

New Policy #59-A: Get the Lead Out of School Drinking Water Act

Beginning in the 2023-2024 school year and every subsequent school year, the School shall provide drinking water with a lead concentration level below five parts per billion in sufficient amounts to meet the drinking water needs of all students and staff.

On or before January 1, 2024, the School shall:

1. Conduct an inventory of all drinking water outlets and all outlets that are used for dispensing water for cooking or cleaning cooking and eating utensils;
2. Develop a plan for testing every water outlet inventoried under paragraph (a) above and make such plan available to the public; and
3. Provide general information on the health effects of lead contamination and additional informational resources for employees and parents if information is requested.

Before August 1, 2024, or the first day on which students will be present, the School shall:

1. Conduct testing for lead by first-draw and follow-up flush samples of a random sampling of at least twenty-five percent of remediated drinking water outlets until all remediated sources have been tested as recommended by the 2018 version of the United States Environmental Protection Agency's Training, Testing, and Taking Action program. Such testing shall be conducted and results analyzed by an entity approved by the Department of Health and Senior Services;
2. Make all test results and any lead remediation plans available on the school's website within two weeks after receiving test results; and
3. Remove and replace any drinking water coolers or drinking water outlets that the United States Environmental Protection Agency has determined are not lead-free under the federal Lead Contamination Act of 1988, as amended. The School is not required to replace drinking water outlets or water coolers that tested under the testing requirements in the United States Environmental Protection Agency's Training, Testing, and Taking Action program and have been determined to be dispensing drinking water with a lead concentration less than five parts per billion.

If testing indicates the water source is causing the contamination and until such time remediation is complete, the School shall:

1. Install a filter at each point at which the water supply enters the School;
2. Install a filter that reduces lead in drinking water on each water outlet inventoried in Section 2(a) above to ensure lead concentrations are below five parts per billion; or
3. Provide purified water at each water outlet inventories in Section 2(a) above.

If testing indicates that the internal building piping is causing the contamination and until such time remediation is complete, the School shall:

1. Install a filter at each point at which the water supply enters the School; or

2. Install a filter that reduces lead in drinking water on each water outlet inventoried in Section 2(a) above to ensure lead concentrations are below five parts per billion.

Any pipe, solder, fitting, or fixture replaced as part of remediation shall be lead free, as such term is defined in 40 CFR 143.12, as amended.

If test results show lead concentration that exceeds five parts per billion, the School shall provide written notification to staff within seven business days of receiving such test result. The written notification shall include:

1. The test results and a summary that explains the results;
2. A description of remedial steps taken; and
3. A description of general health effects of lead contamination and community specific resources.

If test results show lead concentration that exceeds five parts per billion, the School shall also provide bottled water if there is not enough water to meet the drinking water needs of students, teachers, and staff.

The School shall test for lead annually, however, if the School tests and does not find a drinking water source with a lead concentration above 5 parts per billion, the School is only required to test every five years.