



Oxford Academy and Central School District

Lead Testing and Reporting

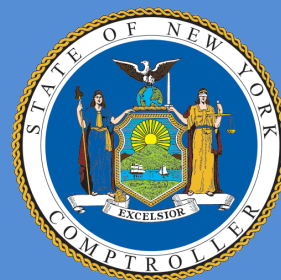
S9-25-12 | August 2025

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
- Appendix A: Profile, Criteria and Resources. 6**
- Appendix B: District Water Outlets 10**
- Appendix C: Response From District Officials. 11**
- Appendix D: Audit Methodology and Standards. 13**

Audit Results

Oxford Academy and Central School District



Audit Objective

Audit Period

Did Oxford Academy and 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 all potable water outlets for sampling or exemption as required by NYS Public Health Law and Department of Health (DOH) regulations.³ We determined 173 of the 310 (56 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 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, 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 173 water outlets not sampled for testing or properly exempted by the District, we were unable to determine whether officials identified and remediated all water outlets that would have required it.

None of the 40 water outlets the District sampled for Cycle Two testing exceeded the lead action level. District officials reported all testing results to the necessary parties in the required time periods and posted these results on their website as required.

This final report includes three recommendations. District officials generally 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.

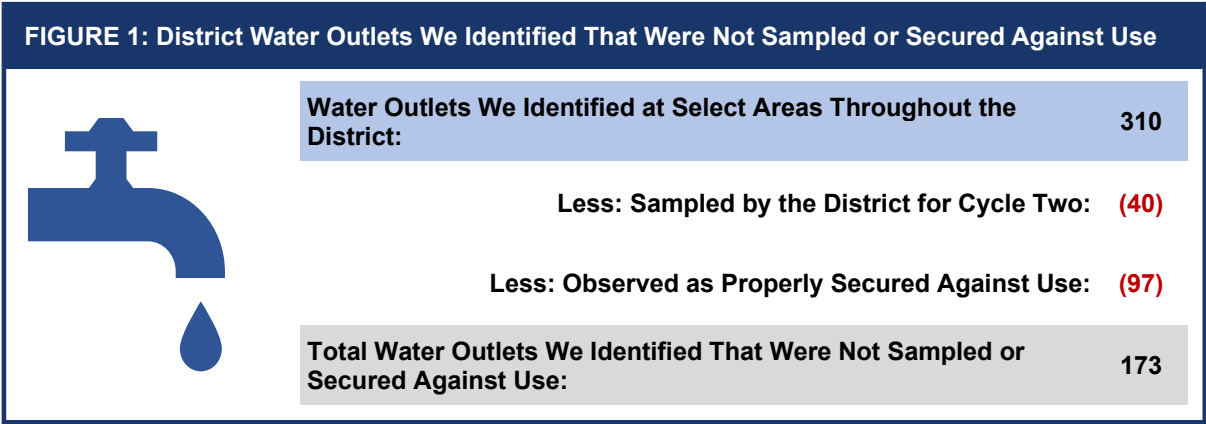
Lead Testing and Reporting: Findings and Recommendations

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 on April 28, 2021 for Cycle Two testing, collecting samples from 40 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, how they would be secured against use and what remedial actions were planned or enacted.

We identified 310 water outlets at select areas throughout the District to determine whether the District conducted required sampling of all water outlets for Cycle Two.⁵ Of the 310 water outlets we identified, 40 water outlets were those sampled by the District for Cycle Two, and another 97 water outlets we observed as properly secured against use. Therefore, we determined that 173 of the 310 (56 percent) water outlets we identified were not exempted by the District and should have been sampled for testing (Figure 1).



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), who was responsible for the lead testing program in Cycle Two, retired prior to our audit and was not available to explain why all water outlets were not sampled or exempted. Because the former Director did not create sampling and remedial action plans, current District officials could not explain why 56 percent of the water outlets we identified in select areas throughout the District were not sampled or exempted.

The District properly secured 97 water outlets against use by shutting off the outlets' water supply, signage (e.g., "Do Not Drink") and other physical or supervisory controls. However, because District officials did not identify all outlets to be sampled for testing, we were unable to determine whether the 173 unsampled or unsecured water outlets we identified were below the lead action level of 15 ppb.

We also observed District officials did not remove water outlets from service or implement other controls to properly secure and prevent consumption from certain water outlets. For example, 16 of the 23 water outlets we observed at water fountain and bottle filling stations were not sampled by the District for Cycle Two testing or taken out of service⁶ and were still accessible and working, including those in student locker rooms (Figure 2).

Because District officials did not have a sampling plan to identify all water outlets for sampling or exemption, the 173 water outlets we identified were available for use by students and/or staff for water consumption for several years without being tested to determine whether the outlets were below the lead action level of 15 ppb.

During our fieldwork, the Head Custodian began developing a sampling plan which would include

the additional water outlets we identified, as well as any additional outlets he identified in areas we did not select for review. Because the former Director started but did not complete Cycle Three sampling, the Head Custodian would implement the sampling plan to complete Cycle Three sampling and testing.

Finally, we reviewed the test results for all 40 water outlets sampled by the District and tested during Cycle Two and determined no remediation actions were necessary as the test results showed that all 40 water outlets were below the lead action level of 15 ppb. District officials properly reported the results of the lead testing to all necessary parties in the required time periods and posted the results on the District website as required.

FIGURE 2: Locker Room Water Fountains Not Sampled for Testing and Still in Service^a



a) Photo taken by OSC auditors in March 2025 with permission from District officials.

⁶ Five outlets were sampled by the District for testing and two were taken out of service. The five sampled outlets tested below the lead action level.

Had District officials developed detailed sampling and remedial action plans, District officials could have quickly reviewed the work performed by the former Director and determined whether all water outlets were sampled and whether the controls implemented were still in place and effective.

Recommendations

District officials should:

1. Develop sampling and remediation 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. Sample all water outlets that could be used for drinking and cooking and properly secure any water outlets designated as exempt from sampling.
3. Review all work related to the lead testing program for accuracy and completeness.

Appendix A: Profile, Criteria and Resources

Profile

The District serves the Towns of Coventry, McDonough, Norwich, Oxford, Pharsalia, Preston, and Smithville in Chenango County. The District's school buildings (Middle School and Elementary/High School) are located in the Village of Oxford.

The District is governed by the elected five-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 former Superintendent designated the former Director responsible for the lead testing program, including sample collection, sending the samples to the labs and reporting test results through DOH's Health Electronic Response Data System (HERDS) for Cycle Two. The current Superintendent started on July 1, 2024.

The former Director conducted sampling on December 17, 2024 for Cycle Three and then retired as of December 20, 2024. The current Superintendent designated, effective January 1, 2025, the Head Custodian the person responsible for completing the water sampling and reporting all lead testing results for 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),

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

-
- Classroom sinks,
 - 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:

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>

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

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>

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

Appendix B: District Water Outlets

Figure 3: 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: Sampled for Testing	Less: Observed as Properly Secured Against Use	Total Water Outlets We Identified That Were Not Sampled or Secured Against Use
Hallways or Common Spaces	23	(5)	(2)	16
Bathroom	57	(1)	(2)	54
Elementary Classroom	56	(25)	(5)	26
Cafe/Kitchen/Food	47	(7)	(12)	28
Science or Art Room	58	0	(54)	4
Outside/Sports Areas	63	0	(22)	41
Health Office	6	(2)	0	4
Totals	310	(40)	(97)	173

Appendix C: Response From District Officials

Oxford Academy and Central School District

Mission: We will provide every student with an engaging and comprehensive education that prepares them for their unique futures and empowers them to thrive as contributing members of society.

Vision: We are an exemplary educational institution committed to delivering innovative, personalized learning experiences that honor each student's unique needs, aspirations, and potential.



July 15, 2025

Office of the New York State Comptroller
Division of Local Government and School Accountability
110 State Street, 12th Floor
Albany, New York 12236

RE: Response to Audit Report – Lead Testing and Reporting in School Drinking Water

To Whom It May Concern:

Thank you for the opportunity to respond to the recent audit conducted by the Office of the State Comptroller concerning lead testing and reporting in school drinking water. We appreciate the time and effort invested in this important review and share your commitment to protecting the health and safety of all students and staff.

The District agrees with the findings of the audit. We recognize the importance of adhering to all requirements set forth in New York State Public Health Law and the associated regulations. However, our ability to fully verify and reconstruct certain actions taken during Cycle Two was limited due to the departure of key personnel, including the former Director of Facilities. As a result, gaps in documentation and institutional knowledge presented challenges during the audit period.

Response to Finding #1 – Incomplete Testing During Cycle Two

We agree with the audit's finding that *District officials did not ensure all required potable water outlets were sampled and tested for lead contamination during Cycle Two*. While we are encouraged that the 40 outlets tested were all below the lead action level of 15 ppb and that results were properly reported and posted, we acknowledge that not all required outlets were sampled, and that documentation for exempt outlets and planning was insufficient.

We also recognize the importance of the photo documentation obtained by OSC auditors in March 2025 (with permission from district officials), which further confirmed the need for more robust planning and recordkeeping. Had comprehensive sampling and remedial action plans been in place, the District would have been better positioned to evaluate the prior work and ensure long-term compliance.

In response, the District accepts and will act on the following recommendations:

1. Develop sampling and remediation 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. Sample all water outlets that could be used for drinking and cooking and properly secure any water outlets designated as exempt from sampling.
3. Review all work related to the lead testing program for accuracy and completeness.

A formal Corrective Action Plan, developed in accordance with New York State Public Health Law and applicable regulations, will be submitted to outline the steps the District will take to address each of these recommendations.

We are committed to addressing these findings and strengthening our procedures to ensure the continued health and safety of our school community.

Sincerely,

Nicholas A. Colosi
Superintendent of Schools
Oxford Academy and Central School District
12 Fort Hill Park
Oxford, NY 13830

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 the District buildings 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 310 water outlets, including all water outlets located in areas that were previously tested by the District during Cycle Two or 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 40 water outlets sampled for testing by the District, we determined there were no results that exceeded the lead action level.
- We determined whether District administration reported results of their lead testing to all necessary parties.
- We reviewed all available documentation that the District had for reporting the laboratory results including HERDS reporting and interviewed the Public Health Director at Chenango County.

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.

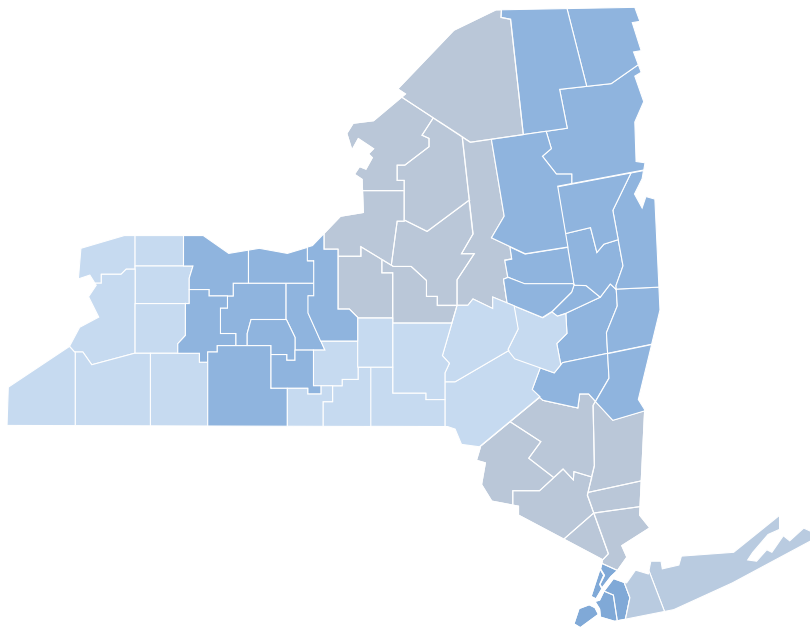
Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample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

Contact

STATEWIDE AUDITS – Dina M.L. Thompson, Chief of Municipal Audits

State Office Building, Suite 1702 • 44 Hawley Street • Binghamton, New York 13901-4417

Tel (607) 721-8306 • Fax (607) 721-8313 • Email: Muni-Statewide@osc.ny.gov



Office of the New York State Comptroller
Division of Local Government and School Accountability
110 State Street, 12th Floor, Albany, New York 12236

Tel: (518) 474-4037 • Fax: (518) 486-6479 • Email: localgov@osc.ny.gov

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

Local Government and School Accountability Help Line: (866) 321-8503