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9 **RULES AND REGULATIONS PERTAINING**  
10 **TO FOR**  
11 **SCHOOL BUILDING SANITATION**

12 **Article 7**  
13 **26 Guam Administrative Rules and Regulations**  
14 **Division 1**  
15 **Chapter 4**  
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24 **DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
25 **DIVISION OF ENVIRONMENTAL HEALTH**

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**TABLE OF CONTENTS**

1

2 §4701. Purpose. Definitions..... 1

3 §4702. Authority..... 1

4 §4703. Title. Construction Permit..... 1

5 §4704. ~~§4701.~~ Definitions. Sanitary Permit..... 2

6 §4705. ~~§4704.~~ Sanitary Permit. Grounds—(Location and Premises)..... 4

7 §4706. ~~§4705.~~ Grounds School Location and Premises. ~~Building~~..... 6

8 §4707. ~~§4706.~~ School Building. Ventilation ..... 8

9 (a) Room Requirements..... 8

10 (b) Floor Requirements..... 8

11 (c) Wall Requirements..... 9

12 (d) Ceiling Requirements..... 9

13 (e) Door Requirements..... 9

14 (f) Window Requirements..... 9

15 (g)(e) Classroom Equipment Requirements..... 10

16 (h)(f) Seating Requirements..... 10

17 (i)(g) Maintenance and Housekeeping Requirements..... 11

18 §4708. ~~§4707.~~ Ventilation. Lighting..... 12

19 §4709. Temperature and Humidity. Plumbing..... 12

20 §4710. ~~§4708.~~ Lighting. Water Supply..... 13

21 §4711. ~~§4709.~~ Plumbing. Handwashing Facilities..... 14

22 §4712. ~~§4710.~~ Water Supply. Shower and Locker Rooms..... 14

23 §4713. ~~§4711.~~ Handwashing Unit Facilities. Toilet Facilities..... 16

1 §4714. ~~§4712.~~ Shower Facilities and ~~Locker Rooms.~~ ~~Garbage and Trash Disposal.~~..... 17

2 §4715. ~~§4713.~~ Toilet Facilities. Restrooms. ~~Food Protection.~~..... 18

3 §4716. ~~§4714.~~ Garbage, Trash, and Recycling Disposal. ~~Safety.~~..... 20

4 §4717. ~~§4715.~~ Food Protection. ~~Existing Facilities.~~..... 21

5 §4718. ~~§4716.~~ Safety. .... 21

6 §4719. ~~§4717.~~ Existing Facilities..... 22

7 §4720. Inspection and Grading ..... 22

8 §4721. Variance. ..... 24

9 §4722. Severability. ..... 25

10 Annex 1 Public Health Reasons

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1           **§4701. Purpose. Definitions.**

2           The purpose of these rules and regulations is to protect and promote the health and safety  
3 of all employees and students in schools on Guam.

4           **§4702. Authority.**

5           Title 10 Guam Code Annotated, Chapter 21, Section 21102 authorizes the Director of the  
6 Department of Public Health and Social Services to establish rules and regulations to carry out  
7 the provisions of Chapter 25, Title 10 Guam Code Annotated. Public Law 15-96, Guam  
8 Environmental Health Act, 10-GCA-Chapter 25 authorizes the Department to establish rules  
9 and regulations governing all schools and to ensure that all provisions of P.L. 15-96 regarding  
10 permit issuance are carried out.

11           **§4703. Title. Construction Permit.**

12           These rules and regulations shall be known as the “*Rules and Regulations for School*  
13 *Building Sanitation.*”

14           ~~(a) Any person, association, or corporation, before constructing a new school facility,~~  
15 ~~or making an addition to, or major alteration of, and existing facility shall first submit~~  
16 ~~plans and specifications of such building or changes to the Department.~~

17           ~~(b) A Construction Permit shall not be issued until detailed plans and specifications of the~~  
18 ~~school facility have been submitted for review and approval.~~

19           ~~(c) The plans and specifications shall include at least the following:~~

20           ~~(1) The plot and location plans indicating the location of the proposed project in relation~~  
21 ~~to property boundaries and zone designation.~~

22           ~~(2) A floor plan which must include area and room designation, elevation of section, and~~  
23 ~~floors, walls, ceilings, finishes, etc.~~

1           ~~(3) A plumbing plan which must include plumbing in isometric, a fixture schedule~~  
2 ~~specifying materials to be used, fire sprinkler system and sewage disposal system.~~

3           ~~(4) An electric plan to include lighting plan, fire alarm system, and panel schedule.~~

4           ~~(5) A ventilation system plan to include the intake and exhaust air duct plan if ventilated~~  
5 ~~by artificial means.~~

6           ~~(d) After issuance of a Construction Permit, a job site inspection shall be conducted~~  
7 ~~during construction so as to determine that all plans and specifications as submitted and~~  
8 ~~approved by the Director are being carried out. The requirements in these Rules and~~  
9 ~~Regulations are in addition to the program or requirements of other agencies such as the Public~~  
10 ~~Utility Agency of Guam, the Guam Environmental Protection Agency and the Department of~~  
11 ~~Public Works.~~

12           ~~(e) The Construction Permit fee for all school facilities shall be Twenty-Five Dollars~~  
13 ~~(\$25.00).~~

14           **§4704. ~~§4701.~~ Definitions. Sanitary Permit.**

15           As used in these rules and regulations, the following definitions shall apply:

16           (a)     *American Society of Heating, Refrigerating and Air-Conditioning Engineers (also*  
17 *known as ASHRAE), means the building technology society that focuses on building systems,*  
18 *energy efficiency, indoor air quality, and sustainability within the industry.*

19           (b)     *Department, or DPHSS,* shall means the Guam Department of Public Health and  
20 Social Services.

21           (c) ~~(e)~~ *Director* shall means the Director of Public Health and Social Services or his/her  
22 designated representative.

1 (d) Elementary school means a school attended by students in kindergarten to fifth  
2 grade.

3 (e) Handwashing Unit means an area that includes a sink, a soap dispenser, and a  
4 sanitary paper towel dispenser. ~~Construction Permit shall mean a permit issued by the~~  
5 Department of Public Health and Social Services giving permission to construct, extend,  
6 alter, or modify a structure or building to be used as a school.

7 (f) High school means a school attended by students in ninth to twelfth grade.

8 (g) Middle school means a school attended by students in sixth to eighth grade.

9 (h) Operator means a person, or business entity, who owns, leases or manages, or  
10 proposes to own, lease, or manage, a school, and includes any person designated in the  
11 application for a Sanitary Permit to operate a school or having authority to administer day-to-day  
12 operation of the facility and to respond to complaints, orders, and other matters as set forth in  
13 these rules and regulations.

14 (i) Person means any owner, firm, association, corporation, or governmental agency  
15 operating a school.

16 (j) Restroom means an area that includes a toilet, toilet paper dispenser, and  
17 handwashing unit.

18 (k) ~~(e)~~ Sanitary Permit shall mean the official a-written document issued by the DPHSS  
19 Department of Public Health and Social Services authorizing giving the establishment a  
20 designated person, association or corporation permission to operate its business a school.

21 (l) School means any establishment, public or private, for the care and education of  
22 students from pre-kindergarten through grade twelve and any college or university or institution  
23 of higher learning.

1           (m) Shower Facilities means a shower room and locker room are combined into one  
2 area.

3           (n) Storm Drainage System means piping within a public or private premise that  
4 carries rainwater, surface water, subsurface water, and similar liquid wastes to a point of  
5 disposal.

6           (o) Variance means a written document issued by the Director that authorizes a  
7 modification or waiver of one or more requirements of these rules and regulations if, in the  
8 opinion of the Director, a health hazard or nuisance will not result from the modification or  
9 waiver.

10           **§4705. §4704. Sanitary Permit. Grounds ~~(Location and Premises).~~**

11           ~~(a) Location:~~ No person shall directly or indirectly in any manner, conduct, control,  
12 manage, maintain, or operate a school unless a valid Sanitary Permit issued by the Department to  
13 operate such a facility has been obtained and posted. Any person, ~~association, or corporation,~~  
14 before constructing a new school facility, or making an addition to, or major alteration of, an  
15 existing facility shall first submit plans and specifications of such building or changes to the  
16 Director Department.

17           (b) An application for a Sanitary Permit to operate all new or existing schools,  
18 whether public, private, or vocational, shall be made in writing on a form prescribed by the  
19 Department, signed by the applicant or his authorized agent, and shall contain such information  
20 that will determine that the facility and its operation are in compliance with the applicable  
21 provisions of these regulations.

22           (c) Before the application for a Sanitary Permit shall be approved, the Department  
23 shall verify that the facility meets the minimum sanitary requirements and standards by means of

1 a pre-operation inspection. This shall include the access onto premises will involve right of  
2 entry, inspection, and investigation.

3 (d) Before a pre-operation inspection is conducted, plans and specifications shall be  
4 submitted to the Director in accordance with the requirements established in these regulations,  
5 which shall include the following:

6 (1) The dimensions of the proposed establishment;

7 (2) The location, number, and type of plumbing fixtures, including all water  
8 supply fixtures and toilet fixtures, and other fixtures and equipment, and;

9 (3) If a newly-constructed building, the general layout of water supply lines,  
10 wastewater lines, or methods of wastewater disposal.

11 (e) If upon inspection, the Director ~~Department~~ is satisfied that the school facility  
12 ~~reasonably~~ meets the qualifications and standards prescribed in these rules and regulations, a  
13 nontransferable Sanitary Permit shall be issued. The Said Sanitary Permit shall be posted in a  
14 conspicuous area designated by the Director.

15 (f) An application for renewal of Sanitary Permit shall be submitted ~~filed~~ no earlier  
16 than 30 days prior to its expiration date with its applicable fees. ~~and upon approval by the~~  
17 ~~Division, a new Sanitary Permit shall be issued.~~

18 (g) The school shall adhere to the most recently adopted building, plumbing, and fire  
19 and other pertinent regulatory codes. ~~Failure to comply with any rule or regulation, or refusal to~~  
20 ~~renew the Sanitary Permit of any school facility is reason for revocation, suspension, or~~  
21 ~~disapproval of the new permit.~~



1           (h) The school shall have an updated floor plan readily available and shall present it  
2 to the Director upon request. ~~Any person denied a permit, or whose permit has been revoked for~~  
3 ~~cause may appeal from the Director's action. The appeal shall be in accordance with 10 GCA~~  
4 ~~§21108.~~

5           (i) Compliance with this section does not absolve the school from obtaining other  
6 permits and licenses required by law. ~~There shall be a Five Dollars (\$5.00) charge for any~~  
7 ~~duplicate permits issued.~~

8           **§4706. ~~§4705.~~ Grounds School Location and Premises. ~~Building.~~**

9           (a) ~~Location:~~ ~~(1)~~ The school site ~~building~~ shall be located in an area where the  
10 intensity of noise will be as low as possible. Noise level at the site should not exceed seventy  
11 (70) decibels. ~~The school site shall be away from truck routes, airports, factories and other~~  
12 ~~sources of loud, continuous or sharp impact noise.~~

13           (b) ~~Premises:~~ ~~(2)~~ The school site shall be located so that it is as remote as possible  
14 from sources of air pollution such as manufacturing plants, abattoirs, refineries, open-burning  
15 dumps, sanitary landfill operations, polluted streams and any sources of smoke, dust, fumes, or  
16 objectionable odors.

17           (c)~~(3)~~ Once a school site has been established, no source of objectionable conditions as  
18 detailed in Section 4706 (a) and (b) ~~§4705(a)(1) and §4705(a)(2)~~ above shall be permanently  
19 located near enough to a school site so as to create conditions objectionable to the school.

20           (d)~~(4)~~ The school site, which includes the area used for a playground as well as that  
21 immediately adjacent to the school building, shall be evenly graded and sloped so as to provide  
22 adequate surface drainage.

1           (e) Playgrounds shall be constructed and maintained to permit maximum utilization  
2 of sites, with elimination of sanitary and health hazards, including mud holes, fragments of glass,  
3 stone, and similar obstructions.

4           ~~(2) — A minimum of five thousand (5,000) sq. ft. outdoor recreational area shall be~~  
5 ~~provided which shall be either fenced or properly isolated from vehicular traffic.~~

6           (f) Outdoor recreational area shall be required of schools occupied by kindergarten  
7 through grade twelve and shall comprise a minimum of 100 sq. ft. of accessible space per student  
8 using that area at any given period. The outdoor recreational area shall be either fenced or  
9 properly isolated from vehicular traffic.

10           (g)~~(3)~~ The school site shall be free of potential pest breeding sites, sources of insect and  
11 rodent breeding such as open dumps, swamps, etc., and shall be located away from low lying  
12 swampy areas where mosquitoes breed.

13           (h) The school site grounds shall be kept clean and free of rubbish and overgrown  
14 vegetation, and shall be reasonably level so as to prevent injury.

15           (i) No school shall be located in a private family residence unless that portion of the  
16 residence to which students have access is physically separated from the usual living quarters of  
17 the family.

18           (j) Exterior of buildings, walkways, awnings, picnic tables, benches, and other  
19 outside structures shall be kept clean and in good repair.

20           (k) All storm drainage systems shall include a gutter, leader, downspout, splashblock,  
21 and/or drain opening. The gutter/downspout grading and/or discharge point shall be such that  
22 water will not pool.

1 (l) All equipment, structures, and fixtures that are no longer being used shall be  
2 removed from the building and properly disposed.

3 **§4707. ~~§4706.~~ School Building, Ventilation**

4 (a) Room Requirements.

5 (1) The classroom areas shall be of sufficient size to provide at least 25-30  
6 square feet of space per student in elementary schools, 20-25 square feet of space per  
7 student in middle secondary schools, and at least 18-20 square feet of space per student in  
8 high schools, colleges, and universities.

9 (2) Rooms shall be kept clean, neat, and orderly with approved a waste paper  
10 container that is durable, easily cleanable, and appropriately sized for its use ~~provided.~~

11 (3) All dining areas that are used for purposes other than dining shall be kept  
12 clean, neat, and orderly, with adequate seating and lighting.

13 (4)(3) The janitorial rooms, and any storage area used to store hazardous  
14 materials, shall be locked to prevent student access.

15 (5) Rooms or areas unsafe for use shall be closed or cordoned off to prevent  
16 access.

17 (b) Floor Requirements.

18 (1) ~~The~~ Floors of all rooms shall be of such construction as to be easily  
19 cleanable, non-absorbent, light in color, and shall be kept clean and in good repair.

20 (2) Floors shall be made from materials approved by the Department.

21 (3) Floors without carpeting shall be sealed with a satisfactory floor sealer. (~~a~~  
22 ~~dust-arresting compound used while sweeping).~~

23 (4) ~~Floors in the toilet rooms shall be of impervious, easy to clean material.~~

1 (c) Wall Requirements.

2 (1) Walls shall be smooth, have surfaces of light in color, ~~and flat finish, and~~  
3 ~~shall be kept clean and in good repair. Walls shall be finished with~~ be easily cleanable,  
4 and shall be maintained kept in good repair and in a clean, sanitary condition.

5 (2) All unintended openings to the outer air shall be sealed off to effectively  
6 prevent the entrance of pests.

7 (d) Ceiling Requirements

8 (1) Ceilings shall have flat surfaces, light in color and ~~and shall be kept clean~~  
9 ~~and in good repair. Walls shall be finished with,~~ be easily cleanable, and shall be  
10 maintained kept in good repair and in a clean, sanitary condition.

11 (2) All unintended openings to the outer air shall be sealed off to effectively  
12 prevent the entrance of pests.

13 (e) Door Requirements.

14 (1) ~~For the multi-story~~ School building exits shall be provided, which are  
15 easily accessible and plainly indicated. Exit signs shall be posted at the interior front side  
16 of the exit door.

17 (2) Rolling, sliding, revolving, and double swinging ~~æting~~ doors are  
18 prohibited. Entrance Doors leading to the outside of the building shall be tight-fitting,  
19 self-closing, and shall open outward.

20 (3) Doors ~~and windows~~ shall be kept clean and in good repair.

21 (4) ~~Where insect pests are a problem,~~ All unintended openings to the outer air  
22 shall be sealed off screened to effectively prevent the entrance of pests ~~insects~~.

23 (f) Window Requirements.

1 (1) Windows shall be kept clean and in good repair.

2 (2) All openings to the outer air shall be screened effectively, unless other  
3 effective means are provided to prevent the entrance of pests insects. Plastic cloth or  
4 wire screen shall be not less than 16 mesh to the inch.

5 (g)(e) Classroom Equipment Requirements.

6 (1) The classroom equipment such as chalkboards, whiteboards, erasers,  
7 desks, and chairs and other furniture shall be kept clean and in good repair.

8 (2) Chalkboards shall be of black or green, dull finish, and shall have smooth,  
9 even surfaces with no cracks and as few seams as possible.

10 (3) Chalkboards shall be located so as to be easily seen by the intended users  
11 and opposite windows so as not to create areas of high light contrast near or behind  
12 chalkboards.

13 (4) ~~The Use of~~ equipment, such as crayon or chalk containing lead, lead  
14 compounds, and other hazardous materials ~~or dangerous soluble methyl bromide dyes~~  
15 is prohibited.

16 (h)(f) Seating Requirements.

17 (1) Each student shall have an individual seating unit with writing table  
18 attached or adjacent to the seat and so constructed as to provide comfortable seating and  
19 convenient writing without undue strain.

20 (2) Where windows are the primary source of illumination, the desks shall be  
21 so arranged as to minimize the effects of glare and shadow. ~~that the light is admitted from~~  
22 ~~the left and rear of the seated children. Left handed children shall be located where light~~  
23 ~~is received from the right side.~~

1 (3) When the student pupil is erectly seated with feet squarely on the floor,  
2 there must be no pressure from the forward edge of the seat under the knees.

3 (4) Writing tables ~~attached to the desk~~ shall be smooth, easily cleanable,  
4 maintained, and in good repair. ~~and light in color to provide a limited contrast against a~~  
5 ~~white paper.~~

6 (i)(g) Maintenance and Housekeeping Requirements.

7 (1) There shall be sufficient space for the storage of outdoor clothing,  
8 raincoats, maintenance equipment, ground equipment, and instructional equipment to  
9 prevent cluttering of classrooms, walkways, or other areas.

10 (2) All areas, facilities, furniture, and equipment shall be maintained in a  
11 clean, safe, and sanitary condition and kept in good repair. Furniture and equipment no  
12 longer being used shall be removed and disposed of properly.

13 (3) The building shall be free of pests ~~insects of public health significance~~ and  
14 conditions which attract, provide harborage, and promote breeding of such ~~vermin~~.

15 (4) Cleaning materials, tools, and maintenance equipment shall be provided  
16 and shall be safely stored and secured in a locked area. ~~When sweeping floors, a dust~~  
17 ~~arresting compound shall be used in classrooms.~~

18 ~~(h) Design and Construction:~~

19 ~~(1) It shall be the responsibility of the operator to meet the standards of these and other~~  
20 ~~applicable regulations.~~

21 ~~(2) Adherence to the latest editions of the Uniform Plumbing Code, Uniform Building~~  
22 ~~Code, Uniform Mechanical Code, National Electrical Code, and the Guam Fire Prevention Code~~  
23 ~~shall be required for all new construction.~~

1           **§4708. §4707. Ventilation. Lighting.**

2           (a)    Ventilation shall be a minimum of fifteen cubic feet per minute per student  
3    (15cfm/student) to provide proper circulation of needed air within a room by either windows or  
4    mechanical ventilators (ASHRAE Standard 62-1999). Ventilation rate requirements may be  
5    increased by the Department for rooms where the ventilation rate is insufficient. Ventilation shall  
6    ~~be adequate to provide proper circulation of needed air within a room by either windows or~~  
7    ~~mechanical ventilators.~~

8           (b)    Ventilation system filters shall be cleaned or replaced regularly to prevent  
9    excessive accumulation of dust or debris.

10          (c)(b) All rooms, areas, and equipment from which contaminated aerosols, obnoxious  
11    odors, or noxious fumes, or vapors may originate shall be effectively vented to the outside air.

12          (d)(e) Windows, including louvers opened from the bottom, which cause direct currents  
13    of air on students nearby, shall be provided with window ventilators or deflectors.

14          (e)(d) Windows, including louvers shall be adjustable at the top and bottom, and when  
15    this is the only means of ventilation, at least one-half (1/2) of the windows shall open from both  
16    top and bottom.

17          (f)(e) Ducts and fans in connection with mechanical ventilation shall be so arranged and  
18    controlled as to eliminate objectionable air currents directly on the students. ~~When mechanical~~  
19    ~~ventilation is provided, all openings to the outer air shall be closed to maintain required~~  
20    ~~temperature to the entire room area.~~

21          (g)    When mechanical ventilation is provided, it shall be kept clean and in good repair.

22           **§4709. Temperature and Humidity. Plumbing.**

1           (a) Indoor air temperature of rooms occupied by students and faculty shall be in the  
2 range of 75 °F – 83 °F (ASHRAE Standard 55-2004).

3           (b) Indoor relative humidity shall be in the range of 30% - 60% (ASHRAE Standard  
4 62-1999).

5           **§4710. ~~§4708. Lighting. Water Supply.~~**

6           (a) Availability of natural light is highly recommended in all rooms occupied by  
7 students. When adequate natural light is not available, artificial light shall be provided to  
8 promote a comfortable visual environment.

9           (b) All classroom windows shall be provided with shades or blinds which shall be  
10 kept clean and in good repair and so used or adjusted so that glare and excessive light intensities  
11 are reduced to a minimum. ~~Windows shall extend as near to the ceiling as possible and shall be~~  
12 ~~located along one (1) side or two (2) adjoining sides of the study room.~~

13           (c)~~(f)~~ Minimum acceptable levels for school lighting in the following areas shall be:

14           ~~The total window area shall be not less than twenty percent (20%) of the floor area unless~~  
15 ~~adequate artificial lighting is provided.~~

16           (1) Lecture rooms, study halls, laboratories, offices, libraries, art rooms, and  
17 electronic and machine shops: 50 foot-candles at all levels.

18           (2) Reception rooms, gymnasiums, and swimming pools: 30 foot-candles at  
19 all levels.

20           (3) Auditoriums, restrooms, ~~cafeterias~~, locker rooms, corridors and stairways,  
21 storage, and any other rooms: 20 foot-candles at all levels.

22           (d)~~(g)~~ Artificial lighting in all areas except storage areas shall be diffused, indirect, and  
23 glare-free, and shall be provided with light shields. ~~All classroom windows shall be provided~~



1 with light shields, shades, or blinds which shall be kept clean and in good condition and so used  
2 or adjusted that glare and excessive light intensities are reduced to a minimum.

3 (e) Window panes shall not be used for decorations or objects which shut out the light.

4 ~~(h) Lighting fixture installations shall be in a manner that will not create a fire hazard.~~

5 **§4711. ~~§4709. Plumbing. Handwashing Facilities.~~**

6 (a) Plumbing shall be sized, installed, and maintained to carry adequate quantities of  
7 water to required locations throughout the school, to prevent contamination of the water supply,  
8 to properly convey sewage and liquid wastes from the school building to the public sewage  
9 system or to a a ~~an~~ individual sewage disposal system approved by the regulatory agencies  
10 ~~Department~~ so as not to create an unsanitary condition or nuisance.

11 ~~(b) Plumbing installations shall be in conformance with the current Uniform~~  
12 ~~Plumbing Code at the time of construction unless it is determined at a later date that such~~  
13 ~~previous installation could result in serious hazard to the public health. Such plumbing shall then~~  
14 ~~be changed to conform with the latest edition of the Uniform Plumbing Code.~~

15 **§4712. ~~§4710. Water Supply. Shower and Locker Rooms.~~**

16 (a) Each school building shall be provided with an ample supply of water from an  
17 approved public water system. Water supply shall be safe and of sanitary quality.

18 (b) Drinking water dispensed by means of drinking fountains, cups and water coolers  
19 shall conform to the following:

20 ~~(1) Drinking fountains:~~

21 (1)~~(a)~~ Drinking fountains shall be kept clean and in good repair.

22 (2)~~(b)~~ Drinking fountains shall be provided in the ratio of one per 75 students.

1           (3)(e) Drinking fountains shall be constructed of impervious material, such as  
2 stainless steel, vitreous china, porcelain, enamel, or stoneware.

3           (4)(d) The jet of the drinking fountain shall dispense issue from a nozzle of non-  
4 oxidizing, impervious material set at an angle from the vertical so as to prevent the return  
5 of the water in the jet to the orifice or orifices from where it is dispensed. ~~whence the jet~~  
6 ~~issues. The nozzle and every other opening in the water pipe or conductor leading to the~~  
7 ~~nozzle shall be above the edge of the bowl.~~

8           (5)(e) The end of the nozzle shall be protected by a non-oxidizing guard to  
9 prevent the mouth and nose of a person using the fountain from coming into contact with  
10 the nozzle.

11           (6)(f) The bowl of a drinking fountain shall be free from corners so as to be  
12 easily cleanable and to avoid collection of dirt and other contaminants.

13           (7)(h) The waste opening pipe shall be provided with a strainer and be of  
14 sufficient size to carry off the water promptly. ~~(g) Drinking fountains shall not have a~~  
15 ~~direct physical connection with waste pipe unless the drain is trapped.~~

16           (8)(2) Single service cups shall be used when dispensing drinking water from  
17 bottled water or water coolers. Single service cups shall be stored, handled, and dispensed in a  
18 sanitary manner.

19           (9)(3) Water coolers used for dispensing drinking water shall be provided with a  
20 cover, and shall be kept clean. Dipping of water from a water cooler is prohibited.

21           (10)(4) Other cups, such as individually owned cups, shall be used only by one  
22 owner.

1 (c) The school water supply system shall be in good working order at all times so as  
2 to adequately supply the water demand of the school.

3 (d) All water outlets shall be protected from back-flow either by air gap or back-flow  
4 prevention devices. There shall be no ~~existing or potential~~ cross-connection, or existing or  
5 potential conditions ~~back-siphonage problems~~ to cause back-siphonage, anywhere in the school  
6 building or its premises.

7 (e) Any water outlet with a threaded, serrated, or quick coupling nozzle shall be  
8 provided with a vacuum breaker.

9 **§4713. ~~§4711. Handwashing Unit Facilities. Toilet Facilities.~~**

10 (a) Handwashing units ~~facilities~~ shall be located in all the classrooms ~~or adjacent~~  
11 ~~thereto~~ for grade two and below in all grades from kindergarten to grade two (2), and in other  
12 rooms which require frequent handwashing, such as laboratories, art and cooking classes, and  
13 other classrooms as determined by the Department.

14 (b) Handwashing units shall be kept clean, maintained, and shall be adequate in size  
15 and number to serve the total population of the school based on the following ratio:

16 (1) Elementary schools shall have at least one (1) handwashing unit ~~lavatory~~  
17 for every 50 ~~60~~ students ~~pupils~~.

18 (2) Middle ~~secondary~~ schools, high schools, colleges, and universities shall  
19 have at least one (1) handwashing unit ~~lavatory~~ for every 50 ~~100~~ students.

20 (c) Handwashing sinks ~~facilities~~ shall be provided with cold water at a minimum  
21 ~~least~~. If hot water is also provided at handwashing sink ~~facilities~~, it must be combined with the  
22 cold water through a mixing faucet. The hot water shall have a maximum temperature of 110°  
23 ~~120°~~ Fahrenheit.

1 (d) Soap, ~~and sanitary single-service paper towels, and waste containers~~ shall be  
2 provided ~~made available~~ at all handwashing units times.

3 (e) Liquid soap dispenser shall be of a type that uses a replacement pouch or sealed-  
4 soap cartridge. If a non-mounted refillable liquid soap dispenser is used, it shall be discarded  
5 when empty (shall not be refilled). Soap dispensers shall be provided and placed so that the user  
6 does not have to move away from the handwashing sink to obtain the soap.

7 (f) Sanitary paper towels shall be placed inside the sanitary paper towel dispenser.  
8 Dispensers shall be installed near the handwashing sink. A heated air hand-drying device may  
9 be used in place of sanitary paper towels. Common use towels are prohibited.

10 (g)(e) Handwashing units facilities shall be conveniently located to or in restrooms toilet  
11 rooms.

12 (h) Soap dispensers and sanitary paper towel dispensers that are no longer being used  
13 shall be removed and disposed of properly.

14 **§4714. ~~§4712.~~ Shower Facilities and Locker Rooms. Garbage and Trash Disposal.**

15 (a) ~~Where athletic or gymnastic activities are conducted,~~ Shower facilities shall be  
16 provided in all middle schools, high schools, colleges, and universities where physical education  
17 is a required subject in the curriculum.

18 (b) Lockers or cubicles shall be provided in a separate room when shower rooms are  
19 required.

20 (c)(b) There shall be a minimum of one showerhead for every four (4) females girls and  
21 one showerhead for every each five (5) males boys based upon maximum demand in any one  
22 period.

1           (d) There shall be a minimum of one locker or cubicle for each student based upon  
2 maximum demand in any one period.

3           ~~(e)~~(e) The floors of the shower ~~facilities~~ ~~rooms~~ shall be of smooth, finished material  
4 with non-slip surface impervious to moisture and sloped to the floor drain. Junctions between  
5 walls and floors shall be covered and sealed. Shower rooms and stalls shall have floors,  
6 partitions, and walls to a minimum height of six (6) feet, finished with dense non-absorbent and  
7 non-corrosive materials having a smooth impervious surface. ~~Walls shall be water impervious up~~  
8 ~~to showerhead heights. Upper walls and ceilings shall be of smooth, easily washable~~  
9 ~~construction.~~

10           ~~(f)~~(d) Shower facilities ~~and locker rooms~~ shall be kept clean, free of mildew or mold,  
11 and well ventilated; and the lockers, showerheads, and floors shall be kept in good repair.

12           (g) The temperature of water at the shower head shall not exceed 110° Fahrenheit.

13           **§4715. ~~§4713. Toilet Facilities. Restrooms. Food Protection.~~**

14           (a) The following ~~table~~ establishes the minimum number of toilets ~~fixtures~~ and  
15 urinals for schools:

16           (1) Elementary schools:

17           (A) Female toilets ~~Girls' water closets~~ – one for each 35 females

18           (B) Male toilets ~~Boys' water closets~~ – one for each 50 ~~60~~ males

19           (C) Boys' Urinals - one for each 30 males

20           (2) Secondary schools, and colleges and universities ~~higher institutions~~:

21           (A) Female toilets ~~Girls' water closets~~ - one for each 45 females

22           (B) Male toilets ~~Boys' water closets~~ - one for each 50 ~~100~~ males

23           (C) Boys' Urinals - one for each 30 males

1 (b) For each toilet added in excess of the minimum required, one urinal may be  
2 deducted. The number of urinals shall not be reduced to less than two-thirds of the  
3 minimum requirement.

4 (c)(b) Toilets stools and urinals shall be of appropriate proper height for the students  
5 pupils.

6 (d)(e) Separate restrooms toilet-facilities for each gender sex shall be conveniently  
7 located. Restrooms found in classrooms may accommodate both genders provided the required  
8 toilet ratios have been met.

9 (e)(d) Restrooms Toilet facilities shall be provided in conjunction with shower or locker  
10 rooms.

11 (f) Restrooms shall be completely enclosed.

12 (g)(e) Restrooms that open directly to the outdoors shall have entrance doors that are  
13 tight fitting, self-closing, and open outward.

14 (1) Restroom entrance Toilet doors shall be self-closing and shall be provided  
15 with signs designating the gender for which such room is intended.

16 (2) Doors shall be kept clean and in good repair.

17 (h)(f) Floors in the restroom shall be of material impervious to moisture and floor drains  
18 shall be provided. Junctions between walls and floors shall be covered and sealed.

19 (i)(g) Each toilet facility shall be completely enclosed and shall have a tight-fitting, self-  
20 closing door. Toilet stall partitions and toilet stall doors shall begin not more than one (1) foot  
21 from the floor and extend to a height of not less than five (5) feet for elementary, and not less  
22 than six (6) feet for middle schools, high schools, and colleges and universities. Each toilet

1 stall door shall be equipped with a latch or lock to secure the door to ensure privacy when using  
2 the toilet.

3 ~~(h) Toilet rooms shall have adequate ventilation and shall be mechanically or naturally~~  
4 ~~vented to the outside.~~

5 (j) Each restroom ~~toilet room~~ shall be provided with a waste ~~an approved trash~~  
6 container that is durable, easily cleanable, and appropriately sized for its use.

7 (k) All restrooms ~~toilet rooms~~ shall be kept in good repair, clean, and free from foul  
8 odor.

9 (l) All toilet paper shall be placed in the toilet paper holder/dispenser and be  
10 available and conveniently located adjacent to each flush toilet.

11 **§4716. ~~§4714. Garbage, Trash, and Recycling Disposal. Safety.~~**

12 (a) Every school shall provide an adequate number of garbage and trash containers  
13 ~~with tight-fitting lids, which shall be located at a place suitable for their use. When recycling~~  
14 ~~programs are in place, recycling containers shall be provided and located at a place suitable for~~  
15 ~~their use. Containers with self-closing lids shall be constructed in such a way that accidents~~  
16 ~~cannot occur from faults of the apparatus itself.~~

17 (b) Watertight and non-absorbent containers with tight-fitting lids shall be used for  
18 storing garbage, trash, and recycling. Garbage Containers shall be washed and treated with a  
19 disinfectant as often as necessary to prevent nuisances. The disinfectant used in such containers  
20 shall contain at least 100 ppm of chlorine or its equivalent of an acceptable sanitizer ~~baetericide~~.

21 (c) Garbage, trash, recycling, and other solid wastes shall be disposed of regularly.

1 (d) Trash and solid waste shall be disposed of in an approved manner landfill or  
2 ~~garbage or refuse disposal system approved by Public Health~~ so as not to create a nuisance or  
3 health hazard.

4 (e) Bulk refuse containers shall be located on impervious asphalt or concrete surfaces  
5 sloped to drain into an approved sewage disposal system, elevated at least six inches from the  
6 ground surface. ~~Trash cans or barrels shall be elevated to at least eighteen (18) inches from the~~  
7 ~~ground surface and the areas around the containers shall be kept clean so as not to serve as~~  
8 ~~harborage for vermin.~~

9 (f) Garbage intended for use as animal feed shall be stored according to regulations  
10 separately established for feeding of garbage to livestock.

11 **§4717. §4715. Food Protection. Existing Facilities.**

12 All food storage, preparation, transporting, and serving facilities shall comply with  
13 applicable food facility regulations adopted by the Department Public Health regulations for  
14 ~~eating and drinking establishments.~~

15 **§4718. §4716. Safety.**

16 (a) Each school ~~building~~ shall have adequate type and number of first aid material as  
17 determined by the individual school's health care professional available and accessible.

18 ~~(b) The Red Cross first aid manual (current edition) or a similar recognized first aid~~  
19 ~~manual are recommended as guides on technique.~~

20 ~~(c) Fire extinguisher shall be provided as required by the Department of Public Safety.~~

21 ~~(d) All doors to the outside shall open outward and should be equipped with panic~~  
22 ~~latches.~~



1 ~~(e) Fire drills are recommended to be held at regular intervals and at least once a month is~~  
2 ~~recommended~~

3 ~~(f) All playground equipment shall be well constructed, safe and maintained in good~~  
4 ~~repair. Playground equipment shall comply with the safety requirements of the U.S. Consumer~~  
5 ~~Product Safety Commission adopted by the Department.~~

6 ~~(g) The playground equipment should be inspected frequently to detect defects, and when~~  
7 ~~found, it should be dismantled or placed out of service until repaired or replaced.~~

8 **§4719. §4717. Existing Facilities.**

9 School facilities in existence at the time that these regulations take effect shall  
10 be given five years from the date that these rules become effective to come into full compliance  
11 with the requirements of these rules unless a school facility or person files a written statement of  
12 exception with the Director and receives a variance as provided in §4721. ~~deemed acceptable if it~~  
13 is determined by the Director that no serious health hazard or discomfort will occur that would  
14 affect the occupants of such school facility.

15 **§4720. Inspection and Grading**

16 (a) Access

17 An employee or representative of the Department shall, after proper presentation of  
18 credentials, have access to any school building at any reasonable time for the purpose of making  
19 inspections to determine compliance with these rules and regulations. Denial of access shall be  
20 cause for suspension of the Sanitary Permit.

21 (b) Report of Inspections

22 Whenever an inspection of a school building is conducted, the findings shall be recorded  
23 on a form authorized by the Director, shall summarize the requirements of these rules and

1 regulations, and shall set forth a demerit value for each requirement. Inspection remarks shall be  
2 written to reference, by section number, the section violated and shall state the correction to be  
3 made. The rating score of the establishment shall be the total of the demerit values for all  
4 violations. A copy of the completed inspection report form shall be issued to the operator of the  
5 establishment at the conclusion of the inspection. The completed form is a public document that  
6 shall be made available for public disclosure to any person who requests it according to law.

7 (c) Appeal

8 The report of inspection of a school building shall state that an opportunity for appeal  
9 from any notice or inspection findings will be provided if a written request for a hearing is filed  
10 with the Director within the period of time established in the notice for correction.

11 (d) Grading

12 (1) Grades of a school building shall be as follows:

- 13 i. Grade A: An establishment having a demerit score of not more than  
14 ten (10);
- 15 ii. Grade B: An establishment having a demerit score of more than ten  
16 (10) but not more than twenty (20);
- 17 iii. Grade C: An establishment having a demerit score of more than twenty  
18 (20) but not more than forty (40); and
- 19 iv. Grade D: An establishment having a demerit score of more than forty  
20 (40).

21 (2) Notwithstanding the grade criteria established above, whenever a second  
22 consecutive (“repeat”) violation of the same item of 1, 2, 3, 4, or 6 demerit points is

1 discovered, the Sanitary Permit may be suspended or the establishment shall be  
2 downgraded to the next lower grade.

3 (3) The Department shall issue a placard reflecting the letter grade of the most  
4 recent inspection.

5 (4) The Department shall establish a specific and reasonable period of time for  
6 correction of the violations found, in accordance with the following provision:

7 (i) When the demerit score of the establishment is Twenty or less, all  
8 violations of Two or Four demerits must be corrected within a  
9 period of time not to exceed 15 days; or

10 (ii) When the demerit score of the establishment is more than Twenty but  
11 less than Forty-one, all items of Two or Four demerit points must be  
12 corrected within a period of time not to exceed 15 days; or

13 (iii) When one or more Six demerit point items are in violation, regardless  
14 of demerit score, such items must be corrected within a period of time  
15 not to exceed 10 days; and

16 (iv) When the demerit score of the establishment is more than Forty, the  
17 Sanitary Permit shall be immediately suspended.

18 (e) The operator shall ensure that he/she, or a designee, be present during inspections of  
19 a school building by the Department.

20 (f) The Inspection Report and Letter Grade Placard shall be posted in a conspicuous  
21 area designated by the Director.

22 **§4721. Variance.**

1           In the event that a school or a person is unable to comply with certain requirements of  
2 these rules and regulations, upon a showing of good cause which is not the result of negligence  
3 or malfeasance, the Director may grant a variance from the requirements of a particular rule by  
4 making a written determination. Before a variance from a requirement of these rules is approved  
5 , the school or person shall first submit a written statement of the proposed variance from the  
6 requirement citing relevant rule section numbers. The written statement shall include an  
7 alternate plan to address the potential public health hazards and nuisances under the relevant rule  
8 sections. The Director, not his/her representative, is delegated the authority to approve such  
9 variance.

10           **§4722. Severability.**

11           If any provision or the application of any provision of these regulations is held invalid,  
12 that invalidity shall not affect other provisions or applications of these rules and regulations.