

Rule 5.1. School Buildings and School Sites; Health and Safety Requirements

410 IAC 6-5.1-1 Definitions

Authority: IC 16-19-3-4

Affected: IC 12-17.2; IC 16-41-21; IC 20-33-2

Sec. 1. (a) The definitions in this section apply throughout this rule.

(b) "Approved" means approved by the state board in all instances where not otherwise specified.

(c) "Classroom" means any place or area within a school in which students are instructed.

(d) "Dormitory" means any place, area, room, or building occupied and provided by the school for student housing.

(e) "Food service" means any place, area, or room within a school building or dormitory where food is routinely prepared and served.

(f) "Grade or grade level" means the finished ground level at the face of the exterior walls.

(g) "Local health officer" means the health officer of any county or local health department, or his or her duly authorized representatives.

(h) "Person" means:

(1) an individual;

(2) a partnership;

(3) a copartnership;

(4) a firm;

(5) a company;

(6) an association;

(7) a society;

(8) a holding company;

(9) a trustee;

(10) a school corporation;

(11) a school city;

(12) a school town;

(13) a school district;

(14) any consolidated unit of government; or

(15) any other legal entity, its or their successors or assigns, or agent of any of the aforesaid.

(i) "School" means any place, or structure in which systematic instruction of any kind or grade is carried on for more than ten (10) persons for five (5) hours or more per week or two and one-half (2 1/2) hours or more per day, including preschools, kindergartens; elementary and secondary schools providing instruction to meet the compulsory attendance law under IC 20-33-2.

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(j) The following shall not be considered to be educational institutions subject to the provisions of this rule:

- (1) Sunday schools and vacation Bible schools, and any other program of a religious entity except those that are accredited by the Indiana state department of education.
- (2) Daycare centers subject to the provisions of IC 12-17.2.
- (3) Private residences.
- (4) Any educational institution or educational training that:
 - (A) is maintained or given by an employer or group of employers, without charge, for his, her, or their employees or for persons they anticipate employing;
 - (B) is maintained or given by a labor organization, without charge, for its or their members or apprentices; or
 - (C) offers exclusively instruction that is clearly self-improvement, motivational, or avocational in intent, including, but not limited to, instruction in dance, religion, music, self-defense, or private tutoring.
- (5) Any private religious school except those that are accredited by the state department of education.
- (k) "School building or facility" means any structure used in connection with the operation of schools, including the site therefor, the equipment thereof, and all appurtenances thereto, such as heating, ventilation, water supply, sewage disposal, plumbing, drainage, lighting, walks, drives, playgrounds, athletic fields, and other necessary structures and improvements used in connection therewith.
- (l) "School site" means a plot of ground or property set apart for the use of a school.
- (m) "State board" means the state board of health.
- (n) "State health commissioner" means the commissioner of the Indiana state board of health or his or her duly authorized representatives.
- (o) "Swimming pool" means any structure, basin, chamber, or tank containing a body of water for swimming, diving, or recreational bathing, including its appurtenances. (Indiana State Department of Health; 410 IAC 6-5.1-1; filed Jan 18, 1985, 10:02 a.m.: 8 IR 596; filed May 20, 1986, 4:00 p.m.: 9 IR 2687; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234; readopted filed May 22, 2007, 1:44 p.m.: 20070613-IR-410070141RFA; filed Dec 20, 2011, 1:54 p.m.: 20120118-IR-410110319FRA; readopted filed Sep 11, 2013, 3:19 p.m.: 20131009-IR-410130346RFA)

410 IAC 6-5.1-2 Administration of regulations

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 2. 410 IAC 6-5.1 shall be administered by the state board through the state health commissioner. (Indiana State Department of Health; 410 IAC 6-5.1-2; filed Jan 18, 1985, 10:02 am: 8 IR 597; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234; readopted filed May 22, 2007, 1:44 p.m.: 20070613-IR-410070141RFA; readopted filed Sep 11, 2013, 3:19 p.m.: 20131009- IR-410130346RFA)

410 IAC 6-5.1-3 Notice of construction or modification

Authority: IC 16-19-3-4

Affected: IC 16-41-21

Sec. 3. (a) 410 IAC 6-5.1 shall apply to every school building, including every existing building or portion of an existing building, devoted to school use.

(b) Any person or persons planning construction, addition to, or significant change in the construction of any school facility, shall prior to the initiation of any such construction, submit detailed plans and specifications, drawn to scale, to the state board for review and approval. These plans and specifications must be certified by a registered engineer or architect licensed to practice in the state of Indiana.

(c) Plans and specifications for construction or modification of sewage treatment and disposal facilities shall be submitted to the stream pollution control board for review and issuance of a construction permit prior to construction.

(d) If, after having been approved by the state board, the plans or specifications are changed in any respect covered by 410 IAC 6-5.1, such revised plans or specifications shall be submitted to the state board and approval obtained prior to implementation

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of the revisions in the project.

(e) Plans and specifications for school buildings and parts of buildings used for school purposes shall comply with all applicable requirements of the Indiana building rules pursuant to 675 IAC 1-1-1 through 3 [675 IAC 1-1 was repealed, filed Apr 11, 1985, 12:11 pm: 8 IR 1010. See 675 IAC 12.].

(f) The owner or his authorized agent shall also comply with all local laws, ordinances, rules, and regulations. (Indiana State Department of Health; 410 IAC 6-5.1-3; filed Jan 18, 1985, 10:02 am: 8 IR 597; readopted filed Jul 11, 2001, 2:23 p.m.: 24 IR 4234; readopted filed May 22, 2007, 1:44 p.m.: 20070613-IR-410070141RFA; readopted filed Sep 11, 2013, 3:19 p.m.: 20131009- IR-410130346RFA