



## DRINKING WATER IN CHILD CARE CENTERS & SCHOOLS

# OKLAHOMA

State Policy Profile

Access to safe and appealing drinking water in child care and schools is a key strategy to build healthy habits that children will use for life to maintain a healthy body weight and to support overall health.

**RESEARCH METHODS:** This issue brief summarizes state-level policies that govern drinking water access and quality in licensed child care centers and public school buildings. Findings reflect laws and regulations in effect as of June 2017. The following state-level policies were reviewed for relevant provisions:

- Child care licensing regulations
- School building standards
- School nutrition standards
- School sanitation standards
- School facilities inventory requirements
- School joint purchasing provisions
- Food safety codes
- Plumbing codes
- Childhood lead poisoning prevention program regulations

## CHILD CARE CENTERS

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### Access to Drinking Water

**Is there a general state policy requiring that children be provided drinking water?**

Yes. As a condition of licensing, child care centers are required to ensure that “[s]afe drinking water is freely available to children at all times,” and that “[c]hildren are encouraged to drink water throughout the day, especially before, during, and after outdoor play.”<sup>1</sup> “Safe drinking water” is defined as “potable

water, free from pollution, harmful organisms, and impurities as determined by the Oklahoma Department of Environmental Quality.”<sup>2</sup>

### **How many drinking fountains are required?**

Child care centers must comply with applicable building codes.<sup>3</sup> The current Oklahoma Plumbing Code is modeled after the 2015 International Plumbing Code<sup>4</sup> and requires 1 drinking fountain per 100 child care center occupants.<sup>5</sup> Water dispensers can substitute for up to fifty percent of the required number of fountains.<sup>6</sup> Water dispensers are defined as plumbing fixtures that are “manually controlled by the user for the purpose of dispensing potable drinking water into a receptacle such as a cup, glass or bottle,” and can be plumbed or “not connected to the potable water distribution system and...supplied with potable water from a container, bottle or reservoir.”<sup>7</sup>

### **Are there requirements for drinking fountain maintenance and cleanliness?**

No specific requirements for drinking fountains.

## **Water Quality**

### **Is routine water quality testing of taps and fountains used to supply drinking water required?**

No

### **How is the child care center water supply addressed?**

As a condition of licensing, child care centers must use a water supply that is adequate, safe, sanitary, and is from a: (A) public water supply; or (B) non-public water supply, such as well water that meets the local and Oklahoma Department of Environmental Quality (DEQ) testing requirements.”<sup>8</sup>

### **How is water quality from a private water supply, e.g. a well, monitored?**

As a condition of licensing, child care centers with a private well must obtain comply with local and Oklahoma Department of Environmental Quality (DEQ) water quality testing requirements.”<sup>9</sup> In addition, licensed centers must obtain “at least bacteria (total coliform), nitrate, and lead test results every 12 months

from a DEQ accredited drinking water laboratory,” and maintain documentation of such testing.<sup>10</sup>

**Are there any provisions relevant to water filters applicable to child care centers?**

No

**Does the Lead Poisoning Prevention Program address potential exposure to lead in drinking water at child care centers?**

No. The Oklahoma Childhood Lead Poisoning Prevention Program is authorized to conduct environmental inspections of child care facilities, but drinking water is not specifically addressed as a lead hazard.<sup>11</sup>

## SCHOOLS

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### Access to Drinking Water

**Does state school nutrition policy address access to drinking water at no cost to students?**

No

**Are cups for drinking water required in food service areas?**

No

**Can school food service purchase drinking water supplies like cups through a purchasing collaborative?**

Yes. Under Oklahoma law, political subdivisions like schools districts may conduct joint purchasing with “any other public agency of this state, and jointly with any public agency of any other state or of the United States.”<sup>12</sup>

**What are the requirements for drinking fountains in schools?**

School building construction and major renovation and repair must comply with the Oklahoma Plumbing Code.<sup>13</sup> The current Oklahoma Plumbing Code is modeled after the 2015 International Plumbing Code and requires one drinking

fountain per 100 school building occupants.<sup>14</sup> Water dispensers can substitute for up to fifty percent of the required number of drinking fountains.<sup>15</sup> Water dispensers are defined as plumbing fixtures that are “manually controlled by the user for the purpose of dispensing potable drinking water into a receptacle such as a cup, glass or bottle,” and can be plumbed or “not connected to the potable water distribution system and...supplied with potable water from a container, bottle or reservoir.”<sup>16</sup>

## Water Quality

### **Is routine water quality testing of taps and fountains that convey drinking water required?**

No

### **Is plumbing system maintenance in general regulated?**

All school buildings in Oklahoma “shall ensure that the health and safety of all school students, school personnel, and school visitors are properly safeguarded.”<sup>17</sup> Plumbing systems are to be maintained in accordance with “all federal, state, and local standards, codes and/or other legal requirements.”<sup>18</sup>

Schools with food service also are subject to the Oklahoma Food Code that requires plumbing systems used for food service are “maintained in good repair.”<sup>19</sup>

### **How is the school water supply addressed?**

The Oklahoma Food Code requires that potable water be obtained from “(1) A community water system; or (2) A non-community water system ; or (3) A non-transient, non-community water system that is constructed, maintained and operated in accordance with the Oklahoma Water Supply Systems Act... and the rules promulgated thereunder.”<sup>20</sup> All water used for food service must comply with the Oklahoma Department of Environmental Quality’s regulations for public water supplies and federal National Primary Drinking Water Regulations.<sup>21</sup>

### **How is water quality from a private water supply, e.g. a well, monitored?**

The Oklahoma Food Code requires that water from non-community water system “be sampled and tested at least annually and as required by the Oklahoma Department of Environmental Quality, OAC 252:631 Public Water Supply Operation water quality regulations.”<sup>22</sup> The most recent sampling results must be retained on file.<sup>23</sup>

### **Are there any provisions relevant to water filters?**

Yes, in food service areas. Water filters used for drinking water used for food service must be made of safe materials,<sup>24</sup> replaceable,<sup>25</sup> and “be scheduled for inspection and service, in accordance with manufacturer’s instructions and as necessary to prevent device failure based on local water conditions.”<sup>26</sup> Records “demonstrating inspection and service shall be maintained.”<sup>27</sup>

### **Does the Lead Poisoning Prevention Program address potential exposure to lead in drinking water at schools?**

No. The Oklahoma Childhood Lead Poisoning Prevention Program is authorized to conduct environmental inspections of child care facilities, but drinking water is not specifically addressed as a lead hazard.<sup>28</sup>

## **Information Gathering Systems**

### **Does Oklahoma conduct a statewide school facilities inventory?**

No

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For additional information please visit [www.phaionline.org](http://www.phaionline.org) for the summary report: **Developing State Policy Recommendations for Safe Drinking Water Procurement in Child Care Centers and Schools**

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- <sup>1</sup> Okla. Admin. Code § 340:110-3-298 (b)(3) (2016).
- <sup>2</sup> Okla. Admin. Code § 340:110-3-275 (2016).
- <sup>3</sup> Okla. Admin. Code § 340:110-3-300 (2016).
- <sup>4</sup> Okla. Uniform Building Code Commission, Adopted Building Codes, [https://www.ok.gov/oubcc/Codes\\_& Rules/Adopted\\_Building\\_Codes/](https://www.ok.gov/oubcc/Codes_& Rules/Adopted_Building_Codes/) (last accessed July 19, 2017).
- <sup>5</sup> 2015 Int'l Plumbing Code § 403, Table 403.1 (2017).
- <sup>6</sup> 2015 Int'l Plumbing Code § 410.4.
- <sup>7</sup> 2015 Int'l Plumbing Code § 202.
- <sup>8</sup> Okla. Admin. Code § 340:110-3-300(k) (2016).
- <sup>9</sup> Okla. Admin. Code § 340:110-3-300(k) (2016).
- <sup>10</sup> Id.
- <sup>11</sup> Okla. Admin. Code § 310:512-1-4 (2015).
- <sup>12</sup> Okla. Stat. tit. 74, § 1004 (2017).
- <sup>13</sup> Okla. Admin. Code § 210:35-3-186(e)(1) (2015).
- <sup>14</sup> 2015 Int'l Plumbing Code § 403, Table 403.1 (2017).
- <sup>15</sup> 2015 Int'l Plumbing Code § 410.4.
- <sup>16</sup> 2015 Int'l Plumbing Code § 202.
- <sup>17</sup> Okla. Admin. Code § 210:35-3-186(e) (2015).
- <sup>18</sup> Okla. Admin. Code § 210:35-3-186(e) (2015).
- <sup>19</sup> Okla. Admin. Code § 310:257-9-30 (2016).
- <sup>20</sup> Okla. Admin. Code § 310:257-9-1 (2016).
- <sup>21</sup> Okla. Admin. Code § 310:257-9-4 (2016).
- <sup>22</sup> Okla. Admin. Code § 310:257-9-6 (2016).
- <sup>23</sup> Okla. Admin. Code § 310:257-9-7 (2016).
- <sup>24</sup> Okla. Admin. Code § 310:257-9-12 (2016).
- <sup>25</sup> Okla. Admin. Code § 310:257-9-17 (2016).
- <sup>26</sup> Okla. Admin. Code § 310:257-9-28 (2016).
- <sup>27</sup> Id.
- <sup>28</sup> Okla. Admin. Code § 310:512-1-4 (2015).