

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

CHAPTER 64E-13 SCHOOL SANITATION

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64E-13.001 General.

This rule prescribes minimum requirements and standards of sanitation and safety for schools located within the state regardless of the nature of the school, its ownership or organization. For public school facilities: If a standard requirement in this rule conflicts with a specific standard requirement in the State Uniform Building Code For Public Educational Facilities (UBC), Chapter 1013 235.26, of the Florida Statutes (FS), then the UBC that code standard for public educational facilities shall prevail. The UBC standards for public educational facilities can be found in Section 423 of the Florida Building Code, which can be obtained at <http://www2.iccsafe.org/states/florida%5Fcodes/>.

(1) Prior to opening, operating, and approval by the local county health department (CHD), an educational facility operator or owner shall provide applicable documents and inspection reports to the local county health department indicating or confirming the school facility and its premises are compliant with all applicable state and local codes for educational facilities, such as zoning, fire safety, building, plumbing, water supply, and sewage disposal code requirements.

(2) School facility inspections shall be conducted by the local county health department using inspection form DOH 4030, effective 07-10, School Inspection Report, herein incorporated by reference, in accordance with this paragraph. A copy of the inspection form may be obtained by the local county health department or at www.doh.state.fl.us/environment/community/group/sch.htm.

Rule Making Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16), 386 FS. History–New 1-1-77, Formerly 10D-24.21, Amended 8-7-96, Amended ##-##-2010 Formerly 10D-24.001.

64E-13.002 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meaning indicated:

(1) Department – Means the Florida Department of Health.

(2) Dormitory – means a facility which provides a room or group of rooms for sleeping, including a residence hall or building, on the premises of an educational facility, for the purpose of housing enrolled students. A dormitory may have individual or group toilet and shower rooms for the students residing at the facility.

(3) Educational Facility– means a learning program providing any of the following:

(a) grade progression for any combination of or single grade from kindergarten through 12th grade, or

(b) a general equivalency diploma (GED), or

(c) a college level associates degree, bachelors degree, masters degree or higher.

For the purpose of this Chapter, the term also includes any charter school, college, community college, non-public school, private school, public school, school

facility, university and vocational school meeting the criteria listed above. The term does not apply to a home school.

(4) Environmental Sanitation – means the effective use of measures that create and maintain healthy environmental conditions by controlling those factors in man’s physical environment which exercise or may exercise a deleterious effect on his physical development, health, or survival. Among these measures are the safeguarding of food and water; proper health, hygiene, and safety standards; proper sewage and refuse disposal, proper control of indoor air pollutants, and the control of pests.

(5) Hot water – means water heated to a minimum temperature of 100 degrees Fahrenheit (°F).

(6) Home School – means a parent or legal guardian who educates their own children or those who they are legal guardians of, and education takes place primarily at the child’s place of residence.

(7) Infestation – a population of insect, plant and vermin pests that cannot be controlled without undertaking proper mitigation measures.

(8) Infestation Threshold – pest populations that negatively affect normal school functions and operations, allergens, sanitation, and the presence of vectors which result in degrading overall human health.

(9) Integrated Pest Management (IPM) - is a process for balancing the risks between pests and pesticides to achieve long term pest suppression. IPM uses a wide variety of technological and management practices. Control strategies in an IPM program extend beyond the application of pesticides to include structural and procedural modifications that reduce the food, water, harborage, and access used by pests.

(10) Open Water Hazard – means a body of water unprotected by a barrier or fence at least 4 feet in height on or adjacent to the property of a school facility.

(11) Non-public school – means an educational facility not under the guidance and operational standards of the local county school board.

(12) Pest – means any vector, vermin, insect, rodent, nematode, weed, form of terrestrial or aquatic animal life, and any organism declared by the department, which is a nuisance to man or because it has pathogenic properties.

(13) Private home – means a place of residence and can be also referred to as a domicile or house.

(14) School facility – see the definition of educational facility.

(15) Student – means a person who attends an educational facility.

(16) University – see the definition of educational facility.

(17) Vector – means an organism, such as an animal or insect, which can transmit a pathogen.

64E-13.004 School Site and Building Standards.

(1) No Change.

(2) No Change.

(3) No Change.

(4) No Change

(5) No Change.

~~(6) Sanitary Facilities. Every school plant shall be provided with toilet and hand washing facilities for all occupants. These facilities shall be located for convenient student access and faculty supervision and kept clean and in good repair. Faculty and staff facilities shall be provided in separate rooms from student facilities.~~

~~(a) Toilet Facilities.~~

~~1. Preschool grades through grade three shall be provided with toilet and handwashing facilities located within or adjoining classrooms and such toilet rooms shall be considered adequate without urinals. Common toilet facilities for both sexes shall not be allowed above the third grade.~~

~~2. Toilet facilities shall be accessible under continuous roof cover from all student occupied spaces. Access to group toilets shall not be through an occupied space.~~

~~3. Walls to a height of at least four feet (4'0") toilet partitions and floor of all toilet rooms shall be finished with impervious materials.~~

~~4. All plumbing fixtures shall conform to the provisions of the local plumbing code.~~

~~5. All group toilet rooms shall be provided with at least one (1) floor drain and (1) hose bib. The floor shall be sloped to the drain. Stall urinals do not serve for the required floor drains.~~

~~6. In group toilet rooms a partition shall be placed between each water closet. Each compartment shall have a door. Entrances to group toilet rooms shall be provided with a partition or other shielding device to block the occupants from view. Entrance doors shall be self-closing.~~

~~7. The toilet fixture requirement in reference to student population, faculty, and staff shall conform to the standards specified in local plumbing codes or Chapter 64E-10, F.A.C.~~

~~8. Deodorizers shall not be used in toilet rooms. Air deodorizers are not to be confused with disinfectants.~~

~~(b) Handwashing facilities.~~

~~1. Handwashing facilities shall be located within or adjoining each toilet room.~~

~~2. Soap dispensers shall be provided at all wash basins and liquid or powdered soap shall be used.~~

~~3. Individual towels, preferably paper shall be used. Use of common or public towels is prohibited. Hot-air hand-drying devices may be used.~~

~~(c) Showers.~~

~~1. Shower facilities shall be provided in all secondary schools where physical education is a required subject. Shower facilities, where applicable, should be considered for elementary schools.~~

~~2. Shower rooms and stalls shall have floors, partitions and walls to a minimum height of six (6) feet finished with dense non-absorbent and non-corrosive materials having a smooth impervious surface.~~

~~3. Shower heads shall be spaced so that there will be at least thirty (30) inches between center of spray pattern on the floor. If showers are compartmented, the shortest side shall be a minimum of thirty (30) inches and each compartment shall contain a minimum of seven and one-half (7 1/2) square feet.~~

~~4. Shower heads shall be based on the largest group to be accommodated at one time (peak load). One (1) shower head shall be provided for each five (5) pupils.~~

~~5. Floors shall be drained in such a manner that waste water from any shower head will not pass over areas occupied by other bathers.~~

~~6. Water shall be heated and the temperature at the shower head shall not exceed one hundred ten (110) degrees F.~~

~~7. Showers must be kept clean and free of mildew.~~

~~8. Foot baths shall not be provided.~~

~~(67) Water Supply.~~

~~(a) No Change.~~

~~(b) No Change.~~

(c) No Change.

~~(78)~~ Sewage Disposal. Sewage shall be disposed of in accordance with Chapter 62-600 or 64E-6, F.A.C., whichever is applicable. Sewage treatment and disposal systems at schools shall be maintained in compliance with the applicable chapter.

~~(89)~~ Solid Waste. Garbage, trash, and rubbish shall be collected, stored, and disposed of at a frequency and in a manner that prevents a sanitary nuisance. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. Outdoor waste containers must be easily cleanable, serviceable, and should be located on a smooth nonabsorbent surface. Waste containers and the storage area shall be cleaned at frequent intervals to prevent odors and breeding places for vermin. Waste water from the cleaning of garbage containers shall be disposed of as sewage. Removal and disposal of garbage shall comply with Chapter 62-701, F.A.C.

~~(10)~~ Vermin Control. Effective measures shall be used to prevent harborage, propagation, or infestations of rodents, flies, cockroaches, and other insects on school premises. Brush, trash or other unnecessary material shall not be allowed to accumulate on school premises. Water must not be allowed to accumulate in any open containers, such as buckets and tires.

~~(94)~~ First Aid Kit. Schools shall own and maintain a completely equipped first aid kit available to pupils under supervision of an adult at all times while school is in session. The first aid kit shall minimally contain the following:

1. Cleansing agent/soap.
2. Sterile, adhesive bandages in assorted sizes.
3. Disposable latex gloves (2 pairs).
4. Cotton balls or applicators (1 package).
5. Sterile gauze pads in both 2 inch and 4 inch sizes (four of each)

6. 3-inch sterile roller bandages (three rolls).
7. Adhesive tape.
8. Scissors.
9. Non-mercury containing thermometer.
10. Tweezers.
11. Magnifying glass.
12. Antiseptic.
13. Rubbing alcohol.
14. "POISON CONTROL" phone number 1-(800)222-1222.
15. Pre-moistened wipes, and
17. A current resource guide on first aid and CPR procedures.

Rule Making Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16), 386 FS. History—New 1-1-77, Formerly 10D-24.24, Amended 8-7-96, Amended ##-##-2010, Formerly 10D-24.004.

64E-13.005 Sanitary Facilities.

(1) Every school plant shall be provided with toilet and hand washing facilities for all occupants. These facilities shall be located for convenient student access and faculty supervision and kept clean and in good repair.

(a) Toilet Facilities.

1. Preschool grades through grade three shall be provided with toilet and handwashing facilities located within or adjoining classrooms, except as specified in subsection 2 below, and such toilet rooms shall be considered adequate without urinals.

Common toilet facilities for both sexes shall not be allowed above the third grade.

Faculty and staff restroom facilities shall be provided in separate rooms from student restroom facilities.

2. Schools that do not have toilet and handwashing facilities located within or adjoining preschool through third grade classrooms, must develop an alternative toileting protocol for those students. The school facility shall provide a copy of the proposed alternative protocol requirements to the local county health department. The protocol shall be reviewed by the local CHD for approval or denial prior to implementation of the alternative toileting protocol. Any changes to an established approved protocol shall be provided to the local county health department for approval or denial, prior to implementation of the new alternative toileting protocol. The alternative toileting protocol shall include the following requirements:

(a.) A schedule of times throughout the school day for designated restroom breaks for each classroom.

(b.) A plan for handling unscheduled restroom breaks, when students need to use the restroom outside of the designated break times.

(c.) A plan for ensuring adult supervision of the students during their scheduled and unscheduled restroom breaks, and

(d.) A plan describing how the supervising adult will ensure that all students practice good hygiene during their restroom scheduled and unscheduled breaks.

3. Toilet facilities shall be accessible under continuous roof cover from all student occupied spaces and student toilet facilities shall not be more than 500 unobstructed feet from the student's classroom. Access to group toilets shall not be through an occupied space.

4. Walls to a height of at least four feet (4'0"), toilet partitions and floors of all toilet rooms shall be finished with impervious materials.

5. All plumbing fixtures shall conform to the provisions of the local plumbing code.

6. All group toilet rooms shall be provided with at least one (1) floor drain and (1) hose bib. The floor shall be sloped to the drain. Stall urinals do not serve for the required floor drains.

7. In group toilet rooms a partition shall be placed between each water closet. Each compartment shall have a door. Entrances to group toilet rooms shall be provided with a partition or other shielding device to block the occupants from view. When present, entrance doors shall be self-closing.

8. The toilet fixture requirement in reference to student population, faculty, and staff shall conform to the applicable plumbing standards specified in the Florida Building Code Plumbing Section.

9. Deodorizers shall not be used in toilet rooms. Air deodorizers are not to be confused with disinfectants.

(10) Student restroom facilities shall not be locked during normal school operating hours, special events, and when after school programs are present. Student restrooms may be locked when all classroom and after school program staff within 150 feet of the locked restroom are equipped with keys to both boys and girls restrooms. The keys shall be available and provided to students or children enrolled in the after school program upon request to use the restroom.

(11) School facilities shall have adequate supervision of students using the restrooms to promote good hygiene, such as hand washing, and to prevent vandalism. Schools that have repetitive vandalism to their restroom facilities affecting restroom usability, availability of sanitary supplies, or creating a safety hazard, shall develop a written action plan that shall be implemented detailing how and what measures will be taken to prevent and discourage vandalism from occurring. The vandalism prevention action plan (VPAP) shall minimally address how adequate supervision will be maintained while restrooms are in use, how sanitary supplies will be maintained, steps the school

will implement to discourage student restroom vandalism, and any other related restroom vandalism issues as determined by the local county health department and within the confines of this rule's requirements. A copy of the vandalism prevention action plan shall be provided to the local health department for review. Schools required to create a vandalism prevention action plan must have their plan approved by the local county health department prior to implementation. Schools with required vandalism action plans shall be required to maintain a log of vandalism reports and submit them quarterly to the local county health department. Schools not experiencing decreases in vandalism in their restrooms within six months, shall be required to revise the VPAP and submit it to the local CHD for additional review and approval before implementation.

(12) All restroom facilities shall be sanitized at least daily or more frequently to prevent odors and when urine or fecal accidents occur.

(b) Handwashing facilities.

1. Handwashing facilities shall be located within or adjoining each toilet room.
2. Soap dispensers shall be provided at all wash basins and liquid or powdered soap shall be provided.
3. Individual towels, preferably paper shall be used. Use of common or public towels is prohibited. Hot-air hand drying devices may be used and must be maintained in good working condition.

(c) Showers.

1. Shower facilities shall be provided in all schools for grades seventh and above where physical education is a required or an elected subject. Seventh and eighth grade classes at school facilities regulated by the department prior to October 1, 2010, which have been in continuous operation since initial regulation, are exempt from this shower requirement. If the facility changes ownership, moves, or relocates, this exemption is not transferable to the new location, new facility, or from one owner to another. Shower

facilities, where applicable, should be considered for elementary schools to afford good personal hygiene practices for students.

2. Shower rooms and stalls shall have floors, partitions and walls to a minimum height of six (6) feet finished with dense non-absorbent and non-corrosive materials having a smooth impervious surface.

3. Shower heads shall be spaced so that there will be at least thirty (30) inches between center of spray pattern on the floor. If showers are compartmented, the shortest side shall be a minimum of thirty (30) inches and each compartment shall contain a minimum of seven and one-half (7 1/2) square feet.

4. Shower heads shall be based on the largest group to be accommodated at one time (peak load). One (1) shower head shall be provided for each five (5) pupils.

5. Floors shall be drained in such a manner that waste water from any shower head will not pass over areas occupied by other bathers.

6. Water shall be heated to a minimum temperature of 100 °F and the temperature at the shower head shall not exceed 110 °F. Adequate amounts of hot water shall be provided to accommodate shower usage during normal operating hours.

7. Showers must be kept uncluttered, clean, and free of mildew. Shower room floors shall be sanitized daily and when visibly soiled.

8. Foot baths shall not be provided.

9. The school shall develop a showering policy and procedure to ensure that students are educated in the basics of good hygiene and practice good hygiene after physical activities related to physical education classes. The school shall have available soap and towels for students who need them to take a shower.

(d). Diaper Changing Stations

1. A diaper changing station shall be located in or adjacent to any classroom where children wearing diapers are in attendance.

2. The diaper changing station shall be equipped with an impermeable changing mat that is cleaned and sanitized after each use. The mat and the changing station areas shall be kept clean and maintained in good sanitary condition. The use of tape to cover rips or tears in the impervious mat covering is prohibited.

3. Chemical test strips shall be available at the changing station and used by staff to check the concentration of the sanitizer daily and each time a new batch of sanitizer is mixed.

4. Sanitizers shall consist of one of the following sanitizing chemicals, at the noted concentration, and must be applied to the changing mat surface for the minimum contact time indicated or as directed on the label for proper sanitization.

a. Chlorine at a concentration between 100-300 ppm and applied to the surface a minimum of one minute.

b. Quaternary Ammonium at a concentration at or above 200 ppm and shall not exceed the maximum concentration per the manufacturers instructions.

c. Iodine at a concentration at or above 50 ppm and shall not exceed the maximum concentration per the manufacturers instructions.

5. The diaper changing station shall have a garbage can equipped with a tight fitting lid and lined with an impermeable garbage bag. The garbage can shall be cleaned and sanitized daily or more often to prevent noisome odors. The use of deodorizers is prohibited.

6. A hand wash sink shall be provided immediately within the changing station area, adjacent to the changing station, or within 15 feet of the changing table. There shall be direct access to the hand wash sink without the necessity of opening doors or touching handles, to prevent environmental contamination from unclean hands. The hand wash sink shall be provided with running water under pressure, liquid or powder

hand soap, and disposable individual use towels. The hand wash sink shall be only used for handwashing and have a sign posted designating it for hand washing only.

64E-13.006 Vector, and Pest Control and Integrated Pest Management.

(1) Effective control measures shall be utilized to eliminate the presence of vectors and pests on the premises. A program utilizing Integrated Pest Management (IPM) principles developed by the University of Florida, Institute of Food and Agriculture or the United States Environmental Protection Agency shall be used to prevent harborage, propagation, or infestations of any vector or pest on school premises. It is the responsibility of each educational facility to adopt an IPM Program. Each educational facility shall establish, implement, and maintain an Integrated Pest Management (IPM) program. An IPM program is a regular set of procedures for preventing and managing pest problems using an integrated pest management strategy, as defined in section 64E-13.002 of this Rule. The educational facility is responsible for the IPM Coordinator's compliance with these regulations.

(2) The IPM program shall contain these essential elements:

(a) A school facility approved IPM policy, stating the school is commitment to follow integrated pest management guidelines in all pest control activities that take place on school property. The IPM policy statement shall at a minimum address the following items:

(1) A definition of IPM consistent with this section;

(2) a reference to Florida laws and rules governing pesticide use and IPM in schools including Chapter 482 and 487, FS, and Chapters 5E-14, 5E – 2, and 5E-9, FAC;

(3) information about who can apply pesticides on a school facility's property; and

(4) information about designating, registering, and required training for the school's IPM coordinator. The school facility Administrator and IPM Coordinator will maintain a copy of the policy.

(b) A monitoring program to determine when pests are present and when pest infestation thresholds are severe enough to justify corrective action;

(c) The preferential use of reduced risk methods and materials and the use of non-chemical management strategies to control pests;

(d) A system for keeping records of facility inspection reports, pest-related work orders, pest control service reports, pesticide applications, and pesticide complaints;

(e) A plan for educating and informing school employees about their roles in the IPM program; and

(f) Written guidelines that identify thresholds for when pest control actions are justified.

(3) Each school facility that engages in pest control activities must employ or contract with a licensed applicator, who may, if an employee, also serve as the IPM Coordinator.

(4) Each school facility shall prior to or by the first week of school attendance, ensure that a procedure is in place to provide prior notification of pesticide applications in accordance with this chapter. Individuals who request in writing to be notified of pesticide applications may be notified by telephonic, written or electronic methods.

(5) IPM programs must contain the following standards:

(a) Direct the use of least hazardous methods available to control pests, rodents, insects and weeds;

(b) Establish minimum distance an educational facility must maintain between an area where pesticides are applied and an area where students are present at the time of application according to the pesticide's labeled directions;

(c) Establish the minimum amount of time required to wait after pesticides have been applied before allowing students to enter an indoor or outdoor area that has been treated before normal academic instruction or organized extracurricular activities can resume according to the pesticide's labeled directions;

(d) Requirements for posting notices indoors and outdoors following the use of pesticides, except when making targeted bait applications;

(e) Requirements for maintaining records of rodent and vermin monitoring and pesticide usage;

(f) Establish an IPM coordinator whose primary responsibility it is to oversee the operational aspects of the IPM program.

1. The IPM coordinator is primarily responsible for verifying that implementation of the pest management strategy including exclusion, sanitation, pest monitoring and evaluation, reporting pest populations, and pesticide applications follow prescribed procedures.

2. The IPM coordinator must successfully complete an IPM coordinator training course or equivalent that is approved by the Department of Agriculture and Consumer Services within 6 months of appointment.

3. The IPM coordinator must complete 2 hours of continuing education units per year beginning the effective date of this rule, or the date of designation, which ever is later. No approved course may be repeated within a 3-year period.

4. The IPM coordinator must conduct periodic facility inspections on campus buildings and grounds and maintain a report record of their findings. The documented reports shall be made available upon request by the department.

(6). The primary means of pest control shall be the use of Integrated Pest Management (IPM) practices for the control of pests throughout a school facility, as recognized by the University of Florida, Institute for Food and Agriculture Sciences or the United States Environmental Protection Agency (EPA) document "IPM for Schools: A how-to manual," which can be found at the following website <http://www.epa.gov/pesticides/ipm/schoolipm/index.html>. Existing educational facilities shall have 18 months from the adoption date of this rule section to implement an IPM program. IPM programs may be in-house or administered by contracting with a licensed pest control company.

(a) The creation, maintenance or causing of any condition capable of propagating pests will not be permitted. All buildings shall be effectively pest free. All exterior openings shall be effectively sealed or screened with a standard type 16 mesh screening, capable of excluding arthropod and vertebrate pests.

(b) Brush, trash or other unnecessary material shall not be allowed to accumulate on school premises. Water must not be allowed to accumulate in any open containers or equipment, such as buckets and tires.

(c) Individuals responsible for administering or applying pesticides shall be compliant with Chapter 482, FS.

Rule Making Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS.
History–New

64E-13.007 Animal Health and Safety.

Animals living in or visiting an educational facility shall comply with the requirements of this section.

(1) Animals requiring rabies vaccination under 828.30, FS, must be vaccinated for rabies and their vaccinations must be current at the time of inspection. Proof of Rabies vaccination or veterinary certification of vaccination exemption shall be kept on the school premises at all times and made available to the department upon request.

(2) All animals must be kept free from disease and in good health or under treatment by a licensed veterinarian.

(3) Aggressive, venomous, or potentially dangerous animals must be restricted from access by the students at all times and kept in such a manner so as not to be able to become free roaming and cause or inflict harm to the students, visitors, or employees. These animals may not be housed in the students sleeping quarters or dormitory sleeping areas.

(4) Animal housing, cage, aquarium, barn or other housing arrangements shall be kept clean and in good repair. Food and clean water shall be adequately supplied and accessible to the animal.

Rule Making Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS.

History–New

64E-13.008 Dormitories and Residential School Facilities.

(1) Dormitories and residential school facilities, located on the premises of a school, shall not be part of the routine inspection of the school facility. Dormitories shall be inspected on a complaint basis.

a. The dormitory and its premises shall be maintained in good condition, clean, free from pest infestations, noisome odors, and shall be free of health and safety hazards of an environmental origin as determined by the environmental health inspector.

Rule Making Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS.

History–New

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