



July 6, 2007

Dr. Judith Monroe
State Health Commissioner
Indiana State Department of Health
2 N. Meridian St.
Indianapolis, IN 46204

Dear Dr. Monroe:

One of the objectives contained in Indiana's State Asthma Plan is the revision of what is known as the "Sanitary Schoolhouse Rule," to address environmental hazards for asthma in the location, construction, management and renovation and repair of school buildings or facilities. To that end, the Environmental Quality workgroup of the Indiana Joint Asthma Coalition (InJAC) has reviewed 410 IAC 6-5.1 School Buildings and School Sites; Health and Safety Requirements and prepared recommendations for your agency's consideration.

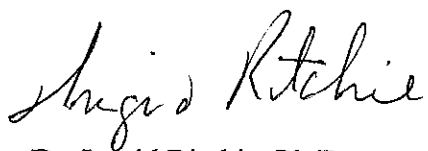
We understand the rule was adopted in 1985, and has had no substantive review and update since that time. According to the U.S. Environmental Protection Agency, "Fifty-five million Americans (53 million children) spend their days in approximately 118,000 public and private primary and secondary schools. In order to reduce overcrowding, account for class size reduction mandates and keep pace with surging population growth, 6000 new schools will need to be built by 2007. To meet these demands, school districts will spend billions of dollars to build or renovate schools. How these schools are designed will affect the quality of the buildings, decades of operational expenses, and, most importantly, the health and productivity of generations of students and staff."

We urge you to direct your staff to move ahead with this important rulemaking promptly and to incorporate the enclosed suggestions made by InJAC's Environmental Quality workgroup. There are many ways the rule could be brought up to date and improved to provide a healthier, more comfortable learning environment for Indiana's children. And, as you know, asthma is the leading cause of missed school days for our children.

As Chair and Co-Chair of InJAC's Environmental Quality workgroup, we look forward to reviewing a draft revised rule and providing further comment as appropriate. Members of the Environmental workgroup would be pleased to meet with you or your staff to discuss their recommendations, and if you decide to convene a stakeholder group or roundtable to discuss changes to the rule, we ask that InJAC be included.

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Thank you very much,



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Enc.

c Terry Whitson
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Rule 5.1. School Buildings and School Sites; Health and Safety Requirements

410 IAC 6-5.1-1 Definitions

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 1. As used in 410 IAC 6-5.1:

“Approved” means approved by the state board in all instances where not otherwise specified.

“Classroom” is any place or area within a school in which students are instructed.

“Dormitory” is any place, area, room, or building occupied and provided by the school for student housing.

“Food service” is any place, area, or room within a school building or dormitory where food is routinely prepared and served.

“Grade or grade level” is the finished ground level at the face of the exterior walls.

“Local health officer” means the health officer of any county or local health department, or his duly authorized representatives.

“Occupant” means any student, employee, visitor or contractor present in a school building.

“Person” means an individual, partnership, co-partnership, firm, company, association, society, holding company, trustee, school corporation, school city, school town, school district, any consolidated unit of government, or any other legal entity, its or their successors or assigns, or agent of any of the aforesaid.

“School” is any place, or structure in which systematic instruction of any kind or grade is carried on for more than 10 persons for five hours or more per week or two and one-half hours or more per day, including preschools, kindergartens; elementary and secondary schools providing instruction to meet the compulsory attendance law pursuant to IC 20-8.1-3-17 [IC 20-8.1 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]; colleges, universities and other post-secondary educational institutions.

The following shall not be considered to be educational institutions subject to the provisions of 410 IAC 6-5.1:

(1) Sunday schools and Vacation Bible schools, and any other program of a religious entity except those that are accredited by the Indiana state department of education; or

(2) day care centers subject to the provisions of IC 12-3-2 [IC 12-3 was repealed by P.L.2-1992, SECTION 897, effective July 1, 1992.]; or

(3) private residences; or

(4) any educational institutional [sic.] or educational training that is:

(A) maintained or given by an employer or group of employers, without charge, for his or their employees or for persons they anticipate employing; or

(B) maintained or given by a labor organization, without charge, for its or their members or apprentices; or

(C) offers exclusively instruction which is clearly self-improvement, motivational or avocational in intent (including, but not limited to instruction in dance, religion, music, self defense or private tutoring).

(5) any private religious school except those that are accredited by the state department of education.

“School building or facility” is any structure used in connection with the operation of schools, including the site therefor, the equipment thereof, and all appurtenances thereto, such as heating, ventilation, water supply, sewage disposal, plumbing, drainage, lighting, walks, drives, playgrounds, athletic fields, and other necessary structures and improvements used in connection therewith.

“School site” is a plot of ground or property set apart for the use of a school.

“State board” means the state board of health.

“State health commissioner” means the commissioner of the Indiana state board of health or his duly authorized representatives.

“Swimming pool” is any structure, basin, chamber, or tank containing a body of water for swimming, diving, or recreational bathing, including its appurtenances. (Indiana State Department of Health; 410 IAC 6-5.1-1; filed Jan 18, 1985, 10:02 am: 8 IR 596; filed May 20, 1986, 4:00 pm: 9 IR 2687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-2 Administration of regulations

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 2. 410 IAC 6-5.1 shall be administered by the state board through the state health commissioner. (Indiana State Department of Health; 410 IAC 6-5.1-2; filed Jan 18, 1985, 10:02 am: 8 IR 597; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-3 Notice of construction or modification

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 3. (a) 410 IAC 6-5.1 shall apply to every school building, including every existing building or portion of an existing building, devoted to school use.

(b) Any person or persons planning construction, addition to, or significant change in the construction of any school facility, shall prior to the initiation of any such construction, submit detailed plans and specifications, drawn to scale, to the state board for review and approval. These plans and specifications must be certified by a registered engineer or architect licensed to practice in the state of Indiana.

(c) Plans and specifications for construction or modification of sewage treatment and disposal facilities shall be in accordance with "Recommended Standards for Wastewater Facilities" (Ten States Standards), most recent edition, published by the Health Education Services Division, www.hes.org; and shall be submitted to the stream pollution control board for review and issuance of a construction permit prior to construction.

(d) If, after having been approved by the state board, the plans or specifications are changed in any respect covered by 410 IAC 6-5.1, such revised plans or specifications shall be submitted to the state board and approval obtained prior to implementation of the revisions in the project.

(e) Plans and specifications for school buildings and parts of buildings used for school purposes shall comply with all applicable requirements of this rule and the Indiana building rules pursuant to 675 IAC 1-1-1 through 3 [675 IAC 1-1 was repealed, filed Apr 11, 1985, 12:11 pm: 8 IR 1010. See 675 IAC 12.J.

(f) The owner or his authorized agent shall also comply with all local laws, ordinances, rules, and regulations. (*Indiana State Department of Health; 410 IAC 6-5.1-3; filed Jan 18, 1985, 10:02 am: 8 IR 597; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

(g) A Phase 1 Environmental Site Assessment (using ASTM Standard Practice E1527-00) must be completed prior to the approval of architectural plans for construction projects for new buildings, building extensions, or building replacements.

410 IAC 6-5.1-4 Site

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 4. The school site shall be so located, constructed and maintained to protect the health and safety of the occupants and shall provide accessibility for the physically handicapped.

(a) All school sites, including additions to existing school sites, and sites formerly utilized for school purposes shall be approved by the state board prior to use or reuse of a building constructed thereon for school purposes. Approval of the school site may be obtained prior to submittal of construction plans for the school building or prior to acquisition of the site.

(b) Sufficient level acreage shall be available to accommodate the building, any planned expansion, its approaches, and its play area. Where a private water supply or private sewage disposal system must be used, additional acreage may be required in order to provide minimum separation distances, and to accommodate planned expansion.

(c) School sites shall be free from any hazards or nuisances.

(1) No school site, school building, or addition to a school building shall be located nearer than 500 feet to any unhealthful condition that adversely affects the health or safety of building occupants. Nor shall any unhealthful condition be located or erected within 500 feet of any school site, school building, or school building addition. The use of incinerators or other burning of solid waste, yard waste, or any other waste material shall be prohibited on school grounds.

(2) The site or finished grade shall permit drainage of the entire area, and shall prevent pooling and excessive inflow from surrounding areas. Provisions for disposal of storm water shall be made to prevent pooling, hazards, or nuisances. Constructed ponds shall be maintained free of hazards or nuisances.

(3) Suitable all-weather surfaced walks and driveways shall be provided from the street or highway for access to school entrances, school bus loading areas and parking areas; for delivery of fuel and supplies; and for the removal of ashes, refuse, grease, sludge, seepage, etc.

(4) Loading and unloading areas for school buses and private vehicles shall be located off highways or streets, at least 100 feet from fresh air intakes, and separate from playgrounds to assure maximum safety for the occupants.

(5) Idling for longer than five minutes is prohibited by school buses, delivery vehicles and private vehicles in loading and unloading areas. Loading docks, delivery areas and student drop off/pick up areas must be posted with visible signs prohibiting engine idling.

(6) Ample space for parking shall be provided and so arranged that it will not interfere with regular traffic on the driveways or walkways.

~~(6)~~ **(7)** A safe sight distance shall be maintained at all vehicle exits and entrances to and from the school site onto public roads, streets, highways, or thoroughfares.

~~(7)~~ **(8)** Where a public water supply system is not available and adequate groundwater for potable use is not assured without detailed subsurface investigation, such investigation must be made to determine the availability of adequate groundwater, prior to site acquisition.

~~(8)~~ **(9)** Where an approved public sewer system is not available, an acceptable alternative means for sewage disposal must be determined prior to site acquisition. **An Engineering Report shall be prepared in accordance with Chapter 10 of the Ten States Standards previously referenced herein.**

(10) The use of lead-based paint or coatings shall be prohibited on all playground equipment.

(11) The use of chemically treated wood shall be prohibited on all playground equipment.

(Indiana State Department of Health; 410 IAC 6-5.1-4; filed Jan 18, 1985, 10:02 am: 8 IR 597; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-5 Physical facilities

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 5. (a) All school buildings or parts thereof used for school purposes shall be located, constructed, and maintained to protect the health and safety of the **occupants**, and shall include provisions for the physically handicapped.

(b) All school buildings or parts thereof used for school purposes shall at all times be maintained in a clean, safe and sanitary condition and be in a good state of repair.

(c) For school buildings or portions thereof constructed after the effective date of this rule, school buildings shall be constructed with a low-slope roof, with a minimum slope of ¼ inch per square foot. Entryways shall have an overhang to prevent water from entering the building.

(d) Classrooms for preschool, kindergarten, and first or second grade students shall be part of the first story above grade, except where the building is fully sprinklered.

(e) In all classrooms, each student shall be provided with no less than 30 square feet of classroom area. The ceiling height for classrooms shall not be less than 7½ feet.

(f) All interior surfaces in school buildings shall be **well-maintained**, easily cleanable and of non-toxic, durable construction. **The use of lead-based paint or coatings shall be prohibited on all surfaces. Wallpaper or other wall coverings requiring adhesives shall not be used.**

(g) Each floor of a school building shall have adequate space provided for storage of cleaning equipment **and supplies**.

~~(f)~~ **(h)** All portions of school buildings or parts thereof used for school purposes shall be provided with natural light by means of exterior glazed openings with an area not less than one-tenth of the total floor area, or shall be provided with artificial light. Windows shall be provided on only one side of each classroom.

(1) In all school buildings utilizing electrical light fixtures, the following average minimum levels of illumination (with variation in uniformity not to exceed two to one) shall apply:

- Classrooms, laboratories, study halls, lecture rooms, art rooms, offices, libraries, and shops..... 50 foot candles
- Drafting rooms, typing rooms, sewing rooms, and those portions of rooms where detail work
is to be done 70 foot candles
- Reception rooms, gymnasiums, cafeterias, food service areas*, and indoor swimming pools 20 foot candles
- * (410 IAC 7-15.1 [410 IAC 7-15.1 was repealed filed Mar 30, 2000, 3:51 p.m.: 23 IR 1984.] requires that certain portions of food service areas be lighted in excess of 20 foot candles.)
- Auditoriums**, shower/locker rooms, inside restrooms, corridors, store rooms, service areas
and stairways 10 foot candles

** (If used as a classroom, study hall or lecture room, auditoriums shall be provided with a minimum of 50 foot

candles of light.)

(2) For the purposes of item (1) above, all light intensity measurements shall be at the level of work, or in rooms where no work is done, at a height of 30 inches above the floor.

(3) All classroom lighting shall be constructed to minimize direct glare.

~~(g)~~ **(i)** All light fixtures located in occupant areas shall be shielded to protect the occupants from injury due to bulb breakage.

~~(h)~~ **(j)** The exterior windows in classrooms shall be equipped with blinds, window shades of translucent material, or other approved means to control natural light All materials shall be well-maintained, cleanable or washable and lead free.

~~(i)~~ **(k)** In student areas, windows having sills 30 inches or less from the floor shall be provided with approved safety glass or with protective devices installed on the interior of the room.

~~(j)~~ **(l)** All portions of school buildings or parts thereof used for school purposes shall be provided with natural ventilation by means of operable exterior windows with an area of not less than one-twentieth of the total floor area or shall be provided with a mechanically operated ventilating system. The mechanically operated ventilating system shall supply a minimum of five cubic feet per minute of outside air, with a total circulation of not less than 15 cubic feet per minute per occupant of outside air in all portions of the building. Each such ventilating system shall be in operation at least one hour before a room it serves is occupied and kept continuously in operation whenever a room it serves is occupied. HVAC system will discharge directly into each classroom; ceiling spaces or corridors shall not be used as supply or return air plenums.

(1) Ventilation shall be sufficient to provide adequate oxygen, a character of freshness in the air and to remove exhaled air and undesirable odors during periods of occupancy.

(2) Assembly rooms, auditoriums, gymnasiums, dressing rooms, interior restrooms, laboratories, shops, and other areas where toxic or otherwise objectionable odors are produced, shall be mechanically exhausted to the outside a minimum of at least 25 feet from any fresh air intake to prevent re-entrainment of exhaust into the building.

(3) Classrooms with exterior windows shall have at least one-half of openings fully operable.

(4) All portions of the school building shall have carbon dioxide levels no greater than 700 ppm above the ambient outside level.

(5) All portions of the school building shall have relative humidity levels between 40% and 60%.

(6) The mechanically operated ventilating system shall be maintained in accordance with the American Society of Heating, Ventilating, and Air Conditioning Engineers Standard 62.1-200, www.ashrae.org, entitled "Ventilation for Acceptable Indoor Air Quality."

(i) Filters shall be changed according to filter manufacturer's recommended guidelines.

(ii) The mechanically operated ventilating system equipment shall be designed to allow for ample access to filter, drip pans, coils and humidifiers for cleaning and maintenance.

(iii) The mechanically operated ventilating system fresh air intakes shall not be placed within 25 feet of potential sources of air contaminants. Intakes shall be located and maintained to minimize the potential for air blockage and intake of any potential sources of air contaminants, including sewer vents, exhaust air from the school, loading and unloading areas, boiler or generator exhausts, garbage receptacles, ponding water, birds and waste products.

(7) Health clinics and nurses stations that receive and provide resting areas for ill students shall not recirculate air into other portions of the building.

~~(k)~~ (m) Each school shall develop and implement an indoor air quality plan consistent with the Environmental Protection Agency's Indoor Air Quality Design Tools for Schools, www.epa.gov/iaq/schooldesign/, or other similar guidelines. The plan shall be maintained on school property and shall be available upon request. The plan shall include prompt reporting and repairs and at least the following elements:

(1) A preventive maintenance plan for the HVAC system that includes at least an annual inspection of the mechanically operated ventilating system: air intakes, returns, filters, condensate drip pans, coils, humidifiers and ductwork for debris, mold or other sources of pollution.

(2) A mold and moisture prevention plan that includes at least an annual inspection of plumbing systems, ceiling tiles, roofs, foundations and overflows.

(3) An integrated pest management plan that follows the Indiana Pesticide Review Board's Indiana Pest Control Policy Recommendations, www.entm.purdue.edu/entomology/outreach/schoolipm/indiana_page.html, or similar guidelines that includes at least an annual inspection of structural components for possible pest infestation and the building's overall cleanliness. Notice to school employees and parents shall be given at least one day in advance of planned pesticide, insecticide and herbicide applications.

(4) An indoor air quality complaint reporting and resolution procedure.

(n) The building plans must include a passive radon mitigation system if the property is in an area of moderate or high radon potential based on the Environmental Protection Agency Map of Radon Zones for Indiana. If elevated levels are found in post-construction the passive system shall be activated.

(k) **(q)** All school buildings or parts **thereof** used for school purposes shall be equipped with heating facilities with capacity sufficient to maintain a uniform temperature in all **occupied** areas under severest weather conditions. Portable space heaters are prohibited.

(l) **(p)** Heating facilities shall be capable of, and shall be operated to maintain a temperature during periods of occupancy, not less than 68° F. in all instructional rooms, offices, locker rooms, and cafeterias, not less than 65° F. in activity rooms and shops, and not less than 60° F. in interior toilet rooms.

(2) Heating facilities shall be constructed in such a manner that drafts and uneven heating are minimized.

(3) Pipes, ducts, and radiators containing steam, or hot water and located shall be shielded to protect occupants from injury.

~~(4) Heating facilities shall be constructed, operated and maintained for the efficient consumption and utilization of energy.~~

(4) Heating and cooling vents shall be free of obstructions and blockages.

(i) **(q)** Where provided, air-conditioning systems shall be capable of and shall be operated to maintain a temperature not to exceed 78° F. and **60** percent relative humidity during periods of occupancy.

(m) **(r)** The building electrical systems shall comply with the applicable requirements of the Indiana electrical rules (675 IAC 6-1-1 through 2 [*675 IAC 6 was repealed, filed Apr 9, 1985, 2:42 pm: 8 IR 1012. See 675 IAC 17.J*]), **and the National Electric Code, most recent edition.**

(1) The building electrical systems shall be sufficient to meet peak electrical demands. ~~and shall be maintained for the efficient consumption and utilization of energy.~~

(2) Classrooms shall be provided with electrical receptacles, located as required for connection of semi-permanent or often used equipment.

(3) All electrical receptacles and switches accessible to the **occupants** shall be shielded to prevent accidental shock. All electrical wiring accessible to the **occupants** shall be protected to prevent electric shock.

(4) In all restrooms and shower/locker rooms constructed after the effective date of 410 IAC 6-5.1, electrical receptacles provided for connection of personal grooming equipment shall be provided with ground fault circuit interrupters to prevent electric shock.

(n) **(s)** All furniture and equipment used in any school building or a part of a building used for school purposes shall be durable and easily cleanable, with rounded corners and edges, **coated with non-lead containing paints or coatings**, and otherwise protected to ensure safety. Heights of **students** furniture and equipment shall be based on the size of students using them.

(t) All flooring surfaces constructed or renovated after the effective date 410 IAC 6-5.1 shall have uncarpeted floors.

~~(e)~~ **(u)** All primary and secondary school buildings or parts thereof used for school purposes shall provide storage for the clothing and belongings of each student and lockers, hanger bars, or hooks shall be provided at the ratio of one for each student. Heights of lockers, hanger bars, hooks, and shelves shall be based on the size of students using them. Where provided, lockers shall set [*sic.*] upon closed front bases. **All primary and secondary school buildings or parts thereof used for school purposes shall provide lockable storage for the clothing and belongings of each teacher.**

~~(p)~~ **(v)** Drinking water facilities shall be provided in all school buildings or parts thereof used for school purposes.

(1) The temperature of the water supplied for drinking purposes shall not be lower than 40° F. nor higher than 75° F.

(2) Drinking water facilities shall be provided at the ratio of one for each 75 students or fraction thereof.

(3) Drinking water facilities shall be constructed of impervious, easily cleanable materials, and shall be kept clean and in a good state of repair. Heights of drinking water facilities shall be based on the size of students using them.

(4) Drinking water facilities shall not be located in toilet rooms.

(5) Drinking fountains, where provided, shall be convenient to primary rooms, gymnasiums, playgrounds, and shops, but may be located to serve the greatest number of students; at least one conveniently located drinking fountain shall be provided on each floor having classrooms.

(6) Drinking fountains, where provided, shall have a sanitary type guarded angle-stream jet head and an adjustable flow regulator. The outlet shall not be below the flood rim of the fixture.

~~(e)~~ **(w)** Service sinks or similar facilities shall be provided in all school buildings or parts thereof used for school purposes.

(1) There shall be provided a minimum of one service sink or similar facility on each floor of the building, located near the storage space for cleaning equipment.

(2) Both hot and cold running water under pressure shall be available at each service sink.

(3) All service sinks or similar facilities shall be protected against back-siphonage.

(*) **(x)** Provisions shall be made in all schools so that health examinations, screening tests, and first-aid service can be conducted to protect the health and safety of the **occupants**.

(1) Space shall be provided for one cot for each 300 students in the school. Cots shall be constructed of cleanable material and shall be disinfected after each use. Linens, pillows, and blankets, where provided, shall be washed after each use and stored in a manner to prevent contamination.

(2) As a minimum, a first-aid kit consisting of 48 one-inch by three-inch plastic adhesive bandages, 10 ammonia inhalants, 20 PVP swabs, four two-inch offset bandages, one 40-inch triangular bandage, six one-eighth ounce burn ointments, one four-inch offset bandage, one one ounce eye wash, ten stingkill swabs, one cold pak, and eight knucklebands, shall be provided in a readily accessible location.

(3) Restroom and handwashing facilities shall be located convenient to the cot space.

(*) **(v)** Each school building or parts thereof used for school purposes shall be provided with restroom and sanitary facilities.

Restrooms and sanitary facilities shall be kept in a clean condition, in good repair, well lighted and adequately ventilated. In cases where privies are provided, they shall be of the sanitary vault-type, constructed and operated in compliance with the standards of the state board. **All potable water facilities shall comply with the standards of the American Water Works Association.**

(1) There shall be separate, readily accessible general-student-use restrooms for each sex. Restrooms shall not be more than 200 feet travel distance from any classroom for which they are provided. In all school buildings constructed or first utilized after the effective date of 410 IAC 6-5.1, interior restrooms, where provided for primary and secondary students, shall be located on each floor having classrooms. Restrooms adjoining and opening into preschool through second grade classrooms may be used by both sexes, **but only by one student at a time.**

(2) Separate shower/locker rooms shall be provided for each sex using a gymnasium.

(3) Separate restrooms shall be provided for school staff or a locked compartment in both boys' and girls' restrooms shall be provided for the staff. Exception: Separate restroom facilities are not required for staff in post-secondary school buildings.

(4) Restrooms shall be equipped with lavatories or other satisfactory handwashing facilities, or such equipment shall be installed in an adjacent room through which the users must pass upon egress from the restroom. In cases where privies are provided, handwashing facilities shall be provided at a location through which the users must pass upon re-entering the school building.

(5) Restroom and shower/locker room entrances shall be screened to make the interior of the room hidden from the exterior.

(6) All restroom and shower/locker room floors shall be of smooth, non-porous materials. Walls and ceilings shall be of materials presenting a smooth, non-absorbent, easily cleaned surface.

(7) All shower/locker rooms and interior restrooms shall be provided with mechanical exhaust ventilation. **Exhaust fans shall be operated during occupied hours and to maintain acceptable levels of humidity.**

(8) All exterior door openings and operable windows of restrooms and shower/locker rooms shall be fly-proof and tight-fitting.

(9) Toilet fixtures, lavatories and shower heads shall be provided for each sex in accordance with the applicable requirements of the Indiana plumbing rules (675 IAC 5-1-1 through 3 [675 IAC 5 was repealed, filed Mar 6, 1986, 3:00 pm: 9 IR 1657. See 675 IAC 16.]). The number of fixtures provided shall be based on the maximum occupancy of the school. The heights of fixtures shall be based on the size of students using them.

(10) Interior toilet fixtures shall be of the water-flushed type. Multiple seat toilets or makeshift trough arrangements shall not be provided even though they may be equipped for water flushing. All toilet fixtures shall be protected against back-siphonage.

(11) Every water closet shall have an elongated bowl with open-front seat and shall be made of impervious material. All water closets shall be partitioned as necessary to provide individual stalls. Stall partitions shall extend to a height of not less than 5 1/2 feet from the floor and the bottom shall not be more than one foot above the floor. Partitions shall be of smooth surface, impervious, easily cleanable material; wood surfaces are not acceptable. An adequate supply of toilet paper shall be provided in a dispenser at each water closet or privy.

(12) Covered disposal facilities shall be provided in the restrooms for **junior high school age fourth grade** girls and above, and in the restrooms for female staff.

(13) An adequate supply of soap and individual sanitary towels in dispensers, or other approved hand-drying devices, shall be provided convenient to all handwashing facilities. Common towels are not acceptable. If individual sanitary towels are provided, a suitable container for used towels shall also be provided.

(14) Where showers are provided, the nozzles shall be of the slanting spray-type.

(15) Body washing facilities shall be supplied with hot and cold water, under pressure. Hot water provided for body washing and handwashing facilities shall be maintained between 105° F. and 120° F. An anti-scald device shall be provided to automatically control the hot water temperature so that it cannot exceed 120° F. Either mixing-type faucets or automatic mixing devices shall be provided at each body washing facility.

(16) As a minimum, an adequate supply of cold water, under pressure, shall be provided at all handwashing facilities. Each handwashing facility provided with hot water shall have either a mixing-type faucet or an automatic mixing device.

(†) ~~(z)~~ All student housing and dormitories, where provided by the school, shall be kept in good repair and shall be maintained in a clean, safe and sanitary condition.

(1) Sleeping rooms shall be sized to provide an area of not less than 50 square feet per student. Separate sleeping areas shall be provided for each sex.

(2) Separate restroom and sanitary facilities shall be provided for each sex. Restroom and sanitary facilities shall comply with applicable sections of 410 IAC 6-5.1.

(3) Food services and related facilities shall comply with applicable sections of 410 IAC 6-5.1.

(aa) Mobile instructional units and relocatable classroom units

(1) Portable classrooms purchased after the effective date of 410 IAC 6-5.1 shall be equipped with outdoor air vents that continuously supply outdoor air during occupancy.

~~(w)~~ **(bb) Construction activities at occupied school buildings shall be conducted so as to minimize the creation or emission of dust and other pollutants. Dust and pollutants shall be minimized using best practices including:**

(1) Isolation of work areas from occupied areas, both physically and through the ventilation system;

(2) Daily cleanup of dust and debris from construction areas;

(3) Avoiding the use of high dust generating techniques such as dry scraping or sanding or high temperature heat guns.

(4) Application of sealants, adhesives, varnishes, paints, flooring and other materials that release volatile organic compounds shall be ventilated to the outside to prevent exposure to occupants.

(5) Ventilation system filters shall be monitored and maintained during and after construction activities.

(Indiana State Department of Health; 410 IAC 6-5.1-5; filed Jan 18, 1985, 10:02 am: 8 IR 598; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-6 Food services

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 6. (a) Any room or area in a school building used for the storage, preparation and serving of food, or the washing of food utensils, shall be constructed and operated in compliance with the applicable requirements of the food service rules of the state board (410 IAC 7-15.1 [410 IAC 7-15.1 was repealed filed Mar 30, 2000, 3:51 p.m.: 23 IR 1984.]).

(b) All food service equipment and utensils shall be in compliance with the applicable requirements of the food service rules of the state board (410 IAC 7-15.1 [410 IAC 7-15.1 was repealed filed Mar 30, 2000, 3:51 p.m.: 23 IR 1984.]).

(c) An adequate supply of hot and cold water, under pressure, shall be provided in all food service and related areas where food is prepared, or equipment, utensils, or containers are washed.

(d) In food services and related areas, handwashing facilities, including hot and cold water under pressure, shall be provided at locations convenient to the food preparation and utensil washing areas. Food preparation and utensil washing sinks are not acceptable as handwashing facilities for personnel. Each handwashing facility shall have either a mixing-type faucet or an automatic mixing device. Hot water must be available within a reasonable time after opening the faucets. An adequate supply of soap and individual sanitary towels in dispensers, or other approved hand-drying devices, shall be provided convenient to all handwashing facilities. Common towels are not acceptable. If individual sanitary towels are provided a suitable container for used towels shall also be provided.

(e) After the effective date of 410 IAC 6-5.1, grease traps or interceptors shall be constructed to provide access for maintenance and cleaning only from outside the building. *(Indiana State Department of Health; 410 IAC 6-5.1-6; filed Jan 18, 1985, 10:02 am: 8 IR 601; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)*

(f) Adequate exhaust ventilation shall be provided and utilized in all food service and related areas where food is prepared or equipment, utensils, or containers are washed.

(g) Food items shall be stored on metal shelves. The bottom shelf should be six to eight inches off the floor and wall

for cleaning access.

(h) Trash receptacles shall be provided in all rooms or areas in a school building used for storage, preparation and serving of food. Each receptacle shall be emptied daily.

(i) Minimize the use of pesticides to anti-microbial, termiticides used only in the presence of an active termite infestation and when non-chemical pesticide alternatives have been determined to be ineffective and pesticides classified by the USEPA as exempt materials under 40CFR within rooms and areas used for the storage preparation and serving of food, or the washing of food utensils.

410 IAC 6-5.1-7 Swimming pools

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 7. (a) All swimming pools and related facilities operated as part of a school building shall be constructed in compliance with the applicable requirements of the Indiana swimming pool rules (675 IAC 9 [675 IAC 9 was repealed, filed Jan 8, 1986, 12:04 pm: 9 IR 1028. See 675 IAC 20.]).

(b) Swimming pools and related facilities shall be operated in compliance with the applicable requirements of the swimming and wading pool operation rules of the state board (410 IAC 6-2). (*Indiana State Department of Health; 410 IAC 6-5.1-7; filed Jan 18, 1985, 10:02 am: 8 IR 601; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

410 IAC 6-5.1-8 Water supply (*Repealed*)

Sec. 8. (*Repealed by Water Pollution Control Board; filed Sep 24, 1987, 3:00 pm: 11 IR 737*)

410 IAC 6-5.1-9 Sewage disposal

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 9. (a) All sewage treatment facilities for school buildings and related facilities shall be designed, constructed and maintained in accordance with the standards of the Indiana stream pollution control board, **and the Ten States Standards previously referenced.**

(b) Where any governmental district, agency, community-type, or other public sewerage systems are available or become available within a reasonable distance from the school facility, a connection shall be made thereto and the public sewers shall be used exclusively. If a public sewerage system is not available, sewage shall be disposed of through an approved on-site sewage treatment facility.

(c) All parts of the sewer and sewage disposal or treatment system shall be located to prevent the possibility of contamination of the school water supply or the water supply of surrounding property owners. All components of the sewerage system shall be located at least 100 feet from any water supply well or buried pump suction line; however, sewers constructed of water works grade cast or ductile iron pipe having mechanical joints may be located within the 100-foot distance but not closer than 30 feet to a water supply well or buried pump suction line, with prior written approval of the state board. Exception: The separations enumerated herein shall not necessarily be considered adequate in areas where fissured stone or very permeable soils are encountered.

(d) All parts of the sewer and sewage disposal or treatment system shall be designed, constructed, and maintained to adequately transmit and dispose of daily sewage flows and peak sewage flows.

(e) Storm water or surface drainage shall not be discharged into any public or school sanitary sewer system. Water softener and filter backwash water, boiler blowdown water, and swimming pool water shall not be discharged into any sanitary sewer which drains to an on-site sewage treatment facility, without prior written approval of the state board.

(f) In all school buildings and additions to school buildings constructed after the effective date of 410 IAC 6-5.1, the following shall apply:

(1) Unless it can be documented to the satisfaction of the Indiana stream pollution control board that wastewater is generated at lesser rates, school sewage disposal systems shall be designed and constructed to treat a minimum of 15 gallons per day per elementary student and below, 25 gallons per day per secondary student and above, and 100 gallons per day per dormitory bed, based on maximum building occupancy.

(2) Sewers shall have manholes constructed at intervals of not more than 400 feet along the sewer. Manholes shall be installed at every change in size, alignment or grade of the sewer. Cleanouts the same size as the sewer, and extending to

grade, may be substituted for manholes on sewer runs of less than 100 feet; such cleanouts may also be installed at the terminus of a sewer if a manhole is located within 300 feet of the terminus.

(3) The liquid capacity of septic tanks serving schools shall be sufficient to allow for at least 48 hours detention at design flow. One or two tanks may be utilized as long as the design provides two compartments in series. Tank lengths shall be a minimum of three times the tank width, and the compartments in combination shall have a surface settling rate no greater than 30 gallons per day per square foot. A gas deflection baffle shall be provided as part of the final tank outlet.

(Indiana State Department of Health; 410 IAC 6-5.1-9; filed Jan 18, 1985, 10:02 am: 8 IR 602; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-10 Refuse disposal

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 10. (a) The township trustee, board of school commissioners, or similar school governing board shall be responsible for the satisfactory storage, collection and disposal of refuse generated in school buildings and related facilities.

(b) Refuse shall be stored in conveniently located, fly-tight, water-tight containers. Where service permits, approved hopper-type containers should be substituted for refuse cans in accordance with Sec. 5 (k)(6)(iii) of this rule.

(c) Refuse cans and containers shall be stored on racks with at least eight inches clearance off the ground, or on a concrete base, or by other approved construction. All refuse containers must be kept in a sanitary condition, and closed when not in use.

(d) The area around the refuse storage cans and containers shall be kept clean and free of litter.

(e) Refuse shall be disposed of at a permitted solid waste facility or in accordance with Rule 320 IAC 5 [Pursuant to a style standard adopted by the code revision commission on August 25, 1983, the revisor has renumbered 320 IAC 5 concerning the refuse disposal act as 330 IAC 4.].

~~(f) All incinerators for combustible refuse shall be designed, constructed and maintained in accordance with the applicable rules of the Indiana air pollution control board.~~

(g) Garbage and empty food containers shall not be placed in any incinerator constructed for the disposal of combustible refuse.

(h) All toxic or hazardous waste generated by a school facility shall be collected, stored, and disposed of in accordance with the applicable rules of the Indiana environmental management board. *(Indiana State Department of Health; 410 IAC 6-5.1-10; filed Jan 18, 1985, 10:02 am: 8 IR 603; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)*

410 IAC 6-5.1-11 Special hazards

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 11. (a) No condition shall be created in any school building that is not conducive to health and safety.

(b) No flammable, explosive, toxic, or hazardous liquids, gases, or chemicals shall be placed, stored, or used in any building or part of a building used for school purposes, except in approved quantities as necessary for use in laboratories, shops, and approved utility rooms. Such liquids, gases, or chemicals shall be kept in tightly sealed containers, and stored in safety cabinets or approved storage rooms when not in actual use, and in accordance with applicable requirements of the Indiana flammable liquids code (675 IAC 11.3 [675 IAC 11.3 was repealed, filed Aug 26, 1985, 4:01 pm: 9 IR 57, and filed Oct 16, 1985, 8:55 am: 9 IR 515. See 675 IAC 22.]).

(c) Employees and students who must use machines and equipment in shops, laboratories, and food services shall be supplied with the appropriate safety devices for personal protection.

(d) All prescription drugs dispensed to the students under a doctor's order shall be stored in a locked cabinet or room under adult supervision. All prescription drugs shall be dispensed to the students under adult supervision. *(Indiana State Department of Health; 410 IAC 6-5.1-11; filed Jan 18, 1985, 10:02 am: 8 IR 603; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)*

(1) Exception: IC 20-33-8-13. Possession and self-administration of medication permitted provides that a student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition in accordance with conditions set forth in : IC 20-33-8-13.

(e) Pets in the classroom are prohibited.

(f) Maintenance staff shall not mow grass or apply fertilizers, pesticides, herbicides or insecticides during school occupancy.

(g) Candles and other fragrance producing devices are prohibited in classrooms.

(h) Maintenance activities shall be conducted so as to minimize the creation, emission or re-entrainment of dust or other pollutants into the building.

410 IAC 6-5.1-12 School facility inspection

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 12. **(a)** The state health commissioner or local health officer is authorized to make inspections to determine the condition of school buildings and sites. The commissioner or local health officer shall have the authority to enter at reasonable times any private, public, or religious school building for the purpose of inspecting and investigating conditions relating to the enforcement of 410 IAC 6-5.1. (*Indiana State Department of Health; 410 IAC 6-5.1-12; filed Jan 18, 1985, 10:02 am: 8 IR 604; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

(b) Correspondence from the Indiana State Department of Health concerning Indoor Air Quality reports shall be disseminated to teachers and staff within 30 15 days of receipt.

(Indiana State Department of Health; 410 IAC 6-5.1-12; filed Jan 18, 1985, 10:02 am: 8 IR 604; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234)

410 IAC 6-5.1-13 Enforcement

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 13. The state health commissioner or local health officer is hereby authorized to enforce the provisions of 410 IAC 6-5.1. Ordinances, rules, regulations, and other requirements adopted by local government agencies shall not designate standards that are incompatible with or less stringent than 410 IAC 6-5.1. (*Indiana State Department of Health; 410 IAC 6-5.1-13; filed Jan 18, 1985, 10:02 am: 8 IR 604; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)

410 IAC 6-5.1-14 Severability of rule

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 14. If any section, paragraph, sentence, clause, phrase or word of 410 IAC 6-5.1, or any other part thereof, be declared invalid for any reason, the remainder of 410 IAC 6-5.1 shall not be affected thereby and shall remain in full force and effect. (*Indiana State Department of Health; 410 IAC 6-5.1-14; filed Jan 18, 1985, 10:02 am: 8 IR 604; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234*)