

# EXHIBIT I

## RULES AND REGULATIONS PERTAINING TO PRIVATE, PUBLIC AND PAROCHIAL SCHOOLS

### TABLE OF CONTENTS

SECTION 1. RESPONSIBILITIES.....	1
SECTION 2. SUBMISSION OF PLANS AND SPECIFICATIONS OF SCHOOL BUILDINGS.....	1
SECTION 3. BUILDINGS.....	1
SECTION 4. FURNISHINGS.....	2
SECTION 5. WATER SUPPLY.....	2
SECTION 6. TOILET AND HANDWASHING FACILITIES.....	3
SECTION 7. LUNCHROOMS AND CAFETERIAS.....	3
SECTION 8. GROUNDS.....	3

#### SECTION 1. RESPONSIBILITIES.

The School Board, through the superintendent, shall be responsible for compliance with these regulations. The Board of School Directors is charged with the care and custody of the school house, grounds, and other property belonging to the district and shall keep same in good repair, in sanitary and sightly condition. (Ark. Code Ann. § 6-13-620.)

#### SECTION 2. SUBMISSION OF PLANS AND SPECIFICATIONS OF SCHOOL BUILDINGS.

The School Board or its authorized agent, before construction, or entering into a contract to construct a school building or an addition to an existing school building, shall submit to and receive written approval of the State Health Officer, complete plans and specifications fully describing such construction insofar as they pertain to heating, ventilation, lighting, water supply, toilet and lavatory facilities, drinking fountains, lunchrooms, sewage disposal facilities, and all plumbing in connection with the proposed construction. Hereafter such plans and specifications shall be rigidly adhered to unless revisions in plans are submitted to and receive the written approval of the State Health Officer. Plans must be submitted in duplicate. One copy will be returned.

The term "school building" includes classrooms, gymnasiums, lunchrooms and other structures of the school plant.

#### SECTION 3. BUILDINGS.

a. Construction. Buildings shall be of suitable design, solidly constructed and maintained in good repair. Floors must be tight, sound, smooth and easily cleanable.

b. Finish, decoration and maintenance.

Wooden floors shall be finished in the natural color of the wood and sealed with a good grade of penetrating sealer. The floors must not be oiled. Walls and ceilings shall be painted and finished in an approved manner, suitable to good visual environment and maintained in good repair. Desks

and furniture shall be furnished in the natural color of the wood with a non-gloss sealer. They must not be stained or varnished.

Light reflection factors should be 15 to 30 percent for floors; 30 to 55 percent for furniture; 55 to 70 percent for walls; and in excess of 85 percent for ceilings. All finishes must be light colored and non-gloss. All surfaces in the room must be maintained clean and in good repair.

c. Heating. Heating equipment shall be provided of sufficient capacity to maintain a uniform temperature of 70° F. to 72° F. in all classrooms and study halls. All heating units shall be completely enclosed and be adequately vented to carry the products of combustion to the outside atmosphere. All heating units must be provided with a sufficient supply of outside air to support combustion.

A thermometer shall be provided in each class and study room so that the temperature can be checked at various locations in the room.

d. Lighting.

Adequate illumination levels shall be maintained on the desks or table tops or other working surfaces in order that seeing tasks may be accomplished without straining the eyes. Excessive glare shall be prevented.

Thirty standard foot candles of light should be available on all desks, table tops or other working surfaces within a school building. Adequate shades and other devices must be provided for the prevention of excessive glare. Desks and furniture should be so arranged as to afford pupils and teachers the best advantage of all available light while minimizing the ill effects of existing glare. All windows should extend to within six inches of the ceiling and as much window area provided as the structural strength of the wall will permit.

e. Ventilation. Sufficient ventilation, natural or artificial, shall be provided to prevent overheating and drowsiness or oppressiveness of pupils or teachers. All toilet rooms should have outside ventilation through windows or an air duct through the roof.

f. Cleaning and dusting. Walls, ceilings, floors and furnishings must be kept clean. Sweeping and dusting shall be performed in such a manner that dust will not rise. Dry sweeping and dusting is bad. All sweepings shall be removed daily from the rooms.

#### SECTION 4. FURNISHINGS.

Desks and chairs should be of suitable design and arrangement to allow all children to rest their feet firmly on the floor while their thighs remain horizontal. Where arm chairs are used, special left-handed chairs should be provided for left-handed students. The arms on arm chairs should be of ample area to facilitate accomplishment of assigned tasks. Table and desk tops should be adjustable or so designed in connection with the chairs or seats as to facilitate the achievement of good posture for each child in the school while accomplishing any learning task.

#### SECTION 5. WATER SUPPLY.

a. Quantity and source. An adequate supply of safe water must be provided. Where a public water system is available, a connection must be made thereto; otherwise, the water must be obtained from a supply meeting the requirements set forth under rules and regulations of the State Board of Health concerning "Semi-public water supplies," chapter 2.

b. Drinking fountains and coolers. Adequate safe facilities shall be provided for dispensing drinking water. The common drinking cup is prohibited.

Drinking fountains shall dispense the water at an angle, and the orifice must be protected by a mouth guard. Drinking fountains should not be placed in toilet rooms and must not be attached to a lavatory. One fountain should be provided for at least each 30 students.

Coolers other than the pressure type shall be covered and the water withdrawn from the spigot of an approved design. If a cooler is used, individual single service cups shall be provided. A suitable protective container must be provided for dispensing the cups.

#### SECTION 6. TOILET AND HANDWASHING FACILITIES.

a. Toilet facilities. Adequate toilet facilities in well-lighted, clean, properly ventilated rooms shall be provided for both sexes. They must be conveniently located to the students. Toilet paper must be provided. Provision should be made for the following minimum number of toilets and urinals:

Boys	Girls
One toilet and one urinal for each 40 boys up to 240	One toilet for each 25 girls up to 250 girls
One additional toilet and urinal for each 60 boys over 240	One toilet for each 30 girls over 250

b. Handwashing facilities. Clean and adequate handwashing facilities with soap and clean individual towels must be provided. The common towel is prohibited. Lavatories should be placed conveniently to toilets and lunchrooms. The number of lavatories provided should be in excess of one to each 30 students.

c. Disposal of wastes. All wastes from toilets and kitchens shall receive safe and adequate disposal. A connection must be made to a public sanitary sewer if available; otherwise, the disposal of human wastes shall be in accordance with the requirements of State Board of Health Rules and Regulations as set forth under "Disposal of Human Excreta, General Sanitation," chapter 1.

d. Plumbing and plumbing fixtures. Plumbing and plumbing fixtures shall be installed and maintained in accordance with the State Plumbing Code.

#### SECTION 7. LUNCHROOMS AND CAFETERIAS.

Lunchrooms or cafeterias shall be in accordance with the requirements of the State Board of Health Rules and Regulations set forth under "Public eating and drinking places," chapter 11.

#### SECTION 8. GROUNDS.

a. Schools grounds. School grounds shall be of ample area, well drained and kept free of rat harborage, broken glass, stacked lumber or other source or form of hazard which can reasonably be considered to endanger the health or safety of the student.

b. Playground equipment. All playground equipment must be maintained in such a manner as to assure maximum safety of the students.

Adopted October 18, 1951

**LEGISLATIVE COUNCIL'S SUBCOMMITTEE ON ADMINISTRATIVE RULES  
AND REGULATIONS AND THE HOUSE AND SENATE INTERIM  
COMMITTEES ON PUBLIC HEALTH, WELFARE, AND LABOR**

DEPARTMENT	DEPARTMENT OF HEALTH
DIRECTOR	PAUL K. HALVERSON, DrPH
CONTACT PERSON	ROBERT BRECH
ADDRESS	4815 WEST MARKHAM, SLOT 31 LITTLE ROCK, AR 72205
PHONE NUMBER	(501) 661-2297      FAX # (501) 661-2357

**Summary of Proposed Repeal of the Rules and Regulations  
Pertaining to Private, Public, and Parochial Schools**

The State Board of Health is proposing to repeal its Rules and Regulations Pertaining to Private, Public, and Parochial Schools. This rule was presumably passed in 1951 as a measure to ensure adequate school facilities were built and maintained. It has not been utilized for some time and has been effectively supplanted by other rules and building codes. As a result, the Board has determined that this rule is no longer needed and should be repealed.

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS  
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Arkansas Department of Health  
DIVISION Environmental Health  
DIVISION DIRECTOR J. Terry Paul, R.S.  
CONTACT PERSON J. Terry Paul, R.S.  
ADDRESS ADH, Slot 46, 4815 West Markham, Little Rock, AR 72205  
PHONE NO. 501-661-2171 FAX NO. 501-661-2572 E-MAIL jpaul@arkansas.gov  
NAME OF PRESENTER AT COMMITTEE MEETING J. Terry Paul  
PRESENTER E-MAIL jpaul@arkansas.gov

**INSTRUCTIONS**

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:  
Donna K. Davis  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
Room 315, State Capitol  
Little Rock, AR 72201

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1. What is the short title of this rule? Rules and Regulations Pertaining to Private, Public, and Parochial Schools

2. What is the subject of the proposed rule? General School Regulations

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes  No   
If yes, please provide the federal rule, regulation, and/or statute citation.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes  No

If yes, what is the effective date of the emergency rule? \_\_\_\_\_

When does the emergency rule expire? \_\_\_\_\_

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes  No

5. Is this a new rule? Yes  No

If yes, please provide a brief summary explaining the regulation.

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Does this repeal an existing rule? Yes  No

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

It is not being replaced.

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Is this an amendment to an existing rule? Yes  No

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule?

If codified, please give Arkansas Code citation.

N/A

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7. What is the purpose of this proposed rule? Why is it necessary?

N/A

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8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

www.healthy.arkansas.gov

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9. Will a public hearing be held on this proposed rule? Yes  No

If yes, please complete the following:

Date: 10-4-2011

Time: 9:00 - 9:30 am

Place: Freeway Medical Building Room 906, 5800 West 10<sup>th</sup>, Little Rock, AR

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10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

October 25, 2011

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

March 1, 2012

12. Do you expect this rule to be controversial? Yes  No

If yes, please explain. \_\_\_\_\_

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

none known

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**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

**DEPARTMENT** Arkansas Departments of Health  
**DIVISION** Environmental Health  
**PERSON COMPLETING THIS STATEMENT** J. Terry Paul, R.S  
**TELEPHONE NO.** 501-661-2171 **FAX NO.** 501-661-2572 **EMAIL:** jpaul@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE** Private, Public, and Parochial Schools

1. Does this proposed, amended, or repealed rule have a financial impact? Yes  No
2. Does this proposed, amended, or repealed rule affect small businesses? Yes  No   
If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.

3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_  
Total \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_  
Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_

6. What is the total estimated cost by fiscal year to the agency to implement this rule? Is this the cost of the program or grant? Please explain.

**Current Fiscal Year**

\$ \_\_\_\_\_

**Next Fiscal Year**

\$ \_\_\_\_\_