

ARTICLE II. INSTITUTIONS AND HOUSING

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CHAPTER 171. SCHOOLS

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Authority

The provisions of this Chapter 171 issued under section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20); and section 1421 of the Public School Code of 1949 (24 P. S. § 14-1421), unless otherwise noted.

Source

The provisions of this Chapter 171 adopted September 18, 1971, effective September 19, 1971, 1 Pa.B. 1921, unless otherwise noted.

Cross References

This chapter cited in 22 Pa. Code § 51.12 (relating to environmental health and safety); and 28 Pa. Code § 17.51 (relating to minimum program activities).

§ 171.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Approved—Procedures, construction and products acceptable to the Department.

Garbage—All putrescible wastes, except sewage and body waste, including animal and vegetable offal.

Person—Any individual, partnership, corporation, association, municipality, county, authority, the Commonwealth or any other private or public entity.

Refuse—All nonputrescible wastes generally regarded and classified as rubbish, trash, junk and similar designations which have been rejected by the owner or possessor as useless or worthless to him.

Schools—School buildings, including grounds, where there are training facilities for teaching children, or offering instruction in any branch of knowledge, including public, private, parochial, eleemosynary, vocational or any institution intended for teaching from kindergarten to grade 12 on a classroom or organized basis.

Sewage—Any substance which contains any of the waste products or excrements or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation.

Sewerage system—Any system, whether community or individual, publicly or privately owned, for the collection and disposal of sewage or industrial wastes of a liquid nature, or both, including various devices for the treatment of sewage or industrial wastes.

Source—Any well, spring, cistern, infiltration gallery, stream, reservoir, pond or lake from which, by any means, water is taken either intermittently or continuously for use by the public.

Waters of this Commonwealth—All rivers, streams, creeks, rivulets, lakes, dammed water, ponds, springs and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

Water supply—A source of water, as well as any and all water treatment, storage, transmission and distribution facilities.

§ 171.2. Plan review.

Before work is begun in the construction, remodeling or alteration of a school or in the conversion of an existing establishment or facility to a school, properly prepared plans and specifications shall be submitted to and approved by the Department. The plans and specifications shall include, where applicable, data relating to the grounds, buildings, equipment, sewage disposal, water supply including plumbing, refuse disposal and any other information which may be required by the Department.

§ 171.3. Water supply.

All water used in the operation of a school shall be provided from a supply approved by the Department. Approval of a water supply shall be based upon

satisfactory compliance with the construction standards for individual water supplies adopted by the Department. The water supply shall be adequate in quantity and shall meet the bacteriological and chemical water standards of the Department. Unapproved water supplies shall be made inaccessible to the public in a manner deemed satisfactory to the Department.

§ 171.4. Plumbing.

Plumbing shall be sized, installed and maintained to carry adequate quantities of water to required locations throughout the school, to prevent contamination of the water supply, to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage disposal system and so as not to create an unsanitary condition or nuisance.

§ 171.5. Sewage disposal.

All sewage disposal systems serving a school shall be approved by the Department. Approval of the sewage disposal system shall be based upon satisfactory compliance with the standards for individual sewage disposal systems as described in Chapter 73 (relating to standards for onlot sewage treatment facilities) and The Clean Streams Law (35 P. S. § 691.1—691.1001).

§ 171.6. Food service.

Whenever food service is provided, the food service facilities and operations shall comply with 7 Pa. Code Chapter 78 (Reserved).

§ 171.7. Toilet facilities.

(a) Separate toilet facilities for each sex shall be provided on the premises for the students. Toilet fixtures shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair. The doors of all toilet rooms shall be self-closing, and toilet rooms shall be adequately vented to the outside. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered.

(b) Handwashing facilities shall be located in the classroom or adjacent thereto in all grades from kindergarten through grade two, and in other rooms where the activities require frequent handwashing.

(c) Each lavatory on the premises having running water under pressure shall be supplied with hot and cold water. Where the school premises do not have running water under pressure, the pupils shall be supplied with water for handwashing purposes from a container in an approved sanitary manner. Soap and individual towels or a satisfactory equivalent shall be provided.

§ 171.8. Locker rooms.

Whenever a school is provided with a locker room and necessary appurtenances, they shall be constructed and maintained in a sanitary manner.

§ 171.9. Floors.

Floors of the school rooms shall be smooth and in good repair and shall be of such construction as to be easily cleaned. Dust-suppressing methods of floor cleaning shall be used. All floors shall be kept clean and free from litter. Each room shall have at least one metal container for paper and trash.

§ 171.10. Walls and ceilings.

Walls and ceilings shall be clean, smooth, tight and in good repair. Walls and ceilings shall have surfaces of light color and flat finish, providing adequate reflection factors.

§ 171.11. Vector control.

Adequate measures for the control of arthropods and rodents which the Department deems a public health hazard shall be taken in a manner satisfactory to the Department.

§ 171.12. Lighting.

Natural lighting, if provided, shall be uniformly distributed with a minimum of glare in classrooms. The levels of illumination within the school building shall at least meet the minimum illumination standards of the Department.

§ 171.13. Safety.

The buildings, grounds, play area equipment and appurtenances shall be constructed and maintained to minimize health and accident hazards. All space, including cellars, shall be maintained in a clean, dry condition without the presence of unnecessary material in storage.

§ 171.14. Heating and ventilation.

All rooms of the school shall be adequately and uniformly heated. In those schools where room heaters are used, they shall be located and protected to prevent direct contact by the students. All heating devices shall be adequately vented in an approved manner. In all rooms of the school, when mechanical ventilation is not provided, means shall be provided to insure adequate, natural ventilation.

§ 171.15. Garbage and refuse storage, collection and disposal.

(a) All garbage and refuse containing food wastes shall, prior to disposal, be kept in leak-proof, nonabsorbent, rust and corrosion-resistant containers of adequate number, which shall be kept covered with tight-fitting lids, when filled or stored or not in continuous use; however, other means of garbage and refuse storage may be used if approved by the Department.

(b) All other refuse shall be stored in containers, rooms or areas of sufficient number and size in a manner so as to prevent arthropod and rodent problems and other nuisances.

(c) Adequate cleaning facilities shall be provided, and each container, room or area shall be thoroughly cleaned after each emptying or removal of garbage and refuse. The collection of all garbage and refuse shall be conducted in a sanitary manner and as often as necessary in order to prevent a nuisance. When disposal of garbage and refuse is accomplished within or upon the premises of the school, the disposal facilities shall be operated and maintained so as not to create a nuisance or a health hazard.

§ 171.16. Bathing places.

The construction, modification, maintenance, and operation of any bathing place in a school shall be subject to the provisions of the Public Bathing Law (35 P. S. §§ 672—680d) and 28 Pa. Code Chapter 18 (relating to swimming and bathing places).

Notes of Decisions

Parents of handicapped student who drowned in an unguarded pool failed to satisfy “dangerous condition of realty” exception to governmental immunity absent showing artificial condition or defects of land itself. *Musheno v. Lock Haven University of Pennsylvania*, 574 A.2d 129 (Pa. Cmwlth. 1990); appeal denied 584 A.2d 324 (Pa. 1990).

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