

**LCB File No. R177-99**

**PROPOSED REGULATION OF THE STATE BOARD OF HEALTH**

**PROPOSED REGULATIONS GOVERNING SCHOOLS**

Section 1: Chapter 444 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 31, inclusive, of this regulation as follows:

**Section 2:** *Approved defined: “Approved” means any place, object or practice that conforms with principles, practices and generally recognized standards that protect the public health as determined by the health authority.*

**Section 3:** *Child care facility: “Child care facility” has the meaning ascribed to it by NRS 432A.024.*

**Section 4:** *Health room defined: “Health room” means a room or an area where ill or injured students are temporarily isolated until such a time as a parent or guardian is granted custody.*

**Section 5:** *Immediately dangerous to life or health defined: “Immediately dangerous to life or health” means conditions that pose an imminent exposure to contaminants which have adverse effects on health.*

**Section 6:** *Health authority defined: “Health authority” has the meaning ascribed to it by NRS 439.005.*

**Section 7:** *New construction defined: “New construction” means any initial construction, addition, remodel or other substantial alterations of a school facility.*

**Section 8:** *School defined: “School” has the meaning ascribed to it by NRS 385.007 and NRS 394.103.*

**Section 9:** *Substantial health and safety hazard defined: “Substantial health and safety hazard” means any violation of the provisions of this chapter that can endanger the health or safety of the public.*

**Section 10:** *Severability: If any provision of this chapter or any application thereof to any person, thing or circumstance is held invalid, it is intended that such invalidity not affect the remaining provision or applications to the extent that they can be given effect.*

**Section 11:** *Exemption from certain requirements for schools constructed before \_\_\_\_\_, 1999. A school, which was constructed before \_\_\_\_\_, 1999 will be considered to be in compliance with these regulations if the use of the physical space does not change and the deficiency will not result in a substantial or immediate threat to the health and safety of the public.*

**Section 12:** *Substantial health and safety hazards; Notification to health authority.*

1. *If a school principal or his agent determines that a substantial health or safety hazard exists, the school principal or his agent must notify the health authority of the hazard within 24 hours after the determination has been made and what actions have been taken to remediate the substantial health or safety hazard.*

2. *Substantial health and safety hazards include, but are not limited to, the following circumstances:*

(a) *Electrical or other utilities to institution lost causing failure of critical systems such as lighting and environmental controls.*

(b) *The supply of potable water is not approved or does not meet the applicable requirements for sampling and public notification set forth in chapter 445A of NRS and any regulations adopted pursuant thereto.*

*(c) A defect or condition exists in the system supplying potable water, which may result in the contamination of the water and become a substantial health hazard.*

*(d) Sewage or liquid waste not disposed of in an approved manner, or the sewage or liquid waste contaminates any part of the facility to which the public has access.*

*(e) Insects, rodents or other vermin posing a significant threat to health or safety as determined by the health authority.*

*(f) Toxic items are labeled, stored or used improperly.*

*(g) Toxic or noxious gases, vapors, fumes, mists or particulates are present in concentrations immediately dangerous to life or health, or in concentrations sufficient to cause a nuisance.*

*(h) Facilities and equipment that by condition, design, construction or use pose an unreasonable risk of fall, puncture, pinch, crush, trip or other injury.*

*(i) Classrooms and other student occupied rooms with ambient temperatures that pose a significant threat to health or safety as determined by the health authority when occupied.*

*(j) Toilets and facilities for washing hands are not provided or accessible.*

**Section 13:** *Review of plan for new construction of schools. If, after \_\_\_\_\_, 1999, a school undergoes new construction, properly prepared plans and specifications for such new construction showing layout, arrangement and construction materials of classrooms, janitor's rooms, utility rooms and other rooms and grounds, including playgrounds, and the location, size and type of equipment, including fixed equipment, and facilities shall be submitted to and approved by the health authority before such work is begun.*

**Section 14:** *Construction: Floors, walls, ceilings and equipment.*

*1. Floors, walls and ceilings must be constructed of durable, easily cleanable materials and materials appropriate to the intended use and must be maintained in good repair.*

*2. Benches, mats and other multi-use equipment must be constructed of non-absorbent materials and maintained clean, sanitary and in good repair.*

**Section 15: Classrooms: Artificial sources of light and environmental controls.**

*1. Artificial sources of light which are permanently fixed must be installed to provide at least 50 foot-candles of light, as measured 30 inches (75 centimeters) above the floor, in all general instruction areas including laboratories, home economic classrooms and vocational educational areas.*

*2. Artificial sources of light which are permanently fixed must be installed to provide at least 30 foot-candles of light, as measured 30 inches (75 centimeters) above the floor, in gymnasiums, locker rooms and restrooms.*

*3. Artificial sources of light which are permanently fixed must be installed to provide at least 20 foot-candles of light, as measured 30 inches (75 centimeters) above the floor, in all other areas.*

*4. Classrooms must be maintained between 68° F and 80° F when occupied.*

**Section 16: Classrooms: Requirements for keeping pets and other live animals. Classroom pets and other live animals may be kept only under the following conditions:**

*1. Pets may be kept only in designated areas so as not to present a health or safety hazard.*

*2. All enclosures must be cleaned and sanitized as necessary to prevent odors and/or excrement accumulation.*

*3. Pets may be handled only under adult supervision. Staff and students must wash their hands after handling pets.*

*4. Only housebroken or box-trained pets may be allowed away from non-absorbent surfaces.*

*5. Guide dogs accompanying physically disabled persons, guide dogs-in-training accompanying their trainer and security dogs accompanying security or police officers are exempt from this section.*

**Section 17: Science classrooms: Equipment, construction, and storage of chemical and biological reagents.**

*1. An eyewash station, in combination with or in addition to an accessible emergency shower, must be provided in all rooms used as laboratories involved with handling acid, caustic, flammable or other hazardous materials.*

*2. Chemically resistant countertops must be used in classrooms designated as chemistry laboratories.*

*All rooms used as laboratories must be provided with a conveniently located sink for washing hands, which is equipped with:*

*Hot and cold water tempered by a mixing valve or combination faucet;*

*(b) Hot water must be delivered at a maximum of 110 °F;*

*(c) A supply of soap or detergent for cleaning hands; and*

*(d) A supply of single service disposable towels or a device providing heated air for drying hands.*

*4. A fume hood must be provided for each room in which volatile chemicals are used or reactions likely to produce toxic or noxious vapors, gases, fumes or suspended particulates are performed. Activities which generate toxic or noxious vapors, gases, fumes or suspended particulates, must be conducted within the fume hood.*

5. *Aspirators or suction bulbs must be provided and used for drawing liquids into pipettes.*

6. *Chemical and biological reagents must be stored according to the manufacturer's instructions and to the following:*

(a) *Storage areas must be secure, lockable and accessible only to authorized staff;*

(b) *Storage areas must be maintained cool and dry;*

(c) *Supplies must be stored in a manner that facilitates cleaning and storage areas must be maintained in a clean and organized condition;*

(d) *Original containers of reagents and other materials must bear a legible manufacturer's label. If a reagent or other material has been repackaged, it must be labeled as to contents and use; and*

(e) *Storage areas must be ventilated and maintained reasonably free of objectionable odors.*

7. *Eating, drinking and other hand-to-mouth activities are prohibited.*

**Section 18: Vocational education areas: Equipment, maintenance and storage.**

1. *Machinery, tools and other equipment must be operated only under adult supervision.*

2. *All areas must be kept clean and organized.*

3. *Machinery, tools and other equipment, material stock and hardware must be stored to prevent health and safety hazards.*

4. *Stationary equipment must be secured in place and arranged to allow for a sufficient designated work area free of trip, slip and other hazards.*

5. *Operating and safety instructions for operating machinery, tools and other equipment must be posted conspicuously.*

6. *Compressed cylinders of gas must be properly secured to prevent tipping or falling.*

*7. A sink for washing hands must be provided, conveniently located and equipped with the following:*

*(a) Hot and cold water tempered by a mixing valve or combination faucet;*

*(b) Hot water must be delivered at a maximum of 110 °F;*

*(c) A supply of soap or detergent for cleaning hands; and*

*(d) A supply of single service disposable towels or a device providing heated air for drying hands.*

*8. Vocational educational areas are exempt from the requirements of Section 15 (4).*

**Section 19: Home economics classrooms: Equipment, maintenance and storage.**

*1. Food areas must be maintained in a clean and sanitary condition.*

*2. All food must be stored and handled in such a manner to prevent the rapid growth of pathogenic organisms, contamination, spoilage and harborage and feeding of insects and other vermin.*

*3. A sink for washing hands must be provided, conveniently located and equipped with the following:*

*(a) Hot and cold water tempered by a mixing valve or combination faucet;*

*(b) Hot water must be delivered at a maximum of 110 °F;*

*(c) A supply of soap or detergent for cleaning hands; and*

*(d) A supply of single service disposable towels or a device providing heated air for drying hands.*

**Section 20: Child care facilities. Child care facilities, if provided, must be in compliance with NRS 432A and the codes or regulations adopted by the Nevada State Board of Health for child care and the codes or regulations adopted by district or local jurisdictions.**

**Section 21: Health Rooms: Requirements.** *Health rooms must be provided and must comply with the following:*

*1. Beds, couches, mats, cots or other resting furniture with a nonabsorbent covering must be provided. Covers must be maintained in good repair and must be cleaned and sanitized for each new user.*

*2. Medications must be maintained inaccessible to unauthorized personnel.*

**Section 22: Custodial and other rooms.** *Janitor's rooms, boiler rooms, supply and equipment rooms, storage rooms, transformer rooms and electrical panels must be kept locked and inaccessible to students and unauthorized personnel.*

**Section 23: Playgrounds.** *Playgrounds and equipment must be designed, constructed and maintained in compliance with the standards of the Handbook for Public Playground Safety. The state board of health hereby adopts those standards by reference. A copy of the standards may be obtained from the U.S. Consumer Product Safety Commission, Office of Information and Public Affairs, Washington D.C. 20207 at no charge.*

**Section 24: School food service program.** *The school food service program must be in compliance with NRS chapter 446 and the codes or regulations adopted by the state, district or local boards of health.*

**Section 25: Source of potable water.**

*1. Potable water of a sufficient amount to meet the demands of the facility must be provided from a source that is approved by the health authority and licensed by the Nevada State Health Division of the Department of Human Resources.*

*2. Water, which is under pressure and maintained at the required temperature, must be provided to all fixtures and equipment that use water. The system that generates and*

*distributes hot water must be capable of meeting the demands of the entire facility during all hours of operation.*

*3. There may be no cross connection between the supply of potable and nonpotable water and any water which is nonpotable or may be nonpotable nor any source of pollution by which the potable water might become contaminated.*

*4. A system of nonpotable water which meets the limitations established by the state for levels of bacteria may only be used for purposes such as air conditioning, cleaning, flushing toilets and fire protection and only if the system is approved by the health authority and does not come into direct or indirect contact with potable water. The piping of any nonpotable water must be clearly and permanently identified so that it is readily distinguishable from piping that carries potable water.*

*5. The system for potable water must be installed to preclude the possibility of backflow. Devices must be installed to protect against backflow and back syphonage on all fixtures and equipment which do not have an air gap which is at least twice the diameter of the inlet for the water between the inlet and the fixture's flood level rim. A hose may not be attached to a faucet unless a device to prevent backflow is installed.*

*6. A device designed to prevent backflow or back syphonage that is installed on a water supply system or on a fixture or equipment connected to the water supply system must comply with the standards for construction, installation, maintenance, inspection and testing of the Uniform Plumbing Code for that specific application and type of device, as those standards exist on \_\_\_\_\_, 1999. The Nevada State Board of Health hereby adopts those standards by reference. A copy of the standards may be obtained from the International Association of*

*Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789-2825, at a price of \$45.45.*

*7. The use of lead solder on lines carrying potable water is prohibited.*

**Section 26: Disposal of sewage.**

*1. All sewage, including liquid waste, must be disposed of in a manner approved by the health authority.*

*2. Facilities for the disposal of sewage which do not use water, including chemical toilets, are prohibited except as permitted by the health authority for temporary use because of special situation.*

**Section 27: Toilets, lavatories, drinking fountains and drinking water.**

*1. A minimum number of toilets, lavatories and drinking fountains must be installed in compliance with the standards for minimum plumbing facilities of the Uniform Plumbing Code, as those standards exist on \_\_\_\_\_, 1999. The Nevada State Board of Health hereby adopts those standards by reference.*

*2. Toilets and lavatories must be located within 250 feet of every classroom and vocational education area and accessible for use at all times.*

*3. Toilets must be kept clean and in good repair. A supply of toilet tissue, dispensed from a permanently affixed dispenser, must be provided at each toilet at all times.*

*4. Each lavatory must have hot and cold water tempered through a mixing valve or combination faucet. Hot water must be delivered at a maximum temperature of 110 °F. Any faucet, which closes automatically, closes slowly or is metered, must provide a flow of water for at least 20 seconds.*

*5. A supply of soap or detergent for cleaning hands must be available at each lavatory.*

6. *A supply of single service disposable towels or a device providing heated air for drying hands must be conveniently located near each lavatory.*

7. *Lavatories must be maintained, clean and in good repair.*

8. *Drinking fountains must be maintained, clean and in good repair.*

9. *Potable drinking water must be provided and dispensed in a sanitary manner in gymnasiums and during outdoor events.*

10. *Showers, if provided, must have hot and cold water tempered through a mixing valve or combination fixture. Hot water must be delivered at a maximum temperature of 110°F.*

11. *Showers and shower fixtures must be maintained, clean and in good repair.*

**Section 28: Containers for garbage.**

1. *There must be a sufficient number of conveniently located containers to hold all of the garbage and refuse that accumulates.*

2. *Garbage and refuse must be kept in closable containers which are durable, non-absorbent, protected against vermin, easy to clean and maintained in a clean condition.*

3. *Garbage and refuse must be stored in such a manner to make them inaccessible to insects and rodents.*

4. *Storage areas or enclosures, which are outside, must be large enough to store the containers that accumulate and must be maintained in a clean condition.*

5. *Containers for garbage and refuse located outside must be stored on or above a reasonably smooth pad of concrete or asphalt, kept clean and maintained in good repair and must not create a nuisance.*

6. *A grease interceptor, if required, must be maintained so as not to create a nuisance.*

*7. All garbage and refuse must be removed from the premises often enough to prevent it from developing an odor, creating a nuisance or attracting insects and rodents, but in any event it must be disposed of within intervals of 7 days, unless otherwise approved by the health authority.*

**Section 29:** *Use of measures to minimize or eliminate the presence of insects and rodents required. Effective measures to minimize the presence of rodents, flies, cockroaches and other vermin on the premises, including routine inspections to detect the presence of such specimens, must be utilized. The premises, including the contiguous land or property under the control of the facility, must be kept in a condition designed to prevent or eliminate the harboring or feeding of insects, rodents and other vermin. All insecticides, herbicides and rodenticides must be used in accordance with the label directions and stored inaccessible to students and unauthorized personnel.*

**Section 30:** *Inspections by health authority/other authorities.*

*1. Upon proper identification, the health authority shall conduct inspections of each school in the state in a manner and at a frequency in accordance with NRS 444.335.*

*2. The health authority shall make a report in writing on the facility premises and shall provide a copy of the written report to the facility representative.*

*3. The health authority shall provide a copy of each written report to the county school superintendent.*

*4. Reports of state or local fire, building and occupational safety and health authorities and other state or local authorities who conduct health or safety inspections at a school must be kept on file for the period of time as prescribed by those authorities and must be made available for review by the health authority upon request.*

**Section 31: *Compliance.***

*1. All deficiencies noted on the inspection report must be corrected within 30 days unless otherwise noted on the report.*

*2. The facility inspected must prepare a report of corrective actions taken or planned and must forward that report to the health authority within 30 days of the inspection.*

*3. Failure to comply with this code may be referred to the county school board and the Nevada Department of Education.*