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Testimony to the House Education Committee: S.40 - An Act Relating to Testing and Remediation of Lead in the Drinking Water of Schools and Child Care Facilities, March 1, 2019

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Addressing student exposure to lead in school drinking water is an important public health concern. I support this initiative since the health and safety of our children is our most important priority.

You have heard from several scientists, engineers, and public health advocates on this topic. My testimony is based on my many years of practical experience administering schools and school districts. Based on this perspective, I offer the following observations and suggestions.

1. The scale of this initiative is ambitious considering the number and complexity of the education policy changes currently being implemented in our schools. It is important to do this work right on the first try.
2. Based on my understanding of this context, I believe the success or failure of this initiative is highly dependent on the following variables:
 - a. The logistics of the testing as implemented by school personnel;
 - b. The careful management of the sampling and testing data; and
 - c. The development and implementation of a well thought out communications plan.
3. To help control for these variables and to ensure success, the initiative should be grounded in established regulatory definitions so that school employees, parents and community members fully understand the rationale and design of the program. This means using 15 ppb as the action level since this is the current action level established in the Vermont Water Supply Rule and federal regulations.
4. The scale of this initiative should be commensurate to the associated health risk. According to the CDC, drinking water is not the most significant source of lead exposure for U.S. children. Several superintendents and principals have reported to me that there are more pressing health and safety needs in their schools including mold and moisture, asbestos, air quality, and pest control. Although no safe level of lead exposure has been established, our remediation of school health and safety concerns should be prioritized based on the relative health risks they pose to students and staff.
5. S.40 is very complex and contains a lot of procedural language which means it will be very difficult to implement. H.302 provides a better construct in this regard, leaving the

development of specific implementation guidelines to the agencies charged with working directly with schools and care centers. This flexibility on the implementation side will be necessary to handle the many unanticipated implementation challenges that will no doubt emerge and will allow for a more responsive support framework for schools and communities.

6. Communications with schools, parents, and communities should be managed by the Agency of Education (AOE). It will not be enough to just put a link on the AOE website as described by S.40. For example, school personnel will need training to manage the testing. This should be coordinated through the AOE like other school training issues. There were significant communications issues with the pilot project for lead testing of school water because the AOE was not directly involved with managing communications to schools.
7. The need to manage the data associated with this initiative to support both effective testing and communications points to the need to implement a more comprehensive approach to data management than outlined in S.40. A Customer Relations Management or CRM platform might be good solution since these platforms come with mobile apps (useful for managing bar codes on taps and testing bottles) and have built-in, public-facing portals. This type of solution would also allow us to begin to assemble a much larger model for data pertaining to school safety and health issues.
8. This Committee has expressed concern about the capacity of the AOE. S.40 is yet another example where a new policy initiative is being contemplated and no additional resources are being assigned to the AOE. The AOE has eliminated all three of its positions associated with school facilities and construction management because of the moratorium on school construction aid that was enacted in 2007. The AOE currently has no capacity to assist schools with the implementation of testing for lead in drinking water. At least 1.0 FTE should be assigned to the AOE to implement this initiative.
9. I suspect testing for lead in school drinking water will be the beginning of a larger conversation about the condition of our school facilities. We should invest in a comprehensive needs assessment before pursuing additional initiatives such as testing for radon. Such a needs assessment is outlined in H.209.