



Moravia Central School District

Lead Testing and Reporting

S9-25-2 | June 2025

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Audit Results

Moravia Central School District



Audit Objective

Audit Period

Did Moravia 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 the 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 98 of the 303 (32 percent) water outlets we identified, that students, staff and the public may have access to and could consume water from, were not sampled or properly exempted by District officials during Cycle Two. This occurred because District officials did not have a sampling plan to identify all water outlets for sampling or exemption.

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

District officials also did not have a remedial action plan that detailed which water outlets they exempted from sampling and how they would be secured against use, and what remedial actions were planned or enacted. Because there is no information on the lead levels of the 98 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 did report the results of their testing through DOH's Health Electronic Response Data System (HERDS), they did not notify the local health department via email about the lead action exceedances. Additionally, officials could not provide documentation that they notified staff, parents and/or guardians of these results in writing, as required. Further, officials did not post the testing results on the District's website until up to five weeks past the required deadline. Results were not reported properly to all required parties because District officials were not familiar with the reporting requirements and their roles and responsibilities were not clearly identified.

This final report includes seven recommendations to that effect.

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 to 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 Director of Facilities (Director) supervised initial water sampling from May 11, 2021 through May 13, 2021 for Cycle Two testing, collecting samples from 188 of the District’s water outlets, which were then tested at a laboratory certified through the NYS Environmental Laboratory Approval Program (ELAP). However, the District did not have a sampling plan to identify all water outlets for sampling or a remedial action plan that detailed which water outlets they exempted from sampling and how they would be secured against use, and what remedial actions were planned or enacted.

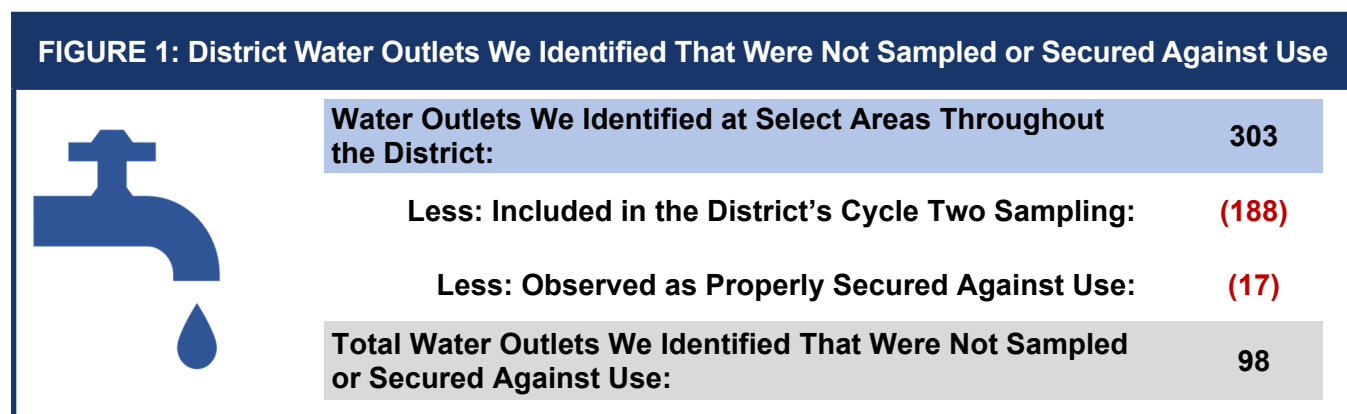
The Director told us that he had developed a sampling plan with a unique sample identifier (USI) for each water outlet and a map that displayed all water outlet locations and their USIs, however he could not locate this information and told us it was misplaced when he had to move his office due to construction. While we reviewed laboratory reports the District received and confirmed that District officials did perform sampling for testing on 188 water outlets, because the Director could not produce his sampling plan showing the water outlets’ USIs and locations:

- We could not compare the 188 water outlets sampled by the District to the 303 water outlets we identified throughout the District to determine whether the District conducted required sampling of all water outlets for Cycle Two.⁵
- The Director could not determine which physical water outlet corresponded to the USI in the laboratory results; therefore neither we, nor the Director, could accurately determine the location or type of water outlets that were or were not sampled.

⁴ We examined the testing period for Cycle Two 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 Including 69 in bathrooms, 65 in outside/sports areas, 64 in hallways or common spaces, 49 in classrooms, 38 in science or art rooms and 18 in cafe/kitchens/ food areas. See Appendix C for detailed information on our selection criteria for the water outlets selected.

Although we could not determine whether the District conducted required sampling of all water outlets for Cycle Two, we determined that there were more water outlets present than were sampled and tested or properly secured against use. We identified 303 water outlets throughout the District and, in addition to the 188 outlets District officials sampled for testing, we observed 17 water outlets that were properly secured against use. Therefore, we determined 98 more water outlets were present than were sampled and tested or observed as secured against use (Figure 1).



District officials used specialized tools to properly secure the 17 water outlets (all of which were hose bibs located outside District buildings) against use. However, because District officials did not identify all water outlets to be sampled for testing, we were unable to determine whether the 98 water outlets were below the lead action level of 15 ppb.

Finally, we reviewed the test results for all 188 water outlets the District sampled and determined whether District officials took appropriate remediation actions for water outlets that exceeded the lead action level. Of the 188 water outlets that the District sampled and tested, 33 water outlets (18 percent) were above the lead action level of 15 ppb.

The Director was not able to provide lab results showing that the 33 water outlets had been retested and were below the lead action level. Furthermore, without a sampling plan to explain the water outlet's USI and a remedial action plan detailing the type and date of remedial action, neither the Director nor we were able to determine which water outlets required remediation, whether remediation was performed, whether the water outlets were reduced to below the lead action level and, most importantly, whether the water outlets were still in use.

The Director told us that he retested all water outlets used for drinking or cooking that exceeded the lead action level, but that the results were kept with the sampling plan and could not be located. He said he was unaware that he was required to maintain a remedial action plan for water outlets exceeding lead action levels. Due to the lack of records, we could not determine which water outlets throughout the District were sampled and whether water outlets that exceeded the lead action level were properly remediated. 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

The Director should:

1. Develop and maintain 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 the controls to secure against use.
2. Sample all water outlets that could be used for drinking and cooking and properly secure any water outlets designated as exempt from sampling.
3. Identify which water outlets exceeded the lead action level and remove them from service until it is confirmed they are below the lead action level or secured against use with proper controls.
4. Develop processes or procedures to ensure all records related to the lead testing program are regularly updated and kept for 10 years as required by DOH guidance.

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

District officials did not report all laboratory test results, including the initial sampling results showing 33 water outlets were above the lead action level, to all required parties or within the required time periods. Specifically:

- The Business Administrator did not notify the local health department directly within one business day for the test results with exceedances, as required. Instead, he reported the results through HERDS 11 and two days late.
- District officials could not provide us with documentation that staff, parents and/or guardians were notified in writing within 10 days about the water outlets that exceeded the lead action level, as required. The Superintendent of Schools (Superintendent) told us that he, with assistance from the Information Technology Director, notified staff, parents and/or guardians of the water outlets that exceeded the lead action level by email but was unable to find a record of the email.
- The Business Administrator did not ensure the test results were posted on the District's website within six weeks of receiving the laboratory reports. Results from tests were posted on the website approximately three and five weeks past the deadline.

The Director told us that he informed the Superintendent and Business Administrator of the laboratory testing results, and they were then responsible for reporting the results to the local health department, communicating to parents and staff and posting on the District's website. The Business Administrator told us he was unaware of the reporting requirement to notify the local health department directly of the sampling results above lead action levels and the deadline in which to post test results on the website.

Results were not reported properly to all required parties because District officials were not familiar with the reporting requirements and their roles and responsibilities were not clearly identified. Developing clear procedures identifying all officials involved and their roles and responsibilities may lower the risk that the District will miss reporting deadlines during future testing cycles.

Recommendations

District officials should:

5. Develop procedures identifying all individuals involved in lead testing and reporting and their roles and responsibilities.
6. Notify all required parties in the required time periods after lead testing results are received.
7. Keep accurate records of all notification efforts performed.

Appendix A: Profile, Criteria and Resources

Profile

The District serves the Towns of Locke, Moravia, Niles, Sempronius, Summerhill, and Venice in Cayuga County, the Town of Skaneateles in Onondaga County, and the Town of Lansing in Tompkins County.

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.

The Director is responsible for coordinating all lead testing. The Superintendent is responsible for communicating test results to school staff, parents and/or guardians. The Business Administrator is responsible for reporting test results to the local county health department, DOH and for posting results on the District's website.

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*.⁶ 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,
- Food washing sinks,

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

-
- 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.⁷ 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.⁸

⁷ 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>

⁸ 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: Response From District Officials



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June 11, 2025

Office of the State Comptroller
Chief of Municipal Audits - Dina M.L. Thompson
110 State Street
Albany, New York 12236-0001

Dear Chief of Municipal Audits:

On behalf of the Moravia Central School District, I hereby acknowledge receipt of the Moravia Central School District Lead Testing and Reporting: Report of Examination S9-25-2 for the period of July 1, 2019 – September 30, 2024. Moravia Central School District would like to thank the OSC Staff for their efforts and professionalism in reviewing our procedures. We are in agreement with their findings and recommendations for improvement. This letter will serve as our official response to the draft audit findings received via e-mail on May 21, 2025.

The findings identified in your audit process will continue to be reviewed and a more comprehensive corrective action plan will be developed to address the recommendations put forth by your office.

If you need additional information, please feel free to contact me through the District Office.

Sincerely,

Neil Stevens
President – Moravia CSD Board of Education

Appendix C: 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 period that closed June 30, 2021.
- 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. Using this information, we selected all 303 water outlets in areas that we determined could have a high-risk of affecting individuals at the District based on the DOH guidance.⁹ We observed the controls present at each outlet. 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.
- For the 188 District sampled water outlets in Cycle Two, we identified 33 samples with results that exceeded the lead action level although District officials did not maintain evidence to support whether they were removed from service 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 the Director's email receipts that he received the lab results, HERDS reporting, and uploads to the District's website as well as interviewing Cayuga County Department of Health employees and determined whether District administration reported results of their lead testing to all required parties timely.

⁹ <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.

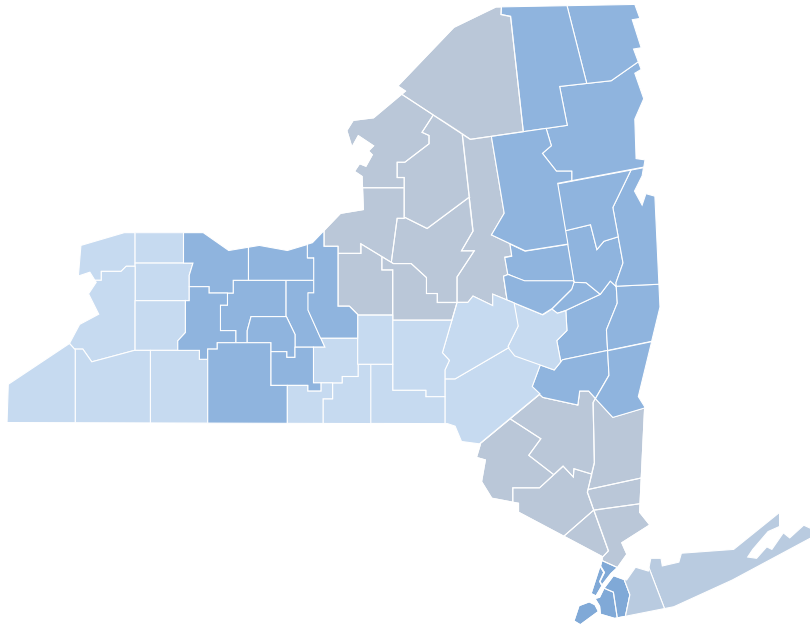
Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample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

Contact

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