

# Staff Analysis and Report to the Board

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Board Meeting/Work Session Date: June 18, 2019 Board Work Session  
Senior Lead: Liz Large  
Department Lead: Joe Crelier  
Staff Lead

(Use this section to briefly explain the item <sup>2</sup> 2-3 sentences)

## I. BACKGROUND

ODJPS 581-022-2223 Healthy and Safe School Plans, as amended 4/22/19, requires Oregon school districts to conduct on-going testing of water taps for lead content every six years, starting July 1, 2020. The rule requires H D F K G L y o v e n i n g F w a p / to adopt W K H L U G L V W U L F W ¶ V + H D O W School Plan by July 1, 2019, and to forward the adopted plan to ODE by July 15, 2019.

## II. RELATED POLICIES/BEST PRACTICES

- 8.60.010-P Risk Management Program
- OAR 333-061-0400

- Not adopting the plan would place the district in non-compliance with ODE Division 22 rules.

## IV. FISCAL IMPACT

- The rule requires a district the size of PPS to test a portion of taps each year. Water sampling and mitigation costs will be occurring annually.
- The rule directs ODE to reimburse school districts for the costs of water testing, plus an administrative fee that is yet to be determined.
- ODE reimbursements may not be sufficient to cover the labor costs when water sampling is out-sourced.
- PPS will have to fund the mitigation of fixtures with elevated lead levels.

## V. COMMUNITY ENGAGEMENT (IF APPLICABLE)

- PPS Risk Management and Government Relations departments participated in the stakeholder meetings for Senate Bill 1062, OAR 581-022-

VI. TIMELINE FOR IMPLEMENTATION/EVALUATION

1. April 1, 2019: The attached draft plan was submitted to ODE.
2. June 18, 2019: Review of draft plan by PPS Board of Directors
3. June 19-20: Editing and other work as directed
4. June 25, 2019 Board meeting: Adoption of the PPS Healthy and Safe Schools Plan


VII. BOARD OPTIONS WITH ANALYSIS

- A. Request Board review during the scheduled 6/18/19 work session.
- B. Request Board adoption of the PPS Healthy and Safe Schools plan by July 1, 2019.

VIII. STAFF RECOMMENDATION

Staff recommends adoption of the current draft, or a revised, PPS Healthy and Safe Schools Plan.

IX. I have reviewed this staff report and concur with the recommendation to the Board .

  
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Guadalupe Guerrero  
Superintendent  
Portland Public Schools

\_\_\_\_\_  
June 12, 2019  
Date

ATTACHMENT

1. April 1, 2019 DRAFT Healthy and Safe Schools Plan
2. OAR 581-022-2223 Healthy and Safe School Plan
3. OAR 333-061-0400 Reducing Lead in School Drinking Water

PPS District Priorities FY 2018-19

1. Set a clear Vision and Strategic Plan
  2. Create equitable opportunities and outcomes for all students
  3. Build management and accountability systems and structures
  4. Allocate budget, funding and resources focused on improving outcomes for students
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# Oregon Health Authority

## Public Health Division - Chapter 333

### Division 61

### DRINKING WATER

#### **333-061-0400**

#### **Reducing Lead in School Drinking Water**

(1) For the purposes of this rule, the following definitions apply:

(a) "School" means a school district, education service district, or public charter school.

(A) Testing was conducted and mitigation completed before November 1, 2018 according to EPA's *3Ts for Reducing Lead in Drinking Water in Schools, Revised Technical Guidance from October 2006*, adopted by reference; or

(B) Testing was conducted and mitigation completed on or after November 1, 2018 according to EPA's *3Ts for Reducing Lead in Drinking Water in Schools and Childcare Facilities, October 2018*, adopted by reference.

(b) Samples must be collected "first draw," before any water is used from that tap on the day it is tested.

(3) On-going testing. Schools must collect a first draw sample as described in subsection (2)(b) of this rule and EPA's *3Ts for Reducing Lead in Drinking Water in Schools and Childcare Facilities, October 2018*, from each tap at least once every six years starting on July 1, 2020 according to OAR 581-022-2223, unless the following exemption applies:

(a) The tap was installed after January 4, 2014 and meets the lead-free standard of no more than 0.25 percent lead by weight and the piping feeding the tap is a material other than copper or was installed after

preparation until mitigation is complete. Mitigation must be completed within 30 days unless an alternate schedule is approved by the Department of Education.

(6) Following receipt of results that show a tap has 15 or more ppb of lead, a school must:

(a) Collect a flushed sample from that tap. This sample must meet all the criteria specified in section (4) of this rule and be collected after water has flowed from the tap for 30 seconds as described in Step 2 of Module 5 of EPA's

# Oregon Department of Education

## Chapter 581

### Division 22

## STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

581-022-2223

### **Healthy and Safe Schools Plan**

(1) The following definitions apply:

(a) Department means the Oregon Department of Education







(i) Director shall  
the Tel Co;

herein set forth in each year

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# Contents

Responsible Position.....	4.....
Communications.....	4.....
List of Buildings.....	5.....
Radon.....	10.....
Elevated Levels of Lead in Water Used for Drinking or Food Preparation.....	11.....
Initial testing.....	11.....
Ongoing testing.....	11.....
Sampling methodology.....	11.....
Test labs.....	11.....
Draft Water Testing Schedule.....	12.....
Lead Paint.....	15.....
Integrated Pest Management.....	15.....
Certifying Statement.....	16.....

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## Responsible Position

The position responsible for maintaining and implementing the Portland Public Schools Healthy and Safe Schools Plan is the Director of Risk Management.

Joe Crelier, ARM  
Director of Risk Management  
Portland Public Schools  
(503) 9163204

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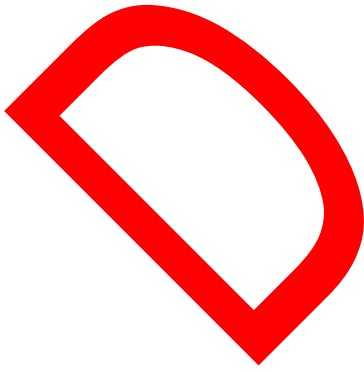




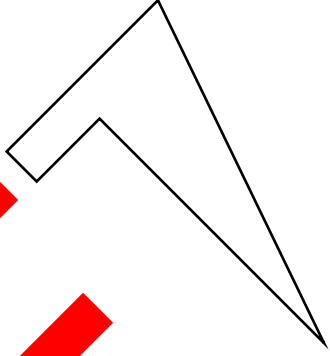
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# Certifying Statement

I certify that the above information is true and accurate to the best of my knowledge.

Sign here	Title here	Date here
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