902 KAR 45:150. School sanitation.

RELATES TO: KRS 211.180, 212.210, 212.990
STATUTORY AUTHORITY: KRS 194.050, 211.090,
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 211.180 and 212.210 requires the Cabinet for Health and Family Services to regulate certain public health matters including the detection, prevention, and control of communicable disease and health hazards relating to sanitation and safety in schools. This administrative regulation establishes uniform standards for schools and includes sanitary standards for operation, inspections, and enforcement procedures necessary to insure a safe and sanitary environment.

Section 1. Definitions.

(1) "Approved sewage disposal system" means a sewage disposal system approved by the Department for Public Health consistent with 902 KAR 10:085, Section 1(2).

(2) "Approved water supply" means that the source of water:

(a) Is a spring, well, public water system, or other source of water;

(b) Has been sampled and analyzed by the Energy and Environment Cabinet, Department for Environmental Protection, Division of Water;

(c) Has been found to be of a safe and sanitary quality and quantity in accordance with 401 KAR Chapter 8; and

(d) Has been approved by the Energy and Environment Cabinet, Department for Environmental Protection, Division of Water.

(3) "Cabinet" means the Cabinet for Health and Family Services and its designated agents.

(4) "Designated agents" means local health department environmentalists that are duly registered sanitarians environmental health specialists.

(5) "Local Board of Education" means a duly elected or appointed Board, any private agency, or organization that operates, controls, or supervises a school or system of schools.

(6) "Person" means an individual, firm, partnership, company, corporation, trustee, association, or any public or private entity owning or operating a school.

(7) "School" means any area, parcel, or tract of land on which facilities are established, maintained, or operated for educational purposes, including public, parochial, and private facilities enrolling students in any of the grades kindergarten through the 12th grade including vocational education facilities, but excluding day care facilities, and individuals teaching their own children.

(8) "Semipermanent school structure" means any school structure that is constructed off-site and transported to the school site and is intended to serve as temporary classroom or other facility and not made a fixed portion of any existing school structure.

(9) "State Plumbing Code" means 815 KAR Chapter 20.

(10) "Tempered water" means a water temperature of at least ninety (90) degrees Fahrenheit to a maximum temperature of 110° F.

Section 2. Water Supply.

(1)

(a) The water supply shall be potable and from an approved public water supply, if available.

(b) If an approved public water supply is not available, the supply for the school shall be developed and approved pursuant to applicable requirements of the Energy and

Environment Cabinet. If an approved public water supply subsequently becomes available, connections shall be made to it and the school supply shall be discontinued.

(2) The water supply shall be of adequate quantity and under sufficient pressure to permit unrestricted use.

(3)

(a) All drinking fountain installations shall meet the requirements of the State Plumbing Code and shall be maintained in proper working order with adequate pressure and in a clean sanitary condition. Provision shall be made so that small children can drink with ease.

(b) In lieu of water fountains, portable drinking water containers may be used. If portable drinking water containers are used, they shall be of easily cleanable construction, kept securely closed and designed so that water may be withdrawn from the container only by water tap or faucet, and shall be maintained in a sanitary condition.

(c) If paper drinking cups are used, they shall be stored and dispensed in a sanitary manner and discarded after use. Common drinking cups shall not be used.

Section 3. Sewage and Solid Waste Disposal.

(1)

(a) All sewage and liquid waste matter shall be disposed of into a public sewer system, if available.

(b) If a public sewer is not available, disposal shall be made into a private sewage disposal system designed, constructed, and operated pursuant to the requirements of the cabinet or the Energy and Environment Cabinet. If a public sewer system subsequently becomes available, connections shall be made to it and the school's private sewage disposal system shall be discontinued.

(2) All plumbing shall comply with the State Plumbing Code.

(3) All private sewage disposal systems shall be operated in a manner that does not create a nuisance or possible hazard to public health. Nonwater carriage toilets may be utilized if consistent with 902 KAR 10:085, Section 1(2).

(4) All waste paper and solid waste shall be disposed of so as not to create a health or safety hazard and in a manner approved by the Energy Environment Cabinet.

(5)

(a) Containers shall be provided in all classrooms and hallways for storage of solid waste.

(b) All bulk solid waste shall be stored in containers, adequate in number to contain the waste, with tight-fitting lids.

(c) All bulk solid waste storage areas shall be constructed and maintained to prevent the entry and harborage of insects, rodents, and other vermin.

(d) All solid waste containers shall be of easily cleanable construction, kept clean and in good repair.

Section 4. Restroom Facilities.

(1) All schools shall provide restroom facilities pursuant to the requirements of the State Plumbing Code.

(2) All restrooms, locker rooms, and toilet, shower and hand-washing fixtures shall be maintained in a clean, sanitary condition.

(3) All restroom and locker room floors, walls, toilet partitions, ceilings, windows, and fixtures shall be maintained in good repair.

(4) A minimum of twenty (20) foot-candles of light shall be provided in all restrooms and locker rooms as measured at a height of thirty (30) inches above the floor.

(5)

(a) An ample supply of toilet tissue and soap shall be provided.

(b) Disposable paper towels, cloth roll-type dispenser towels, or electric hand-drying devices shall be provided.

(c) Easily cleanable waste receptacles shall be provided in each restroom and locker room and shall be kept clean and in good repair.

(d) Waste receptacles shall be of covered-type design in all restrooms and locker rooms for female teachers and female students in grades seven (7) and above.

(6)

(a) All hand-washing and shower facilities shall be supplied with hot and cold or tempered water under pressure.

(b) Temperature and pressure control devices shall be installed on all shower facilities pursuant to the requirements of the State Plumbing Code.

(7) For a parochial school of thirty-five (35) or less students if the school privies do not have running potable water under pressure:

(a) The pupils shall be provided with potable water from an approved public water supply, if available, or a private water supply approved by the Energy and Environment Cabinet Drinking Water Branch for hand washing purposes that meets the following requirements:

1. The water shall be placed in an insulated container that:

a. Is rated to keep the temperature of the water from dropping below ninety (90) to 110° F for a period of two (2) hours;

b. Holds a minimum of ten (10) gallons of water; and

c. Has a spigot that is capable of allowing water to run continuously without being held or depressed by hand in order to allow both hands to be washed together;

2. The temperature of the water shall be a minimum of ninety (90) degrees Fahrenheit and shall not exceed 110° F when placed in the container;

3. If the water in the container falls below ninety (90) degrees Fahrenheit, it shall be reheated to ninety (90) degrees Fahrenheit or replaced with water that meets the requirements of subparagraph 2 of this paragraph; and

4. The amount of water in the container shall be inspected at least twice during the school day and replenished as necessary to keep a supply of water constantly available during the entire school day;

(b) A record shall be kept showing that the water has been inspected and replenished as required by paragraph (a)4 of this subsection; and

(c) The wastewater generated from hand washing shall be disposed of in an approved sewage disposal system.

(8)

(a) All windows used for room ventilation in restrooms and locker rooms shall be screened to prevent the entry of insects and other vermin.

(b) Except as provided in paragraph (c), (d), or (e) of this subsection, all restrooms and locker rooms in schools without central heating and air-conditioning or other closed-environment type heating, ventilation, and air-conditioning systems shall have self-closing doors.

(c) Schools with less than ten (10) students shall not be required to have self-closing doors.

(d) In those schools at which closed-environment type HVAC systems are provided, self-closing doors shall not be required if effective odor and insect entry control is demonstrated.

(e) In school restroom and locker room facilities used by small children, any self-closing devices on all doors shall be adjusted to provide closure without presenting a safety hazard to students.

Section 5. Lighting.

(1)

(a) All school classrooms, study rooms, industrial arts shops, gymnasiums, enclosed swimming pools, auditoriums, stairways, and hallways shall be adequately lighted.

(b) All lighting shall be installed so that glare will be eliminated.

(c) Illumination levels as listed below shall be provided as measured at a height of thirty (30) inches above the floor:

Task or Area	Foot-candle Levels
Storage rooms	10
Hallways, stairways, auditoriums (during entry and exit)	20
General classrooms, gymnasiums, and enclosed swimming pools	50

(d) In certain areas such as industrial arts work benches, power tool locations, welding, and foundry locations, art work benches, home economics kitchens, and laboratories, additional spot illumination shall be provided if necessary to maintain adequate lighting especially if safety hazards are present.

(2) Windows, shades, and light fixtures shall be kept clean and in good repair at all times the school is in session.

Section 6. Building, Heating and Ventilation.

(1) All walls, ceilings, floors, furniture, drapes, curtains, and blinds shall be kept in good repair.

(2)

(a) All floors shall be kept clean and free of litter.

(b) All walls, ceilings, furniture, drapes, curtains, and blinds shall be kept clean.

(c) All floors shall be cleaned using dustless methods.

(d) Special attention shall be given to maintain floor areas around drinking fountains and toilet and hand-washing facilities free of water spillage.

(3) School buildings shall be maintained free of insect or rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall be pursuant to applicable state laws and administrative regulations.

(4) School buildings shall maintain a minimum indoor temperature for occupied spaces of sixty-eight (68) degrees Fahrenheit at a point measured thirty (30) inches above the floor. The installation of portable space heaters shall not be used to achieve compliance.

(5) Schools with ten (10) or more students shall provide sufficient storage space for outer clothing, play equipment, school supplies, and student's sack lunches. This space shall be easily accessible, well lighted, easily cleanable, ventilated and be designed, constructed, and maintained to reduce fire hazards.

(6)

(a) Adequate storage space shall be provided for the storage of janitorial supplies and combustible or poisonous materials and shall be kept locked at all times when not under direct supervision by maintenance staff or faculty.

(b) All janitorial or other supplies of a poisonous, caustic, or combustible nature shall be stored in the original container or, if dispensed from bulk containers, only in properly identified containers designed for that use.

(c) All poisonous, caustic, and combustible materials shall be stored in an area from food products.

(d) Soft drink or other food or drink containers shall not be used for storage of toxic materials.

Section 7. Safety.

(1)

(a) All school buildings shall have approved-type fire extinguishers provided of sufficient number and fire rating type as determined by the State Fire Marshal or local fire departments.

(b) All exits shall comply with the requirements of the State Fire Marshal.

(2) Each school building shall have adequate first aid material available and easily accessible and shall be equipped with the following items:

(a) Compresses and bandages to include:

1. A one (1) inch compress-on adhesive;
2. Assorted sterile bandage compresses in individual packages;
3. Triangular bandages (2 in. x 2 in.) and (4 in. x 4 in.); and
4. Sterile gauze in individual packages of about one (1) square yard one (1) inch and two (2) inch rolled;

(b) Wire or thin board splints;

(c) Adhesive tape;

(d) Scissors;

(e) Forceps (two (2) inch splinter);

(f) Toothpicks;

(g) Paper cups;

(h) Disposable facial tissues;

(i) Aromatic spirits of ammonia;

(j) Thermometer;

(k) Soap;

(l) Petroleum jelly;

(m) Biohazard waste bags;

(n) Nonlatex gloves;

(o) Cotton balls;

(p) One-way resuscitation mask;

(q) Water source or normal saline;

(r) Ice packs (chemical ice bags);

(s) Resealable plastic bags;

(t) Telephone number of the nearest Poison Control Center;

(u) Safety pins; and

(v) Flashlight with spare batteries.

(3) A current edition of the Red Cross First Aid Manual shall be available in each school building.

(4) The principal, head teacher, or a designated faculty member shall possess current, valid certification in the Red Cross Multimedia or Standard First Aid courses to render trained aid in case of injury.

(5)

(a) All play areas shall be designed, landscaped, and protected to provide a safe place for children to play.

(b) There shall be no obstructions in the area, and the ground shall be well drained and relatively level.

(c) Wells, cisterns, sewage treatment plants, and other open pits shall be fenced, have securely sealed tops, or otherwise be suitably protected to prevent safety hazards to students.

(6)

(a) All playground equipment shall be designed and constructed for heavy usage and shall be maintained in good repair and in safe condition.

(b) Any playground equipment found to be in defective condition which presents a safety hazard shall be immediately dismantled or otherwise rendered inaccessible to students until it is repaired or replaced.

(c) The electrical system, wiring, fixtures, and equipment shall be designed, constructed, installed, and maintained pursuant to 815 KAR 7120 and 10:060.

(d) Spliced electrical extension cords or other nonapproved electrical wiring, fixtures, or equipment shall not be used.

(e) Buildings and equipment shall be maintained to eliminate potential danger from holes, glass, splinters, sharp projections, and other hazardous conditions.

(7) All school buses shall be maintained clean, free of litter and dust, and free of sharp projections or other safety hazards in the entrance and interior seating area.

Section 8. Inspection of Schools.

(1) At least once each six (6) months, the cabinet shall inspect each school and shall make additional inspections and reinspections as are necessary for the enforcement of this administrative regulation.

(2) If a representative of the cabinet makes an inspection of a school, he shall record his findings on Form DFS-301, "School Inspection Report", and provide the principal or head teacher with a copy. The inspection report shall:

(a) Set forth each specific violation if found;

(b) Establish a specific and reasonable period of time for the correction of each violation found;

(c) State that failure to comply with any notice issued shall result in further action being taken; and

(d) Advise the party inspected of its right to request a hearing on Form DFS-212, "Request for Conference", which is incorporated by reference in 902 KAR 1:400, before the cabinet. The request shall be filed within ten (10) days of the completed inspection.

(3) All administrative hearings shall be conducted in accordance with 902 KAR 1:400.

(4) Following inspections of school buildings and premises, the cabinet shall report suspected noncompliance with applicable requirements of other state agencies to those agencies.

Section 9. Plan review of future construction.

(1) A person shall not begin to construct or extensively alter a school, or convert an existing structure for use as a school, until construction plans and specifications meeting the requirements of subsection (2) of this section have been:

(a) Submitted to the cabinet for its review; and

(b) After approval by the cabinet, submitted to the Energy and Environment Cabinet for final approval.

(2) The plans and specifications shall:

(a) Show the layout, arrangements, and construction materials;

(b) Show the location, size, and type of fixed equipment and facilities; and

(c) Include a plumbing riser diagram.

Section 10. Existing Facilities and Equipment. Facilities and equipment being used by existing schools on October 9, 1984, which do not fully meet the design and construction requirements of this administrative regulation, may be continued in use, if the facility or equipment:

(1) Is in good repair;

(2) Is capable being maintained in a sanitary condition; and

(3) Creates no health or safety hazards.

Section 11. Incorporation by Reference.

(1) Form DFS-301, "School Inspection Report", rev. 2/97, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department for Public Health, 275 East Main Street, Frankfort, Ky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

(902 KAR 020:150. 11 Ky.R. 526; 700; eff. 10-9-1984; 17 Ky.R. 529; 1409; eff. 10-14-1990; 22 Ky.R. 2469; eff. 8-1-1996; 33 Ky.R. 1728; eff. 3-1-2007; 35 Ky.R. 433; 838; eff. 10-15-2008; Crt eff. 4-5-2019; TAm eff. 3-20-2020; Crt eff. 10-13-2025.)