

Agenda

Time	Agenda Item	Speaker
9:00 a.m.	Call to Order	Andrew Kamali, Project Manager
9:05 a.m.	1. Welcome Video	Patty Hayes, TAC Chair
9:10 a.m.	2. Minutes Review	Karen Langehough, Facilitator
9:15 a.m.	3. Meeting Objectives	Karen Langehough, Facilitator
9:20 a.m.	4. Introductions	Karen Langehough, Facilitator
9:45 a.m.	5. Board Authority and Rule Scope	Karen Langehough, Facilitator
10:00 a.m.	6. Language: Purpose	Karen Langehough, Facilitator
10:30 a.m.	Break	
10:40 a.m.	7. Language: Applicability	Karen Langehough, Facilitator
11:20 a.m.	8. Language: Definitions	Karen Langehough, Facilitator
11:40 a.m.	9. Language: Severability, Variances and Appeals	Karen Langehough, Facilitator
12:15 p.m.	Lunch	
1:00 p.m.	10. Envisioning the Complaint Process	Karen Langehough, Facilitator
1:50 p.m.	11. Open Discussion/Questions	Karen Langehough, Facilitator
2:20 p.m.	12. Next Steps	Andrew Kamali, Project Manager
2:30 p.m.	Adjournment	

- To access the meeting online and to register, go to https://us02web.zoom.us/webinar/register/WN_ZM5o7QrnRu-b8DIjBuLK0Q
- You can also dial-in using your phone for listen-only mode:
 Dial a number based on your current location:

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+1 (386) 347-5053	+1 (507) 473-4847	+1 (564) 217-2000
+1 (646) 558-8656	+1 (646) 931-3860	+1 (689) 278-1000
+1 (301) 715-8592	+1 (305) 224-1968	+1 (309) 205-3325
+1 (312) 626-6799	+1 (360) 209-5623	

Webinar ID: 878 5238 1084
Passcode: 620348

Important meeting information to know:

- Times are estimates only. We reserve the right to alter the order of the agenda.
- Every effort will be made to provide Spanish interpretation, American Sign Language (ASL), and/or Communication Access Real-time Transcription (CART) services. Should you need confirmation of these services, please email wsboh@sboh.wa.gov in advance of the meeting date.
- If you would like meeting materials in an alternate format or a different language, or if you are a person living with a disability and need [reasonable modification](#), please contact the State Board of Health at (360) 236-4110 or by email wsboh@sboh.wa.gov. Please make your request as soon as possible to help us meet your needs. Some requests may take longer than two weeks to fulfill.
 TTY users can dial 711.

Information about giving written public comment:

- Please visit the Board's [Public Comment webpage](#) for details.

Aviso de reunión pública

**Proyecto de normas de salud
y seguridad ambiental escolar**

Comité de Asesoramiento Técnico

Jueves 22 de agosto de 2024, de 9:00 a. m. a 2:30 p. m.

Lugar de la reunión:

Department of Health – Town Center East 2

111 Israel Rd S.E.

Tumwater, WA 98501

Salas de reunión: 166 y 167

Hay servicios de interpretación a otros idiomas disponibles.

Orden del día

Hora	Punto del orden del día	Orador
9:00 a. m.	Apertura	Andrew Kamali, gerente de proyectos
9:05 a. m.	Video de bienvenida	Patty Hayes, presidenta del TAC (por su sigla en inglés, Comité de Asesoramiento Técnico)
9:10 a. m.	Revisión de actas	Karen Langehough, facilitadora
9:15 a. m.	Objetivos de la reunión	Karen Langehough, facilitadora
9:20 a. m.	Presentaciones	Karen Langehough, facilitadora
9:45 a. m.	Autoridad de la Mesa Directiva y alcance de la norma	Karen Langehough, facilitadora
10:00 a. m.	Contenido: propósito	Karen Langehough, facilitadora
10:30 a. m.	Receso	
10:40 a. m.	Contenido: aplicabilidad	Karen Langehough, facilitadora
11:20 a. m.	Contenido: definiciones	Karen Langehough, facilitadora
11:40 a. m.	Contenido: divisibilidad, variaciones y apelaciones	Karen Langehough, facilitadora
12:15 p. m.	Almuerzo	
1:00 p. m.	Visualizar el proceso de reclamo	Karen Langehough, facilitadora
1:50 p. m.	Debate abierto y preguntas	Karen Langehough, facilitadora
2:20 p. m.	Próximos pasos	Andrew Kamali, gerente de proyectos
2:30 p. m.	Levantamiento de la sesión	

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- **Para acceder a la reunión en línea y registrarse, ingrese en el siguiente enlace:**
https://us02web.zoom.us/webinar/register/WN_ZM5o7QrnRu-b8DIjBuLK0Q
- **También puede participar por teléfono, mediante la modalidad de solo escucha:**
Marque el número correspondiente según su ubicación actual.

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Webinar ID: 878 5238 1084

Passcode: 620348

Información importante de la reunión que debe saber:

- Los horarios son estimativos. Nos reservamos el derecho de modificar el orden de los puntos que se tratarán en la reunión.
- Se hará todo lo posible para proporcionar interpretación en español, lenguaje de señas americano (ASL, por su sigla en inglés) o servicios de transcripción en tiempo real (CART, por su sigla en inglés). Si necesita confirmación sobre estos servicios, envíe un correo electrónico a wsboh@sboh.wa.gov antes de la fecha de la reunión.
- Si desea acceder a los materiales de la reunión en un formato alternativo o en otro idioma, o si tiene una discapacidad y necesita una [modificación razonable](#), comuníquese con la Mesa Directiva de Salud llamando al (360) 236-4110 o enviando un correo electrónico a wsboh@sboh.wa.gov. Le pedimos que presente su solicitud lo antes posible para ayudarnos a satisfacer sus necesidades. Es posible que algunas solicitudes tarden más de dos semanas en atenderse.

Los usuarios de TTY pueden marcar el número 711.

Información para hacer comentarios públicos escritos:

- Visite la [página web de comentarios públicos](#) de la Mesa Directiva para obtener detalles.

School Environmental Health and Safety Rule Project 2024 - 2025

TAC Membership

MEMBER	ALTERNATE	REPRESENTING
Patty Hayes WSBOH Chair		Washington State Board of Health
Tyler Muench Director of Advocacy & External Affairs	Randy Newman Director of School Facilities & Organization	Washington State Office of Superintendent of Public Instruction
Steve Main Division Director, School Safety Lead	Sandy Phillips School Health and Safety Program Technical Advisor	Spokane Regional Health District
Gina Yonts Associate Director	Roz Thompson Director of Government Relations	Association of Washington School Principals
Geoff Lawson Operations Coordinator	Jeff Rogers Manager of Environmental Health & Safety	Washington Association of Maintenance and Operation Administrators & Auburn School District
Tammy Allison Board Director – Region 121	Nicole Roel WASBO Board of Directors, Olympia ESD 114	Washington Association of School Business Officials
David Hammond School Construction Committee Chair	Dan Steele Assistant Executive Director, Government Relations	Washington Association of School Administrators
Suzie Hanson Executive Director	Sharon Ricci Community Relations	Washington Federation of Independent Schools
Kate Espy Board Member and Legislative Representative		South Kitsap School District
Erin Hockaday Senior Manager, Surveillance & Investigation	Bailey Stranger	Benton-Franklin Health District

School Environmental Health and Safety Rule Project 2024 - 2025

TAC Membership

MEMBER	ALTERNATE	REPRESENTING
Laurette Rasmussen School EH Specialist	Jamie Bodden WSALPHO Managing Director	Whatcom County Health & Community Services
Lauren Jenks Assistant Secretary, Environmental Public Health	Kelly Cooper Director, Policy and Legislative Relations	Washington State Department of Health
Kevin Jacka Executive Director	Richard Conley Consultant	The Rural Alliance
Samantha Fogg Co-President Seattle Council PTSA		Seattle Council PTSA
Devon Kellogg Volunteer WSPTA, Advocacy Committee	Susan Baird-Joshi Volunteer WSPTA	Washington State PTA
Laura Peterson Volunteer/Appointed Role WSPTA		Washington State PTA
Brook Wilkerson Director of Operational Supports	Anders Lindgren President	School Ops
Preet Singh Director of Health Services	Jessica Sankey Chief Operations Officer	Bellingham Public Schools
Brian Buck Executive Director of Support Services	Kenny Johnson Director of Maintenance & Operations	Lake Washington School District
Kellie Lacey Assistant Director of Human Resource	Kelsey Greenough Records Specialist	Richland School District
Nicole Daltoso Senior Director of Capital Facilities	Theodore (Ted) Dehnke Assistant Director of Maintenance	Evergreen Public Schools

School Environmental Health and Safety Rule Project 2024 - 2025

TAC Membership

MEMBER	ALTERNATE	REPRESENTING
Brian Freeman Superintendent		Inchelium School District
Becky Doughty Executive Director of School Support Services (Operations)	Sandra Jarrad Chief Communications Officer	Spokane Public Schools
Jared Mason-Gere Government Relations Staff	Julie Salvi Lobbyist/Government Relations	Washington Education Association
Pam Schwartz Assistant Superintendent	Doug Rich Superintendent	Washington State Catholic Conference
Jake Cook Public Advocate		Public

School Rule Project Staff

Andrew Kamali
School Rule Project Manager

Nina Helping
Policy Advisor

Mary Baechler
Community Engagement Coordinator

Marcus DeHart
Communications Consultant

Crystal Ogle
Administrative Assistant

GUIDANCE FOR SPEAKING WITH LANGUAGE INTERPRETATION

The Washington State Board of Health (Board) offers American Sign Language and Spanish interpretation during our regular public meetings. We do this as a part of our work towards increasing language access.

We ask all speakers at Board meetings to follow this guidance to create an accessible meeting environment. If you have any questions or need guidance for presenting, please contact Board staff for support.

WHAT TO EXPECT DURING A BOARD MEETING

- You will receive a simplified version of this document at your seat on the day of the Board meeting.
- Board staff or interpreters may give you cues to slow down your pace. The cues may include:
 - Raising a paddle sign to signal you to slow down.
 - Making a brief verbal interruption asking you to slow down.

TIPS FOR SPEAKING AND PRESENTING DURING THE MEETING

We ask that you help us mitigate the need for interruptions by speaking at a comfortable pace. Our ASL and Spanish interpreters cannot deliver your message accurately if you speak too quickly.

- Take a breath after each sentence to give the interpreter time to deliver your message.
- If you are reading from a script, please be aware that you may read faster than you speak.
- To help the interpreters and audience identify you, state your name each time you begin talking.
- Wait until someone else finishes speaking before you speak. Interpreters can only choose one person to interpret at a time.
- Pause after introducing technical terms, proper nouns, dates, numbers, or figures to allow for interpretation.

TIPS FOR TECHNICAL TERMS

- We recommend including a pause after introducing technical terms, proper nouns, dates, numbers, or figures.
 - Example: *“This briefing will discuss rulemaking around newborn screening for Ornithine Transcarbamylase Deficiency (OTCD) [pause for interpretation, wait for cue from interpreter to continue], Chapter 246-650 WAC [pause for interpretation, wait for cue from interpreter to continue].”*
- After you introduce technical terms or proper nouns use their acronyms for the remainder of the introduction.
 - Example: *“For the remainder of this discussion, I will refer to this condition as OTCD.”*
- If you are using visual materials (e.g., tables), incorporate descriptive language of the visual material.
 - Example: *“This is a table showing XXXX. And now, we’ll look at this part of the table...”*

WASHINGTON STATE BOARD OF HEALTH

Minutes of the School Environmental Health and Safety Rule Development Project Technical Advisory Committee Meeting

August 1, 2024

Hybrid Meeting

ASL (or CART) and Spanish interpretation available

Confluence Technology Center

285 Technology Center Way

Wenatchee WA 98801

Meeting Rooms: Entiat and Okanogan

Virtual meeting: ZOOM Webinar

Technical Advisory Committee members present:

In person

Tyler Muench

Tammy Bigelow

Erin Hockaday

Kevin Jacka

Preet Singh

Nicole Daltoso

Rebecca Doughty

Steve Main

David Hammond

Laurette Rasmussen

Laura Peterson

Brian Buck

Brian Freeman

Doug Rich

Jeff Rogers

Suzanne Hanson

Lauren Jenks

Brook Wilkerson

Kellie Lacey

Jared Mason-Gere

Jake Cook

Virtual

Susan Baird-Joshi

Samantha Fogg

Technical Advisory Committee members absent:

Patty Hayes, RN, MSN, Chair

Gina Yonts

Kate Espy

Technical Advisory Committee staff present:

Andrew Kamali, School Rule Project
Manager

Nina Helping, Policy Analyst

Mary Baechler, Community Outreach
Coordinator

Marcus DeHart, Communications
Consultant

Anna Burns, Communications Consultant

Crystal Ogle, Administrative Assistant

Guests and other participants:

Karen Langehough, Facilitator

Andrew Kamali, School Rule Project Manager, called the public meeting to order at 8:38 a.m. and read from a prepared statement (on file).

1. Welcome Video

Andrew Kamali, School Rule Project Manager opened the meeting with a video recording of Patty Hayes, Technical Advisory Committee (TAC) Chair welcoming the TAC members to their first meeting.

Karen Langehough, Facilitator discussed meeting with Chair Hayes. Karen expressed that Chair Hayes was heavy-hearted for not being able to attend the meeting.

2. Meeting Objectives

Karen Langehough, Facilitator, reviewed the meeting objectives listed on the agenda (on file). Karen also discussed being there to help as a non-partial party and passion for facilitation.

3. Introductions and Ice Breaker

Karen Langehough, Facilitator asked Technical Advisory Committee (TAC) members to introduce themselves, their roles, and why they are here. Each TAC member then introduced themselves.

Karen discussed seeing commonalities between TAC members during their introductions. These commonalities included passion for children and their safety, resources, and funding. Karen would like TAC members to bring it all to the table to be thought partners and build minimum standards for the health and safety of children in Washington state schools.

4. Role of the State Board of Health and Project History

Andrew Kamali, School Rule Project Manager, reviewed the role of the State Board of Health (Board) and the history of the School Rule Project (SRP). Andrew first discussed Washington's Governmental Public Health system, the history of the Board, Board membership, and its role. Andrew also clarified the difference between the Board and the Department of Health (Department). The Board is a rulemaking and policy body, where the Department has additional programs and implements the rules.

Andrew further discussed the background of the school's environmental health and safety rules, the budget proviso, and the deliverables of the SRP.

- We are proposing rules to the legislature, and they must approve and fund the rules. Rules are required and guides that the Department of Health (Department) might make could be recommended. The Department has a robust school program. The K-12 guide is a Department guide and not a Board guide.
- The Board, the Office of Superintendent of Public Instruction (OSPI), and the Department will be working on the financial analysis to make actual calculations. OSPI will be reaching out to school districts to find out how this will impact schools.
- As language is generated, we can generate the fiscal analysis at the same time so that we can get TAC feedback as we go along.

5. Proviso and Timeline

Andrew Kamali, School Rule Project Manager, reviewed the timeline for the School Rule Project (SRP).

- August – December 2024: The Technical Advisory Committee (TAC) will meet to draft rule language and discuss implementation.
- October 2024: The Board will connect with Environmental Health Directors.
- December 2024: SRP staff will hold focus groups throughout the state. Additionally, the informal public comment period begins, and all interested parties can provide comments to review and share feedback on the draft rule language.
- January 2025: The TAC will meet to discuss comments and possible revisions.
- February 2025: The fiscal analysis is complete and recommendations for implementation are made.
- March 2025: The Environmental Justice Assessment is completed.
- April 2025: TAC members address the Board to provide comments and make recommendations.
- June 30, 2025: The Board will submit the final draft rule language, Environmental Justice Assessment, and Fiscal Analysis to the Governor's office and legislative committees.

The Committee took a break at 10:05 a.m. and reconvened at 10:20 a.m.

6. Charter Agreement

Karen Langehough, Facilitator reviewed the proposed charter agreement to Technical Advisory Committee (TAC) members. TAC members then voted through an online poll on the charter agreement. Unanimous on all but those listed:

- No multitasking during meetings: One "No"
 - Concerns with needing to communicate through chat during the meeting. Action item: Explore chat options that are limited to TAC members during meetings
- Support Decisions of group committee: One "No"
 - Distinguish between agreement with decisions and supporting the decisions of the TAC.
- Presenters at the lectern: Logistics and not within scope of charter
- State name before speaking: Logistics based on venue and technology available
- Clarification: Voting for Primary or Alternate, but not both. Both may attend, but the Primary speaks and votes. The alternate only speaks and votes when Primary is not in attendance.

7. Decision-Making Options

Karen Langehough, Facilitator reviewed the different voting options the Technical Advisory Committee can make (Roman, Fist to Five, Choice Vote). Andrew Kamali, School Rule Project Manager clarified that choice vote will be used as the TAC works through the rule language. Andrew wants to know what voting TAC Members would like to use for additional discussions.

TAC members then voted through an online poll on which voting options they preferred. The poll results were five in favor of Roman and 17 in favor of Fist to Five.

8. Proposed Meeting Dates and Locations

Andrew Kamali, School Rule Project Manager discussed proposed meeting dates and locations within the project's timeline. The Technical Advisory Committee (TAC) will meet eight times in total between August 1 and December 4, 2024. These are hybrid meetings held in various locations throughout the state. The meetings will typically begin at 9 a.m. and adjourn by 2:30 p.m.

TAC members then asked additional questions.

- When is the Department of Commerce presenting on clean building?
 - Not sure just yet but will let you know.
- When will fiscal items be presented?
 - Probably at the October 4 meeting at the earliest.
- Will the presentation documents be available?
 - Yes, all online.
- If no rep can be at the meeting can the representative send in written comments in their absence?
 - Yes, all materials will be supplied at least 72 hours in advance of a meeting for people will have time to review and make comments if they cannot make a meeting.

9. Open Discussions and Questions

Karen Langehough, Facilitator lead Technical Advisory Committee (TAC) members in the discussion.

- All meetings will be hybrid with an in-person option.
- All meetings will be a Zoom webinar with a unique login each time.
- All online TAC members will be designated as panelists.
- At a minimum, all materials will be sent out 72 hours before a TAC meeting time.
- Will flights be covered?
 - Yes, we will cover expenses. Will need to know in advance who will attend in person so that we can book hotels if needed. Possibly a two-night stay if the distance is long so that people are not getting home at midnight
- Can there be any meeting that will be all online?
 - For open meeting rules we must have a space for the public to meet so we (the project team) will hold a physical space for every meeting.

The Committee took a lunch break at 11:42 p.m. and reconvened at 12:45 p.m.

10. Next Steps

Andrew Kamali, School Rule Project Manager reviewed next steps with Technical Advisory Committee (TAC) members.

- Focus is on the physical building and the environmental controls.
- Meeting materials will be digital with a few printed copies available in the room.
- Review both WACs 246-366 and 246-366A. We will be researching topics to find best practices or other regulations as well and adding research to a crosswalk.
- For the next meeting we will ask the TAC to identify things that exist in Chapters 246-366 and 366A WACs that we want to keep, change, or eliminate.

- Since everything is public, we would not publish member email addresses to help alleviate outside emails coming in.
- Discussions with members outside TAC meetings are permitted if there is no discussion of decision making. You can gather information but not develop language.
- School security (e.g. active shooter) is outside the scope (environmental).
- New construction is in the building code WAC, but we have plan reviews and site assessments.
- We will discuss topics that are environmental health but are housed in other WACs so that we will not add them to our WAC.
- We are writing a whole new chapter (246-370) which may include existing language and new language if necessary.
- Members discussed topics that were priorities for them.

Agenda item for the next meeting: Discuss topics we want to keep and what we want to remove. Meetings after that will include developed language for the TAC to review.

Andrew also discussed the next steps regarding sending out meeting information, and calendar holds for TAC members, and reminded TAC members to complete travel reimbursement forms.

ADJOURNMENT

Andrew Kamali, School Rule Project Manager adjourned the meeting at 1:52 p.m.

WASHINGTON STATE BOARD OF HEALTH

Patty Hayes, Chair

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School Environmental Health and Safety Rule Project 2024 - 2025

Technical Advisory Committee (TAC) Charter

Start Date: August 1, 2024

End Date: June 30, 2025

Members: See TAC Membership Addendum A

Objective

To review and update the rule for school environmental health and safety. The State Board of Health (Board) and the Department of Health (Department) shall conduct the review with a multi-disciplinary technical advisory committee (TAC). The proposed new rule shall establish the minimum statewide health and safety standards for schools. The TAC will help the Board consider the size of school districts, regional cost differences, the age of the schools, the feasibility of implementing the proposed rule by section or subject area, and any other variables that may affect the implementation of the rule.

Team Expectations

We will:

- Be respectful of all perspectives and opinions.
- Communicate openly and respectfully, disagree without being disagreeable.
- Assume positive intent and ask for clarification.
- Share the air—allow everyone to share insights, one person speaking at a time.
- Ask questions and seek to understand.
- Be on time for meetings and calls.
- Be present and actively participate (no multitasking during meetings).
- Be efficient with our meeting time.
- Meet deadlines and commitments.
- Support the final decisions of the TAC.
- Stay focused on the goals and objectives of the committee.

Decision Making

- The committee will use Fist to Five and Ranked Choice Voting to make decisions.
- Primary or Alternate member voting: Both may attend, but the Primary speaks and votes. The alternate only speaks and votes when Primary is not in attendance.

Information Sharing

Board Project Team will:

- Email meeting materials 72 hours before the scheduled meeting
- Email updates and notices to TAC members and designated alternates
- Post information on [2024-2025 School Rule Review Project | SBOH \(wa.gov\)](https://sboh.wa.gov/rulemaking/agency-rules-and-activity/2024-2025-school-rule-review-project)^[1] to keep the public informed.

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

School Environmental Health and Safety Rule Project 2024 - 2025

Reference Materials

- [Chapter 246-366 WAC\[2\]](#) Primary and Secondary Schools
- [Chapter 246-366A WAC\[3\]](#) Environmental Health and Safety Standards for Primary and Secondary Schools
- [Chapter 296-800 WAC\[4\]](#) Safety and Health Core Rules
- [Title 110 WAC\[5\]](#) Children, Youth, and Families, Department of

TAC Timeline

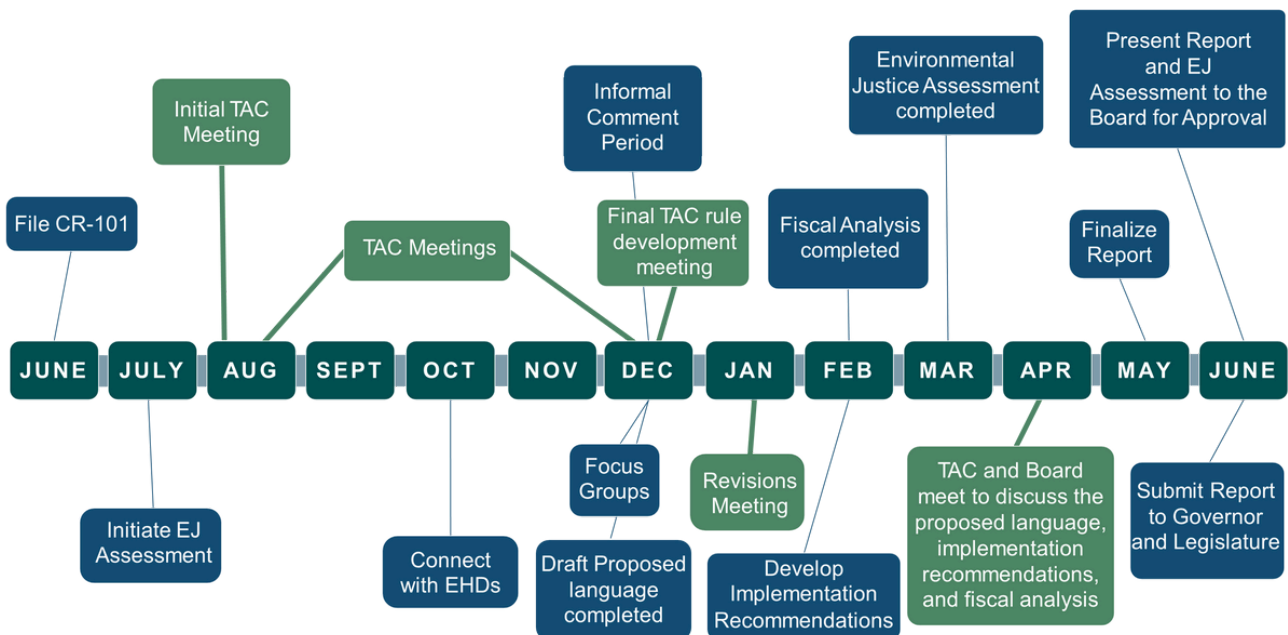
Date & Location

Thursday, August 1, 2024
 Thursday, August 22, 2024
 Tuesday, September 17, 2024
 Friday, October 4, 2024
 Thursday, October 17, 2024
 Thursday, October 31, 2024
 Wednesday, November 20, 2024
 Wednesday, December 4, 2024

Location

Wenatchee
 Olympia
 Arlington
 Leavenworth
 Olympia
 Olympia
 Spokane
 Olympia

Project Timeline



[2] <https://app.leg.wa.gov/WAC/default.aspx?cite=246-366&full=true&pdf=true>
 [3] <https://app.leg.wa.gov/WAC/default.aspx?cite=246-366A&full=true&pdf=true>
 [4] <https://apps.leg.wa.gov/WAC/default.aspx?cite=296-800&full=true&pdf=true>
 [5] <https://apps.leg.wa.gov/wac/default.aspx?cite=110&pdf=true>

Anatomy of a WAC

246-370-001(1)(a)(i)(A)(I)

**Number of
the WAC title**

**The number of
the chapter
within the title**

**Number of the
section within
the chapter**

Each section contains subsections that follow a specific order in an outline format. When a WAC is published and available online, no indenting exists, and all subsections are aligned to the left margin regardless of level.

Level 1: Numbers (1) (2) (3) (4)

Level 2: Lowercase letters (a) (b) (c) (d)

Level 3: Lowercase Roman numerals (i) (ii) (iii) (iv)

Level 4: Uppercase letters (A) (B) (C) (D)

Level 5: Uppercase Roman numerals (I) (II) (III) (IV)

School Environmental Health and Safety Rule Project 2024 - 2025

Proposed Language for WAC 246-370

WAC 246-370-XXX Purpose

- (1) The purpose of this chapter is to set minimum health and safety standards for school facilities operated for the primary purpose of providing education at the K-12 levels.

WAC 246-370-XXX Applicability—Option 1

- (1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:
 - (a) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);
 - (b) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;
 - (c) Private facilities where tutoring is the primary purpose;
 - (d) Public or private postsecondary education facilities providing instruction to students primarily enrolled in secondary school; and
 - (e) State-tribal education compact schools as defined by RCW 28A.715, State-Tribal Education Compacts Authority.
- (2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:
 - (a) Chapter 246-215 WAC Food services;
 - (b) Chapter 246-217 WAC Food worker cards;
 - (c) Chapter 246-260 WAC Water recreation facilities;
 - (d) Chapter 246-262 WAC Recreational water contact facilities;
 - (e) Chapter 246-272A WAC On-site sewage systems;
 - (f) Chapter 246-272B WAC Large on-site sewage system regulations;
 - (g) Chapter 246-290 WAC Public water supplies; and
 - (h) Chapter 246-291 WAC Group B public water systems.
- (3) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction under Title 296 WAC over employee safety and health.
- (4) These rules are not intended to replace building code council requirements under Title 51 WAC. This chapter may be more stringent to protect health and safety.
- (5) If the local permitting jurisdiction received a complete building permit application for school construction before the effective date of any construction-related requirements of this chapter, the construction-related requirements of chapter 246-366 WAC and this chapter in effect at the time of application apply.

School Environmental Health and Safety Rule Project 2024 - 2025

WAC 246-370-030 Applicability—Option 2

Sections 1), 3), 4), and 5) from above would remain the same. Section 2) would read as follows:

- (2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:
 - (a) Facility and equipment sanitation, food preparation, food storage, and food temperature control must follow the requirements of chapter 246-215 WAC, Food Service.
 - (b) Food Service employees, including contracted staff, must maintain a current food worker card per chapter 246-217 WAC, Food Worker Cards.
 - (c) Aquatic centers located inside of school facility buildings must follow the requirements of chapters 246-260 WAC, Water Recreational Facilities, and 246-262 WAC, Recreational Water Contact Facilities.
 - (d) Supply sewer and liquid waste disposal that:
 - (i) Is connected to a municipal sewage disposal system according to chapter 173-420 WAC, if available; or
 - (ii) Is connected to an on-site sewage disposal system designed, constructed, and maintained as required by chapters 246-272A and 246-272B, and local ordinances.

*If the TAC agrees to Option Two for water supply, it could be a stand-alone subsection since it refers to other regulations **and** has a few additional specifications.*

WAC 246-370-XXX Water Supply must:

- (1) Meet the provisions of chapter 246-290 WAC, Group A public water supplies or chapter 246-291 WAC, Group B public water systems;
- (2) Meet the requirements of the uniform plumbing code outlined in chapter 51-56 WAC;
- (3) Have vacuum breakers or backflow prevention devices installed on hose bibs and supply nozzles used to connect hoses or tubing to housekeeping sinks;
- (4) Follow the lead in drinking water requirements in RCW 43.70.830 through 43.70.845 if the facility was built or the plumbing was replaced before 2016; and
- (5) Have signs on all accessible non-potable water supplies that:
 - (a) Read “DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD.”;
 - (b) Are printed in English and in the primary languages spoken by the individuals attending the school; and
 - (c) Are marked with easily understood pictures or symbols.

School Environmental Health and Safety Rule Project 2024 - 2025

WAC 246-370-XXX Definitions

- (1) School
 - (a) "School" means each building, facility, and location at or within which any or all portions of a preschool, kindergarten, and grades one through twelve programs of education and related activities are conducted for two or more students or children by or on behalf of any public school as defined in RCW 28A.150.010 and by or on behalf of any private school or private institution regulated by Chapter 28A.195 RCW subject to approval by the state board of education.
 - (b) "School" means locations, buildings, and land that are publicly funded, privately funded, or a parochial location that provides educational instruction for two or more kindergarten through 12-grade students.
- (2) School Board
 - (a) "School Board" means a local board or authority responsible for the provision and maintenance of schools.
 - (b) "School Board" means an appointed or elected board of individuals that oversees academic, legal, and financial requirements to operate a public, private, or parochial educational institution.
- (3) Portable
 - (a) "Portable" means any school building that is a prefabricated structure that can be transported and installed on-site to provide additional classroom space.
 - (b) "Portable" means a classroom that is transportable and installed at a school to temporarily and quickly provide additional classroom space.
- (4) Preschool
 - (a) "Preschool" means an educational establishment or learning space offering early childhood education to children not old enough to attend kindergarten.
- (5) School Facility
 - (a) "School facility" means all buildings and land used by a school primarily for student use including, but not limited to portables, sports fields, playgrounds, and common areas.
- (6) School official
 - (a) "School official" means a person who is employed by a school or school district in an administrative, supervisory, academic, or support staff position.

WAC 246-370-XXX Severability

- (1) If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

School Environmental Health and Safety Rule Project 2024 - 2025

WAC 246-370-XXX Variances

- (1) School officials may:
 - (a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:
 - (i) The specific regulations that the variance would replace;
 - (ii) The alternative that will be used to replace the required regulation;
 - (iii) How the variance meets the minimum requirements of the regulation that it will replace;
 - (iv) All clarifying documentation needed to support the request including but not limited to engineering reports, scientific data, or photos.
- (2) The local health officer shall:
 - (a) Provide written approval or denial of a request for a variance to the school applicant, the department, and the board within sixty days of receiving a complete written variance request, unless the school officials and the local health authority agree to a different timeline.
 - (b) The local health officer may grant school officials an emergency waiver from some or all of the requirements in these rules for the temporary use of a facility or site as a school when the facility normally used by the school is not safe to be occupied due to a natural or man-made disaster.

WAC 246-370-XXX Appeals

- (1) Decisions or actions of the local health officer may be appealed to the local board of health in a manner consistent with their established procedure.

School Environmental Health and Safety Rule Project 2024 - 2025

Purpose

The “Purpose” section of the Washington Administrative Code (WAC) is to briefly describe the intent of the WAC.

Proposed Language	WAC 246-366	WAC 246-366A
<p>The purpose of this chapter is to set minimum health and safety standards for school facilities operated for the primary purpose of providing education at the K-12 levels.</p>	<p>-005 The purpose of this chapter is to maintain minimum environmental health and safety standards for school facilities until legislative action allows for full or partial implementation of chapter 246-366A WAC. To the extent the legislature funds or otherwise allows for its implementation, chapter 246-366A WAC is intended to replace or supersede this chapter.</p>	<p>-001 (1) The purpose of this chapter is to replace chapter 246-366 WAC with a more modern set of minimum environmental health and safety standards for school facilities to promote healthy and safe school environments.</p>

School Environmental Health and Safety Rule Project 2024 - 2025

Applicability

The Applicability section of the WAC is to help clarify who or what is subject to the WAC and under what circumstances the WAC applies.

Proposed Language	WAC 246-366	WAC 246-366A
(1) Chapter 246-370 WAC applies to all schools operated for the primary purpose of providing education at the K-12 levels, except:		-005(1) To the extent implemented in accordance with legislative action, this chapter, or such portions thereof funded or approved as part of a phase-in or partial implementation, shall apply to all school facilities operated for the primary purpose of providing education at the kindergarten through twelfth grade (K-12) levels, and preschools that are part of such facilities except:
(a) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);		(a) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);
(b) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;		(b) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;
(c) Private facilities where tutoring is the primary purpose;		(c) Private facilities where tutoring is the primary purpose; and
(d) Public or private postsecondary education facilities providing instruction to students primarily enrolled in secondary school; and		(d) Public or private postsecondary education facilities providing instruction to students primarily enrolled in secondary school.
(e) State-tribal education compact schools as defined by RCW 28A.715, State-Tribal Education Compacts Authority.		

School Environmental Health and Safety Rule Project 2024 - 2025

Proposed Language	WAC 246-366	WAC 246-366A
		(2) These rules are in addition to all other requirements that apply to schools and, except as specified, do not affect the applicability of those requirements.
(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:		(3) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:
<p>Option One (a) Chapter 246-215 WAC Food services; (b) Chapter 246-217 WAC Food worker cards;</p> <p>Option Two (a) Facility and equipment sanitation, food preparation, food storage, and food temperature control must follow the requirements of chapter 246-215 WAC, Food Service. (b) Food Service employees, including contracted staff, must maintain a current food worker card per chapter 246-217 WAC, Food Worker Cards.</p>	<p>-130(1) Food storage, preparation, and service facilities shall be constructed and maintained and operated in accordance with chapters 246-215 and 246-217 WAC.</p> <p>-130(2)When central kitchens are used, food shall be transported in tightly covered containers. Only closed vehicles shall be used in transporting foods from central kitchens to other schools.</p>	<p>(a) Chapter 246-215 WAC Food services; (b) Chapter 246-217 WAC Food worker cards;</p>

School Environmental Health and Safety Rule Project 2024 - 2025

Proposed Language	WAC 246-366	WAC 246-366A
<p>Option One (c) Chapter 246-260 WAC Water recreation facilities; (d) Chapter 246-262 WAC Recreational water contact facilities;</p> <p>Option Two (c) Aquatic centers located inside of school facility buildings must follow the requirements of chapters 246-260 WAC, Water Recreational Facilities, and 246-262 WAC, Recreational Water Contact Facilities.</p>		<p>(c) Chapter 246-260 WAC Water recreation facilities; (d) Chapter 246-262 WAC Recreational water contact facilities;</p>
<p>Option One (e) Chapter 246-272A WAC On-site sewage systems; (f) Chapter 246-272B WAC Large on-site sewage system regulations;</p> <p>Option Two (1) Supply sewer and liquid waste disposal that: (a) Is connected to a municipal sewage disposal system according to chapter 173-420 WAC, if available; or (b) Is connected to an on-site sewage disposal system designed, constructed, and maintained as required by chapters 246-272A and 246-272B, and local ordinances.</p>	<p>-070 All sewage and waste water from a school shall be drained to a sewerage disposal system which is approved by the jurisdictional agency. On-site sewage disposal systems shall be designed, constructed and maintained in accordance with chapters 246-272 and 173-240 WAC.</p>	<p>(e) Chapter 246-272A WAC On-site sewage systems; (f) Chapter 246-272B WAC Large on-site sewage system regulations;</p>

School Environmental Health and Safety Rule Project 2024 - 2025

<p>Option One (g) Chapter 246-290 WAC Public water supplies; and (h) Chapter 246-291 WAC Group B public water systems.</p> <p>Option Two Water Supply must:</p> <p>(1) Meet the provisions of chapter 246-290 WAC, Group A public water supplies or chapter 246-291 WAC, Group B public water systems;</p> <p>(2) Meet the requirements of the uniform plumbing code outlined in chapter 51-56 WAC;</p> <p>(3) Have vacuum breakers or backflow prevention devices installed on hose bibs and supply nozzles used to connect hoses or tubing to housekeeping sinks;</p> <p>(4) Follow the lead in drinking water requirements in RCW 43.70.830 through 43.70.845 if the facility was built or the plumbing was replaced before 2016; and</p> <p>(5) Have signs on all accessible non potable water supplies that:</p> <p>(a) Read “DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD.”;</p> <p>(b) Are printed in English and in the primary languages spoken by the individuals attending the school; and</p> <p>(c) Are marked with easily understood pictures or symbols.</p>	<p>-060(1) Plumbing: Plumbing shall be sized, installed, and maintained in accordance with the state building code. However, local code requirements shall prevail, when these requirements are more stringent or in excess of the state building code.</p> <p>-060(2) Water supply: The water supply system for a school shall be designed, constructed, maintained and operated in accordance with chapter 246-290 WAC.</p> <p>-065(8) Use products that comply with American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 (2007) to coat, line, seal, or patch drinking water contact surfaces, if the interior of water piping or plumbing fixtures is coated or lined.</p>	<p>(g) Chapter 246-290 WAC Public water supplies; and (h) Chapter 246-291 WAC Group B public water systems.</p>
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School Environmental Health and Safety Rule Project 2024 - 2025

Proposed Language	WAC 246-366	WAC 246-366A
<p>(3) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction under Title 296 WAC over employee safety and health.</p>		<p>(5) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction over employee safety and health.</p>
<p>(4) These rules are not intended to replace building code council requirements under Title 51 WAC. This chapter may be more stringent to protect health and safety.</p>		<p>(6) These rules are not intended to replace requirements of the building code council under Title 51 WAC, but may be more stringent to protect health and safety.</p>
		<p>(7) For a school undergoing an alteration or addition, WAC 246-366A-040, 246-366A-060, 246-366A-090, 246-366A-100, 246-366A-110, 246-366A-120, 246-366A-150, and 246-366A-160 apply only to:</p> <ul style="list-style-type: none"> (a) Areas that are part of the addition; (b) Areas undergoing alteration; and (c) Changes to existing building systems, such as heating and ventilation systems, when those changes are included in construction documents or a building permit application describing the alteration or addition.
<p>(5) If the local permitting jurisdiction received a complete building permit application for school construction before the effective date of any construction-related requirements of this chapter, the construction-related requirements of chapter 246-366 WAC and this chapter in effect at the time of application apply.</p>		<p>(8) If the local permitting jurisdiction received a complete building permit application for school construction prior to the effective date of any construction-related requirements of this chapter, the construction-related requirements of chapter 246-366 WAC and this chapter in effect at the time of application apply.</p>

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Definitions

The “Definitions” section of WAC is to clarify the intent of the use of a term as utilized in a WAC chapter.

Proposed Language	WAC 246-366	WAC 246-366A
<p>(1) The following definitions apply throughout this chapter unless the context clearly indicates otherwise:</p>	<p>-010 The following definitions shall apply in the interpretation and the enforcement of these rules and regulations:</p>	<p>-010 The following definitions apply to these rules:</p>
<p>Option One</p> <p>(1) "School" means each building, facility, and location at or within which any or all portions of a preschool, kindergarten, and grades one through twelve programs of education and related activities are conducted for two or more students or children by or on behalf of any public school as defined in RCW 28A.150.010 and by or on behalf of any private school or private institution regulated by chapter 28A.195 RCW subject to approval by the state board of education.</p> <p>Option Two</p> <p>(2) “School” means locations, buildings, and land that are publicly funded, privately funded, or a parochial location that provides educational instruction for two or more kindergarten through twelfth-grade students.</p>	<p>(1) "School" - Shall mean any publicly financed or private or parochial school or facility used for the purpose of school instruction, from the kindergarten through twelfth grade. This definition does not include a private residence in which parents teach their own natural or legally adopted children.</p>	<p>(30) "School" means any public, religious-affiliated, or private institution for instructing students in any grade from kindergarten through twelfth grade.</p>

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Proposed Language	WAC 246-366	WAC 246-366A
<p>Option One (1) "School Board" means a local board or authority responsible for the provision and maintenance of schools.</p> <p>Option Two (2) "School Board" means an appointed or elected board of individuals that oversees academic, legal, and financial requirements to operate a public, private, or parochial educational institution.</p>	<p>(2) "Board of education" - An appointive or elective board whose primary responsibility is to operate public or private or parochial schools or to contract for school services.</p>	<p>(31) "School board" means an appointed or elected board whose primary responsibility is to operate schools or to contract for school services and includes the governing body or owner of a private school.</p>
<p>Option One (1) "Portable" means any school building that is a prefabricated structure that can be transported and installed on-site to provide additional classroom space.</p> <p>Option Two (2) "Portable" means a classroom that is transportable and installed at a school to temporarily and quickly provide additional classroom space.</p>	<p>(7) "Portables" - Any structure that is transported to a school site where it is placed or assembled for use as part of a school facility.</p>	<p>(28) "Portable" means any relocatable structure that is transported to a school site and is placed or assembled there for use by students as part of a school facility.</p>
<p>(1) "Preschool" means an educational establishment or learning space offering early childhood education to children not old enough to attend kindergarten.</p>		<p>(27) "Preschool" means an instructional curriculum and portion of a school facility designed to instruct children not old enough to attend kindergarten.</p>

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Proposed Language	WAC 246-366	WAC 246-366A
<p>(1) "School facility" means all buildings and land used by a school primarily for student use including, but not limited to portables, sports fields, playgrounds, and common areas.</p>		<p>(32) "School facility" means buildings or grounds owned or leased by the school or donated to the school for the primary purpose of student use including, but not limited to, portables, playgrounds and sports fields.</p>
<p>(1) "School official" means a person who is employed by a school or school district in an administrative, supervisory, academic, or support staff position.</p>		<p>(33) "School officials" means those persons designated by the school board as responsible for planning, policy development, budgeting, management, or other administrative functions.</p>

School Environmental Health and Safety Rule Project 2024 - 2025

Severability

The “Severability” section of a WAC is used in administrative regulations when the agency wants to make it clear that if one or more of the regulations is found invalid or stayed by a court it intends for the remaining regulations to remain in effect.

Purposed Language	WAC 246-366	WAC 246-366A
(1) If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.	-160 If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.	-200 If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

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Variations

The purpose of the “Variance” section of a WAC is to clearly state the requirements for an individual to request approval to deviate from the current WAC requirements with an option that provides a comparable level of protection.

Proposed Language	WAC 246-366	WAC 246-366A
<p>(1) School officials may:</p> <p>(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC.</p>	<p>-020 The secretary may allow the substitution of procedures or equipment for those outlined in these regulations, when such procedures or equipment have been demonstrated to be equivalent to those heretofore prescribed. When the secretary judges that such substitutions are justified, he shall grant permission for the substitution in writing. Requests for substitution shall be directed to the jurisdictional health officer who shall immediately forward them, including his recommendations, to the secretary. All decisions, substitutions, or interpretations shall be made a matter of public record and open to inspection.</p>	<p>-170(1) School officials:</p> <p>(a) May request a variance from requirements in these rules from the local health officer if they wish to use an alternative to meet the intent of these rules.</p>

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Proposed Language	WAC 246-366	WAC 246-366A
<p>The variance request must include:</p> <ul style="list-style-type: none"> (i) The specific regulations that the variance would replace; (ii) The alternative that will be used to replace the required regulation; (iii) How the variance meets the minimum requirements of the regulation that it will replace; (iv) All clarifying documentation needed to support the request including but not limited to, engineering reports, scientific data, or photos. 		<p>-170(1)(a)(i) The request for a variance must be in writing and describe:</p> <ul style="list-style-type: none"> (A) The specific requirement the variance is requested to replace; (B) The alternative proposed to meet the specific requirement; and (C) How the proposed alternative will provide at least a comparable level of protection as that provided by the specific requirement. <p>-170(1)(a)(ii) The request for a variance must include information as needed to support and clarify the request, such as material descriptions and specifications, engineering reports, photos, drawings, or sketches.</p> <p>-170(1)(b) May implement a variance only after obtaining approval from the local health officer.</p>
<p>(2) The local health officer shall</p> <ul style="list-style-type: none"> (a) Provide written approval or denial of a request for a variance to the school applicant, the department, and the board within sixty days of receiving a complete written variance request, unless the school officials and the local health authority agree to a different timeline. (b) The local health officer may grant school officials an emergency waiver from some or all of the requirements in these rules for the temporary use of a facility or site as a school when the facility normally used by the school is 		<p>-170 (2) The local health officer shall:</p> <ul style="list-style-type: none"> (a) Initially review documents submitted with the request for a variance and inform school officials if additional information is required. (b) Compare the health and safety aspects of the specific requirement being addressed and the variance proposal to determine if the proposal provides at least a comparable level of protection as that provided by the specific requirement. (c) Provide written approval or denial of a request for a variance within sixty days of receiving a complete written request, unless

School Environmental Health and Safety Rule Project 2024 - 2025

Proposed Language	WAC 246-366	WAC 246-366A
<p>not safe to be occupied due to a natural or man-made disaster.</p>		<p>school officials and the local health officer agree to a different timeline.</p> <p>(d) Submit an annual written report to the department regarding all variance requests. The report must be submitted by March 1st of each year, beginning the third year after the effective date of this section, and cover the calendar period January through December of the previous year.</p> <p>-175 The local health officer may grant school officials an emergency waiver from some or all of the requirements in these rules for the temporary use of a facility or site as a school when the facility normally used by the school is not safe to be occupied due to a natural or man-made disaster.</p> <p>-150 The board of health may, at its discretion, exempt a school from complying with parts of these regulations when it has been found after thorough investigation and consideration that such exemption may be made in an individual case without placing the health or safety of the students or staff of the school in danger and that strict enforcement of the regulation would create an undue hardship upon the school.</p>

School Environmental Health and Safety Rule Project 2024 - 2025

Appeals

The purpose of the “Appeals” section of a WAC is to identify who an individual might contact if they do not agree with a decision made at the local level and would like the decision reconsidered.

Proposed Language	WAC 246-366	WAC 246-366A
Decisions or actions of the local health officer may be appealed to the local board of health in a manner consistent with their established procedure.		-180 Decisions or actions of the local health officer may be appealed to the local board of health in a manner consistent with their established procedure.



School Environmental Health and Safety Rule Project

Technical Advisory Committee Meeting

Department of Health—Town Center East 2
Tumwater, August 22, 2024

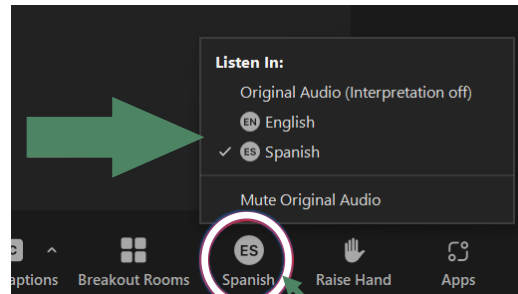
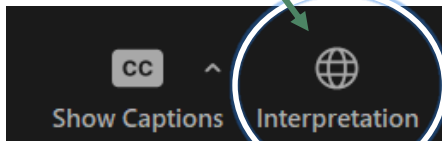


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Canales de Idioma de Zoom Zoom Language Channels



Canales de idioma
Language channels



Elige un idioma
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1



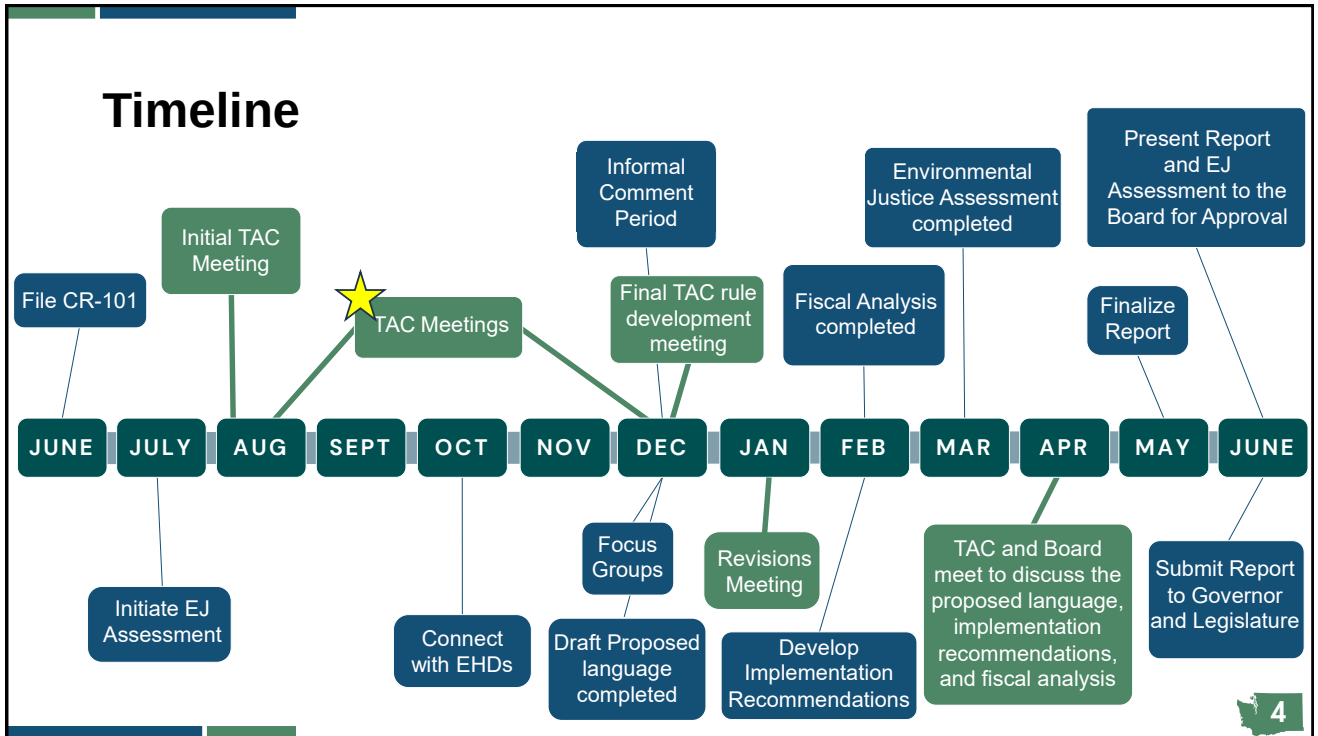
2

Today's Objectives

- Create a shared understanding of the Board's authority and scope of the rule.
- Review and develop language for the Introduction and Purpose section of the rule.
- Review and develop language for the Applicability section of the rule.
- Review and develop language for the Definitions section of the rule.
- Review and develop language for the Severability, Variances, and Appeals sections of the rule.
- Discuss how the complaint process may look.

3

3



4

TAC Agreements

- Be respectful of all perspectives and opinions
- Communicate openly and respectfully, disagree without being disagreeable
- Assume positive intent and ask for clarification
- Share the air—allow everyone to share insights, one person speaking at a time
- Ask questions and seek to understand
- Be on time for meetings/calls
- Be present and actively participate (no multitasking during meetings)
- Be efficient with our meeting time
- Meet deadlines and commitments
- Support the final decisions of the TAC
- Stay focused on the goals/objectives of the committee

5

5

Introductions

- Your Name
- Your Organization
- Ice Breaker - Would you rather have a beach vacation, mountain vacation, or staycation?

6

6

Board Authority

RCW 43.20.050: Powers and duties of state board of health—Rule making

- Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, and cleanliness in public facilities including but not limited to food service establishments, schools, recreational facilities, and transient accommodations.
- Adopt rules for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as may best be controlled by universal rule.



7

7

In Scope

Environmental Conditions

- Heating, Lighting, Ventilation, Sanitary facilities, and Cleanliness, etc.

Safety Standards

- Playground Construction, Food Handling, Science Classroom Construction, etc.

Operations & Maintenance

- Inspections, Plan Review, Site Assessments, Safety and Injury Prevention, etc.

Communicable & Vector Borne Disease Mitigation

- Indoor Air Quality/Filtration, Rodent/Insect/Pest Control



8

8

Out of Scope

Safety Drills & Preparation

- Fire Drills, Active Shooter Preparedness/Drills

Support Services

- Counseling, Bullying, Emotional/Mental Health

Curriculum & Training

- Lesson Plans, State or Federally Mandated Curriculum
- Teacher certifications, staff training/certifications

Vaccination/Immunizations

- Vaccine documentation requirements for children



9

9

Anatomy of a WAC

246-370-001(1)(a)(i)(A)(I)

Number of the WAC title

The number of the chapter within the title

Number of the section within the chapter

Each section contains subsections that follow a specific order in an outline format. When a WAC is published and available online, no indenting exists, and all subsections are aligned to the left margin regardless of level.

- Level 1: Numbers (1) (2) (3) (4)
- Level 2: Lowercase letters (a) (b) (c) (d)
- Level 3: Lowercase Roman numerals (i) (ii) (iii) (iv)
- Level 4: Uppercase letters (A) (B) (C) (D)
- Level 5: Uppercase Roman numerals (I) (II) (III) (IV)



Proposed Rule Section: Purpose



Purpose

(1) The purpose of this chapter is to set minimum health and safety standards for school facilities operated for the primary purpose of providing education at the K-12 levels.



Vote

10-Minute Break

Proposed Rule Section: Applicability

Applicability Section (1)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:



Vote

Applicability Section (1)(a)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:

(a) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);



Vote



16

Applicability Section (1)(b)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:

(b) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;



Vote



17

Applicability Section (1)(c)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:

(c) Private facilities where tutoring is the primary purpose;



Vote

Applicability Section (1)(d)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:

(d) Public or private postsecondary education facilities providing instruction to students primarily enrolled in secondary school; and



Vote

Applicability Section (1)(e)

(1) Chapter 246-370 WAC applies to all facilities operated for the primary purpose of providing education at the K-12 levels, except:

(e) State-tribal education compact schools as defined by RCW 28A.715, State-Tribal Education Compacts Authority.



Vote

Applicability Section (2)

(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:



Vote

Applicability Section (2) Food Safety

(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:

Option One

- (a) Chapter 246-215 WAC Food services;
- (b) Chapter 246-217 WAC Food worker cards;

Option Two

- (a) Facility and equipment sanitation, food preparation, food storage, and food temperature control must follow the requirements of chapter 246-215 WAC, Food Service.
- (b) Food Service employees, including contracted staff, must maintain a current food worker card per chapter 246-217 WAC, Food Worker Cards.



Vote

Applicability Section (2) Aquatic Center

(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:

Option One

- (c) Chapter 246-260 WAC Water recreation facilities;
- (d) Chapter 246-262 WAC Recreational water contact facilities;

Option Two

- (c) Aquatic centers located inside of school facility buildings must follow the requirements of chapters 246-260 WAC, Water Recreational Facilities, and 246-262 WAC, Recreational Water Contact Facilities.



Vote

Applicability Section (2) Sewer

(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:

Option One

- (e) Chapter 246-272A WAC On-site sewage systems;
- (f) Chapter 246-272B WAC Large on-site sewage system regulations;

Option Two

- (d) Supply sewer and liquid waste disposal that:
 - (i) Is connected to a municipal sewage disposal system according to chapter 173-420 WAC, if available; or
 - (ii) Is connected to an on-site sewage disposal system designed, constructed, and maintained as required by chapters 246-272A and 246-272B, and local ordinances.



Vote

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Applicability Section (2) Water Supply

(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to:

Option One

- (g) Chapter 246-290 WAC Public water supplies; and
- (h) Chapter 246-291 WAC Group B public water systems.

Option Two

- (e) Meet the provisions of chapter 246-290 WAC, Group A public water supplies or chapter 246-291 WAC, Group B public water systems;
- (f) Meet the requirements of the uniform plumbing code outlined in chapter 51-56 WAC;
- (g) Follow the lead in drinking water requirements in RCW 43.70.830 through 43.70.845 if the facility was built or the plumbing was replaced before 2016;



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Applicability Section (2)(h) Additional Water Supply

(h) Have vacuum breakers or backflow prevention devices installed on hose bibs and supply nozzles used to connect hoses or tubing to housekeeping sinks;



Vote

Applicability Section (2)(i) Additional Water Supply

(i) Have signs on all accessible non-potable water supplies that:

- (A) Read "DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD.";
- (B) Are printed in English and in the primary languages spoken by the individuals attending the school; and
- (C) Are marked with easily understood pictures or symbols.



Vote

Applicability Section (3)

(3) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction under Title 296 WAC over employee safety and health.



Vote

Applicability Section (4)

(4) These rules are not intended to replace building code council requirements under Title 51 WAC. This chapter may be more stringent to protect health and safety.



Vote

Applicability Section (5)

(5) If the local permitting jurisdiction received a complete building permit application for school construction before the effective date of any construction-related requirements of this chapter, the construction-related requirements of chapter 246-366 WAC and this chapter in effect at the time of application apply.



Vote

Proposed Rule Section: Definitions

Definitions: (1) School

Option One

"School" means each building, facility, and location at or within which any or all portions of a preschool, kindergarten, and grades one through twelve programs of education and related activities are conducted for two or more students or children by or on behalf of any public school as defined in RCW 28A.150.010 and by or on behalf of any private school or private institution regulated by Chapter 28A.195 RCW subject to approval by the state board of education.

Option Two

(b) "School" means locations, buildings, and land that are publicly funded, privately funded, or a parochial location that provides educational instruction for two or more kindergarten through twelfth-grade students.



Vote

Definitions: (2) School Board

Option One

"School Board" means a local board or authority responsible for the provision and maintenance of schools.

Option Two

"School Board" means an appointed or elected board of individuals that oversees academic, legal, and financial requirements to operate a public, private, or parochial educational institution.



Vote

Definitions: (3) Portable

Option One

“Portable” means any school building that is a prefabricated structure that can be transported and installed on-site to provide additional classroom space.

Option Two

“Portable” means a classroom that is transportable and installed at a school to temporarily and quickly provide additional classroom space.



Vote

Definitions: (4) Preschool

“Preschool” means an educational establishment or learning space offering early childhood education to children not old enough to attend kindergarten.



Vote

Definitions: (5) School Facility

“School facility” means all buildings and land used by a school primarily for student use including, but not limited to portables, sports fields, playgrounds, and common areas.



Vote

Definitions: (6) School Official

“School official” means a person who is employed by a school or school district in an administrative, supervisory, academic, or support staff position.



Vote

Proposed Rule Sections: Severability, Variances, & Appeals

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Severability

(1) If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.



Vote

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Variations (1)(a) School officials

(1) School officials may:

(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:



Vote

Variations (1)(a)(i) School officials

(1) School officials may:

(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:

(i) The specific regulations that the variance would replace;



Vote

Variations (1)(a)(ii) School officials

(1) School officials may:

(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:

(ii) The alternative that will be used to replace the required regulation;



Vote

Variations (1)(a)(iii) School officials

(1) School officials may:

(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:

(iii) How the variance meets the minimum requirements of the regulation that it will replace;



Vote

Variations (1)(a)(iv) School officials

(1) School officials may:

(a) Submit a written variance for approval to the local health officer if there is an alternative that meets the intent of chapter 246-370 WAC. The variance request must include:

(iv) All clarifying documentation needed to support the request including but not limited to engineering reports, scientific data, or photos.



Vote

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Variations (2)(a) Local Health Officer

(2) The local health officer shall

(a) Provide written approval or denial of a request for a variance to the school applicant, the department, and the board within sixty days of receiving a complete written variance request, unless the school officials and the local health authority agree to a different timeline.



Vote

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VariANCES (2)(b) Local Health Officer

(2) The local health officer shall

(b) The local health officer may grant school officials an emergency waiver from some or all of the requirements in these rules for the temporary use of a facility or site as a school when the facility normally used by the school is not safe to be occupied due to a natural or man-made disaster.



Vote

Appeals

(1) Decisions or actions of the local health officer may be appealed to the local board of health in a manner consistent with their established procedure.



Vote

45-minute break for lunch

Envisioning the
Complaint Process

Complaints: What Currently Exists

(1) School officials shall establish a written complaint process, if such a written process does not already exist. The complaint process must clearly describe the means for a person to file a written complaint concerning failure to comply with a provision of these rules that jeopardizes the health and safety of students. At a minimum, the process shall provide for:

- (a) Promptly investigating all complaints;
- (b) Correcting conditions not in compliance with these rules within an appropriate time frame given the level of risk to health and safety;
- (c) Providing notification for imminent health hazards in accordance with WAC 246-366A-020;
- (d) Promptly communicating with the complainant regarding the outcome of the investigation, and the actions and time frame proposed to address any verified conditions not in compliance with these rules; and
- (e) Communicating with the local health officer about the outcome of complaint investigations referred to school officials by the local health officer.

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Complaints: What Currently Exists

2) The local health officer who receives a complaint concerning failure to comply with a provision of these rules that jeopardizes the health and safety of students shall:

- (a) Promptly inform school officials that a complaint was filed with the local health officer;
- (b) Conduct a preliminary inquiry to determine if an imminent health hazard exists;
- (c) Investigate the complaint in consultation with school officials if an imminent health hazard exists;
- (d) Either refer the complaint to school officials or investigate the complaint in consultation with school officials if an imminent health hazard does not appear to exist; and
- (e) Communicate with the complainant about the outcome of the complaint investigation.

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Open Discussion and Comments

Voting Experience

Next Steps

Meeting Dates and Locations

Date	Location
✓ Thursday, August 1	Wenatchee
✓ Thursday, August 22	Olympia
Tuesday, September 17	Arlington
Friday, October 4	Leavenworth
Thursday, October 17	Olympia
Thursday, October 31	Olympia
Wednesday, November 20	Spokane
Wednesday, December 4	Olympia

THANK YOU

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