

School Environmental Health Regulation

Warren County Combined Health District
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Public Health
Prevent. Promote. Protect.

Purpose, Scope and Authority

Chapter 3707 of the Ohio Revised Code requires the Warren County Combined Health District to inspect school buildings at least twice each year for sanitary conditions and situations which may result in an immediate health risk. The purpose of these school inspection rules is to provide minimum standards and procedures for inspection of schools to identify conditions within the school building and grounds that may be injurious to the safety or health of students, staff, and visitors. The rules are intended to establish a consistent application of inspection standards and procedures and to provide school administrators and staff with a better understanding of safety and health issues in schools.

Table of Contents

	<u>Page</u>
Section 1 – Definitions	1
Section 2 – Responsibilities of the Board of Health	3
Section 3 – Responsibilities of the Principal, Chief Administrator, or Governing Authority of Each School	3
Section 4 – School Exterior Inspection Items	4
Section 5 – School Indoor Environments Inspections	6
Section 6 – Specialty Classroom Inspections	8
Section 7 – Administrative and Non-Classroom Area Inspections	10
Section 8 – Inspection Reports and Correction Opportunities	13
Section 9 – Administrative Appeals and Hearings	13
Section 10 – Penalties	14
Section 11 – Effective Date	14

Section 1

Definitions.

NOTE: All terms contained herein shall have ordinary dictionary meaning unless otherwise specified in this section.

(A) "Administration" means the Board of Education of each school district, governing board of each educational service center, the administration of each nonpublic school or the governing authority of each community school.

(B) "Administrator" means the school principal, chief administrator or governing authority of a school building.

(C) "Board" means the Board of Health of the Warren County Combined Health District (WCCHD) or its designee.

(D) "Director" means the director of the Ohio Department of Health and includes any authorized representative of the director.

(E) "Entanglement" means a condition in which the user's clothes, jewelry, or other items around the user's neck becomes caught or entwined on a component of playground equipment.

(F) "Use zone" means the area beneath and immediately adjacent to a play structure or equipment that is designated for unrestricted circulation around the equipment and where it is predicted that a user would land when falling from or exiting the equipment.

(G) "Gym equipment" means equipment and loose furnishings used for physical education instruction.

(H) "Highly toxic" means a substance with a Hazardous Material Identification System (HMIS) health rating of three or higher.

(I) "Local exhaust system" means an industrial ventilation system designed to capture and remove airborne contaminants at the source of emission, thereby minimizing contaminant entry into the workplace ambient air.

(J) "Material Safety Data Sheet (MSDS)" means an informational sheet provided from the manufacturer of chemicals or products containing chemicals. All Material Safety Data Sheets should contain the following information:

- (1) Chemical name and composition;
- (2) Manufacturer and distributor name and address;
- (3) Chemical and physical properties;
- (4) Health/flammability/chemical reactivity hazard ratings;
- (5) First-aid measures;

- (6) Fire fighting measures;
- (7) Accidental release/spill measures;
- (8) Proper handling and storage procedures;
- (9) Exposure limits;
- (10) Toxicological information;
- (11) Personal protective equipment; and
- (12) Disposal considerations.

(K) "Nonpublic school" means a chartered nonpublic school that meets the minimum education standards prescribed by the State Board of Education under section 3301.07 of the Revised Code. "Nonpublic school" includes facilities used for child care programs for preschool children operated by the school.

(L) "Personal Protective Equipment" means clothing or devices worn to help isolate a person from direct exposure to a hazardous material or situation. This can include protective clothing, respiratory, eye and hearing protection and gloves.

(M) "Public school" means either of the following:

- (1) A school operated by a school district, educational service center, or board of mental retardation and developmental disabilities, including facilities used for child care programs for preschool children operated by the district, center, or board; or
- (2) A community school established under Chapter 3314 of the Revised Code, including a facility operated by an internet- or computer-based community school, as defined in Section 3314.02 of the Revised Code, which is used as a classroom or laboratory for one or more students. "Public school" does not mean the residence of a student enrolled in an internet, computer-based community school, or home schooled.

(N) "Sanitarian" means a person who performs, for compensation, educational, investigational, technical or administrative duties requiring specialized knowledge and skills in the field of environmental health science and is registered with the State of Ohio as a Sanitarian or Sanitarian-in-Training.

(O) "School" means either a nonpublic school or public school as defined in this rule. School also means all buildings operated by the school and located on the school grounds. School does not mean any of the following:

- (1) A child care program for preschool children whether or not operated by a public or nonpublic school; or
- (2) A chartered kindergarten that is associated with a freestanding preschool and that is not operated by a school district, educational service center, or county board of mental retardation and developmental disabilities.

(P) "School inspection" means any environmental health, safety or sanitary inspection of a school building and associated grounds performed by a sanitarian employed by a Board of Health.

(Q) "Specialty Classroom" means classrooms for student instruction in subjects such as science, visual arts, industrial arts, and auto mechanics that may expose students to additional health hazards.

(R) "Tempered water" means water having a temperature range between eighty-five degrees Fahrenheit to one hundred ten degrees Fahrenheit.

Section 2

Responsibilities of the Board of Health.

(A) The Board of Health or its designee shall conduct school inspections in accordance with the following:

- (1) The inspection shall be conducted during regular school hours;
- (2) Inspections shall occur not less than twice per year as required in Ohio Revised Code 3707.26; and,
- (3) The Board of Health shall notify the building principal, chief administrator, or governing authority at least one week prior to the inspection if requesting a representative to accompany the Sanitarian during the inspection.

(B) Each Board of Health shall send a copy of the school inspection report within thirty days to the following individuals:

- (1) The principal, chief administrator or governing authority of the building; or,
- (2) In the case of a school operated by a school district, the superintendent or designee.

Section 3

Responsibilities of the Principal, Chief Administrator, or Governing Authority of Each School.

(A) Each school principal, chief administrator or governing authority shall cooperate with the Board of Health by providing the following:

- (1) Access to the building and grounds for the inspection at any time during the school's operation and during regular school hours;
- (2) Any records or other information the board of health considers necessary to evaluate the health and safety of the school; and,

(3) A representative of the school building or district shall accompany the sanitarian during the course of the inspection, with advance notice from the Board of Health and upon request of the Sanitarian, per Section 2(A)(3).

(B) For the purpose of receiving copies of the inspection report, the administrator of each school building shall provide to the Sanitarian, at or before the time of inspection, a list of contact names and addresses for the following:

- (1) The school principal, chief administrator or governing authority of the building; or,
- (2) In the case of a school operated by a school district, the superintendent or designee.

Section 4

School Exterior Inspection Items

(A) School grounds and building exterior inspections

(1) School grounds and building exterior

- (a) All buildings shall be in general good repair.
- (b) Vehicle use areas and pedestrian walkways shall be clearly marked.
- (c) No trip hazards in walkways shall be present and grounds should be maintained in a clean, orderly and sanitary condition with no litter or garbage.
- (d) No evidence of standing water or drainage problems on the grounds adjacent to the building that may contribute to water intrusion into the building; gutters and drainage systems shall be in good repair and maintained; walls and windows shall show no sign of water intrusion.
- (e) There shall be no contaminant sources near outside air intakes and air intakes should be protected by screens, louvers or other filtering devices.
- (f) There shall be no paint, roofing materials or other sealants or coatings applied during occupied periods without the use of exposure control methods.
- (g) The roof of a school shall be inspected by a qualified individual once a year, as determined by the school, and when otherwise deemed necessary.

(2) Playgrounds

- (a) Students shall not be allowed to use the playground during school hours without staff supervision.
- (b) All playground equipment shall be in good repair.
- (c) Surfacing in the use zones of playground equipment, specified in this rule, shall be maintained according to the chart below as follows:

-Maximum fall height and minimum compressed loose-fill surfacing depths-

<u>Material</u>	<u>Fall Height</u>	<u>Inches of Compressed Material</u>
Wood Mulch (non-CCA)	7 feet	9 inches
Wood Chips	10 feet	9 inches
Sand	4 feet	9 inches
Pea Gravel	5 feet	9 inches
Shredded Rubber	10 feet	9 inches

(d) When installing new or replacement loose-fill material over a hard surface, in a manner consistent with protective surfacing material in a playground setting, the following conditions shall be met as follows:

- (i) Immediately over the hard surface a three to six inch layer of drainage material shall be installed;
- (ii) A layer of geotextile cloth shall be placed on top of the drainage material;
- (iii) Loose fill material shall be installed over the geotextile cloth; and
- (iv) An impact attenuating mat shall be installed in high traffic areas where loose fill material displacement is likely.

(e) Surfacing other than those contained in this rule shall provide a level of protection that is equivalent or superior to those in rule 3701-54-06(A)(2)(c) and the level of protection shall be certified by an independent testing agency that meets American Society for Testing and Materials (ASTM) standards.

(f) Use zones around slides, swings and stationary equipment shall be free of obstructions and shall be of the following dimensions:

- (i) Slides at the front of the use zone for slides less than or equal to six feet shall be at least six feet, for slides greater than six feet the use zone shall be equal to the height of the slide (not required to exceed eight feet) and a six foot radius from all other parts of the slide;
- (ii) Swings - twice the height of the swings (from the surfacing material to the pivot point of the swing) in front and back and a six foot radius from the sides of the swing structure; and,
- (iii) Stationary equipment - six feet in all directions.

(g) Equipment shall not have any openings between three and one half inches and nine inches in size.

(h) Equipment components shall not have any protruding bolts or separations that could cause the entanglement of a portion or portions of the body, clothing, jewelry, or other items that may result in the strangulation or injury of the user.

(i) The school shall make available to the Sanitarian, at the time of inspection, any and all reports from inspections done of the playground, if available.

(3) Solid waste disposal areas

(a) Trash, recycling and compactor containers shall be in good repair.

(b) Trash and recycling containers shall be equipped with lids and the lids shall cover the containers when not in use.

(c) Trash, recycling, and compactor containers shall show no evidence of attracting pests.

Section 5

School Indoor Environments Inspections

(A) School indoor environments inspections

(1) All school indoor environments shall be clean, sanitary, and free of hazards.

(2) There should be a five-step or fifteen foot walk off mat at all entry points into the building. If the area cannot accommodate a fifteen foot mat, the mat shall be as long as the area will accommodate. All mats shall be cleaned and replaced as necessary.

(3) Doors shall be properly installed and maintained to fit tightly in their frame. Exterior doors shall have no cracks, gaps, or other visible openings that would allow the entry of insects or other pests into the building.

(4) Indoor environments shall be sanitary with no signs of moisture, water damage or water intrusion.

(5) There shall be no evidence of pests or obvious food sources for pests.

(6) Furniture and toys shall be cleanable, clean and in good repair.

(7) Cafeteria tables, televisions and heavy equipment that may pose a hazard by tipping or falling shall be securely anchored to a cart, wall or floor and shall be moved only by authorized personnel. Heavy furniture items shall be moved only by authorized personnel.

(8) Chemicals and cleaning products used by students in the classrooms shall be under supervision. (i.e. hand sanitizer).

(a) Material Safety Data Sheet (MSDS) for every hazardous chemical used in the school building or on school grounds for cleaning, maintenance or instruction shall be available to staff in the areas where chemicals are used and in the school office or other appropriately designated central area of the building.

(9) Walls shall have paint and plaster intact with no visible bowing or evidence of cracks or damage that hinders cleaning of the surface.

(10) Floors

(a) Floors shall be sanitary clean and dry with no tripping hazards.

(b) Carpeting and vinyl cushion tufted textile shall be sanitary clean, dry and secure to the floor and not installed in vestibules and corridors within fifteen feet of any building entrances or in areas prone to moisture accumulation or proximate to moisture sources, including but not limited to locker rooms, restrooms, and spaces adjacent to sinks.

(c) Area rugs shall be sanitary, clean and in good repair.

(11) Ceilings shall be present, intact and sanitary with no water damage, stains, suspected mold or chipping or peeling paint.

(12) Window panes and frames shall be clean, intact and properly caulked and glazed.

(13) Heating, ventilation and air conditioning systems shall provide adequate ventilation to prevent reasonable health complaints and to remove or dilute contaminants within the capacity of the system.

(14) Animal(s) in the building shall be managed in the following ways:

(a) There shall be no excessive accumulation of animal waste in animal containers or cages;

(b) Animal containers or cages shall be equipped with properly fitting lids;

(c) Hand washing facilities shall be available and immediately used when animals are handled;

(d) Unsupervised animals shall not be in the school building, including therapy animals or animals that are used for assistance;

(e) Animals shall not be permitted on surfaces where food or drink is prepared or consumed; and,

(f) All animal feed shall be in tightly sealed and labeled containers and separate from human food.

(15) Plumbing fixtures

(a) All plumbing fixtures shall be in good repair.

(b) Drinking fountain streams shall crest a minimum of one inch above the mouth guard of the fountain.

(16) Diapering facilities (if existing or upon installation)

(a) Hand washing facilities shall be available in rooms where diapering facilities are provided.

(b) Diapering facilities shall be sanitary and in good condition. Elevated diapering facilities shall be properly guarded to prevent falls.

(17) Lighting shall be adequate in all areas of the school building. All lights in the classrooms shall be equipped with workable light bulbs. Guarding or shields shall be present on fixtures designed to be equipped with guards or shield or provided in areas where potential impact hazards exist.

(18) There shall be no excessive noise in the school building so as to create hearing hazards or disrupt classroom instruction.

(19) Box and stand fans shall be properly guarded, clean and equipped with electrical cords that are maintained in good repair. Ceiling fans should be clean and in good repair.

(B) Hallways and Stairwells

(1) Stair treads and handrails shall be secure and in good repair.

Section 6

Specialty Classroom Inspections

(A) Specialty classrooms shall have a written safety plan available at all times when students are present.

(B) All doors to the specialty classroom shall be locked when the classroom is not occupied.

(C) Staff shall be present while the room is occupied by students.

(D) If gas is used, the master gas shutoff valve shall be clearly labeled, easily accessible in the classroom and immediately operable by staff.

(E) Food and drinks shall not be consumed by students during classroom instruction, in the storage room or other areas where chemicals are used or stored, except for students with a specific proven medical need (for example, diabetic students).

(F) There shall be no elemental mercury or thermometers, barometers or other portable devices containing elemental mercury in the classroom or storage room.

(G) Personal protective equipment shall be operational and available for use, when appropriate.

(H) Fume hoods and local exhaust systems shall be in use when hazardous airborne contaminants are generated as part of classroom activities. Fume hoods shall be properly maintained in accordance with manufacturer's instructions and inspected annually. Documentation of all maintenance and inspections shall be readily available upon inspection.

(I) Hand washing facilities shall be available in the classroom and shall be supplied as necessary. Laboratory sinks may fulfill this requirement, if properly supplied.

(J) Hazard communication shall be in accordance with the following:

- (1) All containers of chemicals used in the classroom shall be properly labeled, with the exception of containers used during an immediate classroom period; and,
- (2) Material Safety Data Sheets shall be accessible to staff for all classroom chemicals.

(K) Chemical storage shall be in accordance with the following:

- (1) Chemical storage rooms and chemical storage cabinets shall be inaccessible to students or locked while not in use;
- (2) A comprehensive chemical inventory list and disposal log shall be present and immediately accessible to staff;
- (3) Chemicals shall be stored according to chemically compatible families following supplier recommendations;
- (4) Acids and bases shall be stored in separate, dedicated cabinets;
- (5) Nitric acid shall be stored separately from all other acids;
- (6) All flammable or combustible and corrosive liquids shall be stored separately, in approved cabinets and properly labeled;
- (7) Shelves or shelving units for chemical storage shall be in good repair, adequately supported, have anti-roll lips and shall be secured to the wall or floor;
- (8) Chemical storage rooms may be vented with a mechanical exhaust system. If an exhaust system is present, it shall operate continuously;
- (9) Chemicals shall not be stored in fume hoods, on floors or above user's line of sight; and,
- (10) Food and drinks shall not be stored in refrigerators storing chemicals or specimens.

(L) Emergency showers and eyewash stations shall be operational, unobstructed and maintained according to manufacturer's instructions.

(M) First aid and chemical spill kits shall be appropriately supplied and immediately accessible to staff.

(N) There shall be no use or storage of the following items:

- (1) Dry or powdered pigments;
- (2) Materials containing highly toxic or highly radioactive substances; and,
- (3) Solvent based inks or markers that are not "Art and Creative Materials Institute" (ACMI) approved.

- (O) Aerosol sprays shall be used under local exhaust systems, while using the appropriate personal protective equipment and under staff supervision.
- (P) Kilns shall have local exhaust systems and shall be used under staff supervision.
- (Q) Aisles shall be unobstructed.
- (R) Welding shields or screens shall be present, in good repair, and available for use during welding.
- (S) Equipment shall be maintained according to the following methods:
 - (1) Equipment shall be in general good repair;
 - (2) Guards on blades, belts or other devices shall be operational, secure and in place when equipment is in use;
 - (3) Control switches, including emergency shut off switches, shall be clearly identifiable and accessible to any person in the classroom;
 - (4) Equipment placement shall not impede egress from the classroom; and,
 - (5) Equipment that poses a tipping hazard shall be securely anchored.

Section 7

Administrative and Non-Classroom Area Inspections

- (A) Portable cafeteria tables, banquet tables and other portable furniture shall be stored in a secure manner that prevents them from tipping or falling over. The cafeteria tables shall be cleaned and sanitized between each use or any time they are dirty or wet.
- (B) Floors shall be cleaned after spills and after periods when food is served.
- (C) There shall be no excessive accumulation of dust, suspected mold or other material on books or shelves.
- (D) Televisions and heavy equipment that may pose a hazard by tipping or falling shall be securely anchored to a cart, wall, or floor and shall be moved only by authorized personnel.
- (E) Shelving shall be secured at all times.
- (F) Inspections of athletic facilities shall include the following:
 - (1) All gym equipment and associated loose furnishings shall be safe, sanitary and in good repair;
 - (2) Cleaning supplies shall be readily available for use under staff supervision;
 - (3) Floor mats shall be provided and cleaned and sanitized after each use, other matting shall be provided and cleaned and sanitized as necessary; and,

(4) The school shall have all bleachers, folding and telescopic seating, and grandstands inspected at least once annually by a qualified person. Qualified person as used in this paragraph means an individual familiar with the design, installation, operation and maintenance of folding and telescopic bleachers and grandstands. Documentation of annual inspections shall be available to the sanitarian upon request.

(G) Inspection of locker rooms shall include the following:

- (1) Tempered and cold running water shall be supplied to all faucets and showers that are operational;
- (2) Restroom facilities shall comply with the requirements for restrooms contained herein;
- (3) There shall be no evidence of sustained water condensation, water damage, or water intrusion on any surface;
- (4) Operational showers shall not be used for storage;
- (5) Operational showers used by students shall have non-slip mats or non-slip surfacing in the vicinity of showers where wet floors may pose a slip hazard; and,
- (6) Non-operational showers used for storage shall be clean, sanitary, and supplied with a non-operable water source, and shall have drains repaired in a manner that will not allow the infiltration of sewer gas into the building.

(H) Inspection of training or weight lifting rooms shall include the following:

- (1) Weightlifting equipment and benches shall be sanitary and in good repair;
- (2) Therapeutic whirlpools shall be sanitary, in good repair and the area shall be equipped with an operable exhaust fan; and,
- (3) Appropriate supplies shall be readily available for use under staff supervision and shall be used to clean and sanitize weightlifting equipment and benches after each individual use.

(I) Inspection of restrooms shall include the following:

- (1) All plumbing fixtures shall be sanitary, operable, properly supplied and in good repair;
- (2) Sinks supplied by automatic or low-flow fixtures shall provide a continuous flow of tempered water for at least ten seconds;
- (3) Hand washing sinks shall be provided with hand cleaning liquid, powder, or bar soap and individual, disposable towels or a continuous towel system that supplies the user with a clean towel or a heated-air hand drying device;
- (4) Tempered and cold water shall be available at all sinks;
- (5) Hand-washing posters shall be posted and visible from all sinks;

- (6) Toilet tissue shall be available at each toilet;
 - (7) Floors shall be clean and dry;
 - (8) Adequate waste receptacles shall be conveniently located; and,
 - (9) Exhaust fans and exhaust systems shall be operable and continually operating while the building is occupied.
- (J) Inspection of custodial closets shall include the following:
- (1) All custodial closets shall be inaccessible to students unless the students are supervised;
 - (2) All containers of chemicals shall be properly labeled; and,
 - (3) Material Safety Data Sheets (MSDS) shall be readily accessible to staff for all hazardous chemicals used or stored in the custodial closet.
- (K) Inspection of mechanical rooms shall include the following:
- (1) All mechanical rooms should be inaccessible to students unless the students are supervised;
 - (2) All flammable or combustible liquid shall be stored in an approved flammable storage cabinet;
 - (3) Floors shall be free of slip, trip and fall hazards; and,
 - (4) Material Safety Data Sheets (MSDS) shall be readily accessible to staff for all hazardous chemicals used or stored in mechanical rooms.
- (L) Inspection of healthcare areas
- (1) The areas used for student healthcare shall have the following:
 - (a) A toilet and sink adjacent to the area and not used by the general student population;
 - (b) A cot and mattress with waterproof cover which shall be cleaned and sanitized after each individual use and maintained in good repair; and,
 - (c) Access to a telephone.
 - (2) The areas used for student healthcare shall have the following equipment and durable supplies:
 - (a) A current first aid reference document;
 - (b) A sharps container when sharps disposal is necessary; and,
 - (c) A non-mercury containing thermometer. When sphygmomanometers are present they shall be non-mercury containing.

(M) Inspection of the administrative areas shall include the following:

- (1) All food in break rooms shall be properly stored to prevent attraction of pests. Refrigerators in break rooms shall not be used for storage of chemicals or specimens and shall be clean.

Section 8

Inspection Reports and Correction Opportunities

- (A) Unless deemed an immediate health or safety condition, an inspection report will be created with a follow-up inspection notice, if warranted.
- (B) If no effort toward compliance is made, an Order to the school administration giving 7 to 30 days to obtain compliance shall be issued by the Warren County Board of Health.
- (C) If there is equipment or structural portions of the school facility which cannot meet the requirements outlined in these regulations at the effective date, then a work plan needs to be in place for compliance upon the replacement of equipment or repair of structural portions of the school within a reasonable amount of time as mutually agreed upon between the local school district administration and the Warren County Board of Health.
- (D) If the Order for compliance is not obeyed, then the situation may be referred for legal action.

Section 9

Administrative Appeals and Hearings

- A. The Warren County Health Commissioner shall grant an administrative hearing to any Warren County School Administration or Administrator adversely affected or aggrieved by proposed enforcement of these regulations. The appeal regarding any specific recommendation/violation must be filed with the Health Commissioner within seven (7) days following receipt of the inspection report. The hearing shall be scheduled as early as possible, but no later than ten (10) days from the date of petition for such hearing.
- B. Any Warren County School Administration or Administrator wishing to appeal the decision of the Health Commissioner may petition, in writing, for an administrative appeal before the Warren County Board of Health within seven (7) days following receipt of the decision of the Health Commissioner. The appeal shall be heard at the next regularly scheduled Board of Health Meeting.
- C. Any person aggrieved by a decision of the Warren County Board of Health may seek relief therefore from a court of competent jurisdiction.

Section 10

Penalties

(A) Any person who violates or causes to be violated any of the requirements set forth in this regulation, shall be subject to the penalties provided for in Section 3707.99 of the Ohio Revised Code.

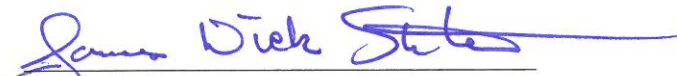
(B) Pursuant to Chapter 3707.021 of the Ohio Revised Code failure to obey any portion of these regulations may result in the filing of legal action(s) which may include, but not be limited to complaints for injunctive relief in the Warren County Common Pleas Court.

Section 11

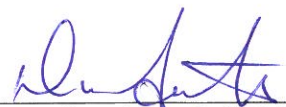
Effective Date

All sections of this regulation shall be in full force and in effect July 1, 2013.

Adopted by the Board of Health of the Warren County Combined Health District this 21st day of May, 2013 (motion #49-2013).


James D. Staten
President, Board of Health

6-3-2013
Date


Duane Stansbury, R.S., M.P.H.
Health Commissioner

5-31-13
Date

Approve as to form:
David P. Fornshell
Warren County Prosecutor

By 
Roger L. Sorey
Assistant Prosecutor