

Harpursville Central School District

Lead Testing and Reporting

S9-25-11 | August 2025

Contents

Audit Results 1

 Audit Summary 1

Lead Testing and Reporting: Findings and Recommendations 3

 Finding 1 – District officials did not ensure all required potable water outlets were
 sampled and tested for lead contamination for Cycle Two. 3

 Recommendations 5

 Finding 2 – District officials did not report the results of the lead testing properly
 or in the required time periods for Cycle Two. 5

 Recommendations 6

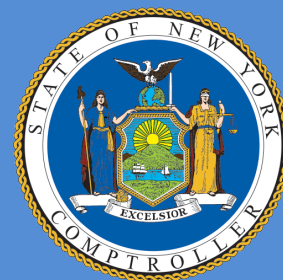
Appendix A: Profile, Criteria and Resources. 7

Appendix B: District Water Outlets 11

Appendix C: Response From District Officials. 12

Appendix D: Audit Methodology and Standards. 13

Audit Results



Harpursville Central School District

Audit Objective

Audit Period

Did Harpursville Central School District (District) officials identify, report and implement needed remediation to reduce lead exposure in potable water outlets?

July 1, 2019 – September 30, 2024

Understanding the Program

Lead is a metal that was commonly used in plumbing and has since been identified as toxic to people, especially young children. Lead poisoning can cause neurological issues such as slowing children's growth, causing learning and behavioral issues or causing hearing and speech problems which can lead to greater difficulty performing well in school and beyond.¹ To aid in combating lead poisoning, New York State (NYS) requires all public school districts and Boards of Cooperative Educational Services (BOCES) to test potable (i.e., consumable) water for lead, report the results and implement necessary remediation. Testing and reporting for lead contamination began in 2016, and subsequent testing cycles have followed:

- Cycle One: September 6, 2016, to October 31, 2016.
- Cycle Two: January 1, 2020, to December 31, 2020 (extended to June 30, 2021, due to COVID-19 pandemic).
- Cycle Three: January 1, 2023, to December 31, 2025.²

Audit Summary

District officials did not properly identify, report or implement needed remediation to reduce lead exposure in all potable water outlets as required by NYS Public Health Law and Department of Health (DOH) regulations.³ We determined 24 of the 197 (12 percent) water outlets we identified at select areas, that students, staff and the public may have access to and could consume water from, were not sampled or properly exempted by District officials for Cycle Two. This occurred because District officials

¹ Lead Exposure Symptoms and Complications – <https://www.cdc.gov/lead-prevention/symptoms-complications/index.html>

² As of December 22, 2022, schools are now required to test for lead in the water every three years beginning January 1, 2023 for Cycle Three.

³ Public Health Law section 1110; 10 NYCRR subpart 67-4 – Lead Testing in School Drinking Water

did not have complete sampling and remedial action plans that identified all water outlets for sampling or which water outlets they specifically exempted from sampling.

Because there is no information on the lead levels of the 24 water outlets not sampled for testing, we were unable to determine whether officials identified and remediated all water outlets that would have required it.

While District officials reported the results of their initial testing through DOH's Health Electronic Response Data System (HERDS) in Cycle Two, they did not report the results for 37 water outlets that were subsequently resampled. Further, officials could not provide documentation that they notified staff, parents and/or guardians in writing of the District's testing results identifying that 37 out of 189 (20 percent) sampled water outlets exceeded the lead action level, as required. Finally, the District did not post the test results of the resampled potable water outlets on the District's website.

This final report includes six recommendations to that effect. District officials agreed with our findings and their response is included in Appendix C.

The Board of Education (Board) has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report must be prepared and provided to our office within 90 days, pursuant to Section 35 of the New York State General Municipal Law, Section 2116-a (3)(c) of the New York State Education Law and Section 170.12 of the Regulations of the Commissioner of Education. To the extent practicable, implementation of the CAP must begin by the end of the next fiscal year. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The CAP should be posted on the District's website for public review.

Lead Testing and Reporting: Findings and Recommendations

In accordance with NYS Public Health Law section 1110 and 10 NYCRR subpart 67-4 (regulations), all public school districts and BOCES (together “schools”), must test potable water outlets for lead contamination and take remedial action if the contamination exceeds the lead action level.⁴ The regulations also established requirements for how and when schools must report their test results to local health departments, school staff, students’ parents and/or guardians, DOH and NYS Education Department (NYSED), as well as the public. More details on the water outlet sampling, testing and reporting criteria used in this report, including testing cycles and DOH guidance, are included in Appendix A.

Finding 1 – District officials did not ensure all required potable water outlets were sampled and tested for lead contamination for Cycle Two.

The District conducted water sampling from January 19, 2020 to March 1, 2020 for Cycle Two testing, collecting samples from 189 water outlets, which were then tested at a laboratory certified through the NYS Environmental Laboratory Approval Program (ELAP). Although the District implemented effective remediation measures as part of its ongoing remedial action plan to reduce lead below actionable levels, the District did not include all water outlets in the sampling plan. In addition, the District did not specify the individual water outlets, by unique identifier and location that they exempted from sampling in the remedial action plan.

We identified 197 water outlets at select areas throughout the District to determine whether the District conducted required sampling of all water outlets during Cycle Two.⁵ Of the 197 water outlets we identified, 163 water outlets were included in the 189 water outlets sampled by the District for Cycle Two, and another 10 water outlets we observed as properly secured against use. Therefore, we determined that 24 of the 197 water outlets we identified were not exempt by the District and should have been sampled for testing (Figure 1).

FIGURE 1: District Water Outlets We Identified That Were Not Sampled or Secured Against Use		
	Water Outlets We Identified at Select Areas Throughout the District:	197
	Less: Included in the District's Cycle Two Sampling:	(163)
	Less: Observed as Properly Secured Against Use:	(10)
	Total Water Outlets We Identified That Were Not Sampled or Secured Against Use:	24

⁴ We examined the Cycle Two testing period ending June 30, 2021, which had a lead action level of 15 parts per billion (ppb). Starting in Cycle Three the lead action level was lowered to five ppb. Schools should be aware that water outlets that were acceptable under the previous regulations could exceed the new lead action level and require remediation. Schools should account for this change in their sampling process and remediation efforts by prioritizing sampling water outlets that exceeded five ppb during the previous testing period.

⁵ See Appendix B for a complete list of water outlets we identified and their locations. See Appendix D for detailed information on our selection criteria for the water outlets selected.

The former Director of Facilities (Director) was unavailable to explain why the 24 water outlets, which were all located in shower areas of locker rooms, were not identified when the sampling and remedial action plans were developed. The current Director told us that although the water outlets were not turned off, he was certain that students were not using them because the shower areas are primarily used for District storage. Although we observed that the shower areas of the locker rooms were used to store items such as sporting goods, tables and chairs, these items would not prevent water outlets from being used.

According to DOH guidance, when developing a sampling plan, schools must identify all water outlets used or potentially used for cooking or drinking and sample them for testing. Water outlets that are not going to be sampled for testing must be included in the remedial action plan with details on how they will not be accessed (such as turning the water off at the outlet) to prevent the water outlets' use.

The District properly secured 10 water outlets (all of which were hose bibs in outside/sports areas) against use through physical controls including locked access to the water outlets and requiring a specialized tool to operate them. However, because District officials did not identify all outlets to be sampled for testing, we were unable to determine whether the 24 unsampled or unsecured water outlets we identified were below the lead action level of 15 ppb.

Finally, we reviewed the test results for all water outlets the District sampled to determine whether District officials took appropriate remedial actions for water outlets that exceeded the lead action level. Of the 189 water outlets the District sampled and tested, 37 water outlets (20 percent), were above the lead action level of 15 ppb. We determined that District officials performed short-term remedial actions on the 37 water outlets by implementing a flushing program in combination with "Do Not Drink" signs. According to DOH guidance,⁶ as part of their remediation efforts, "Schools may consider developing a systematic flushing program to implement routinely (at a specified frequency)." Importantly, the guidance also states that "Flushing is generally used as a short-term measure and paired with permanent remediation like replacement or removal of an outlet."

On March 1, 2020, the District resampled these 37 water outlets, immediately after a 30-second flush, which resulted in all 37 being under the lead action level in follow-up test results received on March 18 and 20, 2020. From that point forward, the District instituted a flushing program whereby a facilities employee performed a daily 30-second flush on each of these 37 water outlets. The current Director maintains a binder that includes a list of the water outlets and specific location, daily logs (by month) indicating the flush was performed that day in each school building, and instructions on how to perform the flush. We reviewed the binder and determined that the daily flush was consistently documented as performed over the last five years and was current to the time of our fieldwork.

While we credit District officials for their prompt action in implementing their flushing program in March 2020 to reduce lead action levels, as stated above, DOH guidance generally considers a flushing program a short-term and temporary remedial action until more effective long-term remedial actions, such as outlet replacement, are implemented.

⁶ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf#page=14>

Finally, the remedial action plan did not indicate how and when the water outlets exceeding lead action levels were taken out of service, and when returned to service. The current Director told us that the water outlets that exceeded lead action levels were promptly removed from service after the initial testing results were received, but did not realize the remedial action plan should document when and how the water outlets were removed, and when placed back in service.

A detailed, complete remedial action plan is a necessary component of a lead testing program. Although District officials confirmed that the implemented remedial actions were effective in reducing lead levels, without documentation evidencing the dates and detailed actions implemented, we could not determine when water outlets with test results exceeding the lead action level were removed from or returned to service.

Recommendations

District officials should:

1. Develop complete sampling and remedial action plans for all District water outlets that could be used for drinking and cooking, including details on which water outlets will be considered exempt from sampling and their controls.
2. Properly secure any water outlets designated as exempt from sampling.
3. Keep accurate records of all remediation efforts, including actions taken and dates performed.

Finding 2 – District officials did not report the results of the lead testing properly or in the required time periods for Cycle Two.

District officials did not report all laboratory test results, including the initial sampling results showing 37 water outlets were above the lead action level, to all required parties or within the required time periods. Because officials were unsure whether all reporting requirements were met and did not maintain all supporting documentation, post-remediation testing results were not reported, and we were unable to determine whether notifications and postings were made within the required time periods. Specifically:

- Although the Business Official told us he notified the local health department of testing results showing water outlets exceeded lead action levels in the Elementary school, he could not locate any documentation supporting this notification. Schools must notify their local health department within one business day of any test results that exceed the lead action level.

-
- Although the Business Official reported initial testing results in HERDS after receiving the results within the required 10 business days, he did not report the testing results for water outlets that were subsequently resampled.
 - Although the Business Official told us the written notice of the test results was mailed to staff, parents and/or guardians detailing the results of the water outlets that exceeded the lead action level, he was unable to provide support for when this communication occurred. For any test results that exceed the lead action, schools must notify staff, parents and/or guardians in writing within 10 business days.
 - District officials were unable to provide us with any records to support when the initial results were posted on the District's website. In addition, results for subsequently resampled water outlets were not posted on the website.

The Business Official told us he was unsure whether all testing results, including post-remediation results were reported in HERDS and he also believed that the test results for the subsequently resampled water outlets were posted on the District's website at some point; however, he further explained that the test results for the resampled water outlets were received in mid-March of 2020 during their shutdown related to the COVID-19 pandemic, and the HERDS reporting and posting of these results could have been overlooked.

It is important that officials retain reporting and notification documentation. DOH guidance states that schools should keep all records related to their lead testing program for at least 10 years after document creation, and it is recommended that all such records be kept on-site in a centrally accessible repository.

Recommendations

District officials should:

4. Ensure that all individuals involved in lead testing and reporting understand their roles and responsibilities.
5. Notify all required parties in the required time periods after lead testing results are received.
6. Keep accurate records of all notification efforts performed.

Appendix A: Profile, Criteria and Resources

Profile

The District serves the Towns of Colesville, Fenton, Kirkwood, Sanford, and Windsor in Broome County, and the Towns of Afton, Coventry, and Green in Chenango County. The District's two buildings (Middle/High school and District Office, and Elementary) are located in the Village of Harpursville.

The District is governed by the elected seven-member Board. The Board is responsible for managing and controlling the District's financial and educational affairs. The Superintendent is responsible, along with other administrative staff, for managing the District's day-to-day operations under the Board's direction.

A Head Custodian is responsible for sample collection, sending the samples to the laboratories and providing the District with the results from the laboratories. The District's Business Official was responsible for reporting lead testing results to the local health department and in HERDS in Cycle Two. The former Director, who oversaw the sample collection process for Cycle Two, retired in August of 2020 and was replaced by the current Director who is responsible for coordinating the sampling process and reporting to the local health department and in HERDS all lead testing in Cycle Three.

Criteria – Lead Testing and Reporting

To comply with DOH regulations, school officials should develop a sampling plan that properly addresses potable water outlet sampling, testing and reporting for lead contamination. Pursuant to Chapter 296 of the Laws of 2016, the first cycle of testing and reporting for lead contamination began in 2016, and subsequent testing cycles have followed:

- Cycle One: September 6, 2016 to October 31, 2016.
- Cycle Two: January 1, 2020 to December 31, 2020 (extended to June 30, 2021 due to the COVID-19 pandemic).
- Cycle Three: January 1, 2023 to December 31, 2025.

Sampling and Testing – Officials should identify all water outlets to be sampled, their location, and the order in which to collect samples. Water outlets may be located anywhere on school property including external water outlets. According to DOH guidance, the school's superintendent or their designee have the responsibility to identify which water outlets meet the regulation requirements for sampling. For any water outlets determined to fall outside the scope of the regulation, the school must have a remedial action plan that includes details on how those water outlets will not be accessed and/or used for drinking or cooking purposes and should be updated anytime conditions change. All samples must be sent to a laboratory certified by ELAP. When results from sampling of any fixture exceed the lead action level, the water outlet must be immediately taken out of service until remediation is performed to reduce the lead levels to below the action level.

Reporting – School officials must report their testing and remedial action through DOH’s HERDS reporting program, which reports the results of all potable water testing for lead contamination to local county health departments, DOH and NYSED. Importantly, if the school receives test results that show lead contamination exceeds the lead action level, school officials must report the exceedances directly to the local health department within one business day, and notify all school staff, parents, and guardians in writing within 10 days. School officials should coordinate with local health department officials ahead of the sampling and testing to confirm the health department’s preferred method of reporting (e.g., email, an email and phone call, etc.) for test results that show lead contamination exceeds the lead action level. Finally, schools must post the results of all testing, including information about remedial actions taken, on their website.

To assist schools in their compliance with the regulations, the DOH developed the *Lead Testing in School Drinking Water Guidance Manual*.⁷ The manual describes in detail how schools should develop and implement their lead testing program, including templates on assigning roles, staff, parent and/or guardian letters, posting results on school websites, as well as documenting and tracking remedial actions.

To ensure a school’s lead testing program is successful, the school should identify and document which individuals will be responsible for the following:

- Who will be the main contact for the program?
- Who will create the sampling plan?
- Who will collect the samples?
- Who will coordinate with the laboratory and manage the test results?
- Who will perform remediation?
- Who will communicate the results to the public?
- Who will report the data and information to the local health department and enter it into the NYS DOH reporting application (HERDS)?
- Who will keep records?

All potable water outlets at a school that could be used for cooking or drinking should be tested for lead. Examples include:

- Combination bottle fill stations and drinking fountains (both the fountain and bottle fill nozzles should be tested),
- Classroom sinks,

⁷ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf>

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- Food washing sinks,
 - Kitchen kettle filler outlets,
 - Ice machines,
 - Hand washing outlets, including those in bathrooms, and
 - Athletic field outlets and any other sink known to be or potentially used for consumption.

Water outlets that are not going to be tested need to be listed on the remedial action plan and actions must be taken to properly secure them to prevent them from being used for cooking or drinking. Actions such as turning the water off at the outlet not only prevent access but also prevent the water outlet from being used at all. If a water outlet still needs to be used, the following are examples of controls that should be combined with each other to prevent use:

- Using physical controls such as locks or requiring special tools that prevent physical access to the water outlet,
- Regularly informing students and staff which water outlets are not to be used,
- Placing signs that say “Do not Drink, Non-Potable Water” or similar.⁸ Signs must be clearly visible and in close proximity to the affected outlets. Placing a sign at a room entrance (i.e. lavatory entrance) is not acceptable.
- Establishing, and consistently enforcing, rules such as “No Eating or Drinking in the Science Lab.”

These controls are only considered effective if they are used together. For example, signs can be removed due to vandalism or accidents, but if students and staff are regularly told that bathrooms are not to be used for drinking it would reduce the risk that someone may use a bathroom sink. The remedial action plan should be updated whenever there is a change, including when new water outlets are designated, or old ones are removed, new test results become available, additional remediation is planned or completed, or controls are added or removed. Additionally, a maintenance and monitoring schedule should help ensure remediation efforts are still operating effectively.

Schools must report the results of their lead testing to NYS agencies, their local county health department, staff, parents and/or guardians, as well as posting their results and remediation actions on their website. Timing always starts once the school receives the results and there are different notification and timing requirements if any results exceed the lead action level. The reporting requirements are as follows:

Results Exceed the Lead Action Level – The school must notify their local health department within one business day, and staff, parents and guardians in writing within 10 business days. Importantly, posting this information on the school’s website or through social media does not qualify as notification in this case.⁹

⁸ For examples of signage, see page 12 of the DOH’s Guidance Manual: <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf#page=14>

⁹ See page 14 of DOH’s Guidance Manual: <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf#page=16>

After Any Testing is Done (Regardless of Whether Results Exceed the Lead Action Level) – The school must notify the DOH, NYSED, and their local county health department. Reporting is done through the HERDS system and must be done within 10 business days after results are received. School officials must post on their website the results of all their testing, including any remediation efforts performed or planned, within six weeks of receiving results.

Schools should keep all records related to their lead testing program for at least 10 years after document creation, and it is recommended that all such records be kept on-site in a centrally accessible repository.

Additional DOH resources, guidance and publications on lead in drinking water can be found at:

<https://health.ny.gov/environmental/water/drinking/lead/>

In addition, our website can be used to search for other Lead Testing and Reporting audits:

<https://www.osc.ny.gov/local-government/audits>

Appendix B: District Water Outlets

Figure 2: District Water Outlets We Identified That Were Not Sampled or Secured Against Use for Cycle Two by Location

Location	Water Outlets We Identified at Select Areas Throughout the District	Less: Included in the District's Cycle Two Sampling	Less: Observed as Properly Secured Against Use	Total Water Outlets We Identified Not Sampled or Secured Against Use
Hallways or Common Spaces	18	(18)	0	0
Bathroom	39	(39)	0	0
Elementary Classroom	38	(38)	0	0
Cafe/Kitchen/Food	24	(24)	0	0
Science or Art Room	31	(31)	0	0
Outside/Sports Areas	47	(13)	(10)	24
Totals	197	(163)	(10)	24

Appendix C: Response From District Officials



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7/21/2025

Dina M.L. Thompson
Chief of Municipal Audits
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Dear Ms. Thompson,

Thank you for the opportunity to review and respond to the draft audit report titled “*Harpurville Central School District – Lead Testing and Reporting*” (Report No. S9-25-11, 2025), covering the period from July 1, 2019 through September 30, 2024.

We appreciate the professionalism and thoroughness demonstrated by your audit team throughout the process. The safety and well-being of our students, staff, and community is our top priority, and we recognize the importance of maintaining strict compliance with New York State Public Health Law and Department of Health regulations regarding lead testing in school drinking water.

The District acknowledges the findings in the draft report and has taken the observations seriously. We are committed to making improvements in our processes to strengthen our internal oversight, documentation, and reporting procedures as they relate to water testing and communication protocols.

We value the guidance provided through this audit and thank your office for its continued partnership in helping public schools operate safely and responsibly. If there are any further questions or documentation needed, please do not hesitate to contact us.

Sincerely,

Heath Georgia
Superintendent of Schools
Harpurville Central School District

Appendix D: Audit Methodology and Standards

We conducted this audit pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law. We obtained an understanding of internal controls that we deemed significant within the context of the audit objective and assessed those controls. Information related to the scope of our work on internal controls, as well as the work performed in our audit procedures to achieve the audit objective and obtain valid audit evidence, included the following:

- We interviewed District officials and reviewed various records and reports to gain an understanding of the roles and responsibilities of the individuals involved in the process, and how individuals performed their duties for the Cycle Two period that closed June 30, 2021, and for Cycle Three which is still ongoing until December 31, 2025.
- We reviewed all available documentation that the District had for sampling and testing for Cycle Two that closed June 30, 2021, including District maps, laboratory chain of custody and result reports, and ELAP certifications. We supplemented this with our own observations of the District's current water outlets at each building and the surrounding sport and event fields. We identified the following as high-risk areas/outlets based on the DOH guidance:
 - Hallway drinking fountains and bottle-filling stations, outside and sporting event areas, kitchens, cafeterias, and cooking classrooms, as they could affect large numbers of individuals at the District, including visitors.
 - Elementary classrooms, as they could affect young students who are particularly vulnerable to lead exposure.
 - Bathrooms, or other areas where individuals would be unsupervised and able to access water from faucets.
 - Art and Science classrooms, as they were specifically mentioned in DOH's guidance.

Using this information, we selected 197 water outlets, including all water outlets located in areas that we determined could have a high-risk of affecting individuals at the District based on the DOH guidance.¹⁰ We observed the controls present at each water outlet and whether they had been sampled for lead testing.

- For the 189 water outlets sampled for testing by the District, we identified 37 tested samples with results that exceeded the lead action level and determined whether District officials took appropriate remedial actions or had a test result after the initial exceedance that was below the lead action level.
- We reviewed all available documentation that the District had for reporting the laboratory results including HERDS reporting and District email correspondences with Broome County Department of Health.

¹⁰ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf>

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

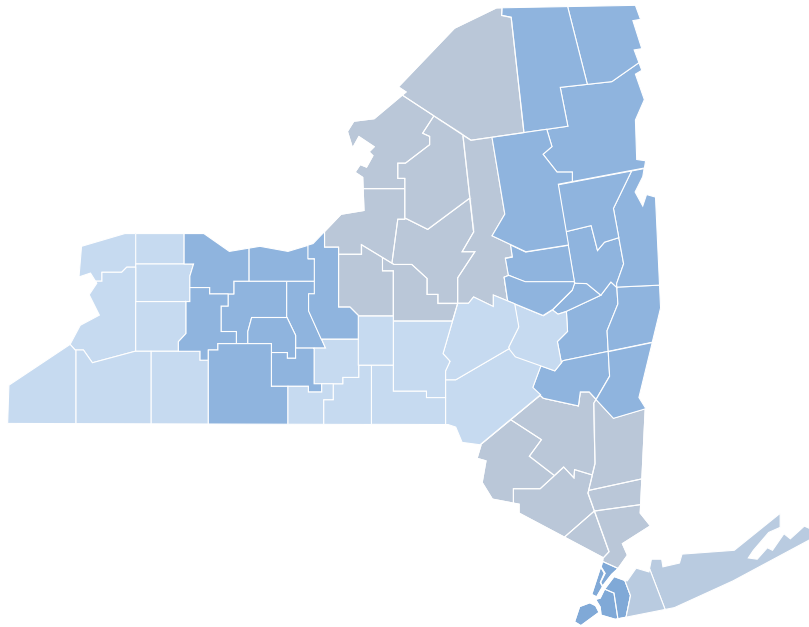
Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample selected for examination.

Contact

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