

## DRINKING WATER IN CHILD CARE CENTERS & SCHOOLS **OREGON** 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. Oregon licensing regulations for child care centers require that there be “safe drinking water available to children that is supplied in a sanitary manner.”<sup>1</sup> Specifically, “drinking water shall not be obtained from bathroom sinks or diaper changing sinks.”<sup>2</sup> Providers also must make sure that water is made “freely

available to children.”<sup>3</sup>

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

The Oregon Structural Specialty Code’s plumbing provisions do not require a specific number of drinking fountains in child day care facilities.<sup>4</sup> As a condition of child care licensing, if fountains are present in the child care center they “shall not be installed at sinks”<sup>5</sup> including “bathroom sinks or diaper changing sinks.” they “shall not be installed at sinks.”<sup>6</sup>

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

Child care center licensing requires that drinking water be provided in a “sanitary manner.”<sup>7</sup>

## **Water Quality**

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

No. There is no mandatory requirement for water quality testing at the tap in licensed child care centers. The Oregon Healthy Authority has a recommendation that child care facilities test for lead in buildings and that they use an accredited drinking water testing lab to process water samples for lead.<sup>8</sup>

### **How is water quality addressed?**

As a condition of licensing, child care centers must maintain a continuous water supply “from a water supply system approved by the Health Division.”<sup>9</sup>

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

No

### **How does the Childhood Lead Poisoning Prevention Program address potential exposure to lead in drinking water?**

Oregon’s lead poisoning prevention program legislation focuses on lead paint.<sup>10</sup>

## SCHOOLS

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### Access to Drinking Water

**Does state school nutrition policy require access to drinking water?**

No

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

No

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

The Oregon Structural Specialty Code requires one drinking fountain per floor in educational occupancies like school buildings.<sup>11</sup>

### Water Quality

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

School districts were required to submit a “Healthy and Safe Schools Plan” to the Oregon Department of Education by January 1, 2017.<sup>12</sup> Plans had to include provisions to reduce lead in water used for drinking or food preparation, and the Oregon Departments of Education and Health recommended that all school districts test for lead in water and take corrective action if lead levels are found to be above 20 ppb.<sup>13</sup> School districts are required to report on the progress of their plan annually. The state made \$5 million available to reimburse school districts for the cost of lead testing of drinking water.<sup>14</sup>

**How is plumbing system maintenance in general regulated?**

The *School Food Safety Inspection Requirements* state that plumbing systems used in food service areas must “be constructed and repaired with approved

materials according to law”<sup>15</sup> and maintained in “good repair.”<sup>16</sup>

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

Under the state *School Food Safety Inspection Requirements*, water used for food service must be obtained from an approved source that is either a public drinking water system or a nonpublic system that is constructed, maintained, and operated according to applicable laws.<sup>17</sup>

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

Water filters used in school food service areas must comply with the state *School Food Safety Inspection Requirements*. A water filter, screen, and other water conditioning device must be: made of safe materials<sup>18</sup>; installed<sup>19</sup> and “designed to facilitate disassembly for periodic servicing and cleaning;” and of the replaceable type.<sup>20</sup>

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

Oregon’s lead poisoning prevention program legislation focuses on lead paint.<sup>21</sup>

## **Information Gathering Systems**

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

Yes. Oregon is in the process of establishing a statewide school facilities database to capture information including the age of school facilities, major renovations made in the past thirty years, and needed health and safety upgrades.<sup>22</sup>

### **Statewide Lead Testing Information**

The Oregon Health Authority maintains an interactive map of the status of lead testing of drinking water in Oregon schools.<sup>23</sup> The map also contains information about which school districts maintain their own private water supply.



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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> OR. ADMIN. R. 414-300-0180 (2017).

<sup>2</sup> *Id.*

<sup>3</sup> OR. ADMIN. R. 414-300-0270 (2017).

<sup>4</sup> OR. STRUCTURAL SPECIALTY CODE, TABLE 2902.1 (2014).

<sup>5</sup> OR. ADMIN. R. 414-300-0190 (2017).

<sup>6</sup> OR. ADMIN. R. 414-300-0180 (2017).

<sup>7</sup> OR. ADMIN. R. 414-300-0180 (2017).

<sup>8</sup> OR. HEALTH AUTH., PUBLIC HEALTH DIV., STATEWIDE PLAN FOR REDUCING STUDENT EXPOSURE TO LEAD IN DRINKING WATER: INFORMATION FOR SCHOOLS AND CHILDCARE FACILITIES (June 10, 2016).

<sup>9</sup> OR. ADMIN. R. 414-300-0180 (2017).

<sup>10</sup> OR. REV. STAT. ANN. § 431A.350 (2017).

<sup>11</sup> OR. STRUCTURAL SPECIALTY CODE, TABLE 2902.1 (2014).

<sup>12</sup> OR. ADMIN. R. 581-022-2223 (2017).

<sup>13</sup> OREGON DEPT. OF EDUC., MODEL HEALTHY AND SAFE SCHOOLS PLAN (Sept. 15, 2016).

<sup>14</sup> OREGON DEPT. OF EDUC., Lead Testing Reimbursement Program—Frequently Asked Questions (Oct. 25, 2016).

<sup>15</sup> OR. ADMIN. R. 5-201.11

<sup>16</sup> OR. ADMIN. R. 5-205.15

<sup>17</sup> OR. ADMIN. R. 5-101.11

<sup>18</sup> OR. ADMIN. R. 5-201.11

<sup>19</sup> OR. ADMIN. R. 5-204.13

<sup>20</sup> OR. ADMIN. R. 5-202.15

<sup>21</sup> OR. REV. STAT. ANN. § 431A.350 (2017).

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<sup>22</sup> OREGON DEPT. OF EDUC., Office of School Facilities: Frequently Asked Questions (2017), S.B. 540, 77<sup>th</sup> Leg. Assemb., Reg. Sess. (Or. 2013).

<sup>23</sup> OR. DEPT. OF HUMAN SERVS., Drinking Water Test Results: Oregon Schools (2016), <http://geo.maps.arcgis.com/apps/MapSeries/index.html?appid=6a4f2b6001bd474ca7doa7foc2552f57>.