

WASHINGTON STATE BOARD OF HEALTH

Minutes for School Environmental Health and Safety Rule Project Technical Advisory Committee Meeting

October 17, 2024

Hybrid Meeting

ASL (or CART)

Lord Mansion

211 21st Street

Olympia, WA 98501

Meeting Rooms: Main Floor

Virtual meeting: ZOOM Webinar

Technical Advisory Committee members:

In-Room Participants

Patty Hayes, RN, MSN, Chair

Erin Hockaday, Benton Franklin Health District

Geoff Lawson, WAMOA and Auburn School District

Jared Mason-Gere, Washington Education Association

Lauren Jenks, Washington State Department of Health

Laurette Rasmussen, Whatcom County Health & Community Services

Pam Schwartz, Washington State Catholic Conference/Catholic Schools

Preet Singh, Bellingham Public School

Suzie Hanson, Washington Federation of Independent Schools

Tammy Allison, Washington Association of School Business Officials

Ted Dehnke, Evergreen Public Schools (Clark County)

Online Participants

Becky Doughty, Spokane Public Schools

Brian Buck, Lake Washington School District

Brian Freeman, Inchelum School District

Brook Wilkerson, School OPS

David Hammond, Washington Association of School Administrators (WASA)

Devon Kellogg, Washington State PTA (reside in Lake Washington SD)

Jacob Cook, Parent

Kate Espy, South Kitsap School District

Kellie Lacey, Richland School District

Kevin Jacka, The Rural Alliance

Laura Peterson, Washington State PTA (reside in Everett School District)

Roz Thompson, Association of Washington School Principals

Samantha Fogg, Washington State PTA (Seattle Public Schools)

Steve Main, Spokane Regional Health District

Tyler Muench, Office of Superintendent of Public Instruction (OSPI)

Technical Advisory Committee members absent:

Jaime Bodden, WSALPHO
Jeff Rogers, WAMOA and Auburn School District
Nicole Roel, Washington Association of School Business Officials
Dan Steele, Washington Association of School Administrators (WASA)
Bailey Stanger, Benton Franklin Health District
Kelly Cooper, Washington State Department of Health
Susan Baird-Joshi, Washington State PTA (reside in Lake Washington SD)
Jessica Sankey, Bellingham Public School
Kenney Johnson, Lake Washington School District
Nicole Daltoso, Evergreen Public Schools (Clark County)
Sandra Jarrard, Spokane Public Schools
Anders Lindgren, School OPS
Richard Conley, The Rural Alliance
Sandy Phillips, Spokane Regional Health District
Sharon Ricci, Washington Federation of Independent Schools
Julie Salvi, Washington Education Association
Gina Yonts, Association of Washington School Principals
Kelsey Greenough, Richland School District
Doug Rich, Washington State Catholic Conference/Catholic Schools
Randy Newman, Office of Superintendent of Public Instruction (OSPI)

Technical Advisory Committee staff present:

Andrew Kamali, Project Manager
Nina Helping, Policy Advisor
Marcus Dehart, Communications
Michelle Larson, Communications
Mary Baechler, Community Outreach Coordinator
Crystal Ogle, Administrative Assistant

Guests and other participants:

Karen Langehough, FirstRule, Facilitator
Scott Reynolds, MPH, RS, SEHS+IAQ Program, Washington State DOH
Elizabeth Jakob, MS, CSR, Puget Sound Educational Service District
Ali Boris, School Health and Safety and Indoor Air Quality Program, Office of Environmental Health and Safety, Washington State Department of Health

1. Minutes Review

Patty Hayes, Committee Chair, welcomed committee members and opened the School Rules Technical Advisory Committee meeting.

No discussion from the committee.

2. Reminders

Chair Hayes reminded members of the logistics for using microphones and being mindful of the interpreters and people online.

3. Introductions

Karen Langehough, Facilitator, asked committee members and staff to introduce themselves. See the list of in-room and online participants above.

4. Objectives and Meeting Agreement

Facilitator Langehough reviewed the objectives for today's meeting and previously discussed TAC agreements on how to work together.

5. Water Quality

Facilitator Langehough introduced the section's intent.

This section of the proposed rule is focused on providing minimum standards for water quality monitoring and maintenance of school water systems. It includes recommendations from the Department's Office of Drinking Water:

- *Office of Drinking Water recommends school follow chapters 246-290 and 246-291 WAC and RCW 28A.210.410.*
- *The Office of Drinking Water recommends that each school prepare a water management plan.*

Basic Water Management Plans would consist of:

- *Basic plumbing diagrams calling out dead ends, water relief valves, potential cross contamination areas, backflow devices, and water flow diagram.*
- *Water heater and boiler maintenance schedules.*
- *Fixture age and repair/replacement schedule.*

Should a Water Quality Management Plan be a requirement of WAC 246-370?

Chair Hayes pointed out that there is no language for this section yet. This is a general discussion of whether to include a water quality management plan.

Facilitator Langehough explained that the Office of Drinking Water recommended a water quality plan, but it is not a requirement.

Nina Helpling, Policy Advisor, referenced an email sent the night before with examples of a water quality management plan.

Andrew Kamali, Project Manager, referenced elements in the applicability section about lead testing. It's already required and that's why we are not discussing it here.

PA Helpling discussed RCW WAC water quality parameters and conversations with schools regarding current practices for building maintenance and lead testing. They further identified the New York City plan as a basis for this plan. The sample plan is for a larger school. For smaller schools, it wouldn't be as complex. They removed references to Legionella, which was the primary focus of the New York plan.

Facilitator Langehough asked if the language of this rule would be required.

Lauren Jenks, Committee Member, asked if there is a size of building or school that this sample plan would apply to. Generally, water management plans for Legionella are used with big hotels and could be important in a large school.

PA Helpling replied that it could consider Legionella if there is a cap for size or if it's useful for all schools to have a basic system.

Erin Hockaday, Committee Member, discussed familiarity with plans for Legionella based on passive principles. It would be good to know what conditions the plan looks for if not Legionella.

PA Helpling replied that this plan addresses cross-connections control and possible hazards in the water system like contaminated water going back into the main potable water and discussed possible scenarios that this could apply to. This water management plan addresses those concerns.

PM Kamali stated that the purpose of this plan is to prevent contamination of your potable water system and to make sure that the maintenance of your water system is up to date.

Chair Hayes asked inspectors and local health jurisdiction staff how they would look at this. Do we as a committee recommend providing this important information to school officials? Or do we require a plan like this sample? It's about the water system, not clean water. How far do we go in technical assistance versus requiring it? Do you school officials already look at and address these kinds of issues?

Member Hockaday stated that they do not look at this level. Typically, this would be a water system or a larger building. They expressed interest in using best practices to prevent contamination and maintaining water system components on a routine schedule. They proposed incorporating guidance in a new guidance section. We would use these best practices in routine discussions.

Laura Rasmussen, Committee Member, agreed with Member Hockaday. This is not something we would be looking at. This type of water management plan would be something for a nursing home.

Brian Freeman, Committee Member, discussed familiarity with maintenance as required by statute in Alaska. Wondering how expensive this would be. A small district would not be able to document. Architects or plumbers are the experts for this. They envision the cost for 25,000, 50,000, or 100,000 square foot facility. The cost could be significant and require software to manage the system.

Facilitator Langehough asked whether we wanted to include this or not. If we say yes, there will be a cost analysis after we determine the minimum requirements.

Steve Main, Committee Member, explained that during school inspections, we look at the potential for cross-connection issues. They questioned the impact on smaller schools. Some schools lease facilities. Some are in strip malls or churches. We have a few districts with only one school in the district. With this plan, how would the local health jurisdiction evaluate, how would we communicate any requirements that are different than the Office of Drinking Water? In our county, the Office of Drinking Water communicates with schools

directly and copies our agency. We communicate with the office and the school. How would this benefit the process?

Facilitator Langehough asked for clarification. Is the question about why and what is the benefit, why the office of drinking water recommends having a plan like this.

Member Main understood why the Office of Drinking Water would ask for this. They were curious about why it would also need to be part of this rule. They expressed concerns for small private schools with fewer than 50 kids. It would have to be scalable for the size of the school and the districts.

Member Jenks recommended not including a water plan in the rules. Are there triggers aside from Legionella that might bring in the local health jurisdiction? This plan is for larger buildings with complex systems.

Facilitator Langehough asked if the committee was ready to vote.

Brian Buck, Committee Member, added that this is highly prescriptive when we already have regulatory requirements for backflow testing with our local jurisdictions and extensive water quality testing requirements from the state. This plan is a best practice.

Devon Kellogg, Committee Member, asked if this plan addresses preventing burst pipes.

PA Helpling explained that the plan would provide pipe mapping and flow in the burst pipe scenario to identify shutoffs, but it would not prevent burst pipes.

Facilitator Langehough called for the vote.

Voting Results

Include	Don't include
5	19

Facilitator Langehough announced a consensus to not include a water management plan in the rule. They added that there was a recommendation to include a water management plan only as a best practice.

Chair Hayes suggested adding it to the guidance document for the Department of Health (Department) K-12 guide.

Member Jenks agreed and suggested that the guide could describe the kind of building a plan would be most relevant for.

6. Language: General Building Requirements

Facilitator Langehough introduced the section intent.

- *The intent of this section of the proposed rule is to set standards that are focused on promoting health and safety and mitigating risks from pests, falls, and unsanitary conditions.*
- *This section will also cover requirements around accessibility and storage.*

School Officials Shall Section (1) – (3)

Facilitator Langehough introduced the language:

Proposed Language

A school official shall:

- (1) Keep school facilities clean and in good repair;*
- (2) Design school facilities to minimize conditions that attract, shelter, and promote the propagation of insects, rodents, bats, birds, and other pests of public health significance;*
- (3) Install floors throughout the school facility that suit the intended use, allow easy cleaning, and dry easily to inhibit mold growth and mitigate fall risks;*

Facilitator Langehough said we are focused on mitigating risks from pests, falls, and unsanitary conditions. Based on the table in the packet, we are looking at rows 1, 3, and 4.

Member Freeman asked if this would only apply to new buildings or include remodeled buildings.

Facilitator Langehough confirmed that the intent is to apply to all buildings.

Member Freeman asked about existing buildings. If the flooring is not suitable for the intended use, does this say the school would need to rip up the flooring and install new.

Goffe Lawson, Committee Member, discussed having a lack of custodial staff and asked the local health jurisdictions if they have guidance for school districts to know the priority areas to clean or how often.

Member Hockaday recommended that if a school is facing a custodial staffing crisis to connect with their local health jurisdiction to develop a plan, but the Departments comprehensive cleaning and disinfection guides for schools is a basis.

Laurette Rasmussen, Committee Member, said that they can work with Member Lawson on it.

Member Lawson agreed and said they are looking to prioritize health and safety cleaning first to the people who have not been custodians before.

Chair Hayes said that number (2) does seem to talk about design and the third one about installing, so how would a local health jurisdiction use this language.

Member Jenks asked if we are required to say “the school official shall” or could we take that out and talk about what the floor should look like as it does in the current WAC.

PA Helpling suggested wordsmithing the language to take out the action verbs, so it doesn't imply they need to do something now.

The committee took a break at 10:17 a.m. and returned at 10:40 a.m.

The committee decided to skip the first vote and revise the language.

Revised Language

A school official shall ensure that school facilities:

(1) Are clean and in good repair;

(2) Do not attract, shelter, and promote the propagation of insects, rodents, bats, birds, and other pests of public health significance;

(3) Have floors that suit the intended use, allow easy cleaning, and dry easily to inhibit mold growth and mitigate fall risks;

Facilitator Langehough said that based on the discussion before the break, we incorporated putting less emphasis on the who while still holding accountability and making language more reflective of current and future state.

Facilitator Langehough reviewed the updated language and opened it up for additional discussion.

Pam Schwartz, Committee Member, asked about the language “have floors” and wanted more clarification on that.

Member Hockaday said that in general, the types of flooring you would see in schools would include tiles, sealed concrete, tightly woven carpet, and maybe wood. From their department's perspective, if a school did not meet this requirement, they would not make someone rip it out unless it posed a public health risk.

Facilitator Langehough called for a vote using fist to five.

Voting Results

Fist	1	2	3	4	5
0	0	0	5	5	13

Facilitator Langehough announced a consensus for the revised language.

School Officials Shall Section (4) – (6)

Facilitator Langehough asked if it was intentional to repeat water temperatures here.

PA Helpling said we weren't sure if it was going to be in the last language, so we left it here in case it wasn't covered. But it does not need to be in both places.

Member Freeman asked for clarification on number (4). What about school districts that do not have lockers in secondary schools?

Member Buck responded that some of their schools have lockers, and some don't.

Member Lawson discussed how their new elementary schools have lockers, but their older schools have rolling cubbies.

Tammy Allison, Committee Member, mentioned that some of their sports equipment is in containers outside.

Member Jenks asked if the intent is to prevent fall risks and not clutter the hallways.

PA Helping confirmed that it is the intent.

PM Kamali confirmed that the intent is not to require lockers. It's to ensure these things are properly stored and accessed safely.

Member Muench requested rewording number (4) to focus on proper storage, access, and mitigating tripping hazards. They discussed how the state allocates space and is reluctant to say, "provide sufficient space."

Member Hockaday said this is identical to the existing language and agreed with what Member Muench said to focus on the hazards here. They asked what the purpose was for the reference to space being lighted and ventilated.

Facilitator Langehough recommended that the committee skip the first vote and go straight revisions. There were no objections.

Member Kellog discussed having a place to hang coats to dry so they do not get moldy.

Member Buck asked if someone could explain and describe number (5) a bit further.

PM Kamali said per the Americans with Disabilities Act (ADA), you must have accessible bathrooms. They said that we are not requiring every bathroom to be accessible, but that accessible toilets and handwashing facilities are available.

Samantha Fogg, Committee Member, reiterated that parents, guests, and visitors also need access to bathrooms, so this is an important thing for our schools to have.

Member Rasmussen said if you go back to what 366 says, it means it needs to be available, not that it must be ADA accessible.

Member Buck stated that there is an ADA code all new buildings must comply with and wanted to ensure we are not saying we must retrofit buildings based on number (5).

Member Fogg described seeing accessible bathrooms being locked due to vaping and how it poses a challenge.

Member Hockaday said that bathrooms for portables in larger schools are also a challenge. They discussed how portables are outside entrances where doors are locked for security reasons.

Facilitator Langehough reviewed and confirmed the changes the committee discussed for this language.

Revised Language

A school official shall ensure that school facilities:

(4) Mitigate trip, fall, pest or other public health hazards by providing proper storage and access for student jackets or backpacks, play equipment, and instructional equipment;

(5) Provide toilet and handwashing facilities accessible for use during school hours and scheduled events; and

(6) Provide handwashing facilities with fixtures that maintain water temperatures between 85- and 120-degrees Fahrenheit.

Member Freeman said that the original for number (5) was stronger.

Suzie Hanson, Committee Member, asked for more clarification on proper storage.

Facilitator Langehough suggested changing it to “properly stored.”

PM Kamali clarified that Member Hanson was discussing the why, so putting in instructional equipment to mitigate trip and fall hazards, and that maybe defines proper storage.

Member Hanson agreed.

Member Hockaday asked if we could include pests related to tripping hazards.

Member Rasmussen provided additional wordsmithing for the language.

Member Kellog said having a place to store student coats might not be an extreme health and safety issue, but it helps to not have a dripping coat when they go outside.

Member Hockaday said we could use a general statement such as “or other public health hazards.”

Facilitator Langehough reviewed the updated and added language discussed by TAC members and asked for any questions.

Member Hockaday said if we are taking out the word accessible in number (5), we need to find a replacement for that word because it is removing the intent for number (5).

PM Kamali suggested using “easily accessible.”

Member Buck voiced concern about having undefinable words such as “easily” and suggested some wordsmithing.

Member Fogg discussed seeing schools during events have toilets and handwashing facilities available but not having access to their ADA-accessible bathrooms available.

Facilitator Langehough called for a vote using fist to five.

Voting Results

Fist	1	2	3	4	5
0	0	0	5	8	11

Facilitator Langehough announced a consensus for the revised language.

Member Kellog asked if we would cover air quality in a different section.

PA Helping confirmed that the committee will discuss air quality at the next meeting.

7. Language: Injury Prevention

Facilitator Langehough introduced the intent of this section.

This section is intended to establish basic requirements for preventing injuries like slip and falls in common area, such as stairwells, and appropriate chemical storage.

Facilitator Langehough introduced the language.

Proposed Language

A school official shall mitigate potential environmental health and safety hazards by, but not limited to:

- (1) Providing stairwells with handrails and stairs with surfaces that reduce the risk of injury caused by slipping;*
- (2) Providing protection or barriers for areas that have fall risks such as, but not limited to, balconies and orchestra pits;*
- (3) Storing unsecured playground equipment in a manner that prevents unauthorized use or injury;*

PA Helpling confirmed we will talk about injury prevention in a high-risk room later in our text.

Member Main asked if we need to include falls on stairwells, or if it should go in number (1) or (2).

Member Freeman asked if we have a section on playgrounds coming up.

PA Helpling confirmed that we do.

Member Freeman said we already addressed the storage of items in the last section, so is this redundant?

PM Kamali clarified that the other section was more about mitigating fall and pest hazards, whereas this section is about preventing unauthorized use.

Member Shwartz asked for clarification on the term “unsecured playground equipment.” Does this include portable equipment or structures?

PM Kamali clarified that this does not include play structures.

Member Fogg recommended referencing ramps in number (1). They also discussed how some schools use elevators for moving trash and students, a potential health hazard. Do we want to address removing those health hazards?

Facilitator Langehough added elevators as a parking lot item for later discussion.

Member Allison said there is only one elevator in one of their brand-new schools. It is the only thing that can move garbage and anything large or heavy between floors.

Facilitator Langehough asked if we should align this language to focus more on what you are preventing then the specificity in what area—be more direct about the prevention and simplify the language.

Member Peterson added to Member Fogg's statement about ramps, which should not be bouncy. What about special needs walkers, since there is no appropriate storage for them?

Facilitator Langehough asked if the concerns of ramps would be covered in the ADA.

Member Hockaday confirmed the ramps would be covered under the building standards under the ADA. They suggested looking at the language from the suspended rule, not understanding why we changed it to just focus on playground equipment.

Facilitator Langehough said if we refocus on what we are trying to mitigate at the top, would that encompass all these things?

Member Freeman said for unsecured playground equipment, are we thinking of tricycles and things like that.

PA Helpling said it would be like jump ropes, basketballs, and things of that nature.

Member Schwartz said we should define that somewhere.

Member Hockaday said trip and fall hazards have already been discussed and are already covered in other areas, may be a bit redundant.

Member Rasmussen discussed thinking that this would be equipment in general such as PE items.

Facilitator Langehough suggested skipping the first vote and moving on to the second vote with revised language

Chair Hayes suggested removing number (3).

Member Rasmussen said if we take out playground, then you just have unsecured equipment.

Member Hockaday said if we keep the language specific to playgrounds, secured equipment is covered elsewhere. If the intent is to cover any piece of unsecured equipment, then that is not covered elsewhere and agreed with Member Rasmussen's comment.

Member Hanson said it would be easy to put ramps in there because they are used by all children in the school.

PM Kamali agreed.

Facilitator Langehough reviewed the updated language discussed by members and asked for any questions.

Revised Language

A school official shall mitigate potential slip and fall hazards by, but not limited to:

- (1) Providing stairwells and ramps with handrails and surfaces that reduce the risk of injury;*
- (2) Providing protection or barriers for areas that have fall risks such as balconies and orchestra pits;*
- (3) Storing unsecured equipment in a manner that prevents unauthorized use or injury;*

Facilitator Langehough called for a vote using fist to five.

Voting Results

Fist	1	2	3	4	5
0	0	0	3	6	14

Facilitator Langehough announced a consensus for the revised language.

Injury Prevention Section (4)

Facilitator Langehough introduced the language:

Language

(4) Storing chemical and cleaning supplies:

- (a) That observe manufacturer-use instructions, warning labels, and Safety Data Sheets for proper use and storage of the supplies;*
- (b) With labels when diluted from bulk chemical or cleaning agents with the accurate agent name and dilution rates;*
- (c) That retain the bulk or concentrated containers of cleaning and disinfectant agents for reference to labels and instructions until diluted contents are exhausted;*
- (d) That are separated if incompatible substances; and*
To prevent unauthorized access or use;

Member Allison asked if this was only for cleaning supplies, not lab chemicals.

Facilitator Langehough confirmed that lab chemicals are covered elsewhere.

Member Main asked if we would be addressing the use of chemicals and access to eye wash stations.

Facilitator Langehough said subsection (a) says “for proper use” and asked Member Main if we need to be more specific than that.

Member Main said that might suffice, but the beginning of the language says “storing” chemicals which could cause someone to think this is only about storing and not the actual use in the classroom as well.

Facilitator Langehough suggested adding “storing in use” or “use in storing” that might make it more direct.

Member Jenks said that the Department of Labor and Industries (L&I) would be responsible for that and was not sure if we need to address that here.

Member Hockaday asked Member Lawson about their student janitorial internships and wanted to make sure the students wouldn't handle chemicals.

Member Lawson said only custodians or those who are trained handle chemicals, not the students.

Member Hockaday said it's important to point out here then that (4)(e) needs to clarify school officials shall prevent the unauthorized use of chemicals.

Facilitator Langehough said this first section does say "the school official shall mitigate" so your point is made at the beginning, so not understanding the recommendations.

Member Hockaday said that it doesn't specifically say when it is in use

Facilitator Langehough asked if making that addition doesn't conflict with or duplicate what would be covered by L&I and then called for language revisions.

Revised Language

- (4) The use and storing of chemical and cleaning supplies:*
- (a) That observe manufacturer-use instructions, warning labels, and Safety Data Sheets for proper use and storage of the supplies;*
- (b) With labels when diluted from bulk chemical or cleaning agents with the accurate agent name and dilution rates;*
- (c) That retain the bulk or concentrated containers of cleaning and disinfectant agents for reference to labels and instructions until diluted contents are exhausted;*
- (d) That are separated if incompatible substances; and*
- To prevent unauthorized access or use;*

Member Rasmussen said maybe there should be some direction towards choosing greener and safer products in schools.

Facilitator Langehough said we do have that coming up next and called for a vote using fist to five.

Member Hanson recommended a way to organize the language.

Facilitator Langehough said let's keep this vote based on intent and we can capture that as well.

Voting Results

Fist	1	2	3	4	5
0	0	0	3	11	9

Facilitator Langehough announced a consensus for the revised language. They asked Member Hanson for their recommendation.

Member Hanson retracted their comment.

Injury Prevention Section (5) – (6)

Facilitator Langehough introduced the language.

Proposed Language

(5) Providing unscented and hypoallergenic cleaning and sanitation supplies when available; and

(6) Provide written policy to mitigate injury and the spread of diseases if the school allows animals other than service animals in a school facility.

Member Kellog recommended stronger language for section (5).

Member Hockaday recommended “fragrance-free,” not “unscented.”

Member Rasmussen agreed and suggested referencing the Environmental Protection Agency (EPA) Safer Choice chemical list.

Member Schwartz asked what “when available” means.

Member Lawson suggested it means when you have the budget for it. They agreed with the fragrance-free but added that it needs to say “when available” in there.

PM Kamali said we could ask the Department to reference the EPA guide in the K-12 guide and agreed to change the language to “fragrance-free.”

Member Freeman said it needs to be more than just “when available.”

Member Kellog said if we are looking at protecting student health then we should focus on the effects of the chemicals, not just whether it’s cost effective.

Member Hockaday said we need stricter guidelines for teachers bringing in their own cleaning products, which we see frequently.

Member Allison expressed concerns that costs would increase if you told districts to only buy certain brands of chemicals and that would cause a financial burden.

Member Lawson said that custodians are typically the only ones present when they clean.

Member Freeman said if it was not “when available” and there is no price point this becomes a mandate from the state and the Legislature would have to fund it. They said if we want this to go through, we shouldn’t add things that would require the Legislature to pass.

Member Rasmussen wondered if there is a way to separate what the custodians use and what the teachers use.

Member Hockaday suggested changing “hypoallergenic” to “low hazard” and “cleaning in a manner that minimizes exposure to students.”

Facilitator Langehough asked the staff to skip the first vote and move to revisions.

Chair Hayes asked Member Jenks if the K-12 guidance covers this or if it could address teachers bringing in cleaning supplies.

PA Helping suggested putting that in the general building maintenance piece.

Member Jenks suggested adding it to the K-12 guide.

PM Kamali suggested that scent plug-ins can be added to the indoor air quality section of the rule.

Member Kellog suggested (5) should be a subsection of (4).

Member Rasmussen recommended changing it to “limited exposure to students” instead of “limited exposure to building occupants.”

Member Lawson agreed.

Member Hanson suggested changing it to “and” instead of “or.”

Member Hockaday said if we change it to “and” then we are making it stricter.

Facilitator Langehough asked Member Hanson if that was their intention.

Member Hanson said yes because no matter the chemicals used, they are not great for kids and wanted to imply that teachers should not use chemicals around students.

Facilitator Langehough confirmed that as an action item to add in the K-12 guide.

Member Lawson recommended using “or.”

Facilitator Langehough called for a vote using fist to five.

Revised Language

- (5) Providing fragrance-free and low-hazard cleaning and sanitation supplies when available or cleaning at time and manner that would limit exposure to students; and*
- (6) Provide written policy to mitigate injury and the spread of diseases if the school allows animals other than service animals in a school facility.*

Voting Results

Fist	1	2	3	4	5
0	0	0	1	14	9

Facilitator Langehough announced a consensus for the revised language.

The TAC took a break at 12:10 p.m. and returned at 12:40 p.m.

8. Language: Playgrounds

Facilitator Langehough introduced the intent of this section.

The intent of this section is to set playground construction review, maintenance, and safety standards to help mitigate risk and liability.

Playgrounds Sections (1)(a)

Proposed Language

- (1) A school official shall:*
 - (a) Consult with the local health officer regarding playground review and approval requirements prior to:*
 - (i) Installing new playground equipment or fall protection surfaces;*
 - (ii) Adding new playground features or equipment to an existing playground; or*
 - (iii) Modifying existing playground equipment, features, or fall protection surfaces;*

Facilitator Langehough asked for an update from the Plan Review Subcommittee.

Member Jenks asked PM Kamali to summarize the subcommittee's most recent discussion.

PM Kamali stated that staff are currently drafting language to reflect subcommittee conclusions. First, if a school district extends an invitation to a Local Health Officer for a plan review, then the Local Health Officer needs to respond. Second, an invitation from a school district for consultation by a Local Health Officer needs to start at the 50% design development stage. Third, there should be flexibility for the school district and local health officer to collectively determine when the next check-in needs to occur.

Facilitator Langehough asked if any other subcommittee members wanted to provide additional comments. Hearing none, they asked for agreement that the committee would not vote on language for Playground Section (1)(a) during this meeting and instead align sections when language is prepared.

Facilitator Langehough confirmed agreement among members in the room and online.

Playgrounds Sections (1)(b)

Facilitator Langehough introduced the language specific to installation, maintenance, and operation of playground equipment.

Proposed Language

- (b) Install, maintain, and operate playground equipment, including used equipment, and fall protection surfaces:*
 - (i) In a manner consistent with the ASTM F 1487-01: Standard Consumer Safety Performance Specification for Playground Equipment for Public Use; and*
 - (ii) In a manner consistent with the manufacturer's instructions and Consumer Product Safety Commission Handbook for Public Playground Safety, 2010;*

Facilitator Langehough asked members for comments or clarifying questions.

Member Rasmussen clarified the draft language refers to the American Society for Testing and Materials (ASTM) F version 1487-01 and noted the current version is ASTM F1487-21.

Member Freeman asked for clarification of the term “playground equipment.” Does exercise equipment fall under that phrase?

Member Hockaday explained that ASTM standards specifically exclude athletic equipment, so exercise equipment would not be covered under that standard.

Member Kellogg said that ASTM is unattainable unless people pay for the materials, which may limit some people from being able to review those materials. They asked if the standard also covers athletic fields and if outdoor air quality will be covered in the rule’s air quality section and whether shading, by either trees or structures, would be covered to address increasingly hot days.

Member Hockaday confirmed that all ASTM standards are behind a paywall. They clarified the standard addresses playgrounds and does not cover athletic fields. Both the ASTM and Consumer Product Safety Commission Handbook for Playground Safety have requirements and recommendations for shade for play structures. So appropriate shade for hot days and hot play equipment that may heat up in the sun is addressed.

Member Jenks asked whether the committee has purchased the ASTM standard and whether it could be shared on the screen. They would like the committee to see the standards before putting them into a rule.

Member Rasmussen confirmed they had an electronic copy that could be viewed.

Chair Hayes asked if there was a way for the Department to do a blanket purchase for schools to have access to the standards? They acknowledged the requirement to pay for access to the standard as a barrier. Alternatively, is there a way to take concepts of the standards and develop something here?

PM Kamali noted paywalls present a barrier and clarified that it is not uncommon practice for standards to be behind a paywall noting the entire building standards are behind a paywall. Staff could factor the cost into the fiscal analysis to be shared with the Legislature. They were unaware of a mechanism for the Department to buy and distribute copies of the standards due to copyright and licensing requirements. Identified as an action item for staff to research.

Member Hockaday said that two guidelines are referenced within the language. ASTM 1487 provides more technical information for inspectors to conduct plan reviews. The Consumer Product Safety Commission Handbook is the consumer version, and it is available for free. The two guidelines aren’t the same, but they are generally consistent with one another. We would probably expect a school to look at the Consumer Product Safety Commission Handbook to manage playgrounds, while inspectors will look at the technical standard. The ASTM standard should be referenced in the rule as it is the legal standard of care for a public playground in the U.S. whether located in a park or school.

Member Hanson asked who are the guidelines for—the people installing the equipment or the principal? A typical purchase of playground equipment also includes installation from the playground structure’s manufacturer.

Member Hockaday clarified that it is meant for both as some schools do install their own playgrounds. Anyone hired to install would be held to these standards. They said there are portions of the standards that the playground owner and operator need to know about for maintenance beyond installation.

Member Hanson reiterated that needing to purchase the standards for \$100 indicates the rule would require principals and facilities staff to understand these codes to maintain and operate a playground presents an additional cost that should be referenced.

Facilitator Langehough said staff would research whether standards can be provided or how it can be incorporated into the fiscal analysis.

Member Hanson asked if it is problematic to put the version number of the referenced guidelines into the code as the version has changed.

PM Kamali clarified that the rule needs to reference a specific version of the standards so that all users know which standard they are expected to meet. Staff will update the language to reflect the most recent ASTM 1487-21 version.

Member Buck asked if the ASTM standards are referenced in any other WACs or just the proposed language for this WAC?

PM Kamali said staff could research the Department of Children Youth and Families (DCYF) requirements.

Member Hockaday said some elements are included in DCYF WACs, but the draft language represents the first reference to the whole ASTM standard. Member Hockaday clarified that the ASTM is already the legal standard that must be met within the U.S. As inspectors, reference to the standards allows local health jurisdictions to support schools and districts through funding and finding money to access the standards or developing resources to help meet the standards that schools should already be meeting.

Member Kellog said that the ASTM standards document includes language to consider shading and to address heat on metal slides. Plastic slides and metal bars also get hot. Shading and protection from burns in increasingly hot weather is a real consideration and something to call out within the rules.

Chair Hayes asked whether it would be more straightforward to move the ASTM focused language under the role of public health within the Local Health Officer section rather than making it a requirement for schools. Chair Hayes suggested that notifying schools that public health uses the national standards it may be a roundabout way to get schools more technical assistance and to move the system to meet existing national standards.

Facilitator Langehough stated that the standard is written for playground owners and operators so that they know how to properly install and maintain their equipment to these standards.

Chair Hayes clarified the suggestion to move the ASTM language to the Local Health Officer section is a change in the construction of WAC. It would state that public health is responsible for inspection of the ASTM standard, but it would not mandate schools to go

out and purchase the ASTM standards. This change may offer schools more flexibility to learn about the standards without the added cost burden.

Facilitator Langehough asked whether that would be a more consultative role.

Chair Hayes clarified the suggestion. The Local Health Officer section would require the health department to use the ASTM standards during inspections, rather than placing the expectation on the school itself. Option 1, as written, means the school needs to adjust and meet standards right now. Option 2, as suggested, the school knows that the health department will come in and do this. This places the requirement on the system rather than individual schools. The Educational Service Districts (ESD), school districts, and public health can determine how to educate everyone to these standards rather than an immediate burden on schools—doesn't change standards or inspection to that standard—flexibility in budgets of, education about, and phasing of new standards.

Facilitator Langehough asked whether moving the ASTM requirement to a new section changes where the accountability lies? If the school is accountable for knowing the standards but the reference is in the health officer section, does that create confusion?

Chair Hayes recommended staff ask this question of the Attorney General and further consider this option.

Member Rasmussen disagreed. Schools typically work with a playground manufacturing representative when purchasing and installing equipment. That representative needs to ensure that each piece of equipment meets the standards. It would be confusing to leave out the standard for schools because they wouldn't know what standard to consider when installing something new.

Member Buck clarified that the section for schools does not discuss inspection. Someone can inspect at a cursory level but there are inspectors from the health department, ESD, and insurance carriers who are trained or certified to inspect technical elements. This section focuses on basic requirements.

Member Hockaday agreed and provided additional context about ASTM standards including technical specifications of each piece of equipment. Unless someone is doing a home build, distributors already ensure each piece meets the standard. The requirements for operators, elements of the standards schools would want to access, include, setting up an inspection program, and conducting basic checks for hazards like loose bolts, broken glass, vandalism, etc. Basic checks should be completed frequently and should include a deeper review on an annual basis. The proposed language works from my perspective. Only a small piece of the large technical standards is relevant to schools.

Member Jenks asked about the level of overlap between ATSM and the Consumer Product Safety Commission's (CPSC) Handbook.

Member Hockaday said there is significant overlap. CPSC condenses ASTM into a consumer-friendly format. The level of detail included in the ASTM is appropriate for the manufacturer, the designer, or the inspector.

Member Jenks agreed with Chair Hayes' proposal that the school specific section reference the Consumer version, and the Local Health Officer section version include the ASTM.

Member Hockaday reiterated that there are elements in ASTM that are not covered in CPSC.

Facilitator Langehough clarified that members have a high-level understanding of what is included in both guidelines and that there is some concern about including the ASTM standards under the school official due to access barriers. If access is key to deciding on this language, the staff should consider access as an action item to research and bring information to the next meeting for a vote.

Member Allison asked for clarification on whether schools purchasing equipment are already meeting guidelines, but home-builds may be out of compliance.

Member Hockaday clarified that purchased playground equipment can also be out of compliance with these standards if there are mistakes made during installation. These are issues often identified during plan review. For example, the placement of two pieces of equipment may create an entrapment or entanglement hazard. Routine inspections generally focus on how the school maintains it.

Member Buck asked if either ASTM or the CPSC handbook addresses inspections and whether the rule is referencing that certification as part of the inspection.

Facilitator Langehough stated that this part of the rule does not focus on inspection, but inspection is part of the process.

Member Hockaday clarified that getting Certified Playground Safety Inspector (CPSI) certification, through the National Recreation and Park Association (NRPA), is a great way to train staff to meet the standard but is not required here. People who do take the certification course do get access to the ASTM standard through that course. But this is not feasible for all schools or districts to have a CPSI on staff.

Facilitator Langehough said that committee members seem to be on the fence on where the ASTM reference belongs in the school official or health official. They called for a vote to determine whether to adopt the language as is or with modification.

Voting Results

As is	With edits
21	1

Facilitator Langehough announced a consensus to pass the language as is.

Playgrounds Sections (1)(c) – (e)

Facilitator Langehough introduced the language.

Language

(c) Provide playground plans and equipment specifications and any additional information the local health officer request;

- (d) Obtain plan review and written approval from the local health officer before installing, adding, or modifying playground equipment or fall protection surfaces; and*
- (e) Prohibit the use of chromated copper arsenate or creosote-treated wood to construct or install playground equipment, landscape structures, or other structures on which students may play.*

Member Jenks asked whether creosote is still an issue and whether the specific language is necessary?

Members Hockaday confirmed that creosote railroad ties are still occasionally an issue at schools.

Member Freeman asked whether providing playground plan specifications would only be required for a new piece of equipment as part of the initial plan approval. Member Freeman said finding specifications for old equipment may be difficult or impossible.

Facilitator Langehough asked staff to clarify the proposed language.

PA Helping clarified that the section specifies the opening of a new playground, adding new features, or modifying existing playground equipment. Having plans available would be pertinent if a school was modifying existing playground structures.

PM Kamali said this section is focused on new installations, but it would be helpful to find plans for modifying an existing playground structure.

Facilitator Langehough called for a vote to determine whether to adopt language as is or with modifications.

Voting Results

As is	With edits
21	0

Facilitator Langehough announced a consensus to pass language as is.

Playgrounds Sections (2)(a) – (c)

Facilitator Langehough introduced the language.

Proposed Language

- (2) The local health officer shall:*
 - (a) Consult with a school official to determine requirements for playground plan review and approval consistent with the scope of the project;*
 - (b) Review playground plans and equipment specifications to confirm that the requirements of these rules are addressed;*
 - (c) Identify and request any additional documents required to complete the review;*

Member Hanson asked whether any recommendations or requirements outline how long before the Local Health Officer must respond to a playground plan review request. Health

department funding and staff capacity challenges could potentially disrupt a timely review process and create a problem for schools.

PM Kamali said that the subcommittee on Playground Plan Reviews worked on this issue and the plan review section will include a general timeline for when a Local Health Officer needs to respond.

Facilitator Langehough called for a vote to determine whether to adopt language as is or with modifications.

Voting Results

As is	With edits
21	0

Facilitator Langehough announced a consensus to pass language as is.

Playgrounds Sections (2)(d) – (f)

Facilitator Langehough introduced the language.

Proposed Language

- (2) The local health officer shall:*
- (d) Provide written approval or denial of the playground plans and equipment specifications within thirty days of receiving all documents needed to complete the review unless the school officials and the local health officer agree to a different timeline;*
- (e) Verify that playground installation complies with the requirements of this section; and*
- (f) Coordinate all playground-related inspections with the school official.*

Facilitator Langehough asked committee members to share any comments and questions. Hearing none, they called for a vote to determine whether to adopt the language as is or with modifications.

Voting Results

As is	With edits
22	0

Facilitator Langehough announced a consensus to pass language as is.

9. Language: Introduction to Indoor Air Quality

Facilitator Langehough introduced Ali Boris, Indoor Air Quality (IAQ) Specialist for the School Health and Safety and Indoor Air Quality Program from the Office of Environmental Health and Safety at the Washington State Department of Health.

Presenter Boris introduced her colleagues online: Scott Reynolds from the Washington State Department of Health and Elizabeth Jakab of the Puget Sound Educational Service

District. The three of them joined the meeting to discuss clean classroom air. The mission of the Environmental Health and Safety Program is to work with partners across the state to promote and incorporate environmental health and safety into their design, maintenance, and operation.

Presenter Boris explained that poor indoor air quality causes health issues in students and staff and affects the learning environment. It has been linked to decreased test scores, poor learning, and student and staff absences, which cost schools a considerable amount of money. The solution has been available for some time—the Indoor Air Quality Management Plan (IAQMP).

Presenter Reynolds shared that poor IAQ has been linked to various health issues including respiratory infections, asthma, coughing, eye irritation, headaches, and allergic reactions. It has also been shown to reduce math and language exam results. Improving IAQ results in positive educational outcomes and a decrease in school absenteeism.

An IAQMP is a written procedure, and a practice used to prevent and control air quality. Resources are available to schools and districts on the EPA's website, called *Tools for Schools*. Presenters proposed that a plan can be simple and low-cost. They estimated that a plan would need a range of 21 to 31 hours to set up with an estimated 9 to 18 hours weekly to manage the plan.

A plan would begin with identifying a coordinator. The plan should include someone familiar with the building's HVAC system and building maintenance and operations. Support from school administration is key to a successful plan.

The presentation included case studies and statistics to back up an IAQMP. New Jersey, Oregon, Wisconsin, Connecticut, Rhode Island, and Minnesota all require schools to have plans.

Presenter Jakab shared experiences of plans in practice. They have observed school environments and spoken with staff and administration about their challenges. The EPA's *Tools for Schools* guide has good content, but it can be overwhelming. In summary, the three most important points to an IAQMP include the following: good ventilation (HVAC system), pollution control or reduction (chemical/biological, simple dust), and communication collaboration (stakeholders).

The presentation included photos illustrating some common issues. One example included cluttered classrooms with a large amount of artwork, books, rugs, etc., which contributed to dust collection and air circulation issues. They explained the easy, low-tech fix of cleaning, removing unnecessary items, and organizing. A second example showed fragrances and cleaning and disinfecting products used in a classroom that contained higher-level health hazards and irritants. They explained that an easy solution would be the adoption of a policy for the use of approved, fragrance-free products only, that are low-level health hazards, and that the policy contains proper use and storage of products and chemicals.

The Department of Health has guidance on low-cost, low-hazard products. Creating an IAQMP and having a coordinator can save Washington schools money. While the primary goal of IAQ is health and safety, data shows that there can be financial costs to poor IAQ.

Not responding or responding late or in incompetent ways to complaints and concerns can lead to worries and concerns from staff and parents. If they feel unheard, they may file lawsuits costing schools millions of dollars. Health problems, lost productivity, disgruntled employees, disruption of quality education, maintenance programs distracted from primary goals, and buildings degrading without proper preventative maintenance can also contribute to the high cost of poor air quality.

The presentation concluded with an example of a model plan that was a three-page, editable document that could be tailored to the needs of the school.

10. Open Discussion/Questions

Facilitator Langehough encouraged committee members to take advantage of having the experts here and reminded them that indoor air quality is a topic for our next meeting.

Member Kellogg asked about gas pipe leaks and carbon monoxide poisoning and mentioned hearing a lot about it with IAQ and safety.

Presenter Jakab replied that those are covered under management of air contaminants and a gas leak would be under emergency management.

Presenter Boris added that carbon monoxide monitors are required in schools.

Member Jenks asked if IAQ addressed viruses. Is there enough data to give recommendations on disease prevention? What about carbon dioxide (CO₂) levels?

Presenter Boris answered that there is guidance on outdoor air ventilation rates and a minimum rate required by building codes for schools, which is currently 15 to 20 cubic feet per minute (CFM). The World Health Organization has a higher flow rate recommendation at 21 CFM, and the latest evidence supports 30 CFM. They keep their eye on the research.

Presenter Jakab stated that CO₂ is the gas that helps us understand ventilation. They monitor CO₂ levels as a proxy. Levels are simple to monitor, and there are good tools to know recommended numbers, how frequently to monitor, etc. During the pandemic, ventilation rates increased, but since then ventilation rates decreased because of energy consumption. School districts must decide what is more important: good airflow and the benefits it brings or energy conservation. These two go head-to-head. We advocate for increased ventilation.

Presenter Boris added that there are standards proposed for some IAQ parameters such as CO₂ concentrations, but we don't currently have these standards in place for particulate matter (PM) 2.5 and ultrafine particles.

Member Kellogg commented that it would be helpful to have guidance on wildfire smoke and has a list of chemicals of concern but suggested those topics could be saved for another time.

Facilitator Langehough agreed to save them for a future meeting.

Chair Hayes suggested that the committee consider including the tension between energy efficiency and the ability to achieve IAQ to the policymakers in the final report to the Legislature. Policymakers need to be aware of this struggle in the industry.

Member Buck agreed with Chair Hayes' statement. The Clean Buildings legislation creates significant challenges for school districts as they balance IAQ, thermal regulation, and energy efficiency.

11. Recap

Facilitator Langehough listed indoor air quality, lighting, and noise as topics for the next committee meeting on October 31, 2024.

Action items:

1. Incorporate new topics into the Departments new K-12 guide: water quality, referencing EPA standards, and green cleaning.
2. Find out if the state department can make the ASTM document available to all schools or build it into fiscal analysis.
3. Define unsecured playground equipment.

Parking lot items:

1. Share Department guidance for cleaning that has been published.
2. Get specific "recommended" shade language for playgrounds.

12. Next Steps

PM Kamali announced that the next meeting will be on October 31, 2024, in Olympia at the Cherberg Building. The committee will cover topics from the subcommittee along with parking lot items. Let us know if you have any changes in plans to attend in person as soon as possible. We have confirmed two additional meetings. We have a tentative virtual meeting scheduled for December 16, 2024. On January 16, 2025, we will have a hybrid meeting with in-person attendance in SeaTac that will cover the fiscal analysis of the rule. On February 6, 2025, we will have our final review of the rule. We will also review public comments collected during the public comment period. We will send a recap, and calendar holds for these dates.

Chair Hayes appreciated matching topics and would like to model respectful disagreements. Please communicate if there are ways to support this work.

The report to the Legislature is going to be very important. Key issues have been identified that can be provided to new legislators to level the conversation going forward. We have an opportunity for all to share key notes and stories.

ADJOURNMENT

Chair Hayes adjourned the meeting at 2:52 p.m.

WASHINGTON STATE BOARD OF HEALTH

Patty Hayes, Chair

To request this document in an alternate format or a different language, please contact the Washington State Board of Health at 360-236-4110 or by email at wsboh@sboh.wa.gov
TTY users can dial 711.

PO Box 47990 • Olympia, Washington • 98504-7990
360-236-4110 • wsboh@sboh.wa.gov • sboh.wa.gov