



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

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To: District Superintendents
Superintendents of Schools

From: Rosanne T. Groff, RA
Coordinator

Subject: **RESTROOM AVAILABILITY**

Our office continues to receive complaints regarding restriction of use of restroom facilities in school buildings. We recognized the need for renewed guidance regarding use of restroom facilities in school buildings. For purposes of this guidance document, a 'restroom' is defined as a room that may contain but not be limited to a water closet or urinal and lavatory but does not contain a bathtub or shower.

In order to implement any educational program, the student body must be provided a healthy and safe environment in which to learn. In recognition of this fact, school buildings are required to provide sanitary facilities and make them available to building occupants at all times of occupancy.

SED Commissioner's Regulations 155 apply to all Public School Buildings requiring a Certificate of Occupancy, outside of the big 5 cities.

- 155.5(a) - requires "The occupied portion of any school building shall always comply with the minimum requirements necessary to maintain a certificate of occupancy and shall be monitored during construction or maintenance activities for safety violations by school district personnel."
- 155.7(e)(1) - requires potable water
- 155.7(e)(2) - requires boys and girls toilet rooms
- 155.7(e)(3) - requires systems approval by: Department of Health and Department of Environmental Conservation

Section 502.5 of the 2015 International Property Maintenance Code states "*Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the International Plumbing code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.*"

We understand there may be situations where activities in restrooms may require additional controls be put in place by a school district. However, controls instituted by the school district may not include a reduction in available use of the minimum required number of fixtures at any time the building is occupied.

Please see the following guidance:

Access to public (student) restrooms and fixtures and accessories in those restrooms may not be restricted below the minimum requirements of the laws, codes, and regulations. Where a greater number of restrooms, and/or restroom fixtures are present in a school building, access to excess restrooms and/or restroom fixtures may be reduced only to the extent allowed.

We do not endorse closure of any restrooms, nor do we endorse any other type of restriction to the access of any restroom fixtures, or accessories. Actions such as restricting access to restroom facilities to times classes are in session, may have a negative impact on the learning environment. Restricting access to wash facilities in restrooms may have a negative impact on student health, and the learning environment.

However, where it is determined (by a New York State licensed professional architect/engineer) that there is an excess of restroom fixtures, the school district or BOCES may restrict access to the excess restroom fixtures. The following requirements must be met:

- Restrooms (public restroom facilities) for both male and female students must be available on each floor of the school building for immediate use at all times the building is occupied;
- Single unisex restroom(s) where provided to comply with The Dignity for All Students Act, must always be available for immediate use the building is occupied;
- The minimum number of restroom fixtures, provided in the public restrooms in a school building that must always be available for immediate use the building is occupied is the lesser of what was required at the time of original design, or required by current code;
- Handicap accessible, public, restrooms may not be closed, if there are no other accessible, public restrooms with unrestricted access, located: on the same floor; on an accessible route; and with a travel distance that does not exceed 500 feet, as the restroom(s) that are closed;
- Maximum travel distance from the furthest point on a floor to an available, public, restroom may not exceed 500 feet; and
- Compliance with the provisions of the Section 502.5 of the International Property Maintenance Code is required.

The attached document titled '*Minimum Restroom Fixture Requirement Guidelines*' is provided to assist school districts to determine whether the minimum restroom availability requirements are being met.

If you have additional questions or concerns, please contact Rosanne Groff, Coordinator of the NYSED Office of Facilities Planning at Rosanne.Groff@nysed.gov or (518) 474-3906.

MINIMUM RESTROOM FIXTURE REQUIREMENT GUIDELINES

The minimum number of restroom fixtures, provided in the public restrooms in a school building that must always be available for immediate use the building is occupied is the lesser of what was required at the time of original design, or required by current code.

The following is provided to assist in determining the minimum number of restroom fixtures that must be available for use in a school building.

General:

Fixtures in a restroom include water closets, urinals, and lavatories. The number of fixtures required are based upon occupant load. The Codes/Standards under which buildings were constructed, and altered, have changed over time. The minimum number of restroom fixtures required for student use has changed over time.

Occupant load:

Plumbing fixture count is based upon occupant load in the classroom areas. This calculation is the same as that for deriving the occupant load for exiting purposes. The occupant load for a building as calculated for exiting is typically not the same as using the actual occupancy, rated capacity or enrollment projections for a building.

We have allowed the use of the code required occupant load to be determined using the areas of those instructional classrooms that are logically occupied at homeroom. This includes classrooms, special education classrooms, and the lecture portion of any lab rooms, while not including specialty use spaces that are not occupied at homeroom such as lab spaces, home and career spaces, large group instruction, auditoriums, gymnasiums, etc. Occupant load of a general classroom based upon exiting, and plumbing fixture calculations is 50 occupants per thousand square feet.

To determine the occupant load of each sex the total occupant load is divided in half. Any calculations that result in a partial occupant, must be rounded up to the next whole occupant.

Fixture count based upon occupant load:

For those buildings constructed prior to January 1, 1965, where the restrooms have not been altered, and no additions have been added to the building after January 1, 1965, the minimum number of fixtures is determined by the lesser of the number of fixtures provided at the time of original design, or the number of fixtures required by current code.

For those buildings constructed between January 1, 1965 and January 1, 2003, where the restrooms have not been altered, and no additions have been added to the building after January 1, 2003, the minimum number of fixtures is determined using the occupant load, and the number of fixtures as determined by Table 1.

For those buildings constructed, altered or added to after January 1, 2003, the minimum number of fixtures is determined using the occupant load and the number of fixtures as determined by Table 2.

Calculations of fixture counts using the tables, below, that result in partial fixtures are always rounded up to the next whole fixture in determining the minimum.

TABLE 1

Applicable to buildings constructed between January 1, 1965 and January 1, 2003, where the restrooms have not been altered, and no additions have been added to the building after January 1, 2003:

	<u>water closets</u>	<u>urinals</u>	<u>lavatories</u>
Elementary Girls	1/35		1/50
Elementary Boys	1/100	1/30	1/50
Middle & Secondary Girls	1/45		1/50
Middle & Secondary Boys	1/100	1/30	1/50

TABLE 2

Applicable to buildings constructed after January 1, 2003, and to restrooms altered, and additions to buildings after January 1, 2003:

	<u>water closets</u>	<u>urinals</u>	<u>lavatories</u>
Girls	1/50		1/50
Boys	1/50**	**	1/50

** Urinals may be substituted for not more than 67 percent of the required water closets.

Maximum travel distance:

Please note the following:

- Maximum travel distance starts at the furthest point from the restroom in an occupied space.
- Travel distance from the furthest point in a classroom to a corridor in a classroom of approximately 800 square feet is approximately 50 (fifty) feet.