April 18, 2017

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File #: EDU/020/2017)

On March 23, 2017 the Department of Education and Early Childhood Development received your request for access to the following records/information:

"Summary of k-12 toilet requirements by grade level and male/female in schools within Newfoundland and Labrador"

A decision has been made by the Deputy Minister for the Department of Education and Early Childhood Development (EECD) to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copy has been enclosed.

You may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8
Telephone: (709) 729-6309; Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned by telephone at 709-729-7425 or by e-mail at AmandaGarland@gov.nl.ca.

Sincerely,

Amanda Garland
Manager of Information Services
ATIPP Coordinator

Attachments
developed classification requirements for the interior finish of the surface on which they are installed.

### 3.6.5.8. Return-Air System

1) Except as required by Sentences (2) and (3), return ducts shall be constructed of material having a flame-spread rating not more than 150.

2) If any part of a return duct will be exposed to radiation from the furnace heat exchanger or other radiating part within the furnace, that part of a return duct directly above or within 600 mm of the outside furnace casing shall be noncombustible.

3) Return ducts serving solid-fuel-burning furnaces shall be constructed of noncombustible material.

4) Combustible return ducts shall be lined with noncombustible material

   a) below floor registers,
   b) at the bottom of vertical ducts, and
   c) under furnaces having a bottom return.

### Section 3.7. Health Requirements

#### 3.7.1. Height of Rooms

##### 3.7.1.1. Room and Space Height

1) The height of every room and space shall be sufficient so that the ceiling or ceiling fixtures do not obstruct movement or activities below.

2) The unobstructed height in dwelling units shall conform to Subsection 9.5.3.

#### 3.7.2. Plumbing Facilities

##### 3.7.2.1. Plumbing and Drainage Systems

1) Except as permitted in Sentence (2), if the installation of a sanitary drainage system is not possible because of the absence of a water supply, sanitary privies, chemical closets or other means for the disposal of human waste shall be provided.

2) Waterless urinals are permitted to be used in buildings provided with a water supply.

##### 3.7.2.2. Water Closets

1) Except as permitted by Sentence (4), water closets shall be provided for each sex assuming that the occupant load is equally divided between males and females, unless the proportion of each sex expected in the building can be determined with reasonable accuracy. (See Appendix A.)

2) If a single universal toilet room is provided in accordance with the requirements of Section 3.8., the total number of persons in the building used to determine the number of water closets to be provided, is permitted to be reduced by 10 before applying Sentences (6), (7), (8), (12), (13) or (14).

3) Except as permitted by Sentence (2), if only one universal toilet room is provided in accordance with Section 3.8., the water closet in this room shall not be taken into consideration in determining the number of water closets required by this Article, unless a single water closet is permitted in accordance with Sentence (4).

4) Both sexes are permitted to be served by a single water closet if the occupant load in an occupancy referred to in Sentence (6), (10), (12), (13), (14) or (16) is not more than 10.

5) Urinals are permitted to be substituted for two thirds of the number of water closets required by this Article for males, except that if only 2 water closets are required for males, one urinal is permitted to be substituted for one of the water closets.
6) Except as permitted by Sentences (4), (7) and (8), the number of water closets required for assembly occupancies shall conform to Table 3.7.2.2.A.

<table>
<thead>
<tr>
<th>Number of Persons of Each Sex</th>
<th>Minimum Number of Water Closets</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
</tr>
<tr>
<td>1 - 25</td>
<td>1</td>
</tr>
<tr>
<td>26 - 50</td>
<td>2</td>
</tr>
<tr>
<td>51 - 75</td>
<td>3</td>
</tr>
<tr>
<td>76 - 100</td>
<td>3</td>
</tr>
<tr>
<td>101 - 125</td>
<td>3</td>
</tr>
<tr>
<td>126 - 150</td>
<td>3</td>
</tr>
<tr>
<td>151 - 175</td>
<td>4</td>
</tr>
<tr>
<td>176 - 200</td>
<td>4</td>
</tr>
<tr>
<td>201 - 250</td>
<td>5</td>
</tr>
<tr>
<td>251 - 300</td>
<td>5</td>
</tr>
<tr>
<td>301 - 350</td>
<td>6</td>
</tr>
<tr>
<td>351 - 400</td>
<td>6</td>
</tr>
<tr>
<td>Over 400</td>
<td>7, plus 1 for each additional increment of 200 males in excess of 400</td>
</tr>
</tbody>
</table>

7) The number of water closets required for primary schools and daycare centres shall be at least one for each 30 males and one for each 25 females.

8) The number of water closets required for places of worship and undertaking premises shall be at least one for each 150 persons of each sex.

9) The number of water closets required for a treatment or detention occupancy shall be determined on the basis of the special needs of the occupancy.

10) Except as permitted by Sentences (4) and (7), the number of water closets required for a care or residential occupancy shall be at least one for each 10 persons of each sex.

11) At least one water closet shall be provided for each dwelling unit.

12) Except as permitted by Sentence (4), the number of water closets required for a business and personal services occupancy shall conform to Table 3.7.2.2.B.

<table>
<thead>
<tr>
<th>Number of Persons of Each Sex</th>
<th>Minimum Number of Water Closets for Each Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 25</td>
<td>1</td>
</tr>
<tr>
<td>26 - 50</td>
<td>2</td>
</tr>
<tr>
<td>Over 50</td>
<td>3, plus 1 for each additional increment of 50 persons of each sex in excess of 50</td>
</tr>
</tbody>
</table>

13) Except as permitted by Sentences (4) and (16), the number of water closets required for a mercantile occupancy shall be at least one for each 300 males and one for each 150 females.
14) Except as permitted by Sentence (4), the number of water closets required for an industrial occupancy shall conform to Table 3.7.2.2.C.

<table>
<thead>
<tr>
<th>Number of Persons of Each Sex</th>
<th>Minimum Number of Water Closets for Each Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 10</td>
<td>1</td>
</tr>
<tr>
<td>11 - 25</td>
<td>2</td>
</tr>
<tr>
<td>26 - 50</td>
<td>3</td>
</tr>
<tr>
<td>51 - 75</td>
<td>4</td>
</tr>
<tr>
<td>76 - 100</td>
<td>5</td>
</tr>
<tr>
<td>Over 100</td>
<td>6, plus 1 for each additional increment of 30 persons of each sex in excess of 100</td>
</tr>
</tbody>
</table>

15) In a building whose floor area is more than 600 m² and that includes one or more individual tenant spaces for a business and personal services occupancy or mercantile occupancy, water closets shall be located so that they are accessible to the public when the building is occupied.

16) The number of water closets required in a suite of mercantile occupancy whose area is not more than 500 m² is permitted to be determined in accordance with Table 3.7.2.2.B. based solely on the total number of staff.

3.7.2.3. Lavatories

1) Except as permitted by Sentence (2), at least one lavatory shall be provided in a room containing one or 2 water closets or urinals, and at least one additional lavatory shall be provided for each additional 2 water closets or urinals.

2) Wash fountains in circular form are permitted to be provided in lieu of lavatories required by Sentence (1) provided each 500 mm of circumference is considered to be the equivalent of one lavatory.

3) Any shelf or projection above a lavatory shall be located so that it will not be a hazard.

4) Lavatories required by Sentence (1) shall be equipped with faucets that a) operate automatically, or b) have lever-type handles that do not close under spring action.

3.7.2.4. Mobile Home Facilities

1) If mobile homes do not have individual sanitary facilities connected to a central water supply and drainage system, a service building shall be provided for public use.

2) The service building required by Sentence (1) shall contain a) at least one water closet for each sex if the service building facilities serve not more than 10 mobile homes, and b) an additional water closet for each sex for each additional 10 mobile homes.

3) If a service building is required by Sentence (1), it shall contain lavatories as required by Sentence 3.7.2.3.(1) and at least a) one laundry tray or similar facility, and b) one bathtub or shower for each sex.

3.7.2.5. Safety Glass

1) Glass, other than safety glass, shall not be used for a shower or bathtub enclosure.
A-3.7.2.2.(1) Water Closets. Sentence 3.7.2.2.(1) assumes that there will be a sufficient number of persons in the building to justify the provision of separate water closet facilities for both males and females. In some circumstances overall low occupant loads would not require more than one water closet for males and one water closet for females and yet the building has more than one storey. It is deemed that rooms each containing a single water closet available for both males and females would satisfy the intent of the Code. The total number of water closets must be adequate for the total number of occupants. Requirements for barrier free accessibility also need to be considered. If the entrance storey is accessible and the upper storeys are not required to be accessible, a room in the accessible storey must meet the requirements of Section 3.8. and can serve both males and females. If provided, a nonaccessible room, designed to serve both males and females, in each nonaccessible upper storey would be acceptable. Sentence 3.7.2.2.(4) permits a single water closet to serve both males and females if the total occupant load is low.

A-3.8. Barrier-Free Design Assumptions. This Section contains minimum provisions to accommodate a person using a typical manual wheelchair or other manual mobility assistance devices such as walking aids, including canes, crutches, braces and artificial limbs.

A-3.8.1.1. Accessibility. Industrial buildings often pose a greater risk to their occupants due to the presence of significant quantities of dangerous materials or the use of hazardous processes. For example, plants which are classified as Group F, Division 2 or 3, may store and use toxic or highly flammable substances in significant quantities, or house processes which involve very high temperatures and which have a high degree of automation. In some facilities, particularly in primary industries such as forestry and metallurgy, the construction normally used and the operations carried out within the space can make compliance with the requirements of Section 3.8. impracticable. It is therefore intended that these requirements be applied with discretion in buildings of Group F, Division 2 or 3 major occupancy. However, where industrial buildings contain subsidiary occupancies, such as offices or showrooms, it is reasonable to require that accessibility be provided in these spaces.

A-3.8.1.2. Entrances. An accessible route should exist from the sidewalk or roadway and parking area to an accessible building entrance. This route should be located so that persons with physical disabilities do not have to pass behind parked cars.

To provide more general access to buildings, not less than 50% of the pedestrian entrances are required to be barrier-free. This should include a principal entrance. If the 50% calculation results in a fraction, the number of barrier-free entrances should be the next higher unit value. For the purpose of determining the number of entrances to a building, several adjacent doors in a bank of doors are considered to be a single entrance.

A-3.8.1.4.(1) Access to Storeys Served by Escalators and Moving Walks. In some buildings, escalators and inclined moving walks are installed to provide transportation from one floor level to another floor level so as to increase the capacity to move large numbers of persons. Some buildings located on a sloping site are accessible from street level on more than one storey and an escalator or inclined moving walk is provided for internal movement from floor to floor. In both these situations, a person with a physical disability must be provided with an equally convenient means of moving between the same floor levels within the building. This can be accomplished by providing elevators or a platform-equipped passenger-elevating device.

A-3.8.2.1. Access to Rooms and Facilities. If barrier-free access is required into suites or rooms in Subsection 3.8.2., it is intended that access be provided, with some exceptions identified in Sentence 3.8.2.1.(2), throughout each room or suite. Some examples of where barrier-free access is required are as follows:

- within each suite (subject to Clauses 3.8.2.1.(2)(j) to (l)),
- within rooms or areas that serve the public or are designated for use by visitors, including areas in assembly occupancies with fixed seats, display areas and merchandising departments,
- within rooms or areas for student use in assembly occupancies,
- within general work areas, including office areas,
- within general use or general service areas, including shared laundry areas in residential occupancies, recreational areas, cafeterias, lounge rooms, lunch rooms and infirmaries,
- within sleeping rooms in hospitals and nursing homes with treatment,
- (if installed), into at least one passenger elevator or elevating device conforming to Articles 3.5.2.1. and 3.8.3.5.,
- into washrooms described in Article 3.8.2.3.,
- to any facility required by this Section to be designed to accommodate persons with physical disabilities,
- onto every balcony provided in conformance with Clause 3.3.1.7.(1)(c), and
A-3.8.3.8.(1)(d)(i) Additional Grab Bars. Required grab bars must be mounted horizontally. It is the designer’s prerogative to exceed the minimum requirements found in the NBC and specify the installation of additional grab bars in other locations. These additional grab bars may be of different configurations and can be installed in other orientations.

A-3.8.3.9.(1) Water Closets. Wall-mounted water closets or floor models with receding bases are preferable because they provide the least amount of obstruction.

A-3.8.3.11.(1)(c) Clearances Beneath a Lavatory.