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| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |

# Agenda Item: K

## Date: April 22, 2021

### Title: First Review of Proposed *Guidelines for a Water Management Program to Prevent Legionella Pneumophila Growth in Public School Buildings*

#### Presenter: Kent C. Dickey, Deputy Superintendent of Budget, Finance, and Operations

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## Purpose of Presentation:

Action required by state or federal law or regulation.

**Executive Summary:**

[Senate Bill 410](https://lis.virginia.gov/cgi-bin/legp604.exe?ses=201&typ=bil&val=sb410) (2020 Session) required the Virginia Department of Education (VDOE) to make recommendations for the establishment, maintenance, and validation of water management programs to prevent Legionella pneumophila growth in public school buildings by July 1, 2021.

To draft the proposed *Guidelines for a Water Management Program to Prevent Legionella Pneumophila Growth in Public School Buildings*, the VDOE collaborated with and obtained input from the Virginia Department of Health-Office of Drinking Water (VDH-ODW), which is involved in the oversight of water management systems. VDOE also held discussions with private sector representatives, referenced recommendations of the Center for Disease Control (CDC) and the American National Standards Institute (ANSI)/American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 188-2018. The proposed guidelines includes existing industry and federal and state standards and guidance for the establishment, maintenance and validation of water management programs in public schools.

The proposed guidelines will help ensure the maintenance of water management in all schools in Virginia ensuring that schools statewide have a healthy and safe environment and support Priority 1 of the Board’s Comprehensive Plan to provide high-quality, effective learning environments for all students.

**Action Requested:**

Other. Specify below:

The Board is requested to waive first review and approve the proposed *Guidelines for a Water Management Program to Prevent Legionella Pneumophila Growth in Public School Buildings.*

## Superintendent’s Recommendation:

## The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the proposed *Guidelines for a Water Management Program to Prevent Legionella Pneumophila Growth in Public School Buildings*.

## Rationale for Action:

Board action is required by [*§22.1-138*](http://law.lis.virginia.gov/vacode/22.1-138)of the *Code of Virginia*. In addition, some school divisions in Virginia are currently using versions of the information included in this guide to establish and maintain a water management program for their schools. This guidance is a tool to assist all school divisions in Virginia by creating one source where school divisions can obtain key information and resources that they need to create, implement, and maintain a comprehensive water system management program for their schools.

## Previous Review or Action:

No previous review or action.

**Background Information and Statutory Authority:**  
[SB 410](https://lis.virginia.gov/cgi-bin/legp604.exe?ses=201&typ=bil&val=sb410) (2020 Session) required the Virginia Department of Education (VDOE) to make recommendations for the establishment, maintenance, and validation of water management programs to prevent Legionella Pneumophila growth in public school buildings by July 1, 2021.

[§22.1-138. (Effective until July 1, 2021) Minimum standards for public school buildings](http://law.lis.virginia.gov/vacode/22.1-138).

“…. 2*. That the Department of Education shall make recommendations for the establishment, maintenance, and validation of water management programs to prevent Legionella pneumophila growth in public school buildings and shall notify each local school board of its recommendations no later than July 1, 2021.”*

**Timetable for Further Review/Action:**

Following Board approval, the guidelines will be posted on the Virginia Regulatory Town Hall for a 30-day public comment period as required by the Administrative Process Ace. Comments received will be reviewed and implemented as appropriate and the final document will be made public and communicated to school divisions by July 1, 2021.   
  
**Impact on Fiscal and Human Resources:**

## There is no anticipated impact on VDOE.