



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

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DATE: June 20, 2024

TIME: 8:27 AM

WSR 24-13-117

Agency: Washington State Board of Health

Subject of possible rule making: Primary and Secondary School Environmental Health and Safety regulations. The State Board of Health (Board) is considering creating a new chapter (chapter 246-370 WAC) of draft rules for school environmental health and safety. The Board will consider establishing minimum statewide health and safety standards for schools, formalizing school environmental health and safety inspection procedures, and repealing chapters 246-366 and 246-366A WAC.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050 and Engrossed Substitute Senate Bill 5950 (Chapter 376, Laws of 2024), Section 222, subsection 159.

Reasons why rules on this subject may be needed and what they might accomplish: During the 2024 legislative session, the Legislature directed the Board to review the current rules and draft new proposed school environmental health and safety rules in collaboration with a technical advisory committee and other state agencies. The Board has the authority under RCW 43.20.050 to adopt rules controlling public health for schools. The current school environmental health and safety rules are outdated and need modernization. The intended goal of this rule-making is to replace the existing rules in chapters 246-366 and 246-366A WAC and develop minimum environmental health and safety standards alongside an implementation plan that helps to prioritize pieces of the rule by section or subject matter to improve the health and safety of students.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Board will lead a technical advisory committee with representatives from the Department of Health, Office of the Superintendent of Public Instruction, school districts, local health jurisdictions, Washington Association of School Administrators, Washington State School Directors' Association, Washington Association of Maintenance and Operations Administrators, and Washington Association of School Business Officials. The Board will also coordinate with the Department of Labor and Industries, the State Building Code Council, the Department of Commerce, and the State Board of Education.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The Board will use a collaborative rule-making approach, via a technical advisory committee, in developing the proposed rules

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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|---|-------------------------|
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Additional comments: To be added to the listserv for notifications regarding this rule-making, email schoolehs@sboh.wa.gov with the subject line "School Rules Review Email Notification." The Board in collaboration with the Department of Health will complete an environmental justice assessment for this rule-making.

Date: 6/20/2024

Name: Michelle A. Davis, MPA

Title: Executive Director, State Board of Health

Signature:

A handwritten signature in black ink that reads "Michelle A. Davis". The signature is written in a cursive style with a large initial 'M' and 'D'.