ARKANSAS REGISTER

Transmittal Sheet

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For Office Use Only:

Effective Date _____ Code Number _____

Name of Agency Board of Health

Department Department of Health/Environmental Health

Contact Terry Paul E-mail jpaul@arkansas.gov Phone 501-661-2171

Statutory Authority for Promulgating Rules Ark. Code Ann. § 6-13-620

Rule Title: Rules and Regulations Pertaining to Private, Public and Parochial Schools

Intended Effective Date (Check One)		**Date**
☐ Emergency (ACA 25-15-204)	Legal Notice Published	8/22/2011
☒ 30 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	10/4/2011
☐ Other _____ (Must be more than 30 days after filing date.)	Reviewed by Legislative Council	12/14/2012
	Adopted by State Agency	1/26/2012

Electronic Copy of Rule submitted under ACA 25-15-218 by:

Contact Person	E-mail Address	Date
Robert Brech	robert.brech@arkansas.gov	05/22/2012

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. (ACA 25-15-201 et. seq.)

Signature

501-661-2252 — Phone Number
rick.hogan@arkansas.gov — E-mail Address

General Counsel — Title

5/22/2012 — Date

Revised 8/2011 to reflect new legislation passed in 2011.

~~RULES AND REGULATIONS PERTAINING TO PRIVATE, PUBLIC AND PAROCHIAL SCHOOLS~~

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~~SECTION 1. RESPONSIBILITIES.~~

~~The School Board, through the superintendent, shall be responsible for compliance with these regulations. The Board of School Directors is charged with the care and custody of the school house, grounds, and other property belonging to the district and shall keep same in good repair, in sanitary and sightly condition. (Ark. Code Ann. § 6-13-620.)~~

~~SECTION 2. SUBMISSION OF PLANS AND SPECIFICATIONS OF SCHOOL BUILDINGS.~~

~~The School Board or its authorized agent, before construction, or entering into a contract to construct a school building or an addition to an existing school building, shall submit to and receive written approval of the State Health Officer, complete plans and specifications fully describing such construction insofar as they pertain to heating, ventilation, lighting, water supply, toilet and lavatory facilities, drinking fountains, lunchrooms, sewage disposal facilities, and all plumbing in connection with the proposed construction. Hereafter such plans and specifications shall be rigidly adhered to unless revisions in plans are submitted to and receive the written approval of the State Health Officer. Plans must be submitted in duplicate. One copy will be returned.~~

~~The term "school building" includes classrooms, gymnasiums, lunchrooms and other structures of the school plant.~~

~~SECTION 3. BUILDINGS.~~

~~a. Construction. Buildings shall be of suitable design, solidly constructed and maintained in good repair. Floors must be tight, sound, smooth and easily cleanable.~~

~~b. Finish, decoration and maintenance.~~

~~Wooden floors shall be finished in the natural color of the wood and sealed with a good grade of penetrating sealer. The floors must not be oiled. Walls and ceilings shall be painted and finished in an approved manner, suitable to good visual environment and maintained in good repair. Desks~~

~~and furniture shall be furnished in the natural color of the wood with a non-gloss sealer. They must not be stained or varnished.~~

~~Light reflection factors should be 15 to 30 percent for floors; 30 to 55 percent for furniture; 55 to 70 percent for walls; and in excess of 85 percent for ceilings. All finishes must be light colored and non-gloss. All surfaces in the room must be maintained clean and in good repair.~~

~~c. Heating. Heating equipment shall be provided of sufficient capacity to maintain a uniform temperature of 70° F. to 72° F. in all classrooms and study halls. All heating units shall be completely enclosed and be adequately vented to carry the products of combustion to the outside atmosphere. All heating units must be provided with a sufficient supply of outside air to support combustion.~~

~~A thermometer shall be provided in each class and study room so that the temperature can be checked at various locations in the room.~~

~~d. Lighting.~~

~~Adequate illumination levels shall be maintained on the desks or table tops or other working surfaces in order that seeing tasks may be accomplished without straining the eyes. Excessive glare shall be prevented.~~

~~Thirty standard foot candles of light should be available on all desks, table tops or other working surfaces within a school building. Adequate shades and other devices must be provided for the prevention of excessive glare. Desks and furniture should be so arranged as to afford pupils and teachers the best advantage of all available light while minimizing the ill effects of existing glare. All windows should extend to within six inches of the ceiling and as much window area provided as the structural strength of the wall will permit.~~

~~e. Ventilation. Sufficient ventilation, natural or artificial, shall be provided to prevent overheating and drowsiness or oppressiveness of pupils or teachers. All toilet rooms should have outside ventilation through windows or an air duct through the roof.~~

~~f. Cleaning and dusting. Walls, ceilings, floors and furnishings must be kept clean. Sweeping and dusting shall be performed in such a manner that dust will not rise. Dry sweeping and dusting is bad. All sweepings shall be removed daily from the rooms.~~

~~SECTION 4. FURNISHINGS.~~

~~Desks and chairs should be of suitable design and arrangement to allow all children to rest their feet firmly on the floor while their thighs remain horizontal. Where arm chairs are used, special left-handed chairs should be provided for left-handed students. The arms on arm chairs should be of ample area to facilitate accomplishment of assigned tasks. Table and desk tops should be adjustable or so designed in connection with the chairs or seats as to facilitate the achievement of good posture for each child in the school while accomplishing any learning task.~~

~~SECTION 5. WATER SUPPLY.~~

~~a. Quantity and source. An adequate supply of safe water must be provided. Where a public water system is available, a connection must be made thereto; otherwise, the water must be obtained from a supply meeting the requirements set forth under rules and regulations of the State Board of Health concerning "Semi-public water supplies," chapter 2.~~

~~b. Drinking fountains and coolers. Adequate safe facilities shall be provided for dispensing drinking water. The common drinking cup is prohibited.~~

~~Drinking fountains shall dispense the water at an angle, and the orifice must be protected by a mouth guard. Drinking fountains should not be placed in toilet rooms and must not be attached to a lavatory. One fountain should be provided for at least each 30 students.~~

~~Coolers other than the pressure type shall be covered and the water withdrawn from the spigot of an approved design. If a cooler is used, individual single service cups shall be provided. A suitable protective container must be provided for dispensing the cups.~~

~~SECTION 6. TOILET AND HANDWASHING FACILITIES.~~

~~a. Toilet facilities. Adequate toilet facilities in well-lighted, clean, properly ventilated rooms shall be provided for both sexes. They must be conveniently located to the students. Toilet paper must be provided. Provision should be made for the following minimum number of toilets and urinals:~~

~~Boys~~	~~Girls~~
~~One toilet and one urinal for each 40 boys up to 240~~	~~One toilet for each 25 girls up to 250 girls~~
~~One additional toilet and urinal for each 60 boys over 240~~	~~One toilet for each 30 girls over 250~~

~~b. Handwashing facilities. Clean and adequate handwashing facilities with soap and clean individual towels must be provided. The common towel is prohibited. Lavatories should be placed conveniently to toilets and lunchrooms. The number of lavatories provided should be in excess of one to each 30 students.~~

~~c. Disposal of wastes. All wastes from toilets and kitchens shall receive safe and adequate disposal. A connection must be made to a public sanitary sewer if available; otherwise, the disposal of human wastes shall be in accordance with the requirements of State Board of Health Rules and Regulations as set forth under "Disposal of Human Excreta, General Sanitation," chapter 1.~~

~~d. Plumbing and plumbing fixtures. Plumbing and plumbing fixtures shall be installed and maintained in accordance with the State Plumbing Code.~~

~~SECTION 7. LUNCHROOMS AND CAFETERIAS.~~

~~Lunchrooms or cafeterias shall be in accordance with the requirements of the State Board of Health Rules and Regulations set forth under "Public eating and drinking places," chapter 11.~~

~~SECTION 8. GROUNDS.~~

~~a. Schools grounds. School grounds shall be of ample area, well drained and kept free of rat harborage, broken glass, stacked lumber or other source or form of hazard which can reasonably be considered to endanger the health or safety of the student.~~

~~b. Playground equipment. All playground equipment must be maintained in such a manner as to assure maximum safety of the students.~~

~~Adopted October 18, 1951~~

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Departments of Health

DIVISION Environmental Health

PERSON COMPLETING THIS STATEMENT J. Terry Paul, R.S

TELEPHONE NO. 501-661-2171 **FAX NO.** 501-661-2572 **EMAIL:** jpaul@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Private, Public, and Parochial Schools

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒

2. Does this proposed, amended, or repealed rule affect small businesses? Yes ☐ No ☒
   If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year		**Next Fiscal Year**	
General Revenue		General Revenue	
Federal Funds		Federal Funds	
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other (Identify)		Other (Identify)	
Total		Total	

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

Current Fiscal Year	**Next Fiscal Year**
$	$

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

Current Fiscal Year	**Next Fiscal Year**
$	$