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FIRST READING

Memo

To Board of Education

From Kyla Johnson-Trammell

Board Meeting Date February 14, 2018

Subject Board Policy 3511.3 Clean Drinking Water Policy

Action Requested Adoption of Board Policy 3511.3 regarding Clean Drinking Water.

Background & Discussion The District has taken proactive steps to test drinking water at its school sites and child development centers. The steps the District has taken, the sites tested, and test results are available on the District's website at <https://www.ousd.org/Page/17080>.

In addition, in January 2018 Health and Safety Code 116277 was amended to require community water systems to test for lead in the drinking water of schools in building constructed before January 1, 2010.

Board Policy 3511.3 sets forth a plan for water testing, communication, budgeting, remediation, and continued Board review to set high standards to reduce the risk for every student in our schools.

Recommendation The Superintendent is recommending that the Board adopt Board Policy 3511.3 Clean Drinking Water.

Fiscal Impact Anticipated costs of remediation depend upon source of lead and number of issues; replacement of fixtures District-wide is estimated to be \$1,000,000; replacement of water pipes is currently estimated to be \$38,000,000.

Attachments

- BP 3511.3

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Business and Noninstructional Operations

BP 3511.3

FIRST READING

Clean Drinking Water

The Governing Board recognizes that clean, healthy water in its schools and early childhood centers is essential for student's well-being and wants to ensure that the drinking water in each of its schools and early childhood centers is, at a minimum, within all state and federal health standards with a phased plan to strive towards even more stringent standards that exceed state and federal guidelines.

* within 60 days of this enactment, the Superintendent or designee shall perform sample testing of the consumable water (which includes water fountains and water sources used in cooking) **in all District-owned schools and early childhood centers** for potential contaminants, including lead, and publicly post the results. Each test for lead shall be conducted by a laboratory certified for this purpose, and shall be tested to detect lead to at least 5 ppb. All test results shall be publicly posted within 72 hours of their receipt. Under section 116277 of the Health and Safety Code, the District will also make its sites accessible for water testing by community water agencies and shall follow all required reporting and remediation efforts.

* the Superintendent or designee shall minimize risks of potential water contamination by training and requiring staff to flush water lines daily prior to use at sites that have not been cleared as meeting standards while testing or remediation (which may, among other things, include installation of filters or replacement of fixtures) is underway. Any consumable water source with tests above 15 ppb for lead or other contaminants above state and federal law, shall immediately be made inoperable and shut down from use. The Board does not view flushing as a substitute for clean water sources, but recognizes that it is a best practice that helps flush bacteria, debris, rust, and other contaminants from the water.

* if testing reveals a lead level above 15 ppb at a consumable water source, the school or early childhood program shall within 24 hours close off access to the water source until the lead is remediated. The Superintendent or designee shall also test all other fixtures at the site with the elevated lead reading.

* If testing reveals a lead level above 15 ppb or other contaminant above state or federal levels at a consumable water sources, the Superintendent or designee shall,

within one business day, notify teachers, other school personnel, and parents directly, through written notice, or electronic mail. Such notification shall include, but need not be limited to: (1) a summary of the results of the testing conducted, and information on the availability of the complete test results for public inspection at a suitable location and on the Internet website of the school or early childhood program; (2) a description of any remedial measures being taken; (3) general information on the public health effects and risks posed by lead or other contaminants in drinking water, and information on the availability of additional resources concerning lead in drinking water; (4) ways to be tested for lead poisoning; and (4) the name and contact information of the person designated to communicate with the public about water conditions.

* within six months of the effective date of this resolution, the Superintendent shall develop and adopt a plan of action for each school and early childhood program where consumable water reflects lead at below 15 ppb but above 5 ppb. Said plan of action shall include, without limitation: i) prioritizing remediation at sites serving younger populations where impacts of lead contamination may be higher; ii) identifying a budget and timeline to remediate such issues by 2020 and taking short-term steps to provide alternative water sources or filtration devices pending longer-term solutions based on the identification of additional funding streams to allow the District to take all exhaustive measures to reduce the risk for every student in our schools; (iii) issuing a solicitation for bids for potential remediation efforts, including NSF certified filters on existing water outlets, replacement of outlets and/or water lines, providing non-disposable, multi-use water bottles and water coolers, or other potential remediation measures; iv) creating an inventory of lead-bearing parts within its water delivery system, including but not limited to fixtures and plumbing with lead soldering, and replacing the same, where feasible and cost-effective with an identified budget, within two years of the effective date of this act; v) any other measures to reduce contamination, including lead contamination, of water; and vi) providing voluntary lead testing of students in school-based health clinics in schools or early childhood centers with lead levels exceeding state or federal regulations.

* the Superintendent or designee shall test the water at charter schools that are located on District-owned properties in the same manner as District schools and shall report the test results to the leader of the charter school within one business day of receipt of the results by the District. For District authorized charter schools in non-District properties, the District shall request a copy of all water testing results conducted at the charter facility. The District shall require District authorized charter schools to provide notifications to the parents and guardians of charter school students in the same manner and content as District schools as set forth in this policy.

* the Superintendent shall develop a plan and corresponding budget for continued monitoring of consumable water sources and early childhood centers that provides for ongoing testing, posting of results, and other communication efforts;

* with these testing and remediation measures, the Superintendent shall develop an information campaign notifying families how to file water-related complaints or concerns, where to get water testing information, and the benefits of healthy water and multi-use water bottles over sugary beverages and/or single-use bottles.

* by 2020, the Board will review this policy, the District's facilities, potential funding sources, and other relevant information to consider testing and remediation for lead in consumable water at anything above 1 ppb.

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