

Subject: School Facilities

School Approval Standard:
Ed 306.07

I. Actual Text

Ed 306.07 School Facilities.

The local school board shall :

(a) Require that the facilities for each school provide the following:

- (1) Consistent with RSA 189:24, a clean, healthy, and safe learning environment for all areas of the school building, grounds, and school-related activities;
- (2) Lighting in compliance with the state building code as provided in RSA 155-A; and
- (3) Exhaust and outdoor air ventilation, proper temperature and humidity conditions in compliance with the state building code as provided in RSA 155-A.

(b) With regard to school facilities:

- (1) Customize classrooms and other school-related environments to the needs of different content areas;
- (2) Provide for accessibility of students with disabilities;
- (3) Demonstrate compliance with Saf-C 6000 relating to NFPA 101, "Life Safety Code, 2000 edition;" and
- (4) Document compliance with regulations relating to school building, sanitation, sewage disposal, water supply, and other matter affecting public health.

II. Department Comment

This section of the standards addresses facility requirements, many of which are under the jurisdiction of state or federal agencies other than the Department of Education.

A *Safety Resource Guide* may be found on the home page of the Department of Education website, www.ed.state.nh.us. This guide provides brief information on regulatory requirements and contact information for technical assistance.

Each school board should develop a plan for the routine maintenance of all facilities which includes periodic inspections for safety and sanitation as well as the proper operation of all installed equipment such as boilers, air handlers, elevators, heating units, kitchen appliances, and similar items. Major structural components, especially roofs should also be inspected. The plan should provide a process for

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repairs and adjustments as they are identified. A sample plan is available at www.ed.state.nh.us/buildingaid.

Buildings used in whole or in part for school activities which were constructed prior to 1990 are required to have an Asbestos Management Plan by the Asbestos Hazard Emergency Response Act (AHERA) of 1986. Buildings constructed after 1990 must have a certificate from the original architect or an asbestos inspection report which states that the building is free of asbestos. School boards should take care to ensure that all buildings used by the schools are in compliance with AHERA. This includes leased space, borrowed space, and space owned by the school district. Sites used for alternative programs must also comply. The Department of Environmental Services conducts periodic inspections of asbestos management activities in schools and is available to provide technical assistance. Contact Marjorie Yin, 271-4555.

Public Schools are required to comply with Titles I and II of the Americans with Disabilities Act (ADA) of 1990. In older buildings, compliance may be achieved in most cases by making a reasonable accommodation for any child, parent, or employee with a disability. For example, if the building does not have an elevator, classes may be moved to the ground floor to enable a student in a wheelchair to attend those classes. In addition to students and employees, accommodations are also necessary for parents/guardians with disabilities and for individuals attending public events in the building. Schools used as polling places must be accessible for voters with disabilities and poll workers. Although technically not required, as a minimum, every school building should have designated parking for persons with disabilities, at least one marked accessible entry door, and at least one ADA compliant washroom regardless of when the building was originally constructed. Anything less may lead to a successful civil rights complaint by someone who is unable to use the facility for its public purposes. Public school buildings constructed after 1990, or which undergo substantial renovation after 1990, are required by federal law to be fully compliant with the ADA. The Governor's Commission on Disabilities conducts periodic inspections for compliance with the ADA and is available to provide technical assistance. Contact Cheryl Killam, 271-4177.

The State Fire Marshal is responsible for enforcing the State Fire Code in accordance with RSA 153:5. All school buildings must meet the requirements of the State Fire Code. Monthly fire drills are required when school is in session. That includes during the summer months if the school offers a summer program for children. Fire drills may be deferred during the winter as long as the total annual required number of drills is conducted. Two fire drills may be replaced by other types of emergency drills such as a lock down drill. An annual fire safety inspection by the local fire department, state fire marshal, or a licensed fire protection engineer is strongly recommended. Proof of at least one fire inspection and proof that fire drills have been conducted will be required for school approval renewal applications. Contact the Office of the State Fire Marshal at 271-3294.

The NH Department of Labor conducts inspections of elevators, boilers, and work place safety conditions. School districts are not subject to the Federal Occupational Safety and Health Act (OSHA) but they must

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comply with the NH Department of Labor Administrative Rules, Lab 1400, which describe safety requirements in the work place. Contact the Department of Labor at 271-3171.

The NH Department of Environmental Services approves wells and septic systems, establishes standards for drinking water quality, and determines the frequency and types of water testing that must be conducted for a specific well. Each school board should ensure that current permits are on hand for every well and septic system and that trained maintenance personnel are on staff or available through contracts as required. Schools on municipal water and/or sewer systems have few requirements, however, school administrators should keep informed of any problems with municipal systems that may cause a need to bring in water from another source. Contact the water Division at 271-3434.

The Food Protection Bureau of the Department of Health and Human Services must license all food service activities where food prepared on site is served to students or members of the public. This includes culinary arts programs which serve the food prepared by students in class. The bureau also conducts periodic inspections for compliance with food sanitation rules. Contact Joyce Welch at 271-4858.

Information on playground safety is available from the U.S. Consumer Products Safety Commission at www.cpsc.gov/cpsc/pub/pubs/playpubs.html.

The Local Code Enforcement Officer, Fire Chief, and Health Officer have jurisdiction to enforce state laws and local ordinances within their respective areas of concern. More importantly, these local officials can serve as a valuable resource to schools to help provide a safe and healthy environment for learning.

III. For more information on this technical advisory, contact:

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