

# IAQ & The Law

## Mold in Schools: Ready for Network TV

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Schools have long been a source of controversy when it comes to mold and other indoor contaminants. Our children spend as much time in the classroom as they do at home, often sealed in stale portables or in buildings with huge leaking problems or building with air conditioning systems that do not work at proper efficiencies. School boards lack the funding to build new schools, particularly in growing areas of the country, let alone repair leaks rapidly and spend significant sums in curing past ills.

Recently, a grand jury in Broward County, Fla., reported on conditions in county schools after a lengthy investigation. While exploring the grand jury's report, I could not help but think of my favorite television show. Is mold a crime? It's hard to say, but it may be as interesting as stories of murder in Central Park.

The following story is fictional and does not represent any particular person or event. This is my proposed teleplay for a new pilot television series, *Law and Odor*.

**Voiceover:** In the health protection system, there are two separate but equally important groups: the health department officers who investigate sick buildings and the grand jury who nails the offenders. This is their story (ripped from the headlines, of course).

**Music:** Dunnh, dunnh.

*[A high school in Bonaparte County in south Florida. Two students are walking down a hallway and talking to each other.]*

**Dante:** Hey, man. Wassup?

**Josh:** Gonna catch a movie with Ricki tonight.

**Dante:** She's fine. Hey, what's that?

*[Dante and Josh walk over to a spot between two banks of lockers.]*

**Josh:** Oh, man! Call someone. Quick!

*[The two boys are sitting on the floor of the hallway 45 minutes later. Josh is resting his head on his hands. Two men walk up and flash badges.]*

**Lenny Borescope:** Borescope of County Health. This is Ed. Ed Greenmold. What's the story, boys?

**Josh:** It's. It's black mold – there on the wall.

**Ed Greenmold:** We know. We're from County Health. We're from the Fungicide Squad.

**Borescope:** Tell us what you know. Have you seen any water? How 'bout a roof leak?

**Dante:** Man, this school leaks like the football team after a keg party. Roof, walls, hey even the lockers leak.

**Greenmold:** So, anyone ever report this to the proper authorities?

**Josh:** I told Mr. Spore. He's the principal.

**Borescope:** That's Albert G. Spore?

**Josh:** Yeah, that's him.

**Dante:** And my mom, she called someone at the School District. She even sent off an e-mail or two.

**Greenmold:** And what did they do?

**Dante:** Nothin'. Absolutely nothin'.

**Music:** Dunnh, dunnh.

*[The office of Principal Albert G. Spore. Borescope and Greenmold flash their badges.]*

**Principal Spore:** Gentlemen. What brings the Fungicide Squad out to Claude Kirk High School?

**Borescope:** Fungus. That's why they sent the Fungicide Squad. If you had gambling in the locker room, they would have called Vice.

**Greenmold:** Yeah, but Lenny would have put a quick five spot on the Gators. So, Al, what's with the leaks. This is a new school.

**Principal:** I know. I know. The building has leaked since day one. It's the system, low bid, low cost, high tide on the inside. But, I reported it to the Chief of Facilities every time.

**Borescope:** So that's it. Fill in a reporting form. And you're off the hook.

**Principal:** Hey, I've got a budget to keep. It's tough enough to buy buckets to catch the leaks.

**Greenmold:** So instead, kids and teachers get sick?

**Principal:** There's no proof anyone gets sick from mold!

**Borescope:** Yeah, and the moon is made from Roquefort.

**Music:** Dunnh, dunnh.  
*[The office of Stank, the superintendent of schools. Borescope and Greenmold enter.]*

**Superintendent Stank:** What can I do for the fine representatives of the Health Department?

**Greenmold:** You can stop making kids sick, for one.

**Superintendent:** Now, now. Mold is everywhere.

**Borescope:** Yeah, but a big chunk of it seems to be at Claude Kirk High School.

**Superintendent:** Claude Kirk is not unique; we have *lots* of schools with mold! ...Um, let me rephrase...

**Borescope:** No need, Superintendent. You'll have your chance to explain to the grand jury.

**Music:** Dunnh, dunnh.  
*[The grand jury room at the Bonaparte County Courthouse. The grand jury sits in a wood-paneled area. The district attorney, Jack Microscope, stands in front of the witness box. Superintendent Stank sits in the witness box, nervously loosening his tie.]*

**Jack Microscope:** So, Superintendent Stank. You told agents Borescope and Greenmold that lots of Bonaparte County schools have mold. Is that true?

**Superintendent:** Er, well I tried to explain.

**Microscope:** It's a yes or no question, Superintendent.

**Superintendent:** Well, er, yes, I said that, but –

**Microscope:** Now, Superintendent Stank, I have provided the grand jury with the punch lists from several county schools. Let's take a look at Everglades Aquifer Middle School. Why, Superintendent, the punch list is 456 pages!

**Superintendent:** Yes, Mr. Microscope, we had some problems in the mid 1990s. We have dramatically reduced our construction problems since then.

**Microscope:** Well, let's see if that is the case, Mr. Stank. *[He pulls out a stack of documents from his trial case and slaps them down on the D.A.'s table.]* The school district now has several prototype designs, is that correct?

**Superintendent:** Yes, we can reduce costs by repetition, and we learn from each one we build.

**Microscope:** In other words, you make mistakes in some buildings and hope you figure it out by the time you get to the last one? Withdrawn. I have here the list of remediation costs for each of the new prototypes constructed in 1998 and 1999. Mr. Stank, the average cost to fix leaks and remove mold from each of the Creekside model schools is \$2 million! The reports also reveal that many projects were started without final plans and that teachers and students were moved in before they were complete.

**Superintendent:** Mr. Microscope, the student population in Bonaparte County is increasing by an average of 6,000 students per year. We do not have the money to keep up with adding new schools with the same quality as they build a Ritz.

**Microscope:** Yet you budgeted \$44 million for mold remediation in 1999. Would it not have been less expensive for the already overburdened taxpayers of Bonaparte County to build the schools right in the first place or, at least, to fix the leaks before mold became an issue?

**Superintendent:** We hired consultants to assay more than 100 schools and determine what we needed to do to remove the mold, fix the leaks and try to do better at solving problems earlier.

**Microscope:** Thank you, Superintendent. I believe that the grand jury has heard enough from you. I'd like to call School District Commissioner Elaine Lane. *[A tall, blonde woman wearing an expensive business suit takes the stand and is sworn in by the bailiff.]* Ms. Lane, how long have you served on the school board?

**Lane:** Almost 10 years since I was first elected by the fine, upstanding citizens of Bonaparte County.

**Microscope:** So, you've approved many schools to be built.

**Lane:** Yes, Mr. Microscope, more than 250.

**Microscope:** And how many of those schools have developed mold problems?

**Lane:** About 150.

**Microscope:** So, Commissioner, almost 60 percent of the schools constructed on your watch have mold problems. If you were a builder, and 60 percent of your houses had mold problems, I dare say that you'd be out of business.

**Lane:** That's quite unfair; we are not a profit-making enterprise.

**Microscope:** That's clear, Ms. Lane. Is there not a design review process?

**Lane:** Yes, but they are lay persons appointed by the commissioners. They are not there to review plans or construction procedures.

**Microscope:** Thank you, Commissioner. I'd like to call next, Little Sally Sulking, a student at Everglades Aquifer Middle School.

**Sally Sulking:** Hi, Mr. Microscope. I'm a little nervous.

**Microscope:** Nothing to be nervous about, Sally. Just tell us what you've experienced at Everglades Aquifer Middle school.

**Sally:** Well, there were lots of leaks when the school first opened. We used to joke that we did not need to shower after phys ed; we could just walk down the hall.

**Microscope:** Sally, did you see any mold?

**Sally:** Well, I'm not a certified indoor environmentalist, but there was black, powdery stuff on the walls and ceiling tiles and on our stuff in our lockers.

**Microscope:** Did you get sick from the mold?

**Sally:** Yes, I had allergy problems at first, then sinusitis, and then hives. The allergist said that they were all due to exposure to *Aspergillus*.

**Microscope:** Now, Sally, were you an isolated case?

**Sally:** No, many of my teachers and friends also were sick or had rashes. We all knew it was sick building syndrome because we all felt better when we left school, particularly for the weekend.

**Microscope:** Thank you, Sally, for telling us your story. *[Turns to the grand jury.]* Ladies and gentlemen, you have heard the testimony of almost 80 witnesses. You have seen the reports as to the condition of our schools. You have also been provided with all of the latest research regarding the health effects of mold. We call upon you to review all of this information and report to the people of Bonaparte County as to the problems and solutions to this crisis affecting our children.

### Conclusion

Ok, so I'm not Dick Wolf, but you get the point. Mold is a problem in schools throughout the country. While attention is focused on insurance for homeowners, claims in apartment complexes and quality of home construction, the real concern may lie where our children and their educators spend up to eight hours every day.

The story you have read is a work of fiction. For a real-world account of mold in schools courtesy of the Broward County grand jury report, please visit [www.sao17.state.fl.us/grandjury2002.html](http://www.sao17.state.fl.us/grandjury2002.html).