

School Environmental Health and Safety Rule

What: Updates to K-12 School Environmental Health and Safety Standards

The Washington State Board of Health (Board) is working to develop new proposed standards for K–12 school environmental health and safety. The Board plans to develop and propose new language to the legislature by June 2025.

Why:

The current standards are over 50 years old, and the Legislature considers them outdated. Legislative restrictions delayed updating the standards, but now the Legislature has directed the Board to propose a new school environmental health and safety rule. As part of that process the Board is inviting all interested parties (parents, teachers, administrators, the general public) to provide comments and make recommendations.

History:

Chapter [246-366\[1\]](#) of the Washington Administrative Code (WAC) sets the current standards for K–12 school environmental health and safety for over one million students. In 2004, the Board initiated rulemaking to update this outdated rule and spent the next five years creating and adopting chapter [246-366A\[2\]](#) WAC.

In the 2009–2011 biennium, the Legislature directed the Department of Health (Department) and the Board not to implement any new or amended rules related to these school facility standards due to concerns about the cost of implementation. Every budget since 2010 has included the proviso. In response, the Board has continued to extend the effective date of Chapter 246-366A.

In 2016, Governor Inslee directed the Department to continue providing technical assistance and guidance for school districts to conduct voluntary [water quality tests\[3\]](#). The Legislature appropriated over 7.4 million dollars to the Department and the Office of the Superintendent of Public Instruction (OSPI) during the 2019–2021 and 2021–2023 biennium budgets to support lead testing and remediation in schools.

During the 2024 legislative session, the Legislature included funds for the Board to review chapter 246-366 and 246-366A WACs and to propose updated environmental health and safety standards for K–12 schools in Washington state.

[1] <https://apps.leg.wa.gov/WAC/default.aspx?cite=246-366&full=true&pdf=true>

[2] <https://apps.leg.wa.gov/wac/default.aspx?cite=246-366A&full=true&pdf=true>

[3] https://governor.wa.gov/sites/default/files/directive/dir_16-06.pdf

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The Legislature directed the Board to:

- Convene a technical advisory committee (TAC) consisting of various school associations, school districts, and OSPI to propose updated requirements.
- Collaborate with OSPI to develop a fiscal analysis.
- Assist the Department in completing an environmental justice assessment^[4] on any proposed rule.
- Work with the Department, OSPI, the TAC, and local health jurisdictions to provide a report to the Office of the Governor and appropriate committees of the Legislature by June 30, 2025.

The Board's Timeline:

DATE	MILESTONE/ACTION	PURPOSE
May 2024	Invite TAC Members	In addition to the members that the proviso required, the Board will include additional members such as Parent-Teacher Organizations, Teachers Unions, Students, and Private Schools.
June 20, 2024	Filed CR-101 Pre-proposal Statement of Inquiry	The Board formally filed WSR 24-13-117 ^[5] to announce the intent to create rule language.
Aug 2024 – Nov 2024	TAC Meetings	The Board rulemaking team works with TAC members to draft rule language and discuss implementation.
Nov 2024	Initial Draft Rule Complete	Interested parties and members of the public review the draft rule language.
Dec 2024	Focus Groups	The Board rulemaking team holds virtual and in-person meetings to discuss the preliminary draft language and make informed decisions about the finalized draft rule language. These meetings will take place across Washington state.
Dec 2024	Informal Comment Period	The Board rulemaking team invites all interested parties to review and share feedback on the draft rule language.

[4] <https://doh.wa.gov/community-and-environment/health-equity/environmental-justice/assessments>

[5] [https://sboh.wa.gov/sites/default/files/2024-06/WSR 24-13-117.pdf](https://sboh.wa.gov/sites/default/files/2024-06/WSR%2024-13-117.pdf)

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The Board's Timeline:

DATE	MILESTONE/ACTION	PURPOSE
March 12, 2025	Preliminary Review by the Board	Board Members preliminary review of the draft proposed rule language, Environmental Justice Assessment, and Fiscal Analysis.
April 9, 2025	TAC Provides Recommendations to the Board	TAC members address the Board to provide comments and make recommendations.
May 2025	Final Draft Rule Proposal	After considering all comments and recommendations, the Board will finalize the draft rule.
June 11, 2025	Board Approves Report	The Board approves the final draft rule documents and recommendations and will submit them to the Governor's office and legislative committees.
June 30, 2025	Report to the Governor	The Board will submit the final draft rule language, Environmental Justice Assessment, and Fiscal Analysis to the Governor's office and legislative committees.

You can subscribe at schoolehs@sboh.wa.gov to receive notifications about this rule update or participate in our TAC meetings, focus groups, or provide informal comments.

For more information, please visit our [website](#)[6].

Do you have questions about this rule or the environmental justice assessment? If so, please contact us at schoolehs@sboh.wa.gov.

[6] <https://sboh.wa.gov/rulemaking/agency-rules-and-activity/2024-2025-school-rule-review-project>