

**MEMORANDUM**

To: Superintendents and Principals

From: Stephen Balko, Director of School Building Security

Date: May 8, 2020

Re: House Enrolled Act (HEA) 1265 – Drinking Water Testing

**Background:**

House Enrolled Act 1265 (2020) requires each school building within a school corporation to test the drinking water for lead levels. There are exceptions as described under the Guidance section below. If available, schools that conduct lead testing can seek any state and federal grant money. This includes grant money under the lead sampling program conducted by the Indiana Finance Authority (IFA).

Note: There are special testing requirements for all school buildings located within Lake County. After 2022, each school building in Lake County must test the drinking water at least once every two calendar years.

**Guidance:**

No later than January 1, 2023, all schools shall test their drinking water to determine if lead levels exceed fifteen (15) parts per billion or fifteen one thousandths (.015) milligrams of lead per liter of water. Exceptions to this testing mandate include those buildings that:

1. Were tested by an IFA program in 2017 or 2018 for school buildings;
2. Were tested in the lead sampling program for school buildings and childcare facilities by IFA in 2019 or 2020; or
3. Were otherwise tested for compliance to the above standard at least once since 2016.

**Special Guidance for Lake County:** After the 2022 calendar year, every school building located in Lake County shall have their drinking water tested for lead at least one time in a period of two calendar years to determine if lead levels exceed fifteen (15) parts per billion or fifteen one thousandths (.015) milligrams of lead per liter of water.

If any building or test indicates lead in drinking water that exceeds the levels described above, action must be taken to reduce the levels of lead in the water. As this is an unfunded requirement,

schools should seek state, federal, or nonprofit agency grant dollars to assist with offsetting any school funds. Grant and loan opportunities are described below:

1. Indiana Finance Authority Lead Sampling Program: <https://www.in.gov/ifa/2998.htm>.  
This program is currently accepting applications through August 17, 2020.
2. Environmental Protection Agency (EPA) Funding Sources for Schools and Childcare Facilities:  
<https://www.epa.gov/dwcapacity/funding-sources-schools-and-child-care-facilities>

If you have any questions, please contact Stephen Balko, Director of School Building Security at [sbalko@doe.in.gov](mailto:sbalko@doe.in.gov), or by phone 317-232-4914.

This bill was authored by Representative Carolyn Jackson. The full bill text can be found [here](#). Information regarding how to contact your legislators can be found [here](#).