



New York State Comptroller
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School Districts: Lead in Water: Testing and Reporting

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2025-MS-2

Table of Contents

| | |
|--|-----------|
| Introduction | 2 |
| Executive Summary | 3 |
| Lead in Water: Testing and Reporting | 5 |
| Conclusion | 14 |
| Appendix A: Background, Relevant Standards and Additional Resources | 15 |
| Appendix B: Individual District Facts and Results | 17 |
| Notes | 19 |
| Local Government and School Accountability Contacts | 20 |



Introduction

Lead is a metal that was commonly used in plumbing and has since been identified as toxic to people, especially young children. The United States Congress recognized the dangers of lead in plumbing in 1986 through an amendment to the Safe Drinking Water Act that banned the use of lead pipes, solder and flux that were not “lead free” in plumbing systems providing consumable water.¹

Lead poisoning can cause neurological issues such as slowing children’s growth, causing learning and behavioral issues or hearing and speech problems which can lead to greater difficulty performing well in school and beyond.² According to the Environmental Protection Agency (EPA), “Lead is particularly dangerous to children because their growing bodies absorb more lead than adults do, and their brains and nervous systems are more sensitive to the damaging effects of lead.”³ Lead is also harmful to adults who, if exposed to lead, can suffer from cardiovascular effects, increased blood pressure or hypertension, decreased kidney function, and reproductive problems.⁴

In the 2023-24 school year there were about 2.4 million students enrolled in New York State (NYS) public schools.⁵ According to a report by National Association of State Boards of Education, it is estimated that by the time a child graduates from high school, they will have spent 15,600 hours at school, consuming a “significant amount” of their daily water intake.⁶

In accordance with NYS Public Health Law and Department of Health (DOH) regulations,⁷ all public-school districts and Boards of Cooperative Educational Services (BOCES) (together “schools”) are required to test potable (i.e., consumable) water for lead, implement necessary remediation if the contamination exceeds the lead action level,⁸ and report the results to all required parties. Testing and reporting for lead contamination in NYS schools began in 2016, and subsequent testing cycles have followed (Figure 1).

Figure 1
Lead in Water Testing and Reporting Cycles

| Cycle One | Cycle Two | Cycle Three |
|---|--|---|
| September 6, 2016, to October 31, 2016 | January 1, 2020, to December 31, 2020 (extended to June 30, 2021, due to COVID-19 pandemic) | January 1, 2023, to December 31, 2025 ⁹ |

Our audits focused on Cycle Two, which overlapped with the COVID-19 pandemic. Because of the unique operational and educational challenges school officials were addressing at that time, DOH provided schools an additional six months to comply with the lead testing and reporting requirements.¹⁰



Executive Summary

Using the DOH's *Lead Testing in School Drinking Water Guidance Manual*¹¹ (DOH guidance), we assessed whether the officials at 21 school districts (together, Districts) that had 26,099 enrolled students for the 2023-24 school year:

- Developed and maintained a sampling plan to identify all water outlets for sampling or exemption,
- Sampled and tested all required potable water outlets for lead contamination for Cycle Two,
- Had a remedial action plan detailing which water outlets they exempted from sampling and how they were secured against use and also which outlets exceeded the lead action level and the remedial actions taken, and
- Reported the testing results to all required parties within the required time periods.

For these 21 Districts we determined:

- None sampled and tested or exempted all required potable water outlets for lead contamination in Cycle Two,
- Only one developed and maintained a complete sampling plan,
- Only one had a complete remedial action plan in place, and
- Just one reported testing results to all required parties within the required timeframes.

As a result, within the select areas, we identified 1,867 water outlets that were either not sampled or secured against use for consumption. In addition, District officials were unable to support that they took appropriate remedial actions for the 260 water outlets (48 percent) that tested above the lead action level to either secure the outlets from use for consumption or reduce the lead level to below actionable levels.



Sampling and Testing

Of the 6,431 water outlets we identified at select areas within various buildings at all 21 Districts, that students, staff and the public may have had access to and could have consumed water from, we determined:

- 1,867 (29 percent) were not sampled for testing or properly exempted by Districts' officials, and
- 418 (6 percent) could not be matched to a District test result because records were not available and District officials were not certain whether appropriate remediation was completed. These water outlets were not properly secured against use during our fieldwork.

These conditions occurred because most of the Districts did not develop or maintain a complete sampling plan and did not have or maintain a complete remedial action plan.

Sampling Plans

Only one District developed and maintained a complete sampling plan to identify all water outlets for sampling or exemption, 16 did not have a sampling plan, and four had an incomplete sampling plan.

Remedial Action Plans

Only one District had a complete remedial action plan that detailed which water outlets they exempted from sampling and how they would be secured against use. Sixteen Districts had no remedial action plan and four Districts had an incomplete remedial action plan.

Reporting Testing Results

Only one of the 21 Districts properly reported testing results to the required parties for Cycle Two. The remaining 20 Districts had at least one or more issues with reporting their test results, including no reporting at all, late reporting, no documentation of reporting, no notification to staff, students' parents and/or guardians in writing, and/or no posting of all test results on the Districts' websites.

For information about the individual Districts and results of our work, see Appendix B.



Lead in Water: Testing and Reporting

To assist schools, the DOH guidance describes in detail how schools should develop and implement their lead testing program, including templates on assigning roles, notification letters, posting results on the school website, as well as documenting and tracking remedial actions.

According to the DOH guidance, school officials should, prior to any testing, identify each individual involved in their lead water testing program and their roles and responsibilities. All water outlets used or potentially used for cooking and drinking must be sampled for testing. Any water outlet that officials determine to be outside the scope of the regulations (i.e., not used for cooking or drinking) and therefore exempt from sampling, must be secured with appropriate controls to prevent them from being used for cooking or drinking. Therefore, officials must develop sampling and remedial action plans,¹² and send all samples to be tested at a laboratory certified through the NYS Environmental Laboratory Approval Program (ELAP).

A school's compliance with the lead testing program involves consideration of each water outlet located within the school's buildings and grounds, and any buildings owned by the school, including any leased to other organizations.

When a school receives test results that exceed the lead action level, the corresponding water outlets must be immediately taken out of service until remediation is performed to reduce the lead levels below the action level. Schools can choose to permanently remove a water outlet provided it is not needed for use.



Officials Did Not Sample and Test all Required Potable Water Outlets for Lead Contamination for Cycle Two

We identified 6,431 water outlets at select areas within various buildings at the 21 Districts to determine whether the Districts conducted required sampling of all water outlets for Cycle Two. Of the 6,431 water outlets we identified, 2,560 were included in the Districts' Cycle Two sampling, 1,576 we observed as properly secured against use, 418 that could not be matched to a District test result,¹³ and another 10 water outlets were installed and tested¹⁴ after the Cycle Two testing period. Therefore, we determined the remaining 1,867 of the 6,431 water outlets we identified (29 percent) were not properly secured against use and should have been sampled for Cycle Two testing (Figure 2).

Of the 21 Districts, two commented in their audit responses that the COVID-19 pandemic impacted their lead in water testing. One indicated that the water samples collected in 2021 were collected during the height of the pandemic at which time the drinking fountains were turned off or blocked off. However, during our audit, the District was unable to provide any documentation to support that drinking fountains were turned off. Another District indicated that their priority during cycle two was keeping students safe from the pandemic. However, schools were given an extra six months to comply with the lead in school water testing requirements that remained in effect during the entire Cycle Two timeframe for the safety of students, staff and visitors.

Figure 2

District Water Outlets We Identified That Were Not Sampled or Secured Against Use

| | |
|---|--------|
| Water Outlets We Identified at Select Areas Throughout the Districts: | 6,431 |
| Less: Included in the Districts' Cycle Two Sampling: | -2,560 |
| Less: Observed as Properly Secured Against Use: | -1,576 |
| Less: That Could Not Be Matched To A Test: | -418 |
| Less: Installed After One District's Cycle Two Sampling: | -10 |
| Total Water Outlets We Identified That Were Not Sampled or Secured Against Use: | 1,867 |

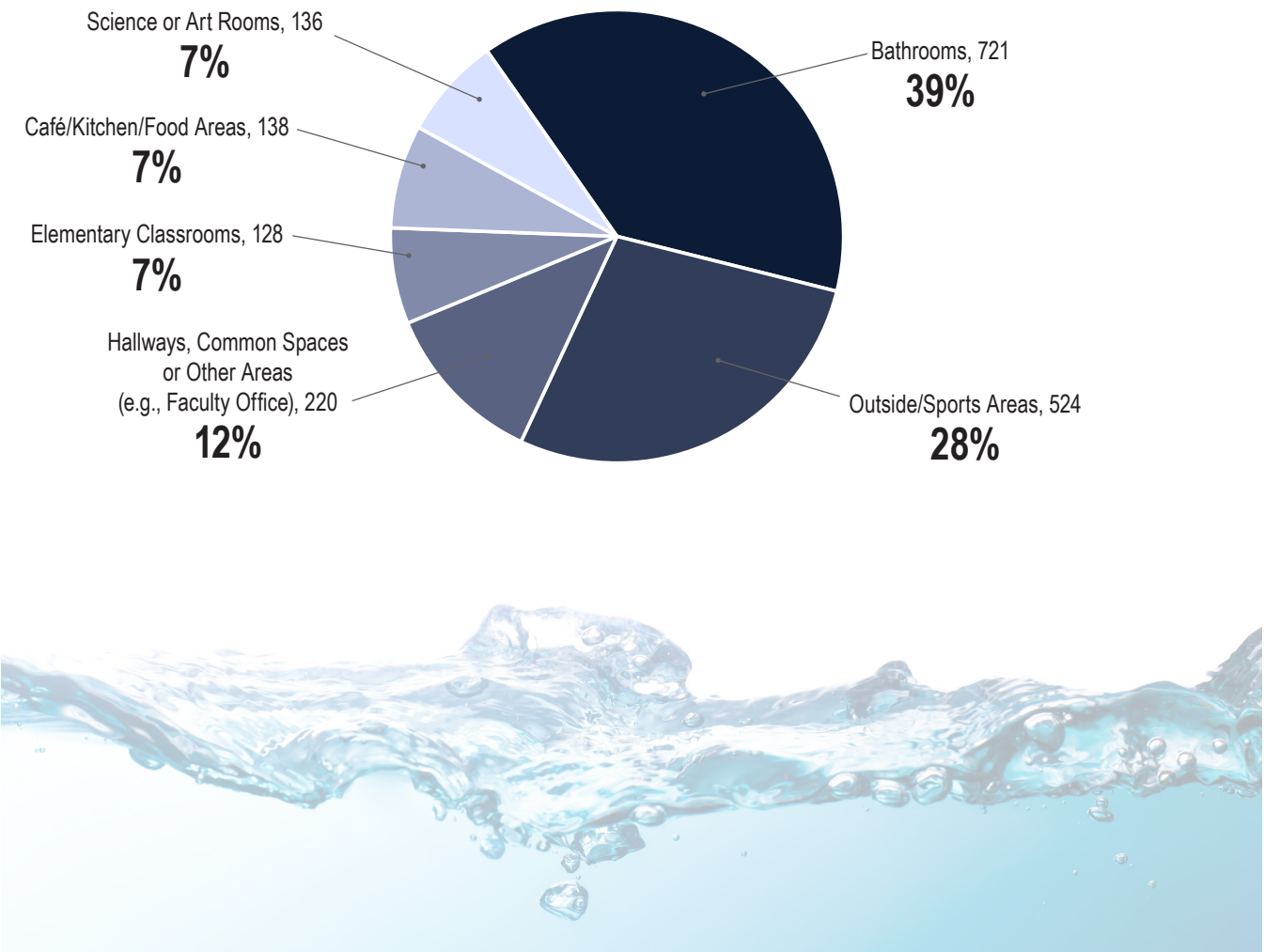


As shown in Figure 3, for the 1,867 water outlets we identified that were not sampled or exempted that officials did not properly secure against use, the most common location was bathrooms.

None of the Districts had policies or procedures specific to their lead testing program that outlined responsibilities or duties for staff involved in the testing and reporting. Furthermore, many Districts experienced significant turnover in staff positions responsible for the lead testing program. This lack of guidance, often combined with the staff turnover, was a contributing factor to the 1,867 water outlets we identified that were not sampled or properly secured against use.

Newly hired or appointed officials were often unfamiliar with the regulations and some long-term officials were unaware of the processes to follow for sampling or exempting water outlets with the effective controls described in the DOH guidance. The lack of policies and procedures, combined with high staff turnover, also contributed to a lack of records, documentation, and knowledge of proper procedures to fulfill the lead testing requirements at the Districts.

Figure 3
Total Water Outlets We Identified That Were Not Sampled or Secured Against Use by Location



Most District Officials Did Not Have Sampling and Remedial Action Plans for Cycle Two

While laboratories certified through ELAP were used to analyze all samples for each District as required, 19 of the 21 (90 percent) Districts either did not have a sampling plan or had an incomplete sampling plan that did not identify all water outlets for sampling or exemption. Additionally, 19 Districts (90 percent) either did not have a remedial action plan or had an incomplete remedial action plan that did not list all exempt water outlets, and their controls and/or did not list all water outlets that exceeded the lead action level and the remedial actions taken.

Additionally, we observed that how District officials named or identified water outlets caused issues for officials when they tried to identify which water outlets were sampled or remediated. Officials that used a simple naming convention (e.g., “Sink 1 Boys Bathroom” or “Room 216 Sink 1; Room 216 Sink 2”, etc.) in rooms with multiple sinks, could not confirm the actual location of the sink or identify which sink started the count without additional information. Officials were often unable to determine which sinks were sampled or whether remedial actions were implemented on the sinks that exceeded the lead action level, creating uncertainty that the lead risk for those water outlets was remediated.

A complete sampling plan that has each water outlet clearly labeled with the same name used for the sample can mitigate the risk of officials being unable to identify which water outlets were not sampled or required remediation. The EPA provides naming code examples¹⁵ and additional suggestions that officials could use when creating their own naming systems to help ensure they have sufficient detail for any individual to use their sampling plan and correctly identify each water outlet.

Without detailed and complete sampling and remedial action plans, District officials could overlook water outlets that they are required to sample for testing or exempt and secure with adequate controls. For example, most District officials failed to consider shower outlets in their sampling and remedial action plans.

Without detailed and complete sampling and remedial action plans, District officials could overlook water outlets that they are required to sample for testing or exempt and secure with adequate controls.



District officials told us they did not include shower outlets in their plans for various reasons. The most common reason was that shower outlets were not specifically listed as an example in the DOH guidance. However, the DOH guidance is not an exhaustive list of water outlets; rather, it is list of water outlet examples for District officials to consider for sampling or exemption. Another reason officials told us that they did not include showers in their sampling and remediation plans was that showers were not a potable outlet.

While not specifically defined by the DOH guidance, NYS Plumbing Code Section 602.2¹⁶ states “only potable water shall be provided to water outlets that provide water for drinking, bathing, and culinary purposes.” Therefore, because water from a shower outlet is potable, officials are required to include shower water outlets for sampling or exemption. Most importantly, given showers may be used by staff, students, and sports teams, school officials should take added care to ensure these water outlets are properly secured against use for consumption, or are tested and have results below the lead action level.

Because the DOH guidance allows school officials to exempt water outlets from testing when officials believe the water outlets will not be used for cooking or drinking, we understand that showers could be exempted, secured against use and therefore, not sampled for testing. However, District officials should have:

- Accounted for these water outlets on their sampling plans,
- Recorded the shower outlets on their remedial action plans as exempt, and
- Secured them against use with adequate controls.

The DOH guidance provides a *Template for Recordkeeping for Outlets NOT Requiring Testing (Non-Applicable Outlets)* in accordance with Subpart 67-4,¹⁷ which includes columns to indicate how an outlet designated by the officials as exempted is controlled and secured against use.

Although not required, using available DOH templates would have helped officials to develop comprehensive sampling and remedial action plans. Most District officials stated they were unaware of the DOH guidance documents and templates.



Officials Did Not Properly Remediate or Secure Water Outlets That Exceeded the Lead Action Level for Cycle Two

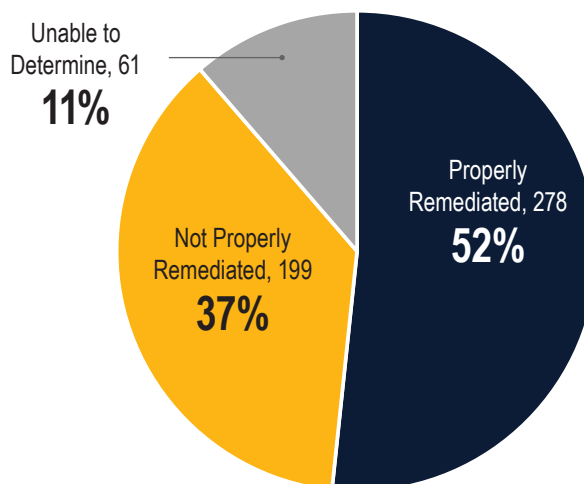
As shown in Figure 4, 260 of the 538 water outlets we reviewed with test results above the lead action level of 15 ppb¹⁸ for Cycle Two were either not properly remediated or we could not determine what actions were taken, if any. We were unable to determine whether any actions were taken at two Districts because of insufficient or missing records.

For the 278 water outlets that were properly remediated, District officials took appropriate actions such as removing the outlet from service, installing a point of use filter, using flushing procedures¹⁹ or a combination of controls to secure the water outlet against use such as signage and supervision.

While Districts used a variety of controls in an attempt to secure water outlets against use, the most prevalent control that we observed across the 21 Districts was installing “Do Not Drink” signs without other additional controls. Although signs can be used as a temporary measure without any additional controls, the DOH guidance is explicit that for signs to be considered an effective long-term control they need to be combined with other controls, such as:

- Preventing physical access to the water outlet,
- Continual education reinforcing to students and staff that the water outlet should not be used, or
- Establishing and enforcing rules to prevent the water outlet’s use.

Figure 4
Water Outlets Exceeding the Lead Action Level



In addition, signs must be clearly visible and in close proximity to the water outlets affected. We observed signs that were often out of the view of smaller children (e.g., well above their line of sight) or obscured by teaching materials that would prevent someone from seeing the sign before or while using a water outlet.

It is worth noting that although DOH guidance allows school officials to rely on an individual's ability to understand signage, or rely on other communications informing individuals to remember to not consume water from exempted outlets, these controls accept the risk that a water outlet could still be used if an individual does not see or understand the sign or is unaware of the dangers of consuming water with elevated levels of lead present. Essentially, signage and other non-physical controls never effectively remediate water outlets because they do not reduce the excessive lead levels in the water to below the action level.

The effective remedial actions we observed to prevent an individual from accessing water outlets or lowering the lead levels below the action level were:

- Removal or replacement of water outlet fixtures.
- Using physical locks and specialized tools to restrict access to water from outlets.
- Installation of point of use water filters.

Any other form of remediation never truly mitigated the risk that someone may consume water from an affected water outlet, or a water outlet with unknown lead testing status. Regardless of the remediation performed, in many cases documentation of when these actions occurred was not retained, which should indicate how and when the water outlets exceeding lead action level were taken out of service, and when they were returned to service.

Furthermore, officials should be aware that water outlets that had a lead action level of 15 ppb in Cycle Two could now exceed the updated lead action level of five ppb in Cycle Three and now require remediation. Officials should account for this change in their sampling process and remediation efforts by prioritizing sampling water outlets that exceeded five ppb in the previous testing cycle.



Officials Did Not Report Testing Results in the Required Time Periods or to all Required Parties for Cycle Two

Schools are required to report the laboratory results of their lead testing programs to oversight agencies and other stakeholders, such as their local health department, the DOH, staff, parents, guardians and the public. As illustrated in Figure 5, reporting time requirements begin when a school receives any laboratory results related to their lead testing program, including results from follow-up samples taken after remediation was performed (Figure 5).

Figure 5
Test Results Reporting Timelines

Any Results Above the Lead Action Level:

- To the local county health department or regional DOH office^a within one business day of receiving results.
- To staff, parents, and/or guardians in writing within 10 business days of receiving results. Posting on a District's social media or website is not considered written notification for this requirement.

All Results (Including Those Above the Lead Action Level):

- To DOH through the Health Electronic Response Data System (HERDS) within 10 business days of receiving results.
- To the public by posting the results, including laboratory reports and any remedial actions taken, to the school website within six weeks.



a) Schools in counties that do not have an environmental health department instead report to their regional DOH office. Officials should discuss with their local health department or regional DOH health office how to report (e.g., email, fax or phone).



The 21 Districts received 81 sets of results for Cycle Two, with 63 sets of results having at least one sample that exceeded the lead action level. One District properly reported its results to all required parties; the other 20 Districts had at least one set of results that were not properly reported to all required parties. For example:

- Out of the 81 total sets of results, 24 were not reported through HERDS and 23 were not posted on the respective District's website.
- Out of the 63 sets of results exceeding the lead action level, 18 sets were not reported to the local health departments and 43 sets were not reported to staff, parents and/or guardians.

District officials often told us that they did not report to all parties within the required time periods because they were unaware of the reporting requirements or that all results, including those from follow-up testing after remediation, required reporting. A few Districts relied on their contracted third-party vendor for their lead testing program, including reporting results on the District's behalf, without providing sufficient oversight, and could not explain the reporting issues. In some cases, the officials stated the testing results were reported as required; however, they could not provide any documentation of the reporting and notifications sent. Therefore, in these cases, we could not determine whether the required reporting and communication occurred.

District officials should keep all records they created related to the lead testing program, including notification to required parties, for 10 years.²⁰



Conclusion

Comprehensive and regular testing for lead in drinking water in schools helps to not only provide a healthy environment for staff to teach and for students to learn and grow, but also to safeguard and protect the health of everyone who may work, visit or otherwise have cause to consume water from schools' water outlets.

Most District officials told us they were unaware of DOH's guidance manual, templates or support for additional assistance with the lead testing program. While we are aware that DOH provides training, based on District officials' lack of knowledge of many of the fundamental elements of the lead testing program, local officials could benefit from increased oversight and outreach from DOH. Oversight of the lead testing program is impeded when detailed, complete plans are not maintained and routinely reviewed. It can be difficult for officials to confirm that remedial actions were performed to the correct water outlets without recording sufficient details and documenting the remedial actions performed.

Subsequent to presenting our findings to them, District officials indicated to us that they are actively working to improve their lead testing and reporting before the close of Cycle Three in December 2025. District officials should develop complete sampling and remedial action plans, and/or review and update them if the plans were already created, to ensure all water outlets that are or could possibly be used for drinking or cooking are sampled, and those which are not, are properly and effectively secured against use. Further, it is imperative that District officials properly report their testing results to keep all stakeholders informed and keep all records for future reference. Reporting testing results within the required time periods promotes accountability and transparency for all stakeholders.



Appendix A:

Background, Relevant Standards and Additional Resources

According to the NYSED data as of May 5, 2025, there are 731 school districts and 4,399 public schools in New York.²¹ School districts are governed by an elected Board of Education (board) charged with general control, responsible for managing and controlling the school district's financial and educational affairs. A Superintendent is responsible, along with other administrative staff, for managing the school district's day-to-day operations under the board's direction.

In accordance with NYS Public Health Law section 1110 and 10 NYCRR subpart 67-4 (regulations), all schools must test potable water outlets for lead contamination and take remedial action if the contamination exceeds the lead action level. 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 NYSED, as well as the public.

Regardless of whether a school conducts its own water testing, or through a contract with a third-party vendor, schools are required to adhere to the DOH regulations.

To comply with DOH regulations, school officials must develop a sampling plan that properly addresses potable water outlet sampling, testing and reporting lead contamination.

Sampling Plan

Identifies all water outlets at a school, including those not used for cooking or drinking, for lead contamination sampling. For any water outlets officials determine are exempt from sampling and testing, the school must have a remedial action plan that includes enough detail to identify the specific water outlet, and the controls used to prevent the water outlet from potentially being used for cooking or drinking.

Remedial Action Plan

Must also include any water outlets that exceed the lead action level, with details on any remedial actions taken and should be updated any time conditions change. This includes when new water outlets are designated exempt from sampling, existing water outlets are removed from service, new test results become available, additional remediation is planned or completed, or controls are added or removed.



Additionally, DOH guidance provides the following examples of controls that officials could use if they exempt a water outlet from sampling. The controls should be combined with each other to lower the risk that a water outlet will be used for cooking or drinking:

- 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 they should not use.
- Placing signs that say “Do not Drink, Non-Potable Water” or similar. Signs must be clearly visible and in close proximity to the affected water outlets. Only placing a sign at a room entrance (e.g., 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 when they are used together. For example, signs can be removed due to vandalism, but if students and staff are regularly told that they should not use bathroom water outlets for drinking it would help reduce the risk that someone may use a bathroom sink for this purpose if signs were removed.

Additionally, DOH guidance provides a template for a maintenance and monitoring schedule for school officials which acts as an important supporting component of a remedial action plan. This schedule aids officials in ensuring that remedial action is performed and whether the documented controls are operating effectively. For example, school staff could record when they perform routine inspections that signage is still present and visible or when they perform flushing, while officials would provide oversight by regularly reviewing the schedule.



Appendix B:

Individual District Facts and Results

Figure 6
Facts and Results for The 21 Selected School Districts

| District | Number of Students 2023-24 School Year | Number of Water Outlets We Identified in Select Areas | Number of Water Outlets Not Sampled or Secured Against Use | Number of Water Outlets That Could Not Be Matched to a Test | Percentage of Water Outlets Not Sampled or Secured Against Use |
|---|--|---|---|--|---|
| Bayport-Blue Point Union Free School (UFSD) | 1,791 | 312 | 39 | 0 | 13% |
| Chazy UFSD | 467 | 178 | 115 | 0 | 65% |
| Cheektowaga-Maryvale UFSD | 2,145 | 567 | 207 | 0 | 37% |
| Commack UFSD | 5,466 | 521 | 20 | 0 | 4% |
| DeRuyter Central School District (CSD) | 306 | 180 | 38 | 0 | 21% |
| East Bloomfield CSD | 717 | 246 | 95 | 0 | 39% |
| Fredonia CSD | 1,411 | 665 | 178 | 0 | 27% |
| Germantown CSD | 446 | 146 | 63 | 0 | 43% |
| Glen Cove City School District (City SD) | 3,082 | 313 | 149 | 0 | 48% |
| Harpursville CSD | 548 | 197 | 24 | 0 | 12% |
| Indian Lake CSD | 109 | 76 | 36 | 0 | 47% |
| Johnstown City SD | 1,425 | 264 | 95 | 0 | 36% |
| Moravia CSD | 821 | 303 | Unknown | 286 | Unknown |
| Oxford Academy CSD | 678 | 310 | 173 | 0 | 56% |
| Pine Plains CSD | 750 | 333 | 12 | 0 | 4% |
| Poland CSD | 467 | 176 | Unknown | 132 | Unknown |
| Ravena Coeymans Selkirk CSD | 1,733 | 322 | 61 | 0 | 19% |
| Sullivan West CSD | 1,022 | 410 | 136 | 0 | 33% |
| Tupper Lake CSD | 711 | 310 | 156 | 0 | 50% |
| Wayland-Cohocton CSD | 1,364 | 379 | 140 | 0 | 37% |
| York CSD | 640 | 223 | 130 | 0 | 58% |
| Total | 26,099 | 6,431 | 1,867 | 418 | 29% |



Figure 7
District Water Outlets With Cycle Two Test Results Exceeding the Lead Action Level

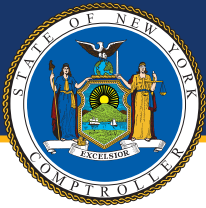
| District | Number of District Water Outlets Above 15ppb | Number of Water Outlets Above 15ppb Without Documentation of Adequate Remediation | Percentage of Water Outlets Above 15ppb Without Documentation of Adequate Remediation |
|-----------------------------|--|---|---|
| Bayport-Blue Point UFSD | 25 | 11 | 44% |
| Chazy UFSD | 15 | 0 | 0% |
| Cheektowaga-Maryvale UFSD | 39 | 22 | 56% |
| Commack UFSD | 40 | 24 | 60% |
| DeRuyter CSD | 29 | 8 | 28% |
| East Bloomfield CSD | 31 | 8 | 26% |
| Fredonia CSD | 88 | 85 | 97% |
| Germantown CSD | 12 | 1 | 8% |
| Glen Cove City SD | 19 | 10 | 53% |
| Harpursville CSD | 37 | 0 | 0% |
| Indian Lake CSD | 4 | 1 | 25% |
| Johnstown City SD | 12 | 4 | 33% |
| Moravia CSD | 33 | 33 | 100% |
| Oxford Academy CSD | 0 | 0 | N/A |
| Pine Plains CSD | 15 | 0 | 0% |
| Poland CSD | 28 | 28 | 100% |
| Ravena Coeymans Selkirk CSD | 22 | 10 | 45% |
| Sullivan West CSD | 35 | 1 | 3% |
| Tupper Lake CSD | 22 | 14 | 64% |
| Wayland-Cohocton CSD | 29 | 0 | 0% |
| York CSD | 3 | 0 | 0% |
| Total | 538 | 260 | 48% |



Notes

- ¹ <https://www.epa.gov/sdwa/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water>.
- ² Lead Exposure Symptoms and Complications – <https://www.cdc.gov/lead-prevention/symptoms-complications/index.html>.
- ³ Learn about Lead: Who is at Risk? – <https://www.epa.gov/lead/learn-about-lead>.
- ⁴ Learn about Lead: What are the Health Effects of Lead? – <https://www.epa.gov/lead/learn-about-lead>.
- ⁵ <https://data.nysed.gov/enrollment.php?year=2024&state=yes>.
- ⁶ Educational Leaders Report: How States Are Handling Lead in School Drinking Water – <https://www.nasbe.org/how-states-are-handling-lead-in-school-drinking-water/>.
- ⁷ Public Health Law section 1110; 10 NYCRR subpart 67-4 – Lead Testing in School Drinking Water. See Appendix A for more details on relevant laws and specific requirements.
- ⁸ 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.
- ⁹ 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.
- ¹⁰ Required parties are local health departments, school staff, students' parents and/or guardians, DOH and NYS Education Department (NYSED), as well as the public. See Appendix A for more details on the reporting requirements.
- ¹¹ <https://www.health.ny.gov/environmental/water/drinking/lead/docs/leadtestinginschoolsguidancedocument.pdf>.
- ¹² See Appendix A for details on sampling and remedial action plans.
- ¹³ Two Districts did not have sufficient documentation to match testing results to the water outlets when a sample identification (ID) was different than the water outlet ID, or there was no sampling or remediation plan to reconcile back to the sample ID and test results.
- ¹⁴ These 10 water outlets were installed in August, 2023 and included in one District's Cycle Three testing.
- ¹⁵ "3Ts for Reducing Lead in Drinking Water in Schools and Childcare Facilities" <https://www.epa.gov/system/files/documents/2024-11/epa-3ts-guidance-document-english-508-compliant.pdf>.
- ¹⁶ <https://dos.ny.gov/system/files/documents/2020/09/2020-pcnys-november-2019.pdf>.
- ¹⁷ Templates for Documenting and Tracking Remedial Actions – https://www.health.ny.gov/environmental/water/drinking/lead/docs/templates_documenting_tracking_remedial_actions.pdf.
- ¹⁸ For the current cycle (Cycle Three) ending December 31 2025, the lead action level is five ppb.
- ¹⁹ According to DOH guidance, as part of their remediation efforts, "Schools may consider developing a systematic flushing program to implement routinely (at a specified frequency)." Importantly, the DOH 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."
- ²⁰ 10 CRR-NY 67-4.7 and NYS DOH *Lead Testing in School Drinking Water Program Guidance Manual 2023*.
- ²¹ <https://data.nysed.gov/>

Contacts



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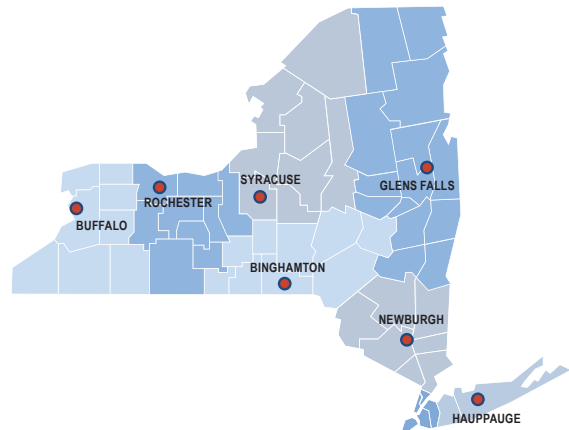
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**Local Government and School Accountability
Help Line • 866.321.8503 or 518.408.4934**
(Electronic Filing, Financial Reporting, Justice Courts, Training)

Division of Legal Services
Municipal Law Section • 518.474.5586

**New York State & Local Retirement System
Retirement Information Services**
Inquiries on Employee Benefits and Programs
518.474.7736

Technical Assistance is available at any of our Regional Offices

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STATEWIDE AUDIT

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APPLIED TECHNOLOGY UNIT

Tel 518.738.2639 • Fax 518.486.6479 • Email Muni-Cyber@osc.ny.gov

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