



DRINKING WATER IN CHILD CARE CENTERS & SCHOOLS

MINNESOTA

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, drinking water “must be available to children throughout the hours of operation and offered at frequent intervals.”¹ In addition, “drinking water for children must be provided in single service drinking cups or from drinking fountains accessible to children.”²

How many drinking fountains are required?

The current Minnesota Plumbing Code requires one drinking fountain per 100 child day care occupants.³

Are there requirements for drinking fountain maintenance and cleanliness?

In general, as a condition of licensing, the child care center space and all equipment “must be clean.”⁴

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, centers “must have a safe water supply.”⁵

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

As a condition of licensing, small private wells that serve fewer than 25 people for fewer than 60 days per year “must be tested annually by a Minnesota Health Department certified laboratory for coliform bacteria and nitrate nitrogens to verify safety. The license holder must ensure that a record of the test results is in the center's administrative record.”⁶ Larger private water systems are subject to state and federal water quality requirements.⁷

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

Minnesota conducts childhood lead poisoning surveillance and environmental follow-up for children with elevated blood lead levels.⁸ Child care centers⁹ can be subject to an environmental inspection and drinking water is included as a lead hazard.¹⁰ Testing of drinking water for lead is optional as part of an initial

environmental inspection but is required if no other source of lead (e.g. paint or dust) is identified.¹¹ The action level for lead in drinking water is 15 ppb.¹²

SCHOOLS

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 Minnesota law “two or more school districts may enter into agreements to purchase specific items and increase efficiencies in the delivery of administrative services and reduce costs.”¹³

What are the requirements for drinking fountains in schools?

School building construction and major renovation and repair is subject to Minnesota Building Codes.¹⁴ The current Minnesota Plumbing Code requires one drinking fountain per 100 occupants in educational institutions, with the exception that “[w]ater or other beverages available through free or fee-based serving or dispensers may be substituted for up to 50 percent of the required number of drinking fountains.”¹⁵

Minnesota’s *Guide for Planning School Construction Projects* (2003) contains the following recommendations for drinking fountain placement in school buildings:

Space Type	Drinking Fountain Recommendation ¹⁶
Kindergarten classroom	Classrooms should contain or be readily accessible to a drinking fountain.
Elementary music room	A drinking fountain should be convenient to the music area.
Elementary physical education and sports activity spaces	Inside and outside drinking fountains are essential.
Middle & high school music spaces	Locate drinking fountains near rehearsal and performance areas for student and community member use during off-school hours.
Middle & high school physical education and athletics	Locate drinking fountains near indoor and outdoor practice and contest areas for student and community member use during off-school hours.

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, in food service areas. The Minnesota Food Code requires that plumbing systems in food service areas be “maintained in good repair.”¹⁷

How is the school water supply addressed?

The Minnesota Food Code requires that drinking water be obtained from an approved source that is in compliance with the water quality requirements for public water supplies and on-site wells.¹⁸

Are there any provisions relevant to water filters?

Yes, in food service areas. The food code requires that water treatment devices used in food service areas such as water filters are made of safe materials and replaceable.¹⁹ Water treatment devices must “be scheduled for inspection and service according to the manufacturer's instructions and as necessary to prevent device failure based on local water conditions.”²⁰

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

Minnesota conducts childhood lead poisoning surveillance and environmental follow-up for children with elevated blood lead levels.²¹ Schools²² can be subject to an environmental inspection and drinking water is included as a lead hazard.²³ Testing of drinking water for lead is optional as part of an initial environmental inspection but is required if no other source of lead (e.g. paint or dust) is identified.²⁴ The action level for lead in drinking water is 15 ppb.²⁵

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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**

Information Gathering Systems

Does Minnesota conduct a statewide school facilities inventory?

Minnesota collects a range of information about school facilities. Districts are required to provide information about the age and square footage of school buildings.²⁶ School districts participating in the state-administered long-term facilities maintenance revenue program that provides per pupil funding for school maintenance needs are also required to provide health and safety data and maintain a ten year facilities plan.²⁷

¹ MINN. R. 9503.0145 (2017).

² MINN. R. 9503.0145 (2017)

³ MINN. R. 4714.0422; MINN. BUILDING CODE, Table 2902.1 (2015) (the Minnesota Plumbing Code adopts the minimum plumbing fixture requirements of the Minnesota Building Code).

⁴ MINN. R. 9503.0140 (2017).

⁵ MINN. R. 9503.0145 (2017)

⁶ ID.

⁷ MINN. DEPT. OF PUBLIC HEALTH, NONCOMMUNITY PUBLIC WATER SYSTEMS IN MINNESOTA (Apr. 2015); MINN. R. 9503.0145 (2017).

⁸ MINN. STAT. § 144.9502 (2017).

⁹ MINN. STAT. § 4761.2000 (2017).

¹⁰ MINN. STAT. § 144.9501 (2017).

¹¹ MINN. STAT. § 144.9504 (2017).

¹² MINN. STAT. § 4761.2510 (2017).

¹³ PUBLIC HEALTH LAW CENTER, COLLECTIVE PURCHASING OF FOOD FOR FEDERAL SCHOOL NUTRITION PROGRAMS (2013), http://www.publichealthlawcenter.org/search-results?search_api_multi_fulltext=joint+purchasing.

¹⁴ MINN. DEPT. OF CHILDREN, FAMILIES AND LEARNING, GUIDE FOR PLANNING SCHOOL CONSTRUCTION PROJECTS 21 (2003).

¹⁵ MINN. R. 4714.0422 (2017); Minn. Building Code, Table 2902.1 (2015) (the Minnesota Plumbing Code adopts the minimum plumbing fixture requirements of the Minnesota Building Code).

¹⁶ MINN. DEPT. OF CHILDREN, FAMILIES AND LEARNING, GUIDE FOR PLANNING SCHOOL CONSTRUCTION PROJECTS (2003).

¹⁷ MINN. R. 4626.1130 (2017).

¹⁸ MINN. R. 4626.0980 (2017).

¹⁹ MINN. R. 4626.1040; 4626.1065 (2017).

²⁰ MINN. R. 4626.1120 (2017).

²¹ MINN. STAT. § 144.9502 (2017).

²² MINN. STAT. § 4761.2000 (2017).

²³ MINN. STAT. § 144.9501 (2017).

²⁴ MINN. STAT. § 144.9504 (2017).

²⁵ MINN. STAT. § 4761.2510 (2017).

²⁶ MINN. DEPT. OF EDUC., FACILITIES AGE AND SQUARE FOOTAGE REPORT (2017), <http://education.state.mn.us/MDE/dse/datasub/FacilAgeFootageRep/MDE071166>.

²⁷ MINN. DEPT. OF EDUC., HEALTH AND SAFETY (2017), <http://education.state.mn.us/MDE/dse/datasub/HealthSafety/>.