



DRINKING WATER IN CHILD CARE CENTERS & SCHOOLS

WISCONSIN

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

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 make a “safe supply of water” available to “children at all times” from a drinking fountain or disposable cups.¹ The use of common or shared drinking cups is prohibited.² Toddlers are to be offered drinking water “several times daily.” Providers are

advised to pay special care to offer water during hot weather and that it is appropriate to offer water at meals when “children are actually eating food.”³

How many drinking fountains are required?

One drinking fountain per 100 occupants. Wisconsin has adopted the 2009 International Building Code,⁴ that requires one drinking fountain per 100 occupants in child care facilities.⁵

Are there requirements for drinking fountain maintenance and cleanliness?

Yes. As a condition of licensing, where drinking fountains are used they must be of the angle jet type and have sufficient pressure so that children’s mouths do not come in contact with the fountain’s spout.⁶

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 ensure that their water systems are “safe.”⁷

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

As a condition of licensing, all child care centers with a private well must sample for lead and bacteria annually, and centers serving children under 6 months of age must test for nitrate annually.⁸ If water exceeds water quality standards for lead or bacteria, “the water shall be appropriately treated and re-tested until it is determined to be safe.”⁹ Bottled water is to be used if water is unsafe, but “the use of bottled water is allowed only on a very temporary basis until a complying [sic.] water supply is provided.”¹⁰

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

Where applicable, the Wisconsin Food Code requires that water treatment devices used for food service such as water filters are made of safe materials and replaceable.¹¹ Water treatment devices must “be scheduled for inspection and service, in accordance with manufacturer's instructions and as necessary to prevent device failure based on local water conditions, service records are to be maintained on file.¹²

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

Yes, in certain cases and at the discretion of the local health department. Lead-Safe Wisconsin is administered by the Wisconsin Department of Health Services.¹³ Local health departments are authorized to conduct environmental health inspections at a poisoned child’s home. If no lead hazards are discovered, the investigation can be extended to other places where a child spends a significant amount of time such as a child care center, and may include water testing.¹⁴

SCHOOLS

Access to Drinking Water

Does state school nutrition policy address access to drinking water 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. Wisconsin law permits school districts to “contract with municipalities of another state or with federally recognized American Indian tribes or bands located in another state for the receipt or furnishing of services or the joint

exercise of any power or duty required or authorized by statute to the extent that laws of the other state or of the United States permit the joint exercise.”¹⁵

What are the requirements for drinking fountains in schools?

One drinking fountain per 100 occupants. Wisconsin has adopted the 2009 International Building Code¹⁶ and applies it to public buildings like school facilities.¹⁷ The 2009 IBC requires one drinking fountain per 100 occupants in educational occupancies.¹⁸

Water Quality

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

No

Is plumbing system maintenance in general regulated?

Yes. Local school boards are required to maintain “safe and healthful facilities” by developing long range plans and maintenance standards.¹⁹ Maintenance procedures and custodial services “shall be conducted in such a manner that the safety and health of persons using the facilities are protected.”²⁰ School boards must “comply with all regulations, state codes, and orders of the department of safety and professional services and the department of health services and all applicable local safety and health codes and regulations.”²¹ School facilities must “be inspected at least annually for potential or demonstrated hazards to safety and health, and hazardous conditions shall be corrected, compensating devices installed or special arrangements made to provide for safe and healthful facilities.”²²

How is the school water supply addressed?

Schools that prepare and serve food are subject to the Wisconsin Food Code. The Food Code requires that drinking water must be from an approved source that is a public water system or a nonpublic water system, e.g. a well, that is “constructed, maintained, and operated” in compliance with Wisconsin law.²³

Nonpublic water systems must be sampled and tested for safety annually,²⁴ and records of sampling must be maintained.²⁵

Are there any provisions relevant to water filters?

In schools that prepare and serve food, the Wisconsin Food Code requires that water treatment devices used for food service such as water filters are made of safe materials and replaceable.²⁶ Water treatment devices must “be scheduled for inspection and service, in accordance with manufacturer’s instructions and as necessary to prevent device failure based on local water conditions, service records are to be maintained on file.”²⁷

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

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Information Gathering Systems

Does Wisconsin conduct a statewide school facilities inventory?

Not at present. In 1999, the Wisconsin

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December 2017

Acknowledgements: This work was supported by Healthy Eating Research, a national program of the Robert Wood Johnson Foundation

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

Department of Public Instruction conducted a statewide facilities inventory.³⁰
Results, including plumbing system information, are available online.³¹

¹ Wis. Adm. Code 251.06(6)(a) (2016).

² Id.

³ Wis. Adm. Code 251.09(8) (2016).

⁴ Wis. Adm. Code SPS 361.05 (2017).

⁵ 2009 Int'l Building Code, Table 2902.1 (2009).

⁶ Wis. Adm. Code 251.06(6)(a) (2016); Wis. Div. of Child and Families, DCF 251: Licensing Rules for Group Child Care Centers with Commentary (Dec. 2016).

⁷ Wis. Adm. Code 251.06(6)(a) (2016).

⁸ Wis. Adm. Code 251.06(6)(b) (2016).

⁹ Id.

¹⁰ Id.; Wis. Div. of Child and Families, DCF 251: Licensing Rules for Group Child Care Centers with Commentary (Dec. 2016).

¹¹ Wis. Food Code § 5-201.11(B) (2013); FDA Food Code § 5-202.15 (2013).

¹² Wis. Food Code § 5-205.13 (2013).

¹³ Wis. Stat. Ann. § 254.167 (2017).

¹⁴ Wis. Dept. of Health Servs., Wisconsin Childhood Lead Poisoning Prevention and Control Handbook for Local Public Health Departments, Chapt. 7.2 (Nov. 2014).

¹⁵ Wis. Stat. Ann. § 66.0303 (2017)

¹⁶ Wis. Adm. Code SPS 361.05 (2017).

¹⁷ Wis. Adm. Code SPS 361.03(1) (2017).

¹⁸ 2009 Int'l Building Code, Table 2902.1 (2009).

¹⁹ Wis. Admin. Code PI § 8.01(2)(i) (2017).

²⁰ Id.

²¹ Id.

²² Id.

²³ Wis. Food Code § 5-101.11(2016).

²⁴ Wis. Food Code § 5-102.13 (2016).

²⁵ Wis. Food Code § 5-102.14 (2016).

²⁶ Wis. Food Code § 5-201.11(B) (2013); FDA Food Code § 5-202.15 (2013).

²⁷ Wis. Food Code § 5-205.13 (2013).

²⁸ Wis. Stat. Ann. § 254.167 (2017).

²⁹ Wis. Dept. of Health Servs., Wisconsin Childhood Lead Poisoning Prevention and Control Handbook for Local Public Health Departments, Chapt. 7.2 (Nov. 2014).

³⁰ Wis. Dept. of Pub. Instruction, School Facility Survey—1999, <https://dpi.wi.gov/sms/facilities/facility-survey> (last accessed July 19, 2017).

³¹ Id.