		500.00

Approvals are Yes, No, NMI (needs more information) or PPA (provisional project approval). A "... " means no MDE action has been taken, and "GEN" means MDE has not yet assigned a unique 5-digit project number.

14	347	High School	YES	500.00
Update	67657	Repair guards on bench grinder		0.00

Project 67657 has been approved for \$500. To request more funding for this project, click on the UPDATE button at left, enter the new amount (\$600) in the PROPOSED amount field, and click "Add Project."

14	347	High School	YES	500.00
Update	67657	Repair guards on bench grinder		600.00

The APPROVED amount field displays \$500 and the PROPOSED amount field displays \$600, awaiting MDE approval for the additional \$100. When MDE grants approval, the APPROVED amount will change to \$600 and the PROPOSED amount to zero.

14	347	High School	YES	600.00
Update	67657	Repair guards on bench grinder		0.00

Any PROPOSED amount that is less than the APPROVED amount (\$400) will automatically transfer to the APPROVED amount field, leaving the PROPOSED amount zero. Since any reduction is originated by the district, including zero to cancel the project, any future restoration will be treated as a new project, so reduce amounts only when certain. If changes to a project need to be discarded, use the RESET PROJECT button before using the UPDATE PROJECT button.

14	347	High School	YES	400.00
Update	67657	Repair guards on bench grinder		0.00

Any amount request increase remains in the PROPOSED amount field until approved by MDE. Updated proposed amounts that have substantially increased from previous approvals will be expedited with the inclusion of an e-mail to michael.oxborough@state.mn.us. The e-mail should include contact information (district number and phone number), project description and the individual 5-digit project number. The e-mail shall provide an explanation regarding changes to substantiate the new proposed amount, including paid invoices if available.

Additional Modifications:

If a proposed H&S project is improperly coded, MDE will make a noted change only when the project is initially approved.

14	349	High School	...	0.00
Update	GEN.	Repair guards on bench grinder		500.00

14	347	High School	YES	500.00
Update	67657	Repair guards on bench grinder (MOVED TO 347)		0.00

The district may e-mail [Michael Oxborough](mailto:Michael.Oxborough) to request a project that has not started to be changed to a different fiscal year. Please include the individual 5-digit project number, project description, desired fiscal year, and district contact information. The district is responsible to ensure MDE fiscal year requests are accurately processed.

If a project continues into one or more fiscal year, the existing approved project (\$50,000 in FY 13) must be updated to match reported UFARS per fiscal year (\$30,000 in FY 13). Then create a new continuation project to move forward the balance (\$20,000 in FY 14) with reference to the previous project number.

13	363	High School	YES	50000.00
Update	51420	Replace fire alarm panel, SFM inspection #154201, item #2		0.00

13	363	High School	YES	30000.00
Update	51420	Replace fire alarm panel, SFM inspection #154201, item #2		0.00

14	363	High School		0.00
Update	GEN.	Continuation of project #51420, fire alarm panel replacement		20000.00

SUMMARY OF ALLOWABLE EXPENDITURES FOR FISCAL YEARS 2013, 2014 AND 2015

PURSUANT TO MINNESOTA STATUTES, SECTION 123B.57 AND SECTION 123B.59, ALTERNATIVE FACILITIES BONDING AND LEVY PROGRAM

PROJECTS UNDER HEALTH AND SAFETY

A project is defined as a unit of work that is specified by fiscal year, finance code dimension, building, project description and amount. MDE assigns an identifying project number and provides approval. All processing and approval relates to the individual project and a district may not assume that approval for any project implies approval for any other project.

“MACRO PROJECTS” THAT ALLOW FOR MULTIPLE BUILDINGS PER PROJECT

Building breakdown is not required for projects listed under finance code 352, or for a project that would result in multiple projects with identical work descriptions and cost of \$5,000 or less per building. For this new category of “macro projects,” beside the project work description, the project description field shall include the number of buildings, the approximate cost per building and the methodology used for cost-to-building allocation (e.g., actual cost, cost based on square foot, cost based on units per building). For buildings with identical work descriptions and costs of greater than \$5,000, these macro projects may yet be compressed into one project if all buildings are positively identified. This may occur: (1) by specifically naming the buildings; (2) by indicating the category of buildings (e.g., all elementary buildings); (3) by indicating “district-wide” and by associating building specific costs within the project description field; (4) by another suitable means of positively identifying the building(s).

H&S PROJECTS MUST BE IDENTIFIED (CONTINGENCIES NOT PERMITTED)

Work associated with H&S projects shall be identified and known at the time of project submission. MDE cannot approve a contingency fund for projects that have yet to be determined. The work is not considered a contingency if: (1) the scope of work is precisely known and identified and does not change; and, (2) the estimated and actual amounts are in general agreement (within a few percent).

NEW CONSTRUCTION OR RE-LOCATABLES

Health and Safety revenue may not be used for the construction or betterment of facilities or the purchase of portable classrooms. It may not be used to pay for construction that changes the function of an existing space or results in an increase in square footage of the school facility, with the exception of square footage in lieu of roof construction for mechanical ventilation systems that result in reduced costs and for a State Fire Marshal (SFM)-ordered storage area. Consideration will be given for additional square footage for mechanical ventilation that results in substituting like with like spaces, so long as size and functionality remain the same, and an independent architect/engineer certifies that the solution results in reduced costs. Project funding which would have been used for hazards in existing buildings cannot be re-directed to new facilities. Use of H&S funding to purchase storage sheds for hazardous materials shall be considered on a case-by-case basis, and must be supported by SFM orders.

FACILITY – DEMOLITION

Project cost to demolish a facility is not allowable except for abatement of that portion of the demolition that contains hazardous materials (e.g., asbestos, PCB). See Minnesota Statutes, section 123B.57, subdivision 6(b). The cost to repair exterior finish, re-roof or remodel the remaining portion is not an allowable expenditure of Health and Safety Revenue. Districts shall ensure the property is not listed on any historical building register. Due to a court decision, the district is required to confirm this in writing with MDE before funding for any abatement work can be approved. [View list of historical buildings on the Minnesota Historical Society's website](http://nrhp.mnhs.org) (http://nrhp.mnhs.org).

FACILITY EVALUATION FOR STRUCTURAL SAFETY

The cost for a structural evaluation of a facility by architect or engineer to determine if it is safe is not an allowable expenditure under H&S (Minn. Stat. § 123B.57).

PROFESSIONAL FEES

Engineering, design, project management and commissioning fees for abatement, remediation, or mechanical ventilation improvements are allowable expenditures of Health and Safety Revenue. Per Minnesota Statutes, Section 123B.57, Subdivision 6a (6), "all assessments, investigations, inventories, and support equipment not leading to the engineering or construction of a project shall be included in the health, safety, and environmental management costs" (fundable under finance code 352). Once a project has been identified, fees for these services should be identified and applied for as a separate project under the same finance code as the project.

SCIENCE LAB SAFETY AUDIT-RELATED COSTS

The cost to modify a science lab to meet standards pursuant to Minnesota Statutes, section 121A.31 is an allowable expenditure of Health and Safety Revenue with written State Fire Marshal (SFM) orders, SFM plan review documentation and agency review of projects that involve major funding. To determine allowable uses of Health and Safety Revenue, *Attachment 5* provides guidance to districts (subject to agency review). Safety in science labs projects should be integrated with the district's Laboratory Safety Standard Chemical Hygiene Plan.

HEALTH, SAFETY, AND ENVIRONMENTAL MANAGEMENT

Per MINNESOTA STATUTES, SECTION 123B.56, "Health, Safety and Environmental Management" means activities necessary for a district's compliance with state law and rules of the Departments of Health, Labor and Industry (MNOSHA), Public Safety (State Fire Marshal) and Pollution Control Agency (MPCA) as well as any related federal standards. These activities are: (1) hazard assessment; (2) required training; (3) record keeping; and, (4) program management. A district's cost to assess compliance and develop written management plans for health, safety and environmental regulations/standards is an allowable expenditure of Health and Safety Revenue under finance code 352. See *Attachment 4* for additional details. Using this attachment, a district should evaluate its hazards and adopt written plans and policies. A district may fund safety committee activities to assist administration with managing a district's safety hazards through identifying, prioritizing and scheduling approved projects.

PROVISIONAL PROJECT APPROVAL (PPA)—Includes Alternative Facilities Projects

Projects that do not have all documentation submitted by September 20, 2013 which MDE believes will qualify imminently for funding, may be temporarily approved as a PPA (or PPB and PPL for Alternative Facilities projects of \$500,000 or greater) instead of YES (or OKL and OKB for Alternative Facilities projects of \$500,000 or greater). This establishes the project as included in the maximum revenue authority set on September 30, 2013 but which will be removed from the authority if final support documentation has not been evaluated by November 1, 2013.

FIRE PREVENTION AND LIFE SAFETY

Expenditure of Health and Safety Revenue to correct fire and life safety code violations must be in response to written orders from the State Fire Marshal (SFM) or local authority (15 municipalities) using SFM criteria under contract agreement. Exceptions may be considered upon written application to the Commissioner. State Fire Marshal School Plan Reviewer John Swanson (john.swanson@state.mn.us or at 651-334-3217), must review all H&S fire and life safety projects that exceed \$20,000 prior to commencing work, including orders based on contracted local inspectors. The MDE must receive confirmation of this review from Mr. Swanson before project approval is given, although a "PPA" may be assigned until November 1, 2013.

HEALTH AND SAFETY DEFICIT SPENDING

Neither health and safety revenue nor Alternative Facilities revenue based on H&S criteria can be used to finance a lease purchase agreement, installment purchase agreement, or other deferred payments agreement. Health and safety revenue must not be used for interest or other financing expenses, or for energy efficiency projects under Minnesota Statutes, section 123B.65. No interest expense may be charged to the H&S account. Any work performed under an energy performance contract or with bond proceeds (including facilities and equipment bonds) cannot be charged to the Health and Safety account. Projects that exceed \$500,000 are funded under Minnesota Statutes, section 123B.59 which does allow for bonding and interest recovery.

GUARANTEED ENERGY SAVINGS CONTRACTS - Energy Performance Contracts

Neither Health and Safety revenue nor Alternative Facilities revenue based on H&S criteria can be used to fund energy efficiency projects under section Minnesota Statutes, section 123B.65, the guaranteed energy saving or “performance” contract section.

WEATHER/FLOOD-RELATED DAMAGE

Generally, costs for cleanup from major weather related natural disasters are eligible for Health and Safety funding. Agency weather/flood responses are coordinated through MDE, including those warranting consideration for extraordinary funding consideration, under a variety of programs.

INDOOR AIR QUALITY (IAQ)

Only costs to improve indoor air quality to achieve current Minnesota State Mechanical Code/American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE) guidelines, or (2) provide a level of approximately 15 CFM/person, and mold abatement are eligible for funding under Health and Safety FIN CODE 366. Allowable assessments, investigations, inventories and support equipment not leading to the engineering or construction of a project shall be included in the FIN CODE 352 funding category and subject to the cap.

TRANSPORTATION/BUS DRIVER DRUG AND ALCOHOL PREVENTION PROGRAM

Expenses relating to these and other transportation issues are not eligible for funding under the Health and Safety program. Cost to repair or replace unsafe buses or other transportation vehicles is not allowable.

CERTIFICATION PROGRAMS

MDE requires personnel be trained in playground safety under the National Recreation and Park Association’s Certified Playground Safety Inspector Course (CPSI). To obtain H&S funding for the repair or removal (but not replacement) of unsafe playground equipment, a CPSI inspection report including the inspector’s certificate number must substantiate playground safety projects for project approval.

BUILDING ENVELOPE AND OTHER H&S EXCLUSIONS

Per Minnesota Statutes, section 123B.57 subdivision 6a (5) and (6), “health and safety revenue must not be used... for replacement of building materials or facilities including roof, walls, windows, internal fixtures and flooring, non-health and safety costs associated with demolition of facilities, structural repair or replacement of facilities due to unsafe conditions, violence prevention and facility security, ergonomics, or public announcement systems and emergency communication devices; or... (6) for building and heating, ventilating and air conditioning supplies, maintenance, and cleaning activities...”

FINANCE CODE 347 - PHYSICAL HAZARD CONTROL

PLAYGROUND – RESURFACING AND OTHER HAZARDS

The cost to re-install loose-fill playground impact-attenuating surface materials is an allowable expenditure of Health and Safety Revenue. Unitary and loose-fill impact-attenuating surfacing material is subject up to a maximum of \$12 per square feet. Surfacing material for a new or displaced playground is not permitted. [View the Consumer Product Safety Commission website for more information](http://www.cpsc.gov) (<http://www.cpsc.gov>). The cost to repair or remove (but not replace) unsafe outdoor playground apparatus is allowable, as reported by a person trained in playground safety under the National Recreation and Park Association's Certified Playground Safety Inspector Course. This evaluator does not have to be a district employee. The cost to seal wooden play sets that might leach Chromate Copper Arsenate (CCA) is allowable. Costs related to accessibility under the Americans with Disabilities Act are not allowable.

Example Project Description

- Playground resurfacing – material and quantity of material added, including total square feet of playground area.
 - FY 14 Pine Elem. Wood chips, 225 cubic yards to cover 5,500 square feet
- Playground repairs – include scope of work, certified playground safety inspector number and date of inspection; a scanned copy of the inspection report may be requested.
 - FY 14 Maple Elem. Repair damaged fall protection barrier per CPSI # 1004-01 3/26/12 inspection report

SWIMMING POOL HAZARDS

Costs to bring swimming pools up to code per Minnesota Rule Chapter 4717, capital but not operational expenses, are allowable. Basis for funding projects for removal of swimming pool hazards shall be orders from a Minnesota state agency only (or local governmental body under contract). Cost for depth correction is excluded.

Per Minnesota Statutes, section 144.1222 subdivision 1(c), in accordance with the “Abigail Taylor Pool Safety Act” school districts must certify that: 1) all outlets except for unblockable drains are equipped with covers in compliance with ASME or ANSI standards; and, 2) all covers and grates have been inspected to ensure that they were properly installed and are not broken or loose. Beginning January 1, 2011, all school district pools must have: 1) an unblockable suction outlet or drain; 2) at least two suction outlets, in parallel, with approved covers; 3) a gravity outlet; or, 4) any other system determined by MDH to be effective. All pool construction plans after January 1, 2009, must be certified by a Minnesota-registered engineer. [View MDH website](http://www.health.state.mn.us/divs/eh/pools/rule.html) (<http://www.health.state.mn.us/divs/eh/pools/rule.html>).

Example Project Description

- Pool safety corrections – include scope of work, MN code violation number, and date of inspection; a scanned copy of the written orders may be requested.
 - FY 14 Oak Elem. Provide No Diving signs per MN Rule 4717.2450 3/26/13 inspection
- Pool inspections – district-wide entries are acceptable.
 - FY 15 District-wide Annual MDH pool inspections

BLEACHER REPAIR OR REBUILDING

Bleachers were required to be brought to Minnesota Statutes, section 326B.112 safety standards by January 2002. Only those bleachers cited by building code officials as requiring work cited in Minnesota Statutes, section 326B.112 are eligible for funding for Pay 2014. For replacement of public accommodation using bleacher seating to occur, the design professional must clearly state in writing that: (1) replacement is needed based on inadequate spacing requirements set forth in Subdivision 3; and, (2) the cost to repair is higher than replacement, providing side-by-side repair vs. replacement cost information. Re-inspection every five years per Minnesota Statutes, section 326B.112 is allowable but

repairs are not, unless spacing requirements are cited by a building code official or state licensed design professional to enforce the code. Portable bleachers are not allowed but fall protection safety guard repairs to choral risers without guards are allowed to be funded.

Example Project Description

- Bleacher inspections – district-wide entries are acceptable.
 - FY 14 District-wide 5-yr bleacher inspections
- Bleacher repairs – scope of work; a scanned copy of the building code official inspection report will be requested.
 - FY 14 Maple HS Repair non-compliant bleacher spacing per 3/26/13 inspection report

MECHANICAL AND POWER EQUIPMENT-SAFETY MODIFICATION

Equipment with unsafe design or point of operation can be modified to meet an OSHA safety standard or machine guarding best practices. The district must have a specific person identified as the Industrial Arts Equipment Coordinator to determine the nature of the hazard and to provide proper machine guarding solutions. H&S revenue may be used to replace equipment only if the documented repair cost of modification is higher than the cost of replacement. Contact the regional Management Assistance professional if there is difficulty locating a vendor. See Minnesota OSHA standards or best practices manual for information.

Example Project Description

- Machine Guarding – scope of work and location; a scanned copy of an inspection report may be requested.
 - FY 2014 Hickory HS Guard band saw in wood shop per MA inspection on 3/26/13

OSHA PHYSICAL OR ELECTRICAL HAZARD VIOLATIONS

Expenses associated with correcting OSHA physical or electrical hazard violations identified by an OSHA or mock-OSHA inspection may be allowed under Health and Safety, if they are clearly linked to an OSHA statute or standard. Power strips and installation of new permanent wiring is not permitted. Ground fault circuit interrupter (GFCI) outlets may only be considered in wet or damp locations. Project management and inspection costs are eligible under FIN CODE 352. Costs associated with electrical or building code compliance are not allowable. Work not identified and specified at the time of project entry will not be approved except as provided for above.

FOOD CODE SAFETY – MDH HEALTH CODE REQUIREMENTS FOR KITCHEN STAFF

For costs to bring kitchens up to physical code per MDH Food Code Rule, capital but not operational expenses consistent with Minnesota Statutes, section 123B.57, subdivision 6, are allowable. Basis for funding projects for removal of kitchen hazards shall be orders from a Minnesota state agency only (or local governmental body under contract). These do not include kitchen licenses or certification costs, but do include costs for MDH inspections and MDH mandated improvements (requires MDH orders). The initial cost for kitchen equipment as cited by a food code inspector that currently doesn't exist is considered a capital expense, not a health and safety expenditure. For project approval, a copy of the MDH inspection report shall be e-mailed to michael.oxborough@state.mn.us. Staff training for food code safety portion only may be included under health, safety and environmental management, under FIN CODE 352 and is subject to that category's spending cap.

Example Project Description

- Kitchen inspections – district-wide entries are acceptable.
 - FY 15 District-wide Annual MDH kitchen inspections
- Food safety corrections – include scope of work, MN code violation number, and date of inspection; a scanned copy of the written orders may be requested.
 - FY 14 Oak Elem. Replace wood shelving per MN Rule 1304.12 3/26/12 inspection

METAL HALIDE LIGHTING

The replacement of open or wire grid fixtures with enclosed fixtures, or the replacement of indoor non-self extinguishing “R” type high intensity metal halide and mercury vapor light bulbs used in open or wire grid fixtures with self-extinguishing “T” type light bulbs or comparable lighting is an allowable expenditure under Health and Safety. Security and outdoor metal halide lighting replacement is not eligible. Receipt of unintended energy or utility rebates as a result of metal halide projects need to be recorded as health and safety other revenue under UFARS source code 629.

Example Project Description

- Metal halide replacement – scope of work and location.
 - FY 14 Cedar MS. Replace metal halide lighting in the gym and pool

TEMPERATURE IN KITCHENS AND OTHER SPACES

Expenses necessary to maintain temperatures in work areas where “moderate” or greater levels of work are performed, such as kitchens or boiler rooms in accordance with Minnesota Rule 5205.0110 are an allowable use of H&S revenue. Cost for increasing airflow, but not air conditioning to levels called for under the state mechanical code is allowable.

ELEVATOR, LIFT, AND HOIST INSPECTIONS

Costs to inspect elevators and lifts are allowable under Health and Safety where required under OSHA 29 CFR 1910. Cost for permits and elevator, lift, and hoist repair or replacement is not allowed. Costs to meet elevator code requirements are not fundable under this program.

Example Project Description

- Elevator/Lift inspections – district-wide entries are acceptable.
 - FY 15 District-wide Annual elevator/lift inspections.

ELEVATOR HYDRAULIC CYLINDER REMOVAL AND FLUID ABATEMENT

Removal of leaking pre-1973 (approximately) single bottom hydraulic elevator cylinders and abatement of any leaked hydraulic fluid is an allowable use of health and safety revenue. Replacement of the hydraulic cylinder is not allowed.

PERSONAL PROTECTIVE EQUIPMENT

The cost to purchase personal protective equipment (PPE) for use by staff and students in the areas of industrial and fine arts, and science is allowable. PPE funding is allowed for employees in all areas of hazardous work per OSHA standards. The PPE equipment shall be owned by the district, remain in its possession and under its control, and shall not be used for any purpose other than allowable activities in these areas. PPE for extracurricular or athletic activities shall not be funded as there is no connection to OSHA. PPE for pandemic planning is allowable, for staff only.

Example Project Description

- PPE – district-wide entries are acceptable, provide applicable departments if available.
 - FY 15 District-wide Custodial, Science and Ind. Tech. PPE

FINANCE CODE 349 - HAZARDOUS SUBSTANCE

LEAD TESTING OF TOYS

Lead testing of toys and furniture in classrooms and disposal of the same are allowable under this finance code. Replacement of toys and furniture are not an approvable cost.

WOOD BOILER HAZARDS

Only particulate-emitting (e.g., wood or coal) boilers, which emit excessive particles during normal operation or which can cause life safety risks due to potential fire or explosion may use H&S revenue to correct the hazard. Only necessary repairs to this category of boiler, but not replacement of the boiler unit or its accompanying components, are an allowable use of Health and Safety Revenue. Facilities to house a replacement system cannot be built or repaired with H&S revenue.

FUEL TANK REMOVAL/REPLACEMENT AND CLEANUP (UST and AST)

The cost to properly clean up any petroleum product spills, and the removal but not the replacement of any underground storage tank or any above ground storage tank (including piping) is allowable expenditures of Health and Safety Revenue. The cost for monitoring systems and their maintenance is allowable. The cost to test an underground storage tank (UST)/above ground storage tank (AST) tank for leakage is allowable. Fuel oil costs for tightness testing are not allowed. Cost for cleanup should be submitted to the Minnesota Petrofund for reimbursement. Under current law, the Minnesota Petrofund expires June, 2017. In that event, further information will be provided regarding the waiver process. Receipt of a Petrofund reimbursement as a result of a UST or AST removal project need to be recorded as health and safety other revenue under UFARS source code 629. Fuel oil tanks may remain indefinitely—there is no mandatory limit on their use. Fuel oil tank tightness testing is recommended biennially for all UST/ASTs.

Example Project Description

- UST removal – include scope of work.
 - FY 14 Birch MS UST removal; including contractor time, disposal and clean-up

HAZARDOUS/INFECTIOUS WASTE MANAGEMENT AND DISPOSAL

The cost for collection and disposal of hazardous or infectious waste and payment of fees, as required by state or federal regulations, are allowable expenditures. Hazardous/infectious waste (e.g., lead and mercury abatement, electronic waste, sharps disposal, flammable, reactive, corrosive, and toxic waste) and radioactive materials are eligible expenditures.

Example Project Description

- Hazardous waste disposal – district-wide entries are acceptable, provide applicable material and department if available.
 - FY 15 District-wide Annual hazardous waste disposal for the high school and middle school; fluorescent bulbs and ballasts, electronic and used waste oil; Science and Ind. Tech. departments.

LEAD IN WATER; TESTING AND MITIGATION – see Minnesota Statutes, section 144.9501-144.9509

The cost of sampling and analysis of water, paint and soil due to possible lead contamination is allowed. Lead abatement due to the presence of lead is not automatically allowed. The condition of the lead must be such that either the MDH or Minnesota OSHA would cite it—this must be documented. To qualify for funding, abatement work must meet the criteria of “regulated lead work” as substantiated by lab analysis to determine the presence of lead is > 1% by weight or > 1mg/cm² through XRF analysis. Especially note Minnesota Statutes, section 144.9505 subdivision 6, for new contracting entity requirements. Districts are encouraged to perform lead in water testing every five years, or when pipes or fixtures are modified. The Reduction of Lead in Drinking Water Act will be in effect on January 4, 2014. The new law applies to any product used in a drinking water system. [For more information visit the US EPA's website](http://water.epa.gov/drink/info/lead/index.cfm) (<http://water.epa.gov/drink/info/lead/index.cfm>). Health and safety revenue must not be used for replacement of building materials or facilities including roof, walls, windows, internal fixtures and flooring.

Example Project Description

- Lead in water testing – district-wide entries or a group of like buildings are acceptable.
 - FY 15 District-wide Lead in water testing for the high school and middle school

COPPER IN WATER

The cost of sampling and analysis of water due to possible copper contamination is allowed. Copper abatement due to elevated dissolved levels is allowed if the MDH or Minnesota OSHA issues health orders. Health and safety revenue must not be used for replacement of building materials or facilities including roof, walls, windows, internal fixtures and flooring.

LOCAL EXHAUST VENTILATION SYSTEMS

The cost of design, materials, and installation of local exhaust systems and required make-up air that is used for purpose of controlling regulated hazardous substances is allowed. Examples of processes that potentially generate regulated hazardous fume, vapor, or dust are: welding operations, wood processing, wood finishing, automotive parts cleaning and degreasing, sand blasting, spray painting, science experimentation, art-ceramic glaze firing, and kitchen food venting. Cost for general heating, ventilation and air conditioning is not specified here. Systems design and specifications shall be completed by an individual or company experienced in ventilation systems for industrial contaminant control, and shall be consistent with recommended practices described in the Industrial Ventilation Manual: American Conference of Governmental Industrial Hygienists or comparable references.

Example Project Description

- Local exhaust – scope of work and location.
 - FY 14 Willow HS Install welding local exhaust system in the Ind. Tech. metal shop

RADON – DETECTION AND MITIGATION

The cost to test for and remediate elevated levels of radon is an allowable use of Health and Safety revenue. [See Radon in Schools from the Minnesota Department of Health for guidance](http://www.health.state.mn.us/divs/eh/indoorair/schools/radonschool.html) (<http://www.health.state.mn.us/divs/eh/indoorair/schools/radonschool.html>). Per Minnesota Statutes, section 123B.571, a school district shall report radon testing results at a school board meeting and report results to the Minnesota Department of Health. Health and safety revenue must not be used for replacement of building materials or facilities including roof, walls, windows, internal fixtures and flooring.

Example Project Description

- Radon testing – district-wide entries or a group of like buildings are acceptable.
 - FY 15 District-wide Radon testing for all elementary schools

WELLS AND WELL CAPPING

The cost to reduce excessive organic or inorganic levels in wells is allowable. The cost to properly cap an abandoned well is an allowable expenditure of H&S Revenue.

BOILER-MAIN SUPPLY BACK FLOW PREVENTOR AND FLOOD-PREVENTION FLOOR DRAINS

The cost to test and install/replace suitable devices, which prevent the backflow of contaminated water from a boiler system to a potable source, is an allowable expenditure. In addition, the cost to test and maintain one way drains to prevent floodwaters from backing into buildings is allowable. These should be checked annually.

Example Project Description

- Backflow preventers – district-wide entries are acceptable.
 - FY 15 District-wide Annual RPZ testing

FINANCE CODE 352 - ENVIRONMENTAL, HEALTH AND SAFETY MANAGEMENT

HEALTH, SAFETY AND ENVIRONMENTAL MANAGEMENT

See *Attachment 4* for details. Per Minnesota Statutes, section 123B.56 “Health, safety, and environmental management means school district activities necessary for a district’s compliance with state law and rules of the Departments of Health, Labor and Industry, Public Safety, and Pollution Control Agency as well as any related federal standards. These activities include hazard assessment, required training, record keeping, and program management.” Program management shall include, at a minimum, a written plan and the name of a contact person who is onsite and knowledgeable about the plan. Health, safety and environmental management projects that do not lead to the engineering or construction of a project (all expenses allowed under FIN CODE 352, below) is capped by an amount determined by the commissioner, per Minnesota Statutes, section 123B.57, subdivision 8(a)(2).

FIN Code 352. The maximum amounts for FIN 352 are established once for each biennium based on a formula including weighted average daily membership and square footage (e.g., the cap). The maximum amounts for FY 2012 and FY 2013 were established with data current as of September 30, 2010, with 2010 Age and Square Footage and FY 2009 adjusted marginal cost pupil units (AMCPU) data. To calculate the district’s FY 2013 cap, review the FY 2012-2013 biennial cap amount labeled as advice on the website and subtract the lesser of the sum of all approved FIN CODE 352 projects for FY 2012 or the amount reported on UFARS for FY 2012. The difference is the FY 2013 cap amount. The maximum amounts for FY 2014 and FY 2015 were established with data current as of September 30, 2012, with 2012 Age and Square Footage and FY 2011 adjusted marginal cost pupil units (AMCPU) data. To calculate the district’s FY 2014 cap, review the FY 2014-2015 biennial cap amount labeled as advice on the website and subtract the lesser of the sum of all approved FIN CODE 352 projects for FY 2014 or the amount reported on UFARS for FY 2014. The difference is the FY 2015 cap amount. The formula for calculating this per district can be found on the first page of *Attachment 4*. Maximum FIN CODE 352 amounts for the FY 2016-17 biennium will be based on FY 2013 AMCPU and FY 2014 Facilities Age and Square Footage data.

DISTRICT STAFF

If the school district submits a project to finance staff time under FIN CODE 352, the district must be able to document the time is strictly devoted to fulfill a health, safety, and environmental management function as defined per Minnesota Statutes, section 123B.56. Documentation for full-time employees solely devoted to health and safety functions may simply be the employees’ job description, while other employees devoting only a portion of their time towards health, safety, and environmental management duties may need to document actual hours spent on specific activities. Proposed in-house staff time lacking project specific information will not be approved until actual staff time hours are provided.

Example Project Description

- In-house HSEM - Full time employee hours need to be documented by payroll activity reports (see OMB Circular A-87).
 - FY 15 District-wide In-house HSEM, Buildings & Grounds Manager 300 hrs, Business Manager 100 hours

H&S MANAGEMENT ASSISTANCE (MA)

The cost of funding H&S Management Assistance professionals is allowable. MDE continues to actively partner and strongly support the management assistance staff at regional service cooperatives. All public schools are encouraged to support this program, which is intended to provide communication and

assistance to both public schools and MDE by maintaining a strong H&S program. MA services must be provided by a trained H&S professional having significant field work experience, making the person competent to evaluate programs that make up a district's H&S program. The person providing the MA services may be an independent contractor, an employee of a private contractor, a service cooperative employee or a H&S professional employed by the district. The person must be hired by the district (can be through the service cooperative representing the district), or if employed by a private contractor must be identified in the contract as the person providing the MA services. To avoid a conflict of interest, the person doing the management assistance work shall not be the same person or company who also does other H&S work for the district, either as health, safety and environmental management (HSEM) or as a project contractor.

Example Project Description

- Management Assistance – district-wide entries are acceptable, provide name of service provider.
 - FY 15 District-wide Metro ECSU Management Assistant contract
- HSEM – district-wide entries are acceptable, provide name of service provider.
 - FY 15 District-wide Environmental Health and Safety Consultant, (company name)

SAFETY COMMITTEE

Costs to establish and operate school safety committees, including hourly wages of employees and substitutes, but not staff benefits are allowable Health and Safety expenditures under FIN CODE 352. Estimates shall be identified as clock hours, not percentages of time. Refer to Minnesota Rule 5208 for Safety Committee requirements. Minnesota Statutes, section 182.676 states:

Every public or private employer of more than 25 employees shall establish and administer a joint labor-management safety committee. A safety committee must hold regularly scheduled meetings unless otherwise provided in a collective bargaining agreement. Employee safety committee members must be selected by employees. An employer that fails to establish or administer a safety committee as required by this section may be cited by the commissioner. A citation is punishable as a serious violation under section 182.666.

Example Project Description

- Safety committee meetings – district-wide entries are acceptable.
 - FY 15 District-wide Quarterly safety committee meetings

3-YR ASBESTOS RE-INSPECTION

Cost for Asbestos Hazard Emergency Response Act (AHERA) required three-year re-inspections are refundable under FIN CODE 352. 6-month AHERA periodic inspections are fundable under FIN CODE 358.

Example Project Description

- AHERA 3-year re-inspections – District-wide entries are acceptable.
 - FY 15 District-wide 3-yr AHERA inspections

SCIENCE LAB - INVENTORY AND OTHER SAFETY COMPLIANCE

Costs to maintain a Chemical Hygiene Plan to comply with the OSHA Laboratory Safety Standard, 29 CFR 1910.1450 are allowable. The cost to inventory all chemicals is an approved expenditure of H&S Revenue. Costs to clean out non-hazardous or otherwise maintain chemicals are not allowable. See *Attachment 5* and *6* for general science safety considerations.

Example Project Description

- Chemical Hygiene Plan – District-wide entries are acceptable, FTE for staff time.
 - FY 1 District-wide Chemical Hygiene Officer, 32 hours

EMPLOYEE RIGHT-TO-KNOW

Expenses for Employee Right-to-Know training and supplies (not including the wages of attendees) under Minnesota Rules 5206.0700 are allowable expenditures of H&S Revenue. In an effort to standardize hazardous information, the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS) was adopted by MN OSHA on September 10, 2012. New training, labeling and safety data sheet requirements are affected. [Visit the Occupational Safety and Health Administration's Hazard Communications web page](#) for more information on the revised standard and GHS system requirements and contact Minnesota OSHA for regulatory compliance inquiries. This remains the highest-cited program by Minnesota OSHA and the first program Minnesota OSHA audits when they visit the district.

BLOODBORNE PATHOGEN STANDARD COMPLIANCE

The cost to develop and maintain a written program, train employees (not including the wages of attendees), maintain records, provide vaccinations and titers confirmation, and purchase preventative supplies as required by OSHA 29 CFR 1910.1030 are allowable expenditures. Vaccines should be purchased for employees whose exposure puts them under the coverage of this standard. The employer must determine which employees have job duties involving a reasonably anticipated risk of exposure to blood, especially first-aid duties. Post-exposure medical evaluation expenses are also allowed (up to the point of medical determination of infectivity or non-infectivity).

Example Project Description

- BBP plan expenses – District-wide entries are acceptable, FTE for staff time.
 - FY 15 District-wide BBP compliance; including training, recordkeeping and Hep. B vaccinations; BBP Exposure Control Officer, 30 hours

INTEGRATED PEST MANAGEMENT

Notification costs to implement the Janet B. Johnson Parents' Right-to-Know Act for pesticide application are allowable under H&S. See *Attachment 4*, and Minnesota Statutes, section 121A.30 for additional details. Costs to apply pesticides (including management costs) are not allowable.

Example Project Description

- Community notification – District-wide entries are acceptable.
 - FY 15 District-wide Annual pest management notification

COMPUTER BASED MANAGEMENT SUPPORT PROGRAMS

Computer based management support programs that are used for H&S management and record keeping are eligible for H&S funding. Those used for facilities support are not eligible. A district using a system that includes both capabilities must apportion costs. The district shall own all rights to the data and shall be provided with a proper method of obtaining it upon request. Data entry costs and periodic software upgrades to keep the system current for the H&S portion only are allowable; non-H&S maintenance and entry costs are not allowed.

Example Project Description

- H&S data entry – District-wide entries are acceptable.
 - FY 15 District-wide Emergency evacuation map data entry updates

INDOOR AIR QUALITY (IAQ) MANAGEMENT PLAN AND IAQ COORDINATOR EXPENSES

Costs related to the development and implementation of the IAQ management plan, including those associated with IAQ Coordinator activities, shall be funded under FIN CODE 352.

Example Project Description

- IAQ plan implementation – District-wide entries are acceptable, FTE for staff time.
 - FY 15 District-wide Tools 4 Schools implementation, 80 hours

AUTOMATED EXTERNAL DEFIBRILLATORS AND OTHER EMERGENCY PLAN EQUIPMENT AND SUPPLIES

Funding is allowed for equipment and supplies that are identified as needed for proper emergency plan operation, if they are specifically named in the district's emergency plan developed under the H&S program. Large capital items such as vehicles, emergency people-moving devices, remodeling or renovating spaces to accommodate emergency activities are not approvable costs. Per Minnesota Statutes, Section 123B.57, subdivision 6a (5) building public announcement systems and emergency communication devices are not allowable uses of health and safety revenue. If questions arise, contact the MDE for clarification. Emergency plan costs for violence prevention, building security, and for pandemic planning are not allowable. [View the Model Crisis Management Policy MDE's Model Crisis Management Policy web page.](#)

Example Project Description

- AED replacement equipment – District-wide entries are acceptable.
 - FY 15 District-wide AED replacement batteries and pads for 6 AEDs

FINANCE CODE 358 - ASBESTOS**ASBESTOS REMOVAL**

Asbestos containing building materials should be maintained in-place whenever possible. Removal should be limited to those materials that are damaged or require removal in order to enable another facility project, or when its location and condition presents an unacceptable risk of exposure to building occupants.

6-MONTH PERIODIC ASBESTOS INSPECTION

Cost for Asbestos Hazard Emergency Response Act (AHERA) required 6-month AHERA periodic inspections are allowable. Three-year re-inspections AHERA periodic inspections are fundable under finance code 352.

Example Project Description

- AHERA 6-month periodic inspections – District-wide entries are acceptable.
 - FY 15 District-wide AHERA 6-month periodic inspections

ASBESTOS REMOVAL and/or ENCAPSULATION

All asbestos removal, repair and encapsulation projects are allowable expenditures. Repair and maintenance costs include supplies, labor and contracted services. Per Minnesota Statutes, section 123B.57, subdivision 6a (5) H&S funding cannot be used for any replacement materials.

Example Project Description

- Asbestos abatement – quantity (square feet/linear feet), material abated, and location.
 - FY 14 Eisenhower Elem. – Floor tile removal, 80 sq ft in south hallway

ASBESTOS REPAIR AND/OR MAINTENANCE

Repair and maintenance costs for operations and maintenance (O&M) activities (e.g., glovebag and mini-enclosure) including supplies, labor, and contracted services are allowable expenditures of Health and

Safety Revenue. For districts using in-house resources, a detailed record of work-hours dedicated to such work shall be maintained: a blanket percentage is not adequate. Per Minnesota Statutes, section 123B.57, H&S funding cannot be used for any replacement materials.

Example Project Description

- & M asbestos work – Project must be clearly identified; subject to contingencies.
 - FY 13 FDR Elem. Glove bag immediate response in boiler room and room 113 patch and repair

ASBESTOS CEILING TILE REMOVAL AND REPLACEMENT

H&S funding cannot be used for any replacement materials following abatement.

ASBESTOS FLOOR TILE REMOVAL

Asbestos containing flooring (tile and linoleum) may be removed with Health and Safety Revenue. H&S funding cannot be used for any replacement materials.

ASBESTOS ROOF REPAIR

Where a school building is constructed with a roof system containing asbestos materials, approval for Health and Safety Revenue may be given to assess and remove but not replace the asbestos containing roofing materials. H&S funding cannot be used for any replacement materials.

ASBESTOS - STAFF TRAINING

Training costs as required by AHERA for school district employees who participate in operations and maintenance is an allowable expenditure of Health and Safety Revenue. These include Designated Person, 14-Hour O&M and 2-Hour awareness training. EPA accredited course training is not included unless there is a documented history of activities for which the individual is accredited.

Example Project Description

- Asbestos training – district-wide entries are acceptable.
 - FY 15 District-wide Annual 2-hour asbestos awareness training

ASBESTOS WORKER REQUIRED HEALTH PHYSICALS

The cost for respirator fit testing and physical examinations, including pulmonary function testing and chest x-rays required for persons working with asbestos are an allowable expenditure of Health and Safety Revenue.

Example Project Description

- Asbestos worker physical – district-wide entries are acceptable.
 - FY 15 District-wide Annual pulmonary function testing

FINANCE CODE 363 – FIRE AND LIFE SAFETY

FIRE AND LIFE SAFETY EXPENDITURES

Fire and Life Safety expenditures under Health and Safety in support of Minnesota Uniform Fire Code (MUFC) and International Fire Code (IFC) shall be allowed only based on orders from the school State Fire Marshal section. Note that the MUFC has been replaced with the IFC. Orders from local municipalities will only be honored if operating under written agreement with the SFM's office.

Example Project Description

- SFM fire and life safety corrections – Scope of work; State Fire Marshal inspection number, and item number.
 - FY 14 Lincoln Elem. Replace panic door hardware in gym, insp. #10024, item #3

THREE-YEAR FIRE INSPECTION

The cost of funding the state-mandated fire inspections required of each school building every three years is an allowable Health and Safety expenditure under Finance Code 363. Only state fire marshal and contracted local governmental agency (15 municipalities) school inspections are eligible for funding. See Minnesota Statutes, section 299F.47 for more information.

Example Project Description

- Fire and life safety inspections – district-wide entries are acceptable.
 - FY 15 District-wide 3-yr SFM fire inspection fee

FIRE SAFETY SELF INSPECTION CHECK FOR SCHOOL

[View the Minnesota State Department of Public Safety Educational \(Group E\) Information Sheet for this checklist.](#)

FIRE ALARM EQUIPMENT

Expenditure of Health and Safety Revenue is allowable to provide for the cost to purchase, install and maintain components of a fire alarm system as required to comply with fire and life safety code. Entire building replacement of a fire alarm component will require SFM written orders to substantiate system failure.

Example Project Description

- Fire alarm inspections – district-wide entries are acceptable.
 - FY 15 District-wide Annual sprinkler and fire alarm testing
- Fire alarm equipment maintenance – Identify fire alarm system component (smoke/heat detectors, horns/strobes, emergency lighting, batteries, exit signs), quantity and location.
 - FY 14 Golden Meadow Elem. Replace 4 inoperable exit signs in gymnasium

FIRE EXTINGUISHER INSPECTION AND MAINTENANCE

The cost of inspection, required testing and subsequent recharging of fire extinguishers following hydrostatic testing is allowable. Cost for replacement or recharging resulting from any use, accidental or intentional is also allowable.

Example Project Description

- Fire extinguisher inspections – district-wide entries are acceptable.
 - FY 15 District-wide Annual fire extinguisher inspection

FIRE MARSHAL ORDERS

The use of Health and Safety Revenue for compliance with State Fire Marshal orders is allowable. Costs for local fire chief orders not required by the SFM program shall not be funded unless issued under written agreement with the SFM's office. For projects exceeding \$20,000, a fire marshal plan review is required (contact John Swanson at john.swanson@state.mn.us or 651-334-3217). Costs for local fire chief orders exceeding \$20,000 shall not be funded unless either approved by the SFM's office or based on orders and a plan review consistent with SFM criteria, based on a current contract between the local fire chief and the SFM. This evaluation constitutes the engineering report that would otherwise be required. Please allow the Plan Reviewer sufficient time (at least 30 days) to evaluate your plans. Plans

for new construction should also be submitted to the SFM's office for plan review (but not funded under H&S). MDE must receive confirmation of this review before project approval is given, although a provisional project approval (PPA) may be assigned until November 1, 2013.

Example Project Description

- SFM fire and life safety corrections – Scope of work; State Fire Marshal inspection number, and item number.
 - FY 14 Washington Elem. Fire alarm panel replacement, insp. #03211, item #4

LIGHTING – EMERGENCY OR EGRESS

The cost to purchase, install, and maintain emergency lighting components are allowable Health and Safety expenditures. Lighting project costs exceeding \$20,000 shall be submitted to the State Fire Marshal School Plan Reviewer for plan review. Emergency lighting length of time operating capacity shall meet minimum fire marshal criteria, at least 30 minutes. Entire building replacement of emergency lighting will require SFM written orders to substantiate system failure.

FACILITY – MODIFICATION

Costs of modifications or repairs to existing school facilities that are necessary to correct a safety or health hazard, unless allowed under Minnesota Statutes, section 123B.57 are not allowed. Consideration will be given to hazards that violate Minnesota Rule 5205.0660 and are based on Minnesota OSHA orders (Minn. Stat § 123B.57).

COMBUSTIBLE AND HAZARDOUS MATERIALS STORAGE

Based on SFM orders (and plan review if costs exceed \$20,000), a district may use H&S funds to construct a space within existing facilities to store combustible materials, or may purchase equipment for this purpose. If the materials are flammable, a district may purchase or construct a space outside existing facilities to store the materials, so long as costs are reasonable and storage is for flammable materials and small machinery (not greater than 300 square feet in size or costing more than \$9,500).

FINANCE CODE 366 – INDOOR AIR QUALITY (IAQ)

IAQ MANAGEMENT PLAN AND IAQ COORDINATOR EXPENSES

Costs related to the development and implementation of the IAQ management plan, including those associated with IAQ Coordinator activities, shall be funded under FIN CODE 352 (Minn. Stat § 123B.57).

Requirement for Indoor Air Quality (IAQ) Management Plan -- The requirement for school districts to implement an IAQ Management Plan has been in effect since 1997. The district must include indoor air quality best practices in the district Health and Safety Policy and have an operational IAQ Management Plan. Indoor Air Quality training is offered through the Minnesota Department of Health (MDH). If a district does not have an IAQ Coordinator, the district may schedule training on August 19 in St. Paul, August 20 in Mankato, August 27 in St. Cloud, and August 28 in Bemidji. Contact Dan Tranter at the MDH to register for the training 651-201-4618 or daniel.tranter@state.mn.us. [View the training schedule and locations](http://www.health.state.mn.us/divs/eh/indoorair/schools/index.html) (<http://www.health.state.mn.us/divs/eh/indoorair/schools/index.html>).

INDOOR AIR QUALITY

Engineering, design and project management evaluation (including sampling) fees for an indoor air quality investigation is an allowable expenditure of Health and Safety Revenue. For more information see *Attachment 7*.

INDOOR AIR QUALITY COORDINATOR – FUNDED UNDER FIN CODE 352

MDE does not require that the IAQ Coordinator be an employee; however, the person must be based at the district or spend the preponderate portion of his/her time there. The following criteria must be met:

- A specific person must be identified as the IAQ Coordinator.
- The person should be Minnesota Department of Health (MDH)-certified (attended MDH-sponsored training and received a certificate).
- The person must be able to answer the four basic questions for parents (see below) in a timely manner, and possess the wherewithal to administer the district's IAQ management plan for the district.
- The person must have authority to receive and respond to (for the district) parents and local complaints as well as problems and complaints forwarded by state agencies.
- Authority and responsibilities of the person shall be included with the IAQ management plan.
- The function of IAQ Coordinator shall be separate from that of buildings systems maintenance expert. It is not the intent of MDE to allow this position to circumvent the separation of IAQ Management and facilities maintenance management/preventive maintenance functions.

INDOOR AIR QUALITY MANAGEMENT PLAN

The person who is functioning in the capacity of IAQ Coordinator shall be able to answer parents' four basic questions (see below) and to respond to parent complaints received by state agencies. Wage costs needed to provide this capacity is an allowable H&S expenditure.

- Where can parents go to find answers to their IAQ questions and concerns?
- Where can a parent obtain checklists or other self-help information so they can properly evaluate their child's home or other out-of-school situation, including information provided by their child's physician? (Parents want to do their part in working toward solutions.)
- How can a parent obtain information about school facility construction, maintenance and housekeeping practices, chemicals used, mold and HVAC-related information, chemical-producing academic subjects, pesticides and herbicides, and the like to determine the extent to which school activities contribute to a child's symptoms?
- What can a parent do – how can a parent effect change – upon discovering questionable activities occurring within schools? Examples might be poor ventilation in the auto maintenance shop resulting in exhaust fumes or construction fumes leaking into the occupied portion of a building.

MECHANICAL VENTILATION

After an engineering study by a professional engineer (PE) has been done and a report of the study is reviewed by MDE, a one-time cost: (1) replace an existing mechanical ventilation system to the current Minnesota State Mechanical Code/American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE) guidelines, or (2) provide a level of approximately 15 CFM/person. Written third-party verification is required to be submitted of all project work before a mechanical ventilation project will be approved. Either a report or summary of a report signed by an architect/engineer is allowable. See *Attachment 7* for details on this reporting requirement. This report must contain the existing CFM per person rate, the design-intended CFM per person rate, a description of the system components, a diagram of the system showing impacted areas, and total itemized project costs that relates to the project workscope. The new design-intended airflow rate shall be available over the outside temperature range reasonably anticipated using current engineering standards.

Costs to remove humidity is allowable to meet ASHRAE guidelines and state mechanical code only if humidistats are connected to the system control logic to not exceed fifty five percent (55%) relative humidity. The cost to air-condition through direct expansion (DX) in a pure cooling mode without consideration for humidity control is not. Projects specific to achieving energy efficiency/cost-savings, including a thermal recovery system as defined under Minnesota Statutes, Section 123B.65 are strictly prohibited. Costs for DDC (direct digital control), and DX systems are allowable only if the HVAC system is being replaced or if an HVAC system upgrade results in a significant ventilation rate improvement. Maintenance and maintenance management costs (including testing for these) are not allowed. Excluded from funding are building HVAC supplies, maintenance, cleaning, testing and calibration (e.g., TAB and commissioning) activities. Airflow measurement activities not in support of a replacement/upgrade project may be funded under FIN CODE 352. All projects that exceed \$500,000 in cost must be funded through the Alternative Facilities Bonding and Levy Program per Minnesota Statutes, section 123B.59.

For mechanical ventilation projects, work funded under H&S shall not cause the room noise level to exceed a noise criteria (NC) greater than NC 35 at any location where students are seated listening to presentation/discussion or locations where teachers ordinarily present. NC 35 roughly corresponds to 45 dBA. Sound-level measurements shall be made at the location of the closest student or teacher "stations" to confirm the standard is met, and payment withheld until it does. For H&S funding, this shall be inserted as performance criteria in the relevant contract language and verified by the commissioning agent under Minnesota Statutes, section 123B.72.

There has been growing evidence that some completed work meets neither state mechanical code nor design criteria for ventilation rates and noise criteria. MDE insists that all approved Heating, Ventilation and Air Conditioning (HVAC) upgrade/replacement work be verified using reliable quantitative measuring techniques done by a third-party entity. "Third-party entity" means that the third party (the verifiers) cannot be financially influenced by the ventilation contractor. A suggested method is to employ School Facility Commissioning Guidelines. [View the guidelines](http://education.state.mn.us/MDE/SchSup/SchFin/FacTech/SchCon/index.html) (<http://education.state.mn.us/MDE/SchSup/SchFin/FacTech/SchCon/index.html>) together with the requirement to verify the mechanical ventilation rate for each occupied space over the expected outside temperature range. Work which does not meet code and contract should be rejected until it does, and measures to compel proper completion be employed, such as withholding final payment, performance bond, errors and omissions insurance and/or a directly worded letter from the district's attorney.

MOLD CLEANUP AND ABATEMENT

After an engineering study by an architect or engineer is conducted and written report received by MDE to establish impacted areas and remediation cost estimates, costs to remove contaminated building components, and for subsequent cleanup is an allowable expenditure. Written third-party verification is required to be submitted of all project work before a mold abatement and/or cleanup project will be approved. See *Attachment 7* for reporting details. Requests where the amount of mold or water damage, as substantiated by report, is minor will be treated as routine maintenance and not approved for H&S funding. Health and safety revenue must not be used for replacement of building materials or facilities including roof, walls, windows, internal fixtures and flooring. Fixes of external causes leading to water intrusion (e.g., leaking walls, windows and roofs, poor drainage, poor site) are ineligible for H&S funding. Trained persons shall abate impacted areas using mold abatement containment procedures and adequate personal protective equipment. Wherever feasible, the MDH's best practices manuals shall be followed. [View the Department of Health's Investigating and Remediating Mold in Minnesota Public Schools web page](#). Representative lab analysis results should be submitted in support of mold abatement projects that are less than \$10,000. Prior to abatement activities, contact a regional management assistance professional or MDE for guidance on how best to document the work.

Example Project Description

- Mold remediation – Submittal of Attachment 7 (mold) for large scale abatement (in excess of \$10,000); lab analysis results for small scale abatement, include project locations; subject to contingencies.
 - FY 13 Polk Elem. Carpet fungal abatement in room 115

COSTS TOWARD TESTING AND BALANCING AND RETRO COMMISSIONING MECHANICAL VENTILATION SYSTEMS

Testing and balancing or retro commissioning are allowed to be funded under H&S, at intervals of no less than five years. Retro commissioning includes measurement, air-flow balancing and system adjustment for air flow only. Retro commissioning does not include repairs, replacement or software changes.

NOT FUNDABLE UNDER FIN CODE 366

CARPET

Cost to purchase HEPA (or near-HEPA) vacuum cleaners and high quality carpet extractors is not allowable.

ENGINEERING AND OTHER PROFESSIONAL SURVEYS, TESTING AND REPORTS

All assessments, investigations, inventories and support equipment not leading to the engineering or construction of a project shall be included in the health, safety and environmental management costs in Minnesota Statutes, section 123B.57 subdivision 8(a), or FIN CODE 352. These are allowable under Health and Safety if intended to substantiate a H&S concern. "Baseline" studies are fundable under FIN CODE 352 and must include evaluation of HVAC systems outside air-flow rate per minute, per person (CFM per person) to each occupied area in the building. Tools for Schools Ventilation Checklist Activity 22 is allowable as an assessment method (measures airflow), fundable under FIN CODE 352 and is not considered system maintenance. Indefinite assessment monitoring and/or testing operations or testing that is not validated by a competent professional (e.g., industrial hygienist) is not allowed under H&S funding.

OPERATIONS AND MAINTENANCE COSTS APPLIED TOWARD IAQ-RELATED ACTIVITIES

This category is not permitted under Health and Safety. This includes planned or preventive maintenance.

ASSESSMENT COSTS

Costs toward evaluating a building or its sub-systems for unsafe or unhealthy conditions per the U.S. EPA Tools for Schools checklists are an allowable expenditure, which is capped under Minnesota Statutes, section 123B.57 subdivision 8(a) (2). Costs to evaluate building sub-systems that are intended to establish the operational effectiveness of these systems is considered maintenance and is not allowable.

COSTS TOWARD IMPROVED FILTRATION

Original and replacement filters or filtration systems are not allowable under Capital Expenditure: Health and Safety.

COSTS TOWARD CLEANING HVAC SYSTEMS AND TO INSTALL ACCESS PORTS

Cleaning and the installation of access ports are not allowable under Health and Safety Revenue.

HEALTH, SAFETY AND ENVIRONMENTAL MANAGEMENT - MANAGEMENT PROGRAM, A LIST OF POSSIBLE HAZARDS FOUND AT SCHOOL DISTRICT SITES

This attachment does not establish what is fundable under Health and Safety per Minnesota Statutes, section 123B.57 subdivision 6. Please see Attachment 3 for this purpose. The purpose of Attachment 4 is to suggest what a district should consider including in establishing its H&S program and plans. A district's cost to provide the following program management services, as well as functions listed in Attachment 3 FIN CODE 352, are considered allowable expenditures. A district may fund activities of H&S committees to identify safety hazards, prioritize and schedule their abatement. A cost to support AWAIR Safety Committees, including hourly wages of employees and substitutes, but not benefits, is allowable. A district's management program may be accomplished with its own personnel, through contracted services or a combination of the two. Where the district's own personnel provide this function, a separate accounting of personnel time and activity charged to a finance code must be maintained, so the expenditures can be audited if requested. Estimates must be identified as clock hours, not percentages of time or other means.

Funding Formula, per Minnesota Statutes, section 123B.57 Subdivision 8: For the FY 2012-13 biennium, school years 2011-12 and 2012-13, the maximum revenue for Health, Safety and Environmental Management (FIN CODE 352) costs was established in January 2010 at the greater of \$31.51 per FY 2009 adjusted marginal cost pupil units (AMCPU) or an amount equal to \$0.40 times the first 50,000 square feet plus \$0.208 times the remaining square feet, based on 2010 facilities age and square footage data. The FIN CODE 352 maximum for the FY 2012-2013 biennium is available as advice on the website. The maximum amounts for FY 2014 and FY 2015 were established with data current as of September 30, 2012, with 2012 Age and Square Footage and FY 2011 adjusted marginal cost pupil units (AMCPU) data. To calculate the district's FY 2014 cap, **review the FY 2014-2015 biennial cap amount labeled as advice on the website** and subtract the lesser of the sum of all approved FIN CODE 352 projects for FY 2014 or the amount reported on UFARS for FY 2014. The difference is the FY 2015 cap amount.

Example 1: For the FY 2012 and FY 2013 biennium, ISD 999 has 1,200 AMCPUs and 195,000 square feet, so comparing its max amount by student count (\$37,812) and by square feet (\$50,160) establishes its absolute FIN CODE 352 max at \$50,160 over the biennium. It can spend half in each year, or 60/40 or 65/35 percent, as it chooses. Whatever isn't spent in the first year is available in the second, but no more.

Example 2: ISD 888 has 1,200 AMCPUs and 120,000 square feet, so its amounts of \$37,812 and \$34,560 favor AMCPU amount over square feet. As before, district requests for health, safety and environmental management (HSEM) revenue in excess of these limits will result in a "Negative Adjustment" project generated by the MDE, which will reduce the total FIN CODE 352 approved amount to a maximum. FY 2012, the negative adjustment is imposed if the district request exceeds the biennium maximum amount. For FY 2013, the negative adjustment is imposed if the district request exceeds the remaining allowed maximum amount.

Asbestos

- Develop and implement an Asbestos Hazard Emergency Response Act (AHERA) written management plan encompassing 40 Code of Federal Regulation (CFR) Part 763, Subpart E.
- Identify current designated person (DP); ensure designated person is AHERA trained.
- If (DP) is not a district employee, identify local Contact Person representing school.

- Review and update existing asbestos management plan. [Visit the U.S. Environmental Protection Agency website](http://www2.epa.gov/asbestos) (<http://www2.epa.gov/asbestos>) to read a Model AHERA Asbestos Management Plan.
- Develop and disseminate annual written notification.
- Provide 14-hour maintenance/custodial operations and maintenance (O&M) training.
- Provide two-hour Asbestos awareness training, necessary for all maintenance/custodial persons.
- Perform three year re-inspections.
- Provide six-month periodic surveillance of asbestos containing materials (ACM).
- Maintain and update asbestos containing material inventories.
- Maintain all records of asbestos events, per occupational safety and health administration (OSHA) and Asbestos Hazard Emergency Response Act (AHERA).
- Establish a respiratory protection program that includes medical monitoring, fit-testing, proper selection and use, and on-going program evaluation.
- Establish a general work order system and asbestos work order system.
- Establish work practice standard operating procedures.
- Establish emergency response procedures.
- Schedule response action implementation.
- Provide liaison with project designer for asbestos abatement projects.
- Provide and post hazardous warning labels in routine maintenance areas.
- Review program and obtain school board approval at least annually.

Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools.

- Develop and implement a written management plan, based on established goals, encompassing Minnesota Statutes section 182.653, subdivision 8 for A Workplace Accident & Injury Reduction (AWAIR) work place program.
- Develop procedures that outline how managers, supervisors and employees are responsible for implementing the written program and how continued participation of management will be established, measured, and maintained.
- Identify school district contact person(s) for accident and injury reduction program.
- Review written plan as needed, and update (at least annually).
- Develop and implement a written plan for OSHA-mandated safety committees.
- Conduct safety committee meetings, at least quarterly, to identify and eliminate workplace safety hazards. Develop and document methods used to identify, analyze, and control new or existing hazards.
- Identify and document methods of how the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls.
- Develop and document procedures for investigation of work place accidents and corrective action.
- Develop and document procedures that outline how safe work practices and rules will be enforced.
- Review program and obtain school board approval at least annually.

Bloodborne Pathogen Standard – Exposure Control Plan

- Develop and implement a bloodborne pathogen-exposure control plan encompassing OSHA standard 29 CFR 1910.1030.
- Identify school district contact person(s) as the exposure control officer(s).
- Review written plan as needed, and update with input from employees with contaminated sharps exposure on the identification, evaluation, and selection of effective engineering and work practice controls (at least annually).

- Survey the facility to identify job categories in which employees may be at risk to exposure (Exposure Control Plan exposure determination) and the tasks and procedures in which occupational exposure occurs. Document this process.
- Provide Hepatitis B vaccinations to eligible employees that have an anticipated risk of exposure, not all school employees.
- Train affected employees on proper specific and universal precaution methods and techniques.
- Determine valid exposure incidents and investigate the incident, following criteria in Minnesota Statutes, section 182.6555. Record and report on First Report of Injury for proper insurance treatment.
- Maintain a sharp's injury log that retains confidentiality of the injured employee..
- Respond to regulatory agency correspondence, guidelines and recommendations, especially CDC guidelines.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.
- For employees identified because they are first-aid responders, ensure these individuals are provided first-aid training (Red Cross training recommended).
- Develop and implement program to provide exposure control kits (e.g., gloves, masks, gowns). Kits are eligible for H&S funding, but as a separate project.
- Pre- or post-exposure evaluation is an approved expenditure under H&S, to the extent of determining if a person is or is not infected, and the type of the disease(s) (e.g., human immunodeficiency virus (HIV), hepatitis B virus (HBV) and hepatitis C virus (HCV)).

Community Right-to-Know

- Develop and implement a written management plan for community right to know (CRTK).
- Identify school district contact person(s) for community right-to-know.
- Review Written Plan as needed, and update (at least annually).
- Survey facility for hazardous materials in reportable quantities.
- Develop and maintain hazardous materials collection and storage procedures.
- Review invoices of CRTK-reportable materials for quantity verification.
- Initiate in-house reporting procedure(s).
- Prepare notification correspondence/reports to state emergency response commission and local emergency planning committee (frequently the district's local fire department).
- Train affected employees. Provide annual training.
- Develop and implement CRTK-recordkeeping procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations (i.e., Minnesota Emergency Response Commission).
- Provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Compressed Gas

- Develop a written compressed gas plan encompassing OSHA standard 29 CFR 1910.101.
- Identify school district contact person(s) for compressed gas.
- Review Written Plan as needed, and update (at least annually).
- Survey the facility to determine compressed gas applications.
- Review current compressed gas safety procedures.
- Identify compressed gas toxic and physical hazards.
- Evaluate compressed gas application to determine if confined space rules apply.
- Determine need for metering equipment/supplies (i.e., CO, CO₂, O₂, SO₂, and H₂S).
- Train affected employees on proper compressed gas methods and techniques.

- Monitor compressed gas record-keeping procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Confined Space Standard

- Develop and implement a written management plan for confined spaces encompassing OSHA standard 29 CFR 1910.146.
- Identify school district contact person(s) for confined spaces.
- Review written plan as needed, and update (at least annually).
- Identify confined space entry hazards. Survey the facility to determine all permit and non-permit confined spaces.
- Review current Confined Space Entry Procedures (CSEP).
- Use the entry permit to establish entry requirements including: proper ventilation, communication, personal protective and gas testing equipment, as needed (identify equipment as separate H&S projects).
- Train affected employees on proper Confined Space Entry methods and techniques.
- Develop and maintain confined spaces record-keeping procedures. Entry permits need to be retained for a year and reviewed. The review will determine the necessity to modify entry procedures based on conditions of the confined space.
- Low hazard spaces may allow for alternative procedures that don't require a permit or re-classification from a permit to a non-permit confined space.
- Evaluate confined space record-keeping products and procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Electrical Safety

- Develop and implement a written management plan for electrical safety encompassing OSHA standard 29 CFR 1910.301-.308 and 1910.331-.335.
- Develop standard operating procedures to detect and de-energize (or otherwise guard) live electrical equipment before work is performed. Working on any live electrical should be avoided.
- Identify a responsible district contact person.
- Provide annual training to affected employees.
- Identify and implement safe work practices.
- Provide adequate personal protective equipment (contact OSHA for more information).
- Maintain applicable recordkeeping.
- Provide a written program review, and update (at least annually).

Emergency Action Plan

- Develop and implement written management plans for each school for each type of emergency: fire, utility disaster and natural disaster. Violence prevention planning is not supported under H&S, per Minnesota Statutes, section 123B.57 subdivision 6a (5).
- Identify school district contact person(s) for each emergency plan.
- Survey the facility to determine the facility's ability to provide safe egress or safe shelter.
- Develop emergency action plan procedures and routes per OSHA standard 29 CFR 1910.38.
- Post evacuation or shelter routes and locations, in each classroom, office or assembly area. Route(s) should be shown drawn on 8 x 11 scale building map, preferably color-coded.

- Train affected employees.
- Review written plan as needed, and update (at least annually).
- Develop and implement written record-keeping procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations, guidelines and recommendations.
- "...Cooperate with local government authorities to ensure the preparation of plans for the protection of students in an emergency. These plans should include sheltering students in schools, or evacuating them to their homes, as well as using the schools as congregate care centers in support of emergency operations." --Minnesota Executive Order 93-27.
- Review program and obtain school board approval at least annually.

Employee Right-to-Know – Hazard Communication

- Develop and implement a written management plan for Minnesota employee right-to-know (ERTK), in compliance with OSHA standard 29 CFR 1910.1200, and Minnesota Rules 5206.
- Minnesota has adopted the revised HazCom standard that will be enforced by June 1, 2016.
- Identify school district contact person(s) for ERTK.
- Review written plan as needed, and update (at least annually).
- Identify hazard communications functional areas (e.g., kitchen, shops, art, maintenance).
- Survey the facility to identify chemical, heat, noise, radiation and infectious agents hazards. Review at least annually.
- Safety Data Sheet (SDS) acquisition, compilation and distribution. Ideally, SDS would be available in each affected department. The new global harmonizing system labeling requirements must be complied with by June 1, 2015.
- Perform chemical inventory. Update at least annually. Ideally, chemical inventory would be available with SDSs in each affected department.
- Monitor use and labeling on Secondary Use Containers.
- Review and update current ERTK standard operating procedures.
- Perform initial and annual functional area training. As part of the transition to the revised HazCom standard, training must be provided to employees on the new global harmonizing system labeling and safety data sheet format by December 1, 2013.
- Minnesota employee right-to-know will retain requirements for harmful physical and infectious agents, and the need for annual training. [Please visit the Occupational Safety and Health Administration \(OSHA\) website](http://www.osha.gov/dsg/hazcom/index.html) (<http://www.osha.gov/dsg/hazcom/index.html>) for more information on the revised standard and GHS system requirements.
- Provide all record-keeping activities and procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

First Aid/CPR/AED*

- Develop and implement a Written Management plan for First Aid/CPR/AED*.
- Identify school district contact person(s) for First Aid/CPR/AED. Contracting for services is not fundable.
- Determine time for arrival of first aid providers (outside and in-house). Per OSHA CPL 2-2.53, first aid must be available within eight minutes from any site, including travel time.
- Review written plan as needed, and update (at least annually).
- Survey facility for First Aid/CPR/AED needs.
- Provide First Aid/CPR/AED training as required.

- Develop and implement program to provide emergency first-aid kits. Kits and replacement supplies for the emergency kits are eligible for H&S funding, but not first-aid medical supplies in general.
- Review program and obtain school board approval at least annually.

* (Note: AED refers to Automated External Defibrillator)

Food Safety Inspection-Certification

- Develop policies and procedures to support the Minnesota Food Code rule.
- Identify school district contact person (certified food manager) who demonstrates knowledge of the Minnesota Food Code.
- Review updates on regulatory standards and reporting requirements.
- Identify critical areas and use a systems approach with Hazardous Analysis Critical Control Points (HACCP).
- Respond to regulatory agency correspondence.
- Provide annual training.
- Review program and obtain school board approval at least annually, per Minnesota Statutes, section 123B.57.

Forklift Safety

- Develop and implement a written plan for forklift safety encompassing OSHA Standard 29 CFR 1910.178.
- Identify contact person.
- Maintain inventory forklifts.
- Identify employees who operate forklifts and provide required training. Include assessment of forklift operator performance at least every 3 years. Specific criteria will require refresher training.
- Ensure safe changing and charging battery procedures for electric forklifts (1910.178(g)).
- Conduct carbon monoxide monitoring (Minn. R. 5205.0116) in space and tailpipe emissions for non-battery-operated forklifts.
- Inspect forklifts daily or prior to each work shift and provide all required safety equipment. [View sample checklists from OSHA's website](http://www.osha.gov/SLTC/powerindustrialtrucks/standards.html) (<http://www.osha.gov/SLTC/powerindustrialtrucks/standards.html>).
- Detach propane tanks and provide storage outside occupied areas.

Hazardous Waste

- Develop and implement a written management plan for hazardous waste. These are defined as wastes, which are toxic, combustible, corrosive or reactive.
- Identify school district contact person(s) for hazardous waste.
- Review Written Plan as needed, and update (at least annually).
- Identify facility hazardous waste streams by functional areas and by waste stream types.
- Examine facility hazardous waste product generation potential.
- Identify actions that minimize or eliminate hazardous waste generation.
- Develop containerization and labeling procedures.
- Review current handling and storage procedures.
- Implement proper waste disposal procedures. Complete disposal manifests.
- Acquire Environmental Protection Agency (EPA) generator number and Minnesota Pollution Control Agency (MPCA) annual permit for each building generating hazardous waste.
- Train affected employees. Provide annual training according to Very Small Quantity Generator (VSQG) or Small Quantity Generator (SQG) criteria.

- Monitor or provide updates on regulatory changes and new developments. Review updates on regulatory standards, reporting requirements and new developments.
- Develop and implement written record-keeping procedures – maintain all compliance documentation.
- Evaluate boiler and other stack emissions to air with respect to current MPCA stack emissions standards.
- Review program and obtain school board approval at least annually.

Hearing Conservation

- Develop and implement a written management plan for hearing conservation encompassing OSHA Standard 29 CFR 1910.95.
- Identify school district contact person(s) for hearing conservation.
- Review written plan as needed, and update (at least annually).
- Identify hearing conservation hazards. Survey the facility to determine all noise hazards.
- Develop, implement and monitor good hearing conservation practices and procedures.
- Train affected employees on proper hearing conservation methods and techniques.
- Provide audiometric testing for employees with noise exposure over an eight-hour time-weighted average of 85dB or more.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Hoist/Lift

- Develop and implement a written plan for a hoist/lift encompassing Minnesota Rule 5205.1200 for hoists rated 1-ton or less.
- Identify contact person.
- Maintain inventory of hoists rated one ton or less and backhoes.
- Inspect and document inspection on listed equipment initially for compliance with the regulation.
- Follow OSHA requirements and manufacturer guidelines to conduct daily to monthly inspections (depending on use).
- Ensure safety latches are provided on all hoist hooks used on hoist.
- Provide training to employees.
- Record-keeping.
- Collect annual review.

Indoor Air Quality (IAQ)

- Develop and implement a written management IAQ, encompassing the U.S. EPA “Tools for Schools.” [See Minnesota Department of Health Indoor Air Quality in Schools](http://www.health.state.mn.us/divs/eh/indoorair/schools/index.html) (<http://www.health.state.mn.us/divs/eh/indoorair/schools/index.html>) for a model Indoor Air Quality Management Plan.
- Identify a school district IAQ coordinator for indoor air quality.
- Conduct and document an annual building walkthrough.
- Conduct and document an annual ventilation and building checklist.
- Monitor plan implementation including documenting situations and work practices that require indoor air quality remediation.
- Inform and educate staff about indoor air quality procedures and policies.
- Develop a communication plan/policy to include response to building complaints.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor regulatory changes and new developments.

- Review program and obtain school board approval at least annually.

Infectious Waste (exclusive of Bloodborne Pathogens, if any)

- Develop and implement a written management plans for infectious waste, if any (Note: blood or other potentially infectious materials are covered under Bloodborne Pathogen)
- Identify school district contact person(s) for infectious waste management.
- Identify sources of infectious waste in each facility.
- Review current infectious waste handling procedures.
- Review current internal traffic procedures.
- Review current external transportation/disposal of infectious waste.
- Evaluate current infectious waste record-keeping products and procedures (including archiving).
- Respond to regulatory agency correspondence, guidelines and recommendations, guidelines and recommendations.
- Provide updates on regulatory changes and new developments.
- Provide annual training.
- Review program and obtain school board approval at least annually.

Integrated Pest Management (IPM) Parental Notification Minnesota Statutes, Section 121A.30

Integrated Pest Management Definition. A pest control that emphasizes using a balanced combination of tactics (cultural, mechanical, biological, chemical) to reduce pests to tolerable levels while using pesticides as a last resort to minimize health and environmental risks.

Notice. Requires that a public or non-public school (excluding home schools) planning to apply a pesticide that is a toxic category I, II or III product, classified by U.S. EPA, or a restricted-use pesticide, as designated by federal law, on school property, must provide a notice to parents and employees.

School Handbook or Statement of Policies. In addition to the notice described above, a school that is required to provide a notice shall include in the official school handbook or policy guide a section informing parents that an estimated schedule of applications of pesticides is available for review or copying. A parent may also receive prior notice of each application if requested.

Notification for Individual Parents. Allows a parent to request individual notice of pesticide application on a day different from the days specified in the notice. Prior to applying pesticides, a school must give reasonable notice to a parent requesting such notice.

Integrated Pest Management Plan. Permits each school board to notify students, parents and employees that it has adopted an integrated pest management plan designed to minimize the risk to human health and the environment to reduce the use of chemical pesticides.

Pesticides and Pests Defined. "Pesticide" has the meaning given it in Minnesota Statutes, section 18B.01, subdivision 18, except that it does not include any disinfectants, sanitizers, deodorizers, or antimicrobial agents used for general cleaning purposes. "Pest" has the meaning given it in Minnesota Statutes, section 18B.01, subdivision 17.

Laboratory Safety Standard - Chemical Hygiene Plan (mandatory where science labs exist)

- Develop and implement a Chemical Hygiene Plan (CHP) for all laboratories, per OSHA Laboratory Safety Standard, 29 CFR 1910.1450.
- Identify school district chemical hygiene officer to administer the plan (mandatory).

- Review written plan as needed, and update (at least annually).
- [Reference the Prudence Practices in the Laboratory](http://www.nap.edu/catalog.php?record_id=12654) (http://www.nap.edu/catalog.php?record_id=12654).
- Survey labs to identify potential chemical exposure hazards.
- Review current Chemical Hygiene Plan standard operating procedures.
- Evaluate chemicals against lab projects for necessary acquisition and quantities. Consider disposal of non-essential chemicals.
- Develop and document routine chemical handling, bulk dispensing procedures, storage and disposal procedures.
- Evaluate engineering controls (e.g., ventilation, chemical storage).
- Train affected employees on proper Chemical Hygiene Plan methods and techniques.
- Develop and document laboratory safety record-keeping procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Complete fume hood/exhaust ventilation survey. Post results on hood.
- Review program and obtain school board approval at least annually.

Lead in Water

- Develop and implement a written management plan for all drinking water taps.
- Identify school district contact person(s) for lead in drinking water.
- Implement MDH Lead in School Drinking Water Guidance Manual. [Visit the Minnesota Department of Health's Drinking Water In Schools web page](http://www.health.state.mn.us/divs/eh/water/schools) (<http://www.health.state.mn.us/divs/eh/water/schools>).
- Survey each facility to determine the facility's drinking water taps and fixtures. Note- actual testing shall be identified as a separate project.
- Conduct water sampling as provided for under MDH and U.S. EPA rules and guidelines.
- Ensure replacement faucets and hardware meet current NSF lead-free criteria (NSF/ANSI Standard 372 and NSF/ANSI Standard 61, Annex G).
- Review updates on regulatory standards, reporting requirements and new developments.
- The US EPA has developed the 3Ts (Training, Testing, and Telling) to help schools implement simple strategies to manage lead in schools. [Visit the Environmental Protection Agency's Lead in Drinking Water web page](http://water.epa.gov/drink/info/lead/testing.cfm) (<http://water.epa.gov/drink/info/lead/testing.cfm>).
- Maintain all compliance documentation.
- Provide all record-keeping activities.
- Train affected employees.
- Review written plan as needed, and update (at least annually).

Lockout/Tagout

- Develop and implement a written management plan for lockout/tagout, encompassing OSHA standard 29 CFR 1910.147.
- Identify school district contact person(s) for lockout/tagout.
- Review written plan as needed, and update (at least annually).
- Survey the facility to identify energy potential physical hazards that require lockout/tagout.
- Develop and review machine-specific written lockout/tagout procedures.
- Train affected employees on proper lockout/tagout methods and techniques.
- Identify and procure individually assigned lockout/tagout locks, tags and other devices.
- Evaluate lockout/tagout record-keeping products and procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.

- Review program and procedures, and obtain school board approval at least annually.

Machine Guarding

- Machine guarding contact person identified by name.
- A written machine-guarding (shop) plan developed for each area where fixed machines are used.
- Shop equipment safeguarded per machine shop and guarding best practices manual. Shop equipment not safeguarded should be scheduled for proper safeguarding or replaced.
- Provide and document training for affected employees.
- A written preventative maintenance program to maintain machine guarding in proper repair and order developed.
- Power outage protection provided for all required equipment.
- Emergency stops provided for all required equipment.
- Provide proper guards for all equipment.
- Post safe work practice placards for all equipment.
- Used good bid specification criteria for procurement of all future equipment.
- Provide non-slip surface by each piece of equipment.
- Secure fixed equipment to prevent shifting or moving.
- Maintain a log for each of shop or area to include employee and student accidents and injuries so that shop improvements can be determined. Corrective action as needed based on accident reports and near misses should be taken.
- Review school board the program annually.

MERCURY – (Note that the below listed physical items are not fundable under H&S, only the management of this topic is fundable)

Certain Mercury Use in Schools Prohibited.

Minnesota Statutes, section 121A.33, states that after December 31, 2007, schools (as defined in section 120A.22, subdivision 4), excluding home schools, shall not:

- (1) purchase or use elemental mercury for any purpose; and,
- (2) purchase or use an instrument of measurement that contains mercury, including, but not limited to, a thermometer, barometer, or sphygmomanometer, or a manometer containing mercury.

After December 31, 2009, a school shall not:

- (1) store elemental mercury for any purpose; and,
- (2) store an instrument of measurement that contains mercury, including, but not limited to, a thermometer, barometer, sphygmomanometer, or a manometer containing mercury.

This does not apply to thermostats for heating, ventilation, and air conditioning in the school.

OSHA Inspections

- Participate in OSHA review of facility and provide management activity for programs.
- Participate in MDE management assistance mock-OSHA review of facility and management programs. District response to this report is required.
- Work with third-party inspectors such as insurance groups.
- [View General Industry OSHA standards](http://www.osha.gov) (<http://www.osha.gov>) choose “General Industry” under Regulations/Standards.

Personal Protection Equipment (PPE)

- Develop and implement written personal protective equipment plan, in compliance with OSHA standard 29 CFR 1910.132-138.
- Identify school district contact person(s).
- Review written plan as needed, and update (at least annually).
- District must survey the facility to identify unsafe, hazardous processes to hands, feet and face, per standards that necessitate the need for PPE.
- Provide a written hazard assessment signed by those performing the assessment, date of the assessment, and workplace evaluated.
- Perform initial and annual functional area training.
- Provide personal protective equipment as deemed appropriate for the identified hazards.
- Monitor usage, storage and maintenance practices of employees to ensure adequacy of program.
- Provide all record-keeping activities and procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Review program and obtain school board approval at least annually.

Playground Safety

- Develop and implement written management plans for each playground.
- Identify school district contact person(s) for each playground.
- Conduct periodic site review and management plan update (at least annually).
- Present program review to school board at least annually.
- Conduct audit of district outdoor playground facilities for purpose of identifying equipment and site-related hazards referenced in the Consumer Products Safety Commissioner's (CPSC) current guidelines. [See Consumer Product Safety Commission website \(http://www.cpsc.gov\)](http://www.cpsc.gov). Also, see ASTM F 1487 "Standard Consumer Safety Performance Specification for Playground Equipment for Public Use."
- Develop, implement and maintain equipment maintenance checklists.
- For H&S funding, inspection by National Recreation and Park Association "Certified Playground Safety Inspector" is required.
- Review updates on regulatory, guidance standards and new developments.
- Review program and obtain school board approval at least annually.

Radon

- Develop and implement a written management plan for radon identification and remediation.
- Identify school district contact person(s) for radon.
- Implement current U.S. EPA/MDH Radon Gas testing guidance criteria.
- Conduct radon sampling under MDH and U.S. EPA guidelines.
- Per Minnesota Statutes, section 123B.571, report radon testing results at a school board meeting and report results to the Minnesota Department of Health.
- Coordinate diagnostics and mitigation of elevated radon.
- Maintain records of all testing and mitigation information.
- Review updates on regulatory standards, reporting requirements and new developments.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Review program and obtain school board approval at least annually.

Respiratory Protection Standard

- Develop and implement a written management plan for respiratory protection, encompassing OSHA standard 29 CFR 1910.134.
- Identify school district contact person(s) for respirator protection.
- Review written plan as needed, and update (at least annually).
- Evaluate, identify and document work practices that require respirator protection.
- Employees who are required to use a respirator will need to complete a medical evaluation to comply with Appendix C of the standard.
- Review current respiratory protection practices and procedures, including selection, use (including user seal checks in appendix B-1 of the standard), maintenance, and storage.
- Training respirator users (including employees who have voluntarily use respirators to be trained on Appendix D of the standard) on the provisions of the written respiratory protection program and on the respirators they use.
- Provide respirator fit testing to comply with appendix A of the standard and optional pulmonary function tests for workers who wear respirators.
- Develop, document and monitor compliance with record-keeping procedures.
- Respond to regulatory agency correspondence, guidelines and recommendations.
- Monitor or provide updates on regulatory changes and new developments.
- Review program and obtain school board approval at least annually.

Underground Storage Tanks (UST) and Above Ground Storage Tanks (AST)

- Develop and implement a written management plan for each UST and AST.
- Identify school district contact person(s) for each UST and AST.
- Ensure all USTs above 110 gallons are MPCA-registered.
- Ensure all AST installations which are used for combustible materials are reviewed by fire marshal.
- Develop and implement release detection (e.g., tightness testing) plans for all USTs (fuel oil also).
- Conduct leak detection testing at frequent intervals for USTs if electronic monitors available.
- Produce and submit reports to agencies necessary for compliance (e.g., MPCA tank registration).
- Conduct periodic site review and management plan update (at least annually).
- Review updates on regulatory standards and reporting requirements.
- Provide and maintain inventory control forms.
- Review program and obtain school board approval at least annually.

Welding, Cutting or Brazing

- Develop and implement a written management plan for welding, cutting or brazing encompassing OSHA standard 29 CFR 1910.251-.255.
- Identify a responsible district contact person.
- Survey the district to identify job categories in which employees may be at risk to exposure.
- Contact OSHA as there are many requirements, [reference OSHA's Welding, Cutting, and Brazing website](http://www.osha.gov/SLTC/weldingcuttingbrazing/index.html) (<http://www.osha.gov/SLTC/weldingcuttingbrazing/index.html>).
- Identify and implement safe work practices, including hot work permit / fire watch, health protection and ventilation.
- Provide annual training to affected employees.
- Provide adequate personal protective equipment.
- Maintain applicable recordkeeping.
- Provide a written program review, and update (at least annually).

School: _____ Room Number: _____ Date: _____

Person Completing Report: _____ Title: _____

PART 1 – GENERAL SCIENCE SAFETY CONSIDERATIONS – LABORATORY

DESCRIPTION

A school science laboratory is defined as a classroom where demonstrations and/or laboratory instructions are provided for individual or group experiments in which hazardous chemicals or gases are used. These areas may include chemistry classrooms, rooms used for student experiments, and prep areas.

Item/Description:	Citation	Meets	Does Not Meet	N/A
<p>1. FIRE EXTINGUISHERS.</p> <p>a. At least one 2A-20BC rated (or larger) portable fire extinguisher must be provided for each 3,000 feet of laboratory. Travel distance must not exceed 50 feet from anywhere in the lab.</p> <p>b. At least one fire extinguisher suitable for class D fires must be provided in laboratories where combustible metals are used and stored.</p>	MSFC (07) 906.1			
<p>2. EGRESS AISLES. Aisles serving work areas on two sides must be at least 36" wide; those serving work areas on one side must be 24".</p>	MSFC (07) 1027.21			
<p>3. NUMBER OF EXITS. Minimum of two means of exit access must be provided when the laboratory exceeds 500 square feet in size for new labs using hazardous materials or 1,000 square feet for existing labs using hazardous materials.</p>	MSFC (07) 1015.1 & 1027.2.3.4			
<p>4. FIRE SEPARATIONS. Labs must be separated from other portions of the building by not less than a 1-hour fire separation.*</p> <p>Note: In labs located in building protected by automatic sprinkler systems – no separation is required.</p> <p>Smoke separation still requires a steel or solid wood door.</p> <p>* Recommend this be determined by a licensed design professional.</p>	MSFC (07) 705.3			
<p>5. FIRE ALARM AND DETECTION. Labs must be equipped with automatic detection electrically interconnected with the building's fire alarm system. Note: labs protected by a complete automatic sprinkler system that is interconnected to the building fire alarm require no additional detection.</p>	MSFC (07) 907.2.3 & 907.3.2			

Item/Description:	Citation	Meets	Does Not Meet	N/A
6. ELECTRICAL SAFETY. All electrical outlets must be properly grounded and all fixed electrical equipment and appliances must be plugged in to grounded outlets as required by the electrical code.	MSFC (07) 605.7			
7. EXTENSION CORDS. Extension cords must not be used as a substitute for permanent wiring.	MSFC (07) 605.5			
8. ELECTRICAL MULTI-PLUG ADAPTERS. The use of multiplug adapters, octopus arrangements, cube adapters, strip plugs or any other device that does not comply with the Fire Code is prohibited.	MSFC (07) 605.4			
9. ELECTRICAL PANEL ACCESS. A working space of not less than 30" in width, 36" in depth and to a height of 72" shall be maintained in front of electrical panels.	MSFC (07) 605.3			
10. INVENTORY. A complete inventory of chemicals on hand must be maintained and must be available to the fire chief. All materials must be dated upon receipt.	MSFC (07) 2701.4.2			
11. EMERGENCY PLANNING. Persons responsible for each lab must be familiar with the chemical nature of the materials present in the lab and the appropriate mitigating actions to be taken in case of fire, leak or spill.	MSFC (07) 2703.9.1			
12. SPILL CONTROL. Neutralizing chemicals, spill kits, dry sand, oil dry, 3M Absorbent and other spill control methods must be readily available while the lab is in use.	MSFC (07) 2703.3.1.2			
13. GAS SHUT-OFF VALVE. Provide a properly marked, easily accessible master gas shut off valve in the room.	MSFC (07) 2703.2.2.1 (# 4)			
14. FUME HOODS. Fume/exhaust hoods must be listed or engineered for its intended use and maintained in proper operating condition.	MSFC (07) 2703.2			

Part 2 – GENERAL SCIENCE SAFETY RECOMMENDATIONS

1. SUPERVISION OF STUDENTS. Students must be under the direct supervision of a faculty member or an assistant at all times. In most cases it is recommended that direct supervision means direct eye contact. It is recommended that no more than two students be assigned to a lab station.	NFPA 45, (2000) 2.2.2.1
2. ELECTRICITY AND SPILLS. Electrical receptacles, switches, and controls must be located so as not to be subject to liquid spills.	NFPA 45 (2000)
4. GAS PIPING SYSTEMS. Piping systems must comply with nationally recognized standards.	MSFC (03) 2703.2.2.2
5. EYE PROTECTION. Enough eye protection devices (goggles) must be provided for every student in the room, visitors, and the teacher whenever potentially hazardous activities are taking place.	Minnesota Public Law, section 126.20

6. USE OF REFRIGERATORS. Refrigerators, freezers and other cooling equipment used to store or cool flammable liquids must be of explosion-proof construction.	NFPA 45 (2000) 9.2.2.2
7. USE OF REFRIGERATORS. Each refrigerator, freezer or cooler must be prominently labeled to indicate whether it is or is not suitable for storing flammable liquids.	NFPA 45 (2000) 9.2.2.1
8. EXPLOSIVE MATERIALS NOT ALLOWED. It is recommended that due to the serious explosion hazard present, the following chemicals NOT be used in an instructional setting: Benzoyl Peroxide Carbon Disulfide Ethyl Ether Perchloric Acid Picric Acid Potassium metal Magnesium powdered metal	Recommendation
9. PERSONAL SAFETY. Loose clothing (e.g. sleeves, full cut blouses, neckties) and long hair should be properly restrained. Also, some laboratory activities could be dangerous to persons wearing contact lenses.	Recommendation
10. HEAT SOURCES. Heat sources should never be left unattended (e.g. gas burners, hot plates, heating mantles)	Recommendation
11. DANGEROUS RISK CHEMICALS. See lists of chemical where risk exceeds the educational value or the chemicals should be used in limited quantities. (Tables 2 and 3)	Recommendation

PART 3 – CHEMICAL STORAGE FACILITIES/ROOMS

DESCRIPTION

Chemical Storage Facilities means any area or room where chemicals are stored. Usually this refers to the chemistry storage area, but these rules apply to all areas where chemicals are stored.

Item/Description:	Citation	Meets	Does Not Meet	N/A
1. FLAMMABLE/COMBUSTIBLE LIQUID QUANTITIES IN USE. Quantities of flammable and combustible liquids shall not exceed the amounts necessary for demonstration, treatment, laboratory work, maintenance purposes or operation of equipment. See limits in "Use" column of Table 1 below (adapted from MSFC Table 2703.1.1)	MSFC (07) 3404.3.4.1			
2. FLAMMABLE LIQUIDS CABINET. Quantities of flammable and combustible liquid in excess of 10 gallons must be stored in a flammable liquids cabinet. Quantities not exceeding ten gallons must be stored in an approved location.	MSFC (07) 2703.8.7			

Item/Description:	Citation	Meets	Does Not Meet	N/A
<p>3. FLAMMABLE/COMBUSTIBLE LIQUID QUANTITIES IN STORAGE. The maximum quantity of flammable and combustible liquids in storage and use in a lab must not exceed 120 gallons.</p> <p>Note: These quantities may be doubled if stored in approved storage cabinets or in sprinklered buildings. (Both increases apply)</p>	MSFC (07) 2703.1.1			
<p>4. HAZARDOUS MATERIALS – QUANTITIES IN STORAGE and USE. Quantities of hazardous materials being stored or used shall not exceed the amounts shown in Table 1 (adapted from MSFC Table 2703.1.1).</p>	MSFC (07) 2703.1.1			
<p>5. FLAMMABLE/COMBUSTIBLE LIQUID CONTAINERS. Class I and II liquids must be stored in approved storage containers.</p>	MSFC (07) 3404.3.6.1			
<p>6. REACTIVE MATERIALS. Materials which will react with water or other liquids to produce a hazard must not be stored in the same room with flammable or combustible liquids.</p>	MSFC (07) 2703.9.8			
<p>7. GAS CYLINDERS. Stored gas cylinders shall have all protective devices on (caps collars and similar devices)</p>	MSFC (07) 3003.4.1			
<p>8. GAS CYLINDERS. All gas cylinders must be secured in a place to prevent falling.</p>	MSFC (07) 3003.5			
<p>9. MSDS AVAILABLE. Material Safety Data Sheets (MSDS) must be readily available on the premises for all hazardous chemicals.</p>	MSFC (07) 2703.4			
<p>10. APPROVED CONTAINERS. All chemicals must be stored in approved containers (if possible, chemicals should be stored in the original shipping package).</p>	MSFC (07) 2703.11.3.5			
<p>11. INCOMPATIBLE MATERIALS. Incompatible materials shall be segregated to prevent accidental contact with one another. (Storage of materials which are incompatible shall not be allowed in the same cabinet or exhausted enclosure).</p>	MSFC (07) 2703.9.8			
<p>12. SHELVING FOR STORAGE. All shelving must be of substantial construction and properly secured to prevent falling over. (Shelving above work areas should be kept free of chemicals. Storage above eye level should be avoided). Storage of hazardous materials shall be orderly.</p>	MSFC (07) 2703.9.9			
<p>13. DEFECTIVE CONTAINERS. Defective containers must be removed and disposed of in a proper manner</p>	MSFC (07) 2703.2.6.2			
<p>14. CHEMICAL RELEASE. Hazardous Materials shall not be released into a sewer, storm drain, ditch, drainage canal, lake, river or tidal waterway, or upon the ground, street, sidewalk, street or highway or into the atmosphere.</p>	MSFC (07) 2703.3			
<p>15. SECURITY FOR CABINETS & ROOMS. All storage cabinets and storage rooms must be locked or otherwise secured against unauthorized entry.</p>	MSFC (07) 2703.9.2			

Item/Description:	Citation	Meets	Does Not Meet	N/A
16. CONTAINER LABELING. All containers must be properly labeled to identify the contents.	MSFC (07) 3403.5			
17. TRANSFER OF FLAMMABLE LIQUIDS. When transferring flammable liquids between containers, the containers must be properly bonded together. The practice of purchasing large containers and dispensing into smaller ones is discouraged.	MSFC (07) 3405.3.2			

TABLE 1 - Quantities of Materials Allowed in a Single Room or Area

MATERIAL	CLASS	MAX. QUANTITY - STORAGE	MAX. QUANTITY - USE
Combustible Liquids	II	120 gallons	30 gallons
	III-A	330 gallons	80 gallons
	III-B	13,200 gallons	3,300 gallons
Corrosives and Acids		5,000 pounds	1,000 pounds
		500 gallons	100 gallons
		810 cubic feet	
Cryogenic (flammable)	Flammable	45 gallons	10 gallons
Flammable Gas	Gaseous	1,000 cubic feet	No specific limits
	Liquefied	30 gallons	
Flammable Liquids	I-A	30 gallons	10 gallons
	I-B	120 gallons	30 gallons
	I-C	120 gallons	30 gallons
Organic Peroxides	I	5 lbs or 5 cubic feet	1 lb or 1 cubic feet
	II	50 lbs or 50 cubic feet	10 lbs or 10 cubic feet
	III	125 lbs or 125 cubic feet	25 lbs or 25 cubic feet
	IV	no limits	no limits
	V	no limits	no limits
Oxidizers	4	1 lb or 1 gallon	1/4 pound or 1 quart
	3	10 lbs or 10 gallons	2 pounds or 2 gallons
	2	250 lbs or 250 gallons	50 pounds or 50 gallons
	1	4,000 lbs or 4,000 gallons	1,000 pounds or 1,000 gallons
Note: These quantities can be doubled if all materials are stored or kept in storage cabinets.			
Note: These quantities can also be doubled if the building is protected with a fire sprinkler system.			

Table 2 - Examples of Excessive Risk Chemicals
(Risk Probably Exceeds Educational Value)

Acetic Anhydride	Explosive potential, corrosive
Acetyl Chloride	Corrosive, fire risk, reacts violently with water and alcohol
Acrylamide	Toxic by absorption, suspected carcinogen
Acrylonitrile	Flammable, poison
Adipoyl Chloride	Corrosive, absorbs through skin, lachrymator (causes eyes to tear)
Aluminum Chloride, anhydrous	Corrosive, water reactive
Ammonia, gas	Corrosive, lachrymator (causes eyes to tear)
Ammonium Bifluoride	Reacts with water, forms Hydrofluoric Acid
Ammonium Bichromate	May explode upon contact with organics, suspected carcinogen
Ammonium Chromate	Poison, oxidizer, may explode when heated
Ammonium Dichromate	Reactive, may cause fire and explosion
Ammonium Perchlorate	Explosive, highly reactive
Ammonium Sulfide	Corrosive, poison, reacts with water and acids
Aniline	Absorbs through skin, carcinogen, toxic
Aniline Hydrochloride	Poison
Antimony Oxide	Health hazard
Antimony Powder	Flammable solid, health hazard
Antimony Trichloride	Corrosive, emits Hydrogen Chloride gas if moistened
Arsenic compounds	Carcinogen, poison
Asbestos, Friable	Carcinogen, health hazard (inhalation)
Azide compounds	Extremely reactive, explosive in contact with metals, highly toxic
Barium Chromate	Poison
Benzene	Carcinogen, flammable
Benzoyl Peroxide	Flammable, organic peroxide, oxidizer
Beryllium & its compounds	Carcinogen, poison; dust is highly toxic
Bromine	Corrosive, oxidizer, volatile liquid
Cadmium compounds	Carcinogen, toxic, heavy metal
Calcium Fluoride (Fluorspar)	Toxic fumes when heated, damage to fetus or embryo
Carbon Disulfide	Flammable, toxic
Carbon Tetrachloride	Carcinogen, toxic
Chloral Hydrate	Sedative, hypnotic drug, DEA controlled substance
Chlorine – gas	Corrosive, poison
Chlorobenzene	Explosive, toxic by inhalation
Chloroform	Carcinogen, can form phosgene gas (if old)
Chorosulfonic Acid	Toxic (aka Sulfuric Chlorohydrin)
Chromic Acid	Strong oxidizer, poison
Collodion	Flammable, explosive when dry, nitrocellulose compound
Cuprous Cyanide	Toxic
Cyanogen Bromide	Poison, irritant to skin and eyes
Cyclohexene	Flammable, forms peroxides
Dichlorobenzene	Toxic
Dichloroethane	Flammable, toxic
Dinitro Phenol	Explosive, disposal by bomb squad
Dinitrophenyl Hydrazine	Severe explosion and fire risk
Dioxane	Flammable, forms peroxides
Ether, Anhydrous	Flammable, forms peroxides
Ether, Ethyl	Flammable, forms peroxides

Ether, Isopropyl	Flammable, forms peroxides
Ethylene Dichloride	Contact hazard, toxic, fire risk, explosive in air (6-16%)
Ethyl Nitrate	Explosive, disposal by bomb squad
Ethyleneimine	Flammable
Ferrous Sulfide	Spontaneously ignites if wet
Formaldehyde (Formalin)	Carcinogen, sensitizer, toxic
Gunpowder	Explosive
Hydrazine	Carcinogen, corrosive, flammable, absorbs through skin
Hydriodic Acid	Corrosive, toxic
Hydrobromic Acid	Corrosive, poison
Hydrofluoric Acid	Corrosive, poison
Hydrogen	Flammable
Hydrogen Sulfide, gas	Poison, forms Sulfuric Acid with water
Lithium Aluminum Hydride	Flammable, reacts with air, water, and organics
Lithium Metal	Water reactive
Mercaptoethanol	Corrosive, flammable
Mercury compounds	Poison, heavy metal
Mercury, liquid	Carcinogen, toxic, heavy metal
Methylene Chloride	Carcinogen, narcotic, toxic
Methyl Ethyl Ketone (MEK)	Flammable, toxic
Methyl Isocyanate	Flammable, toxic
Methyl Isopropyl Ketone	Toxic
Methyl Methacrylate	Flammable, vapors cause explosive mixture in air
Naphthylamine, a-	Carcinogen, combustible, toxic
Nickel Oxide	Carcinogen, toxic, flammable as a dust
Nitrilotriacetic Acid	Corrosive
Nitrobenzene	Highly toxic
Nitrocellulose	Explosive, flammable
Nitrogen Triiodide	Explosive, disposal by bomb squad
Nitroglycerine	Explosive, disposal by bomb squad
Osmium Tetraoxide (Osmic Acid)	Highly toxic
Pentachlorophenol	Extremely toxic
Perchloric Acid	Strong oxidizer, reactive
Phosphorus Pentasulfide	Water reactive, toxic, incompatible with air & moisture
Phosphorus Pentoxide	Oxidizer, toxic
Phosphorus, Red	Flammable solid
Phosphorus, Yellow or White	Reactive with air, poison
Picric Acid (Trinitrophenol)	Explosive when dry
Potassium Cyanide	Poison, extremely hazardous
Potassium Perchlorate	Powerful oxidizer, reactive
Potassium Sulfide	Flammable, spontaneously ignites
Potassium, metal	Reactive with water, forms peroxides
Pyridine	Flammable, toxic, vapors cause explosive mixture in air
Selenium	Toxic
Silver Oxide	Poison
Silver Cyanide	Extremely toxic
Sodium metal	Corrosive, water reactive, spontaneously ignites
Sodium Arsenate	Carcinogen, toxic
Sodium Arsenite	Carcinogen, toxic
Sodium Azide	Reacts explosively with metal, poison
Sodium Borohydride	Flammable solid, water reactive
Sodium Cyanide	Poison

Sodium Fluoride (Bifluoride)	Toxic by ingestion & inhalation, skin irritant
Sodium Fluoroacetate	Poison
Sodium Peroxide	Water reactive, fire and explosion risk
Sodium Sulfide	Fire and explosion risk
Strontium	Flammable, water reactive (store under naphtha)
Tetrahydrofuran	Flammable forms peroxides
Thioacetamide	Carcinogen, combustible, toxic
Thionyl Chloride	Corrosive
Thiourea	Carcinogen
Titanium Trichloride	Flammable
Triethylamine	Flammable, irritant, toxic
Trinitrobenzene	Explosive, disposal by bomb squad
Trinitrophenol	Explosive, disposal by bomb squad
Trinitrotoluene	Explosive, disposal by bomb squad
Uranium / Uranyl Compounds	Radioactive

Table 3 – High Risk Chemicals – Use Very Limited Amounts

Acetamide	Carcinogen
Ammonium Nitrate	Powerful oxidizer, reactive
Barium Peroxide	Fire & explosion risk with organics; oxidizer, toxic
Butyric Acid	Corrosive
Cadmium Sulfide	Carcinogen, highly toxic
Calcium Carbide	Flammable, water reactive
Chromium Trioxide	Oxidizer, poison
Ethidium Bromide	Mutagen
Hexamethylenediamine	Corrosive, absorbs through skin, lachrymator (causes eyes to tear)
Hexanediamine, 1-6	Corrosive, absorbs through skin, lachrymator (causes eyes to tear)
Hydrogen Peroxide, >29%	Corrosive to tissue, powerful oxidizer
Lead compounds	Highly toxic
Lead Nitrate	Oxidizer, toxic, heavy metal
Magnesium, powder	Flammable
Mercury Thermometers	Corrosive, toxic, heavy metal
Phenol	Poison
Potassium Chlorate	Reactive, powerful oxidizer
Potassium Chromate	Oxidizer, toxic
Potassium Dichromate	Carcinogen, powerful oxidizer
Radioactive Materials	Radioactive
Sebacoyl Chloride	Corrosive, irritant, lachrymator (causes eyes to tear)
Silver compounds	Toxic
Sodium Chlorate	Powerful Oxidizer
Sodium Chromate	Oxidizer
Sodium Dichromate	Reactive, fire & explosion risk
Sodium, metal (small chips)	Corrosive, water reactive
Strontium Nitrate	Oxidizer, may explode when heated
Thermite	Flammable solid
Toluene	Flammable, toxic
Wood's Metal	Poison
Xylene	Flammable, toxic



State Fire Marshal Division

444 Cedar Street, Suite 145, St. Paul, Minnesota 55101-5145

Phone: 651/201-7200 FAX: 651/215-0525 TTY: 651/282/6555

Internet: <https://dps.mn.gov/divisions/sfm/programs-services/Pages/school-inspection.aspx>

EDUCATIONAL (GROUP E) INFORMATION SHEET

<https://dps.mn.gov/divisions/sfm/document-library/Documents/Fire%20Code%20Information%20Sheets/2007educoccupinfosheet.pdf>

SECTION 1 INTRODUCTION

This fire safety information sheet is based on the 2007 Minnesota State Fire Code (MSFC) and the 2007 Minnesota State Building Code (MSBC). It contains a summary of the rules that apply to educational buildings in the state of Minnesota.

1.1 Inspection Frequency

Pursuant to Minnesota Statutes section 299F.47, the State Fire Marshal is required to inspect every public school facility at least once every three years. The School Districts are charged a fee determined by the square footage. Local units of government can conduct these inspections if they conducted school inspections between 1/1/87 and 1/1/90 and will inspect in accordance with State Fire Marshal Policies.

1.2 Definitions

Educational Group E-Educational Group E occupancy includes any building used for educational purposes through the 12th grade by six or more persons older than 2-1/2 years of age shall be classified as an E occupancy.

ISD Name and # _____ Date _____ Completed By/License # _____

Part A (HVAC) – The purpose of this form is to provide MDE with sufficient information for a Mechanical Ventilation Health and Safety project to be approved with at least a Provisional Project Approval (PPA) designator, if not a “YES.” A “PPA” will maintain levy authority for the district until November 1, 2013. If the remainder of information has not been received by this date, approval will revert to “NMI” (Needs More Information) and levy authority will be rescinded. Please complete all requested information, failure to provide applicable information will delay the MDE approval process. **Forms to be completed by an architect or engineer (PE) only.**

Project description	What is the reason for the work (shortcomings of any existing system)? What major functions (capabilities) will the new system incorporate (Airflow, humidity control, DDC, filtration)? Upgrade or replace?
Project workscope	Provide a detailed narrative identifying the scope of work (summary information may be derived from CSI Section 011000)? Which are funded under non-H&S funding source? Will there be co-function or integration (e.g., energy savings or performance contracts)? Include the IAQ exclusion statement found in Attachment 8 of this letter.
Rooms/ areas affected by the work	Description of functions (e.g., classroom, labs, shops, commons area, administrative area). Any special needs (e.g., special ed, disabled, high loading, building or community concerns)?
Existing system description	Current capacity in CFM/person for each area. Other capacity (e.g., air conditioning, humidity, high filtration, swimming pools, co-location with community/other functions). Ventilation assessment data is not required for the replacement of unit ventilators or for adding new ventilation to an existing space.
Design criteria	Outcomes. To include airflow rate, humidification, dehumidification, air filtration, outdoor temperature range, indoor temperature and humidity ranges.
Building 8 1/2 X 11 diagram	Shows function and per-room capacity of areas affected by the work. An attached building diagram highlighting affected areas is sufficient.
Cost	Total cost, cost per year, whether bond or levy (more info needed if bonding). Prior to project approval, the full project amount must be entered in the starting fiscal year on the health and safety system. Reported project costs need to be itemized according to funding source, including district capital: <i>DDC</i> \$220,000 <i>Piping</i> \$700,000 <i>Ductwork</i> \$680,000 <i>Air handling units</i> \$240,000 <i>Testing & balancing</i> \$ 20,000 <i>Asbestos abatement</i> \$ 30,000 <i>Total bond amount</i> \$2,000,000 <i>FY 13 = \$1,000,000; FY 14 = \$1,000,000</i>

ISD Name and # _____ Date _____ Completed By/License # _____

Part B (HVAC) – The purpose of this second form is to provide the remainder of information needed for project approval, or for conversion of approval from “PPA” to “YES.” The information requested should reach MDE in time for approval by October 18, 2013. Information received after this date risks conversion to “NMI” status. Note: Neither Part A (above) or Part B (below) requires that an actual engineering design have occurred. Forms provide MDE with sufficient information without requiring that the engineering design be accomplished to justify the funding of the project under H&S, **to be completed by architect or engineer (PE).**

Document current capacity	Provide “proof” of current system capacity (e.g., measurement, detailed calculation, sampling). Ventilation assessment data is not required for the replacement of unit ventilators or adding ventilation to an existing space.
System component information	Major components, which are affected by the work. Indicate which are upgrade, replacement or if the entire system is to be replaced.
Line diagram	8 1/2 X 11 floor plan showing boxes and lines where major functions are to be located and air-flow pathways.
Part A revised	Corrected, updated copy of Part A (HVAC).

ISD Name and # _____ Date _____ Completed By/License # _____

Part A (Mold) – The purpose of this form is to provide MDE with sufficient information for a Mold Abatement Health and Safety project to be approved with at least a Provisional Project Approval designator (PPA) if not a “YES.” A “PPA” approval will maintain levy authority for the district until November 1, 2013. If the remainder of information has not been received by this date, approval will revert to “NMI” (Needs More Information) and levy authority will be rescinded. Please complete all requested information, failure to provide applicable information will delay the MDE approval process. **Forms to be completed by architect, engineer (PE) or CIH only.**

Project description	What is the reason for the work? What is the work? How is it affecting students/employees (present and potential future)?
Water or moisture source	From where is the water or moisture coming from (e.g., elevated and uncontrollable humidity, sealed area, walls, windows, pipe burst)?
Building materials impacted	List, for example, walls, roof, windows, flooring, drop ceiling.
Scope of work to abate the hazard	What methods and procedures will be employed? What safeguards will be invoked?
Rooms/ areas affected by the work	Description of functions (e.g., classroom, labs, shops, commons area, administrative area). Any special needs (e.g., special education, disabled, high loading, building or community concerns)? Include an 8 1/2 by 11 floor plan drawing showing extent of water damage. Indicate type of damaged materials (e.g., walls, flooring, ceiling).
Water or moisture abatement plan	Is there a plan to fix the water or moisture problem? How do you plan to fix the water or moisture problem? What is your source of funding and time schedule?
Cost to fix	Total cost of project, including both H&S and non-H&S expenditures. Include funding sources planned (e.g., H&S, operating capital, referendum).

ISD Name and # _____ Date _____ Completed By/License # _____

Part B (Mold) – The purpose of this second form is to provide the remainder of information needed for project approval, or for conversion of approval from “PPA” to “YES.” The information requested should reach MDE in time for approval by October 18, 2013. Information received after this date risks conversion to “NMI” status. Note: Neither Part A (above) or Part B (below) requires that an actual engineering design have occurred. The purpose of these forms is to provide MDE with sufficient information without requiring that the engineering design be accomplished to justify the funding of the project under H&S. **Forms to be completed by architect, engineer (PE) or CIH only.**

Building floor plan	Floor plan indicating damaged areas and digital photo prints linked to the diagram.
Details of moisture problem	Quantification of moisture problem. Forensic evaluation.
Test data	If available and if inaccessible areas are indicated as needing abatement. Showing species and CFU or other growth density information.
Recommendations	More than one if indicated by professional analysis. Chief recommendation if multiple recommendations are indicated. Why (the basis) for one solution over others.
Part A revised	Corrected, updated copy of Part A (Mold).

ISD Name and # _____ Date _____ Completed By/License # _____

Five Year Plan Information Submittal –Minnesota Statutes section 123B.59, subd. 2, eliminates the requirement that the commissioner approve the five year plan for qualifying health and safety projects funded under the alternative facilities program due to costs in excess of \$500,000. This portion of the document remains for district use.

Name or identifying information of project	
Building	
Project description	
Fiscal years of project	
Project cost per year	
Project requires consultation or review and comment	District review Minnesota Statutes section 123B.71. Contact Mr. Chris Kubesh (651-582-8319 or chris.kubesh@state.mn.us)
Status of engineering study	
Bond, levy or both?	
If bonding, number, dates and amounts of each issue	
Names of professionals	

Health and Safety (H&S) Projects Exceeding \$500,000 Total Cost

If the total project amount of “related” projects exceeds \$500,000 in cost, per building, over one or several years, the work must be funded under Minnesota Statutes, section 123B.59, subdivision 1(b) (the Alternative Facilities statute). Projects are related if the work is similar in kind or if the reason for the project is linked to another by a cause and effect relationship. The mere fact that projects are occurring at the same time in a building is not considered related. Per Minnesota Statutes, section 123B.57, subdivision 1, a school board must not group together unlike projects to create a project exceeding \$500,000 in order to qualify for Alternative Facilities revenue, nor may they separate a project into components or across multiple fiscal years to avoid using Alternative Facilities revenue. Therefore, MDE must approve the full scope of an aggregated project, regardless of the funding source or fiscal years in which the project will be completed.

Health and safety projects funded through Alternative Facilities revenue are subject to both approval on the Health and Safety website and consultation/review and comment. Following are the steps necessary to gain approval for these projects.

1. Review and Comment or Consultation per Minnesota Statutes, Section 123B.71

Under Minnesota Statutes, section 123B.71, consultation is required for projects of \$500,000 to \$1,400,000, and review and comment is required for projects with estimated costs of \$1,400,000 or more. Districts may request a review and comment waiver for Alternative Facilities qualifying projects that are greater than \$1.4 million. The letter, signed by the superintendent and addressed to Chris Kubesh must clearly identify the proposed project and associated district financing.

To document consultation with a projected cost of \$500,000 to \$1,400,000, the district must submit a letter to Chris Kubesh signed by the superintendent. [Access the School District Consultation Checklist.](#)

Information required in the consultation letter must include at minimum:

- a. Description of the project and how it is to be funded.
- b. The cost of the total project by fiscal year including itemized costs per scope of work. Sufficient detail must be provided to determine if all components of the project is eligible under H&S criteria to be funded through Alternative Facilities.
- c. A statement that the school board has approved the project.

Districts with projects exceeding an estimated cost of \$1,400,000 or greater can [review the required elements in the Review and Comment Checklist.](#)

After all documentation is received, districts need to set aside 60 days for review and comment processing. The 60-day window begins when all required documentation is received. Failure to provide supplemental information will delay the MDE approval process and the 60-day window will re-start when proper documentation has been received.

2. Commissioner Approval Letter

The district will receive a positive consultation/review and comment letter from MDE signifying project approval and authorizing the district to proceed with the qualifying project and associated funding. Every requirement under Minnesota Statutes, section 123B.57, Minnesota Statutes, section 123B.59 and Minnesota Statutes, section 123B.71 must be met prior to distribution of the commissioner's

letter. However, MDE may withdraw the funding approval if a district fails to publish notice of intended projects.

3. Apply for Project Approval

- a. Load the project(s) – The full project cost must be loaded in the H&S Website per building and UFARS finance code in the starting fiscal year. After costs have incurred, the original project entry must be updated with actual expenditures and a new project (referencing the previous fiscal year's 5-digit project number in the project description) must be created to move forward the balance. Related projects, such as asbestos abatement (FIN 358) or correcting fire and life safety issues with SFM orders (FIN 363) must be loaded per UFARS finance code.
- b. Provide engineering study – An engineering study and five-year plan must be conducted by an architect or engineer (or Certified Industrial Hygienist for mold) and reviewed by MDE before July 19, 2013, in order to be included on 2013 Pay 2014 levy. Required reports for mechanical ventilation and mold abatement projects are provided in *Attachment 7*.
- c. IAQ Exclusion Checklist – District staff needs to complete and return the IAQ Exclusion Checklist, found later in this attachment.

4. Provisional Project Approval (OKL or OKB)

For projects requiring either commissioner consultation or commissioner review and comment, a provisional project approval (either "PPL" for levy or "PPB" for bonded) may be granted if additional time is needed or if only Attachment 7 is received by July 19, 2013, and the agency believes remaining documentation is forthcoming. It is important for districts to confirm that any submissions intended to maintain levy certification beyond November 1, 2013 have accomplished this action. A PPL or PPB enables temporary levy authority to appear on the 2013 Pay 2014 levy certified on September 30, 2013. Levy authority will remain (either "OKL" for levy or "OKB" for bonding) if review and approval of the final engineering study report occurs prior to November 1, 2013.

Failure to obtain project approval in compliance with reporting requirements by November 1, 2013 will result in a change of project status from a "PPL" or "PPB" to a "NMI" which results in the removal of proportionate levy authority. Final approval may also be granted after the removal of provisional approval for the next 2014 Pay 2015 levy cycle.

5. Publication of Intended Projects/Proof of Notification

Districts with an approved project will need to publish notification to the public regarding the capital project.

For districts funding an approved project with general obligation bonds, Minnesota Statutes, section 123B.59, subdivision 3 (b) directs that "...at least 20 days before the earliest of solicitation of bids, the issuance of bonds, or the final certification of levies under subdivision 5, the district must publish notice of the intended projects, the amount of the bond issuance, and the total amount of district indebtedness".

For districts funding an approved project with an annual levy, Minnesota Statutes, section 123B.59, subdivision 3a (b), directs that "at least at least 20 days before the final district certification of levies under subdivision 5, the district must publish notice of the intended projects, including the total estimated project cost".

For districts implementing a project requiring review and comment and funded by Alternative Facilities revenue only, Minnesota Statutes, section 123B.71, subdivision 12(b), eliminates the requirement that the district publish the review and comment.

MDE does not require proof of either notification prior to either project or funding approval, but requests a copy of this notification be provided subsequent to its publication.

6. Fiscal Year Closeout

FY 2013 Alternative Facilities Bonding and Levy project expenditures (qualifying under M.S. § 123B.57 health and safety criteria) are reported to MDE using Uniform Financial Accounting and Reporting Standards (UFARS) Program Code 855, rather than 850, Fund Code 06, and the appropriate Finance Code for health and safety (366, 358, 363, etc.). Any additional revenue received as a result of the Alternative Facilities project, such as petrofund reimbursement, utility rebates, insurance proceeds, etc., are recorded in Program Code 855, Source Code 629, along with the appropriate finance code.

Districts submit UFARS data to MDE from September through November 30, which is the statutory date on which audited data is due. With each UFARS submission, MDE posts turnaround documents on the MDE website. Please review the document titled "UFARS Expenditure by Finance Code Report" to assure that the expenditure on that report ties to amount approved and expended on the project in FY 2013. For multiyear projects, the total reported by the district on UFARS will equal the total project approvals. In the event of an MDE audit, expenditures reported on UFARS will be used to compare to approvals and source documents to determine the amount of revenue to which the district is entitled.

ISD Name and# _____ Date _____ Completed By _____

TO: Districts interested in obtaining funding for mechanical ventilation projects under either Health and Safety or Alternative Facilities Bonding and Levy.

A review of several mechanical ventilation projects requesting funding under the H&S and Alternative Facilities programs have resulted in the following list of **allowable – not allowable** expenditures. A district must evaluate the scope of work to make sure that **non-allowable** work elements are not contained in their job, or if they are, are funded by another source. Districts shall initial each “**non-allowable**” element below and return this to MDE as a condition of receiving final project approval before final approval is granted (PPL or PPB, and OKL or OKB). By initialing, the district acknowledges these categories of work are not included in the above projects. Please note that, as a result of possible downward financial adjustments, the eligible approvable amount may be less than \$500,000 causing the project to be ineligible for Alternate Facilities treatment. Any corrected amounts must be posted to the H&S website by the district. Please note that related projects must be entered on the H&S Website by building per UFARS finance code in the starting year of the project.

_____ **Allowable and not allowable – drop ceilings.** Replacement or restoration of ceilings in support of the operation of an HVAC system is an allowable H&S expenditure. In order to qualify it must support some HVAC function, such as return air or sound deadening. Covering exposed ducts or other aesthetics purpose is not an allowable reason.

_____ **Not allowable – lighting.** Replacement or restoration of any lighting as a result of funded HVAC work is not an allowable H&S expenditure.

_____ **Allowable – pipes.** Heating or cooling pipes or piping leading to or from, or otherwise associated with the mechanical ventilation system is an allowable H&S expenditure.

_____ **Allowable and not allowable – cooling capacity as part of dehumidification.** Cooling capacity, cooling coils, cooling compressors, control logic leading to a system that is dedicated to operating in a pure cooling mode without consideration for effect on humidity, is not an allowable H&S expenditure. Funding for a cooling then re-heat system is permitted, if dehumidification engineering and operation meets the following criteria.

Discussion: Mold growth can occur as indicated in reference (1) Appendix C due to either vapor pressure-dominated mold or surface temperature-dominated mold (pp144-145). The test for control of vapor pressure-dominated mold management is whether the conditioned air entering each space from a dehumidification system-is no greater than seventy-five (75%)-RH (relative humidity), verified by continual measurement of each space’s air serviced by the mechanical ventilation system. The test for surface temperature dominated mold management is whether localized variances in temperature brought about by a cooling source cause any interior surface to achieve a relative humidity above sixty percent (60%).*

Action: Humidity sensors shall be placed in each space serviced by the mechanical ventilation system and connected to its system control logic, set so that each space’s relative humidity does not exceed fifty five percent (55%) RH. If a dehumidification system is a simple cooling-then-reheat system and if the cooling function is active, then temperature in the reheat portion shall be increased until the RH in each space does not exceed 55%. This will satisfy vapor pressure-dominated mold management concerns. The system shall be designed so that the RH does not exceed sixty percent (60%) RH at or near the coolest surface. This will satisfy surface temperature-dominated mold management concerns.

The services of a professional engineer (PE) experienced in mold management techniques will be utilized in the design, installation and certification of the dehumidification system to ensure that both vapor pressure-dominated criteria and surface temperature-dominated are met. Performance criteria to this

effect will be documented and shall be part of the commissioning process (H&S funding-eligible for new or upgraded systems only). The system shall be capable of being operated and shall be operated observing these relative humidity requirements throughout its annual operational cycle. Temperature adjustment to maintain proper RH shall take priority over temperature adjustment for comfort control. It shall not be possible for vendors or users to disable this except for maintenance. Also, airstream surfaces downstream from a dehumidification coil shall not have exposed fibrous insulation material.

_____ **Allowable – HVAC Replacement.** In order to meet current AHSRAE and state mechanical code guidelines or achieve a ventilation rate of approximately 15 CFM per person.

_____ **Not allowable – Repairs to existing systems.** Regardless of whether the current HVAC system already has the capability of meeting current ASHRAE and state mechanical code ventilation rate guidelines (15 CFM per person).

_____ **Not allowable – heating capacity.** Heating capacity such as internal gas-fired heating units, internal or external boilers, water storage and distribution systems, is not an allowable H&S expenditure.

_____ **Not allowable – energy recovery system.** An energy recovery system whose function is or includes transferring energy from one portion of the system to another in order to reduce energy usage or costs, is not an allowable H&S expenditure. Facility alterations designed to reduce energy consumption or operating costs as defined under Minnesota Statutes, section 123B.65 is not an allowable H&S expenditure.

_____ **Not allowable – expanding electrical service capacity.** The cost to provide additional electrical service capacity or switchgear capacity as a result of increased electrical load for the new mechanical ventilation system is not an allowable H&S expenditure. Cost to connect the new system with existing electrical infrastructure is an allowable H&S expenditure.

Allowable – Roof Reinforcement. Only costs that lead to direct physical structural support of roofs due to increased weight loading brought about by installation of mechanical ventilation units are allowable. Costs to enhance or restore roof or understructure in areas not immediately adjacent to any weight caused by mechanical ventilation installation or replacement is not an allowable H&S expenditure.

Allowable – Wall. Wall construction within an existing structure to create a space dedicated for mechanical ventilation equipment where none existed before is an allowable H&S expenditure. Only the basic cost for formation of the space is allowable. Structures for containing roof-mounted units, together with safe access ways from the building to the structure are also allowable. Mechanical room roof enclosures housing HVAC equipment are not allowable. The cost for fixtures such as cabinetry, shelving and the like is not allowable.

Allowable – Asbestos Abatement. Asbestos abatement or any other work allowable under current H&S criteria is allowable as a related expenditure under the Alternative Facilities program, but only for work in the area immediately adjacent to work (within three feet), which is originally intended to be covered under the Alternative Facilities program. If the work is otherwise eligible under H&S, it can be funded but not as a related expenditure.

Allowable. Additional square footage in lieu of roof construction for mechanical ventilation systems that result in reduced costs.

*(1) EPA-NIOSH Building Air Quality – Appendix C

Contact MDE: Michael Oxborough at 651-582-8509 or michael.oxborough@state.mn.us.

H&S Management Assistance Program/MDE Correspondence/Miscellaneous

Management Assistance

- MDE continues to support and remain involved in the Management Assistance (MA) program, identified as a component of but separate from other aspects of the district's Health Safety and Environmental Management program.
- Support activities from MDE's perspective means requesting MA support in implementing hot topics, specific tasks such as new program implementation, helping districts with revenue application reporting, H&S program/plan submission, as well as traditional areas like district H&S program evaluation activities.
- "Health, safety, and environmental management" means school district activities necessary for a district's compliance with state law and rules of the departments of health, labor and industry, public safety, and pollution control agency, as well as any related federal standards. These activities include hazard assessment, required training, record keeping, and program management (Minn. Stat. § 123B.56).
- The role of the MA program is the evaluation of all aspects of programs for the identification, recognition and control of hazards, and assisting districts in prioritization and scheduling of district health and safety capital projects.
- Funding is through FIN 352, Health Safety and Environmental Management (HSEM), which is capped overall.
- There are five points for consideration (MA criteria):
 1. MA services must be provided by a trained H&S professional having significant field work experience, making the person competent to evaluate programs which make up a district's H&S program.
 2. The person providing the MA services may be an independent contractor, an employee of a private contractor, a Service Cooperative employee or a H&S professional employed by the district.
 3. The person must be hired by the district (can be through the service cooperative representing the district), or if employed by a private contractor must be identified in the contract as the person providing the MA services.
 4. To avoid a conflict of interest, the person doing the management assistance work shall not be a person who also does other H&S work for the district, either as HSEM or as a project contractor.
 5. Districts may indicate their choice for management assistance via service cooperatives (SC). The SCs may take a leadership role in assisting districts in determining their MA choices and as a liaison between MDE and MA service providers.

MDE Correspondence

E-mails

- Include the district number.
- Include a phone number.
- Include the project number.
- Include the fiscal year.

Miscellaneous

- **UFARS Reporting for Health and Safety Other Revenue**

UFARS code 629, identified as Health and Safety Other Revenue, is used to record other revenue sources for health and safety projects beyond state aid or levy. This includes, but is not limited to: insurance and legal settlements, petrofund reimbursements, and energy or utility rebates. This code is used in the calculation of levy authority.

- **Documentation**

Project descriptions must provide enough detail for a legislative auditor to understand the described unit of work as qualifying for health and safety revenue.

More complex projects will be documented for approval by Attachment 7 and Attachment 8, or by other means such as design documents.

All project documentation, including testing document, bid document, citations from MDH or SFM, invoices, etc., should be retained for at least five years after project completion.