

To create and maintain a safe environment in its buildings and to comply with the state and federal laws and regulations that govern asbestos management in schools, the Director of Facilities and Maintenance shall serve as the District's designated Asbestos Management Coordinator. The Coordinator shall be appropriately trained in his/her duties related to the management of asbestos in the schools. The Coordinator has primary responsibility for ensuring that the District complies with the federal Asbestos Hazard Emergency Response Act (AHERA) and related state laws and regulations.

The District shall annually notify the Department of Health Services of the name and contact information of the District's designated Asbestos Management Coordinator.

The District will not discharge any employee or take other retaliatory adverse employment action with respect to the employee's compensation or other terms and conditions of employment because the employee has, in good faith, brought to the attention of the public information concerning any asbestos problem in school facilities.

School District Responsibilities

The District asbestos-related obligations under state and federal law include, but are not limited to, the following:

1. Develop, maintain, and update an Asbestos Management Plan covering each school facility, and retain a current copy of the District-wide plan at the District Office and a copy of the plan for each school facility at the applicable facility.
 - a. These plans document the location of asbestos (if any) within each facility, identify recommended asbestos response actions (e.g., abatement or management), and document any action taken to repair or remove asbestos or asbestos-containing material.
 - b. The District is required to maintain a variety of records and documentation for inclusion in the Asbestos Management Plan.
2. Provide annual notice regarding the availability of the District's asbestos management plans. This notice is to be provided to parent and employee organizations, or, in the absence of any such organization(s), to the members of the relevant group.
3. At least once each school year, ensure that workers, students, and other building occupants (or their parents/legal guardians) are informed about asbestos-related inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.
4. Perform an original inspection to determine whether asbestos-containing materials are present in any school facility (including leased and temporary facilities) and then re-inspect asbestos-containing material in each building (if any) every three (3) years.
5. Perform periodic surveillance of known or suspected asbestos-containing building materials.
6. Ensure that trained and licensed individuals perform all inspections and response actions.
7. Comply with applicable regulations concerning the disposal or transportation of asbestos and asbestos-containing materials.

8. Provide the District's maintenance and custodial staff with asbestos-awareness training and such other training as may be required or appropriate for specific roles.

Legal References:

Wisconsin Statutes

Section 118.075	[indoor environmental quality in schools; local plan required]
Section 121.02(1)(i)	[school district standard for safe and healthful facilities]
Chapter 254, Subchapter II	[toxic substances under state law, including asbestos]
Section 254.20	[state certification card required to perform any asbestos abatement activity or asbestos management activity]
Section 254.21	[requirement for Department of Health Services to regulate asbestos management and asbestos abatement in schools]

Wisconsin Administrative Code

Chapter DHS 159	[certification and training course requirements for asbestos activities]
Chapter DHS 159, Subchapter VII	[requirement of each local education agency to designate a trained asbestos coordinator]
PI 8.01(2)(i)	[regulations related to safe and healthful facilities; plan, inspection, and district-wide coordinator mandates are specified]

Federal Law

20 U.S.C. § 4011 et seq.	[asbestos hazard abatement in schools; technical and financial assistance program (<i>no recent funding</i>)]
15 U.S.C. § 2641 et seq.	[federal Asbestos Hazard Emergency Response Act (AHERA)]
40 C.F.R. Part 763 Subpart E	[federal AHERA regulations; local asbestos management plan, training, notice, and documentation requirements]
40 C.F.R. Part 763 Subpart G	[federal regulations covering asbestos worker protection]

Cross References:

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