

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

Do Not Mark In This Box

JUL 15 4 12 PM '99

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W.Va. Constitution, Article XII, §2, W.Va. Code §18-2-5 and §189E-3

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §§29A-3B-1, et seq.; W.Va. Board of Education
v. Hechler, 180 W.Va. 451; 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

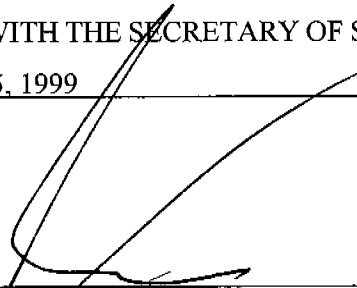
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 173

TITLE OF RULE BEING AMENDED: Carpet in Public Schools (6201)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS August 15, 1999



William J. Luff, Jr.
Associate State Superintendent

\$3.00

**EXECUTIVE SUMMARY
WEST VIRGINIA DEPARTMENT OF EDUCATION**

POLICY NUMBER AND TITLE: Policy 6201
Carpet in Public Schools

PUBLIC COMMENT PERIOD ENDS: July 12, 1999 **ADOPTED:** _____

BACKGROUND:

The Air Quality in New Schools Act (House Bill 2401) has evolved due to the work completed by the Radon/Indoor Air Quality in Schools Committee of the Legislature. Policy 6201 has been written in consultation with the Department of Health and Human Resources, the School Building Authority and others. It makes specific recommendations for the areas that can be carpeted in public schools.

It should be noted that the consensus of the individuals developing H. B. 2401 did not hold carpet out to be a contributor to poor indoor air quality, but that carpet in areas other than those recommended may not be an enhancement to the learning environment.

PURPOSE:

To assist county school systems in the proper use and care of carpeting in school facilities.

FILED

126CSR173

JUL 16 4 12 PM '99

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

OFFICE OF THE CLERK OF THE WEST VIRGINIA
SECRETARY OF STATE

SERIES 173
CARPET IN PUBLIC SCHOOLS (6201)

§126-173-1. General.

1.1. Scope. -- This legislative rule provides for the minimized use of carpet in West Virginia's public schools. This rule also provides the parameters for use of carpet in schools based on user needs and the performance specification of the carpet.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, W. Va. Code §18-2-5 and §18-9E-3.

1.3. Filing Date. --

1.4. Effective Date. --

§126-173-2. Program Regulation.

2.1. When floor covering is utilized in any public school building in compliance with Policy 6200, it is highly recommended that carpeting be restricted to the following areas: in classrooms for grades K-2, computer labs, libraries/media centers, teachers' lounges, auditorium aisles and walkways, music rehearsal rooms, and administrative offices (not to include waiting areas, hallways, storage rooms, restrooms, and work areas).

2.2. If the use of carpeting is proposed in an existing and/or new facility, documentation must be provided to the School Building Authority and the West Virginia Department of Education by the local education agency and/or its architect that such use will enhance the effectiveness of the teaching environment.

2.3. When carpeting is in use in any new or existing school facility, custodial staff for that facility will receive instruction on maintenance of the carpet and on the manufacturer's/industry's recommended frequency and methods of care.

2.4. All carpet must meet federal, state, and local regulatory requirements for school applications. The carpet specified and carpet installation must meet industry standards including, but not limited to, off gas release, the reduction of microbial growth, and must be specifically designed and endorsed for this application.

FISCAL NOTE WORKSHEET

(Submit 4 Copies)

HD NO _____ DRAFT NO _____ BILL NO _____ H. B. 6201 _____ RESOLUTION NO _____

SUBJECT Carpet in Public Schools FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

COST OF ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$	\$	\$	\$	\$
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

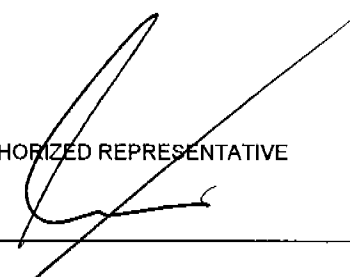
3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

Assumptions:

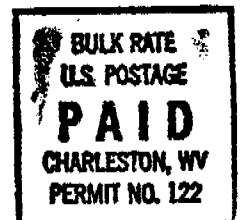
No cost to state.

DATE
June 1, 1999

AGENCY
Education

AUTHORIZED REPRESENTATIVE


WEST VIRGINIA DEPARTMENT OF EDUCATION
SCHOOL TRANSPORTATION AND FACILITIES
1900 KANAWHA BLVD, BLDG 6, ROOM 215
CHARLESTON, WV 25305



BOARD PRESIDENT *
ROANE COUNTY SCHOOL
P.O. BOX 609
SPENCER WV 25276 0609

**COMMENT SHEET
CARPET IN PUBLIC SCHOOLS
(POLICY 6201)**

Directions: Please use this form when commenting on the proposed policy and regulations on Carpet in Public Schools.

NAME OF INDIVIDUAL/ORGANIZATION Rowan Co. Schools

ADDRESS 108 Chapman Ave. Spencer, WV 25876

Section 2.1	<i>Carpet in K-2 classrooms should not be permitted in wet areas and possibly entrances.</i>
Section 2.2	
Section 2.3	
Section 2.4	

Return before July 12, 1999 to:

**Bill Elswick, Coordinator
West Virginia Department of Education
Office of School Transportation and Facilities
1900 Kanawha Blvd, Bldg. 6, Room 215
Charleston, WV 25305-0330
FAX: 304-558-8867
email: cwelsh@access.k12.wv.us**