



STATE OF NEW JERSEY

# DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: July 24, 2024

To: Local Educational Agency Leads, Administrators of Approved Private Schools for Students with Disabilities (APSSD), Leads for State Funded Early Childhood Centers (contracted childcare and Head Start programs), Leads for Receiving Schools

Route To: Business Administrators, Certified Educational Facilities Managers

From: David F. Corso, Assistant Commissioner  
Division of Finance and Business Services

Deadline: June 30, 2025

## 2024-2025 Testing for Lead in School Drinking Water

In accordance with the New Jersey Department of Education (NJDOE), Educational Facilities [regulations](#), all regulated entities (Districts, Charter Schools, Renaissance School Projects, Jointure Commissions, Education Services Commissions, APSSDs, Early Childcare providers contracted with districts and receiving schools) are required to test for lead in school drinking water during the 2024-2025 school year and submit a statement of assurance to the NJDOE concerning lead in school drinking water.

Regulated entities are required to comply with the following testing and reporting requirements on or before June 30, 2025:

- **Water Sampling and Testing**

On or after July 1, 2024 and on or before June 30, 2025, regulated entities must test for lead in drinking water in all drinking water outlets in school facilities regardless of prior testing. To ensure lead drinking water sampling and testing is completed in accordance with state regulations, the NJDOE recommends referring to technical guidance documents found on the [NJDEP-Division of Water Supply & Geoscience](#) website. Samples are required to be sent to a certified testing laboratory for analysis. The New Jersey Department of Environmental Protection (NJDEP) provides access to a list of Certified Lead Labs on its [Data Miner website](#).

- **Exemption Requests**

Entities may request an exemption from testing if they can demonstrate that they do not use any drinking water outlets for consumption or food preparation in any of their facilities. An entity that received an exemption approval from the 2021-2022 testing year must reapply for an exemption, or begin testing in accordance with the regulations. Entities that seek an exemption must email a completed [2024-2025 Lead In Drinking Water Exemption Application](#) to [leadtesting@doe.nj.gov](mailto:leadtesting@doe.nj.gov). Exemption requests are due by June 30, 2025.

- **Public Notification**

The results of all lead drinking water testing must be made available for inspection at the school facility, and the most recent results from the required testing must be posted on the entity's website. **Do not submit test results to the NJDOE.**

If an entity does not have a website, test results and exceedance notification(s), if applicable, must be posted on the website of the district whose students the entity serves.

#### ▪ **Actions to Address Exceedances**

If any results, including initial and follow-up samples, exceed the permissible lead action level of 15 µg/L (parts per billion [ppb]), the entity must:

- Immediately terminate use of the drinking water outlet;
- Provide written notification of the exceedance to the staff and parents/guardians of students attending the facility;
- [Email](#) the notification of exceedance to the NJDOE; and
- Post the notification of exceedance on its website.

To ensure compliance with exceedance notification requirements, the NJDOE recommends using the available [Notice of Exceedance Template Letter](#).

The New Jersey Department of Environmental Protection (NJDEP) has developed a [Flow Chart](#) to assist schools with remedial measures. See NJDEP's [Guidance for lead drinking water remediation](#) for further guidance on selecting actions for outlets that exceed the lead action level.

#### ▪ **Submission of a Statement of Assurance (SOA) to the NJDOE**

In accordance with State regulations (N.J.A.C. 6A:26-12.4(i)), all covered entities must submit a Statement of Assurance (SOA) to the NJDOE on or before June 30, 2025 concerning lead in school drinking water. An online link for the SOA will be provided at a later date.

#### **Reimbursement**

Covered entities, excluding state-funded early childcare facilities funded through the New Jersey Department of Children and Families (NJDCF) grant, are eligible to be reimbursed for water supply testing and analysis conducted in accordance with [N.J.A.C. 6A:26-12.4\(g\)](#). An online application for entities to request reimbursement for testing completed will be provided at a later date. Reimbursement eligibility is subject to the NJDOE's approval and available funding. Nonpublic schools may submit a reimbursement application to the NJDOE. Approval is subject to available funds.

State-funded early childcare facilities are also eligible for funding through the NJDCF. For more information, contact NJDCF's Office of Licensing (OOL) at [DCF.CCLEnvironmental@dcf.nj.gov](mailto:DCF.CCLEnvironmental@dcf.nj.gov).

#### **Funding for Remediation**

To provide public school districts grant funding to remediate water contamination in school buildings serving grades K-12, a second allocation to use the remaining funds from the Securing Our Children's Future Bond Act will be opened for applications during the statewide testing year. Eligible scopes of work can be found in the [Water Infrastructure Grants Final Guidelines](#). Eligible work completed to address 2024-2025 water testing results can be retroactively funded. Additional information concerning the grant application, submission requirements, and deadlines will be provided at a later date.

#### **Additional Considerations and Resources**

The information below highlights common compliance and reporting errors.

Testing:

- **Testing of lead drinking water is not completed within the mandated timeframe.** NJDOE rules require testing be conducted on or after July 1, 2024 and on or before June 30, 2025.
- **Childcare providers do not test in accordance with NJDOE rules.** Childcare providers contracted with a district must follow NJDOE rules and test during the upcoming 2024-2025 school year.
- **Other parameters such as copper are included with NJDOE testing.** NJDOE rules only require testing of lead in school drinking water.

- **Nondrinking water outlets are tested for lead.** NJDOE rules only require testing of outlets used for drinking water or food preparation such as drinking fountains, water coolers, bubblers, cafeteria sinks, and ice machines.

Public Notifications and NJDOE Reporting:

- **Test results are not posted on the entity's website.** A direct link to all the most recent lead drinking water test results must be provided with the SOA submission to the NJDOE.
- **Test results are not submitted to the NJDOE.** The NJDOE does not collect test results. All test results must be made available at the school and a copy of all the most recent results must remain posted on the entity's website.
- **An SOA is not submitted to the NJDOE.** An SOA must be submitted regardless of whether an entity is exempt from testing.
- **Exceedance letters are not provided to the NJDOE.** An [Exceedance Letter](#) must be provided for any sample (initial or follow-up) that exceeds the lead drinking water action level.
- **An exemption application is not submitted to the NJDOE.** For any entity that does not use outlets for drinking water or food preparation, an exemption application must be submitted each testing year.
- **The water testing reimbursement application contains ineligible costs.** Invoices of any eligible costs must be included with the application. Costs associated with remediation, sampling and testing not in accordance with NJDOE rules (sampling from non-drinking water outlets, sampling and testing of copper from drinking water outlets, or sampling not completed during the required testing year and in accordance with N.J.A.C. 6A:26-12.4(g)) and any other costs not associated with the testing of lead in school drinking water are not eligible for reimbursement.

Additional information is available on the NJDOE's [Testing and Reporting of Lead in School Drinking Water webpage](#). Technical questions regarding lead sampling and testing requirements should be emailed to the New Jersey Department of Environmental Protection (NJDEP) at [watersupply@dep.nj.gov](mailto:watersupply@dep.nj.gov). Questions regarding NJDOE Testing for Lead in School Drinking Water rules, submissions and reimbursement should be directed to [leadtesting@doe.nj.gov](mailto:leadtesting@doe.nj.gov).

c: Members, State Board of Education  
Christine Norbut Beyer, MSW, Commissioner, Department of Children and Families  
NJDOE Staff  
NJDCF Office of Licensing  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group