

Notice of Public Meeting

School Environmental Health and Safety Rule Project Technical Advisory Committee Wednesday, December 4, 2024, 9:00 a.m. – 3:30 p.m. Physical meeting location: Washington State Department of Health 111 Israel Rd. SE Tumwater, WA 98501 Meeting Room: Building TC1 Room 163/164 Virtual meeting: ZOOM Webinar (hyperlink provided on next page) Language interpretation available

Agenda

Time	Agenda Item	Speaker
	Call to Order	Patty Hayes, TAC Chair
0.00		• •
9:00 a.m.	1. Minutes Review	Patty Hayes, TAC Chair
9:05 a.m.	2. Reminders	Patty Hayes, TAC Chair
9:10 a.m.	3. Objectives and Meeting Agreement	Karen Langehough, Facilitator
9:15 a.m.	 4. Workshop Funding Opportunities Introductions Perspectives Commerce: Clean building Performance Standards DOH: Healthy Buildings Healthy Environments TAC: Practical Application Discussion 	Patty Hayes, TAC Chair and Karen Langehough, Facilitator
11:40 a.m.	Break	
11:50 a.m.	5. Break Out Sessions	Dept of Commerce
12:20 p.m.		
	6. Key Takeaways	Karen Langehough, Facilitator
12:30 p.m.	6. Key Takeaways Lunch	Karen Langehough, Facilitator
12:30 p.m. 1:00 p.m.		Karen Langehough, Facilitator Karen Langehough, Facilitator
	Lunch	
1:00 p.m.	Lunch 7. Routine Inspection	
1:00 p.m. 1:30 p.m.	Lunch 7. Routine Inspection Break	Karen Langehough, Facilitator
1:00 p.m. 1:30 p.m. 1:40 p.m.	Lunch 7. Routine Inspection Break 8. Language: Specialized Rooms	Karen Langehough, Facilitator Karen Langehough, Facilitator

To access the meeting online and to register: https://us02web.zoom.us/webinar/register/WN_C45BI5tMQiy8NUyDRHBHyA

You can also dial-in using your phone for listen-only mode:

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Webinar ID: 823 2879 2263		
Passcode: 106633		

Important Meeting Information:

- 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), or Communication Access Real-time Transcription (CART) services. Should you need confirmation of these services, please email <u>wsboh@sboh.wa.gov</u> 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 <u>reasonable modification</u>, please contact the State
 Board of Health at (360) 236-4110 or by email <u>wsboh@sboh.wa.gov</u>. 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.

Public comments and recommendations. You can comment on the draft rule in December 2024 during focus groups, or you can submit comments online by going to <u>School Environmental Health</u> and <u>Safety Rule comment form</u>.



Aviso de reunión pública

Proyecto de normas de salud y seguridad ambiental escolar Comité de Asesoramiento Técnico Miércoles 4 de diciembre de 2024, de 9:00 a.m. a 3:30 p.m.

Lugar de la reunión presencial: Washington State Department of Health 111 Israel Rd S.E. SE Tumwater, WA 98501 Sala de reunión: Edificio TC1, Sala 163/164 Reunión virtual: seminario web por Zoom (hipervínculo en la página siguiente) Servicios de interpretación disponibles

Orden del día

Hora	Punto del orden del día Apertura	Orador Patty Hayes, presidenta del TAC (por su sigla en inglés, Comité de Asesoramiento Técnico)
9:00 a.m.	1. Revisión de actas	Patty Hayes, presidenta del TAC
9:05 a.m.	2. Recordatorios	Patty Hayes, presidenta del TAC
9:10 a.m.	3. Objetivos y acuerdo de la reunión	
9:15 a.m.	 4. Taller Oportunidades de financiación Presentaciones Perspectivas Comercio: normas de desempeño para edificios ecológicos DOH (por su sigla en inglés, Departamento de Salud del Estado de Washington): edificios sanos, entornos sanos TAC: aplicación práctica Debate 	Patty Hayes, presidenta del TAC Karen Langehough, facilitadora
11:40 a.m.	Receso	
11:50 a.m.	5. Sesiones en salas de grupos reducidos	Departamento de Comercio
12:20 p.m.	6. Conclusiones clave	Karen Langehough, facilitadora
12:30 p.m.	Almuerzo	
1:00 p.m.	7. Inspección de rutina	Karen Langehough, facilitadora
1:30 p.m.	Receso	
1:40 p.m.	8. Contenido: salones especializados	Karen Langehough, facilitadora
2:40 p.m.	9. Contenido: iluminación	Karen Langehough, facilitadora
3:10 p.m.	10. Recapitulación y próximos pasos	Andrew Kamali, gerente de proyectos
3:30 p.m.	Levantamiento de la sesión	

Para acceder a la reunión en línea y registrarse: https://us02web.zoom.us/webinar/register/WN C45BI5tMQiy8NUyDRHBHyA

También puede participar por teléfono, mediante la modalidad de solo escucha:

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Id. del seminario web: 823 2879 2263 Contraseña: 106633

Información importante sobre la reunión:

- 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 email a <u>wsboh@sboh.wa.gov</u> 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 email a <u>wsboh@sboh.wa.gov</u>. 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.

Comentarios públicos y recomendaciones. Puede hacer comentarios sobre las normas preliminares en diciembre de 2024 durante los grupos de discusión, o puede presentar los comentarios en línea en el <u>formulario de comentarios del Proyecto de normas de salud y seguridad</u> <u>ambiental escolar</u> (en inglés).

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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 or Environmental Health & Safety	Washington Association of Maintenance and Operation Administrators & Tacoma 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 Stanger	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 Helpling

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..."



Minutes for School Environmental Health and Safety Rule Project Technical Advisory Committee Meeting November 20, 2024 Hybrid Meeting ASL (or CART) Davenport Grand Hotel 333 W. Spokane Falls Blvd. Spokane, WA 99201 Meeting Room: Cedar Ballroom Virtual meeting: ZOOM Webinar

Technical Advisory Committee members:

In-Room Participants

Patty Hayes, RN, MSN, Chair Tammy Allison, Washington Association of School Business Officials Becky Doughty, Spokane Public Schools Brian Buck, Lake Washington School District Brian Freeman, Inchelum School District Erin Hockaday, Benton Franklin Health District David Hammond, Washington Association of School Administrators (WASA) Suzie Hanson, Washington Federation of Independent Schools Lauren Jenks, Washington State Department of Health Steve Main, Spokane Regional Health District Laura Peterson, Washington State PTA (reside in Everett School District) Jeff Rogers, WAMOA and Auburn School District Preet Singh, Bellingham Public School Brook Wilkerson, School OPS Nicole Daltoso, Evergreen Public Schools (Clark County)

Online Participants

Devon Kellogg, Washington State PTA (reside in Lake Washington SD) Gina Yonts, Association of Washington School Principals Jared Mason-Gere, Washington Education Association Kate Espy, South Kitsap School District Kellie Lacey, Richland School District Laurette Rasmussen, Whatcom County Health & Community Services Pam Schwartz, Washington State Catholic Conference/Catholic Schools Samantha Fogg, Washington State PTA (Seattle Public Schools) Tyler Muench, Office of Superintendent of Public Instruction (OSPI)

Technical Advisory Committee members absent:

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

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

Marissa Rathbone, Washington State School Directors Association Lindsay Loftstrom, Deer Park School District Sandy Hayes, North Shore School District Melissa Beard, Tumwater School District

1. Minutes Review

<u>Patty Hayes, Committee Chair</u>, welcomed committee members and convened the meeting of the School Rules Technical Advisory Committee at 9:00 a.m. Chair Hayes presented meeting minutes and asked if there were any questions or comments.

<u>Chair Hayes</u> welcomed the American Sign Language (ASL) and Spanish language interpreters and expressed appreciation for their patience and support as the team navigated technical challenges. <u>Chair Hayes</u> asked members attending the meeting virtually to note comments and questions in the Zoom Webinar chat function.

Members did not have any questions or comments regarding the previous minutes.

2. Reminders

<u>Chair Haves</u> highlighted the listening session on December 3 and will meet with the Washington Federation of Independent Schools.

Karen Langehough, Facilitator, briefly reminded members of the procedures for microphones and speaking slowly for translators.

3. Introductions

<u>Facilitator Langehough</u> asked committee members to introduce themselves. See the list of in-room and online participants above.

4. Objectives and Meeting Agreement

<u>Facilitator Langehough</u> reviewed the objectives for today's meeting and previously discussed committee agreements on how to work together. They highlighted the hard work and language subcommittees brought for discussion during today's meeting.

<u>Facilitator Langehough</u> said that the School Director's Discussion would provide members insight into what is important to school directors and offer members the opportunity to ask questions. They said they would transition to reviewing and discussing revised language related to construction, indoor air quality, routine inspections, specialized noise, and ventilation. They reminded members that the committee's final review of language should occur in February 2025 so that recommendations are ready to present to the Washington State Board of Health (Board) in April 2025.

<u>Facilitator Langehough</u> reviewed the committee agreements and reminded members to focus on defining the minimum standards rather than how to implement them.

<u>Andrew Kamali, Project Manager</u>, shared that the committee is now receiving public comment. <u>PM</u> <u>Kamali</u> stated that six public comments have been received to date (November 20, 2024) and staff will share comments with both committee and Board members. <u>PM Kamali</u> said comments have addressed multiple sections and some have indicated the draft rules do not go far enough while others state new rules cost money. <u>PM Kamali</u> said that this feedback indicates the draft languages may strike a balance. <u>PM Kamali</u> asked committee members to look for email notices of public comments for review and consideration as the committee develops these rules.

<u>Chair Hayes</u> reminded committee members to identify things for staff to consider incorporating to the committee's report to the Governor and Legislature. <u>Chair Hayes</u> asked committee members to both reflect on the process used to develop rules and flag learnings in comments so staff can begin to frame the report. <u>Chair Hayes</u> stated the report is an opportunity to communicate the complexity of the work to policymakers who are responsible for taking the next step to support the system.

<u>Chair Hayes</u> identified the upcoming December 4 workshop as another unconventional approach the committee is taking and an opportunity to learn more about the Clean Building Performance Standards. <u>Chair Hayes</u> stated the workshop's purpose is for committee members to hear directly from the Department of Commerce (Commerce) and to share the work we're doing to establish minimal Public Health safety standards for school environments. The workshop presents an opportunity to hear where there may be conflicts between the Standards and the Rules and to inform Commerce of potential issues directly as well as to inform the report to the Governor and Legislature. <u>Chair Hayes</u> said the goal of the workshop is not to identify huge solutions but to bring clarity and reflection. <u>Chair Hayes</u> stated that members of the Legislature want to know where there may be issues to address through the Legislative Branch.

<u>PM Kamali</u> briefly outlined the workshop and asked committee members to respond to the survey with questions for the Commerce and to indicate which breakout groups they would like to be in for the workshop (private, public, large, rural) that fits their school type/context to discuss the circumstances that may affect your facility.

Brian Freeman, Committee Member, indicated attending breakouts with other school officials would be more useful than based on school type (e.g., rural versus urban).

<u>PM Kamali</u> asked whether Member Freeman meant organizing by the type of school official. PM Kamali noted that both Commerce and Office of Superintendent and Public Instruction (OSPI) intended to discuss funding opportunities which differ by facility type (e.g., public, private, independent). PM Kamali said he would reopen the survey and may send out the survey again with a few adjustments based on today's feedback.

5. School Directors Discussion

<u>Facilitator Langehough</u> asked the School Board Directors to introduce themselves. Marissa Rathbone of the Washington State School Directors Association, Lindsay Loftstrom of Deer Park School District, Sandy Hayes of North Shore School District, and Melissa Beard of Tumwater School District, introduced themselves.

<u>Facilitator Langehough</u> asked the Directors what their experiences with environmental health and safety in schools have been.

<u>Director Hayes</u> answered that the most common topic is indoor air quality and explained that the pandemic highlighted the importance of air quality. Another issue seen in Western Washington is the lack of air conditioning in all rooms in schools. Also, with wildfire season being in hotter months, and poor outdoor air quality outside, schools need to close the doors to protect air quality and then schools deal with high temperatures. Another challenge for schools is the disparity between health departments and regulating authorities applying rules inconsistently. School districts can span various cities and counties and that can be confusing and problematic for school districts when the cities and counties have different requirements.

<u>Director Loftstrom</u> added that for medium-sized schools, the cost is an important factor and encouraged committee members to not propose unfunded mandates. Consider hidden costs in staff overtime to complete maintenance and keep up with mandates. Communities are not passing bonds and don't want increased taxes. School districts are having to go back to the drawing board to find solutions.

<u>Director Beard</u> said that their district uses levies when possible and explained they couldn't do it by bond. Their district has a professional expert that helps them through the process, but not all districts have resources like theirs.

Facilitator Langehough asked what the most common environmental health and safety issues are.

<u>Director Beard</u> answered indoor air quality followed by mold and temperature.

<u>Director Hayes</u> agreed that the number one topic is indoor air quality but added that many times the conversation turns to covering the costs, as improving indoor air quality is very expensive.

<u>Facilitator Langehough</u> asked if there were any other aspects of environmental health and safety in schools the directors wanted to share.

<u>Director Loftstrom</u> pointed out that their district submitted a letter that would go into further detail but wanted to mention that pest control, especially with bees this year, has been a huge struggle. They also deal with mice in eastern Washington. They hear that rats are an issue in western Washington.

<u>Facilitator Langehough</u> asked if there were additional concerns or comments around funding and unfunded mandates.

<u>Director Hayes</u> stated communication between regulating agencies is important. The process can be long and confusing for school districts when they run into conflicting regulation requirements.

Director Loftstrom wondered how these rules dovetail with the Climate Commitment Act.

<u>Director Rathbone</u> shared that they hear a lot from community members about safe drinking water and pest management control. One area of improvement can be public education. Let families know what silent work has been done or is being done in these areas already. They attended a School Rules Listening Session recently and would like to see these sessions continue to gather information and educate the communities. It would be helpful for these sessions to continue outside of rulemaking.

<u>Chair Hayes</u> thanked everyone for their comments and questions and shared that the committee is holding a workshop in December with the Department of Commerce and the Department of Health. The committee is hoping to bring the stakeholders to the table for communication and understanding to discuss solutions and raise awareness at the legislative level of these issues and identified areas of concern. At the workshop, we hope to bring policymakers on the two topics of health and safety and energy efficiency together. <u>Chair Hayes</u> invited the directors to attend the meeting or listen to the recording. The committee is having good conversations and trying to be mindful of burdens.

<u>Director Hayes</u> wanted to share that sometimes rulemaking doesn't consider alternatives completely and doesn't always make common sense. They gave the example that the maximum amount of lead allowed in water in schools is less than what is found in bottled water. So, if a school must shut down its drinking water supply and bring in bottled water as an alternative, the alternative may be worse than the original. They want the committee to be mindful of alternatives and what they mean.

<u>Director Rathbone</u> suggested that the committee consider starting with no-cost or low-cost preventative measures. School districts are doing all they can to get ahead of problems. Incremental changes are good ways to make changes, especially when it comes to funding. Maintenance is often missed or not spoken about but is essential. There is a bill coming up to change the passing of bonds to simple majority. Supporting this could be a good funding opportunity for these changes.

<u>PM Kamali</u> asked the directors what updates their schools have made and if there are any environmental health and safety topics they are excited about.

<u>Director Hayes</u> shared that two of their schools use geothermal heat and cooling, and they are remodeling three more that will do the same. They also have a half dozen electric buses and estimate it will take 50 years to replace all buses due to the expense. Cost and funding are two major factors in what they can do.

<u>Director Beard</u> shared that their district spent 19 million dollars on various environmental and health updates and upgrades.

<u>Director Loftstrom</u> added that their school district updated the HVAC in two buildings and a roof on an elementary recently, at the cost of over one million dollars. They also shared that work to be completed would replace faucets at the cost of \$12,000. Bonds don't pass, so they must use leftover money they save to pay for such costs. They struggle when it comes to having to upgrade facilities.

Facilitator Langehough asked for questions from the committee members.

<u>Member Freeman</u> thanked the Directors for clarifying the competing needs when it comes to environmental health and safety. There are districts in Washington that don't have bonding capacity at all, and state funding is very limited.

<u>Director Beard</u> shared the unfortunate reality that curriculum adoption would likely be postponed if schools need to fund environmental mandates. There is no state mandate for curriculum adoption, so a mandate would have to be prioritized. That has unfortunate consequences.

Director Hayes agreed and added that triage is required.

<u>Pam Schwartz, Committee Member</u>, commented that this is the challenge the committee faces. Everyone wants to do what's right and prioritize student safety and health, but if the funds are not there, especially in the private sector where public funds are not available, it's a challenge.

<u>Lauren Jenks, Committee Member</u>, asked how the Directors characterized their relationship with local health departments and wondered how they could help support the school districts.

<u>Director Hayes</u> answered that they didn't realize the local health districts existed before the pandemic. The pandemic introduced them to the local health district. However, they have receded into the background again lately as the focus is now on other things after the pandemic ended. The relationship is something that should be maintained.

<u>Director Rathbone</u> explained that at the school board level, they don't interact with the health districts as much, but staff works with them.

<u>Suzie Hanson, Committee Member</u>, wondered if the Directors have thoughts on how to coordinate the regulating bodies and reduce conflict and stress around different rules and guidelines between agencies and regulating bodies.

<u>Director Hayes</u> stated they had no answers, but many examples of issues without coordinating. It would be imperative to have school districts represented as a stakeholder when decisions are being made.

<u>Director Beard</u> agreed that schools should be at the table especially when decisions made will affect them.

<u>Director Rathbone</u> suggested that educating the community is also an important step, so they know what is planned, what is happening, and in the works. They also wanted to call attention to school staff members, which aren't spoken about nearly as much. The environmental health of a school building is not just an educational issue, it's a workforce issue. <u>Director Rathbone</u> suggested terminology in rules that allow for local flexibility or local control because each school and its local authority is who understands what's best for that school. Additionally, flexibility in timelines to allow the school districts to be responsive is very helpful for planning and funding.

<u>Director Hayes</u> thanked the committee for having them here today and at the table, it clearly shows schools are being considered, and that the committee wants to hear their voices and what they have to say.

<u>Chair Hayes</u> thanked the Directors for the many thoughts and considerations they brought to the committee, some they are aware of, and others are new. The report the committee is working on is not just the rule, but the timing of the rule, and that may be something to speak with them about further. It would be nice for the Directors to review the timeline and provide feedback or thoughts once in place. The feedback provided about not being at the table or included with local agencies and within local systems provides an opportunity for it to be included in the legislature report, perhaps not in rule form, but in partnership form. <u>Chair Hayes</u> suggested perhaps they work with PM Kamali to come up with some language to present to the committee for their report and added that the report should flag these types of things.

<u>Member Freeman</u> added that they will advocate for districts to have the ability to prioritize and have a plan similar to the Clean Energy Bill, with the idea that if there's a plan, they will be complying. They also asked for language suggestions and encouraged Directors to reach out with suggested language.

Break at 10:40 a.m. Returned at 10:50 a.m.

6. Language: Construction Subcommittee Updates

Facilitator Langehough introduced the intent of the section.

Intent

Review the construction plan review sections of the rule that the subcommittee updated after the TAC meeting on October 4, 2024.

<u>Facilitator Langehough</u> acknowledged the subcommittee members who brought this subcommittee recommendation back.

<u>Member Freeman</u> said that based on a commitment of 60 days, they are concerned that without documentation, schools can get to the 60th day and find they need additional documentation.

<u>PM Kamali</u> discussed the process and the middle ground to move at "the speed of compromise" to meet the intent.

Brian Buck, Committee Member, asked for a definition of specialty areas, like playgrounds, before going further.

<u>Facilitator Langehough</u> said the intent of the language is the requirements for construction, referred to the documentation, and asked the committee to read through it one more time to refresh their understanding of the details.

<u>Tammy Allison, Committee Member</u>, asked if there was a consensus with the committee when they came up with the proposed language.

<u>Steve Main, Committee Member</u>, believed there was good consensus. They discussed getting design and construction documents in early to local health jurisdiction, so schools could have the comments early on or ask for clarification. That's why the subcommittee specified a 50% design development stage. In (3), local health jurisdictions are required to respond in 15 days.

Facilitator Langehough asked if we have a definition of playgrounds in previous sections.

PM Kamali confirmed that we voted earlier in our playground language.

<u>Member Buck</u> said there is a difference between types of playgrounds and wants to be clear on what we are talking about.

<u>Erin Hockaday, Committee Member</u>, said we decided to adopt the American Society for Testing and Materials (ASTM) standard for public playgrounds and grounds.

Facilitator Langehough asked if we could access that.

<u>Member Hockaday</u> reminded the committee that ASTM is behind a paywall, but they have access.

<u>Facilitator Langehough</u> asked to move forward with this language and then come back if needed with the language for specialized rooms.

<u>Member Buck</u> said that specialized rooms could be many types such as a science lab, a project lab, or a resource room for special education. School districts need to understand what's included.

<u>PM Kamali</u> thanked Member Buck for the comment. The intent is to move away from the term "high-risk" rooms because it isn't inclusive of all rooms under consideration.

<u>Nicole Daltoso, Committee Member</u>, asked whether 1(d) alteration of playground would include maintenance—would that need to go to plan review?

<u>Member Main</u> confirmed that the committee did discuss maintenance. Routine maintenance would not fall under this, but significant alteration would.

New, Alterations, and Portable (1)

Facilitator Langehough introduced the language.

Proposed Language

(1) The following school construction projects must be reviewed and approved by the local health officer:

(a) Construction of a new school facility, playground, or specialized room;

(b) Schools established in all or part of any existing structures previously used for other purposes;

(c) Additions or alterations consisting of more than five thousand square feet of floor area or more than 20 percent of the total square feet of an existing school facility, whichever is less or

(d) Alteration of a playground or specialized room; and

(e) Installation or construction of a portable.

<u>David Hammond, Committee Member</u>, said we are changing from "reviewed" to "reviewed and approved" by the local health officer. Is this the sole discretion of one person doing approval?

<u>Member Hockaday</u> discussed how in a local health jurisdiction, the health officer may not do the review. Someone under them may do the review.

<u>Member Hammond</u> said they have a great relationship with the local health officer, but they wondered if one person could stop construction. Would there be an appeal process?

Facilitator Langehough said we did have language earlier about an appeal process or exceptions.

<u>Member Jenks</u> said that many times a local health officer may work part time. Good relationships are important, and it's not just a single person.

<u>Member Hanson</u> stated that working statewide, they can provide many experiences. But if the one person is unkind, or has a vendetta, how are schools protected?

<u>Chair Hayes</u> acknowledged the issue of home rule. The appeal would go to the local board of health. If the committee is still uncomfortable, this could be flagged in the report. The point that it doesn't just stop with that one individual is an important one. The Department of Health (Department) will need to put this in their guidelines.

<u>Member Buck</u> said that for local construction, the approval comes from a local health officer. They weren't certain.

<u>Member Jenks</u> explained that the local health officer reports to the health department. So there is an escalation path within the health department before any other appeal process. The focus should be on building those good relationships and setting it up in a way that it can be productive and not end up needing to appeal.

<u>Jeff Rogers, Committee Member</u>, explained that they usually go out directly to the vendor and ask for the ASTM standard or any playground information that is needed to maybe override the concern of the local health jurisdiction.

Facilitator Langehough reiterated that there is a typical process and plan for the appeal process.

<u>PM Kamali</u> explained that the term local health officer is the legal term. They are responsible for the review, but they are not likely to do this work themselves. It is their internal team that has the expertise. For example, if a local health officer is out of bounds, there is a process for investigation at the State Board of Health. The health officer's position is apolitical and they are there to meet the legal requirements. They may not be the one doing the plan review.

<u>Tyler Muench, Committee Member</u>, asked if there is anything in current RCW or WAC that would have a local health officer reviewing a new school facility. Is this a new requirement?

PM Kamali said no, this is not a new requirement.

<u>Member Hammond</u> said that the description of a group of people at the health department working on a review doesn't reflect the current practices.

<u>Chair Hayes</u> said that the Department can clarify the definition in their guidelines. The existing rules use local health officers. Also, there is an appeals process to the local board of health.

<u>Member Jenks</u> said that "local health officer" is legal jargon. It references a local health officer who oversees the work done by a team.

<u>Member Hockaday</u> addressed Member Muench's question. Looking at the table on page five, it says "shall obtain health officers recommendation." There are multiple people in a department. Approval is referenced from the local health officer.

<u>Member Freeman</u> pointed out that there are many RCWs and WACs that say "the superintendent shall..." I'm surprised it says a "school official" shall.

Facilitator Langehough called for a vote on Section 1: Language as is, or with edits.

Voting Results

As is	With edits
19	0

Facilitator Langehough announced a consensus for the language as is.

New, Alterations, and Portable (2)(a)-(c)

Facilitator Langehough introduced the proposed language.

Proposed Language

(2) A school official shall:

(a) Consult with the local health officer at the 50 percent design development stage for school construction projects plans to determine if the project requires construction review;

(b) Provide additional documents requested by the local health officer, which may include, but are not limited to, written statements signed by the project's licensed professional engineer verifying that design elements comply with requirements specified by these rules;

(c) Consult with the local health officer to determine whether additional construction project review is required to ensure that the project meets the requirements of these rules;

<u>Member Freeman</u> said they met with the local health jurisdiction. It was their first time doing a review. The concern with 60 days is that it might get down to 15 days, and they will want more documents. This is key for jurisdictions without experience.

<u>Member Daltoso</u> said that the 50% design is submitted, but the rest of the design keeps going forward.

<u>Member Main</u> said at 50%, the local health jurisdictions will have questions that will inform the rest of the design. That's when they will communicate the need for additional documentation if necessary. Could be true for specialized rooms, are there going to be hoods, eye washes. The purpose is to get this to the health official early on, so we can be pretty close to what we need.

Voting Results

As is	With edits
21	0

Facilitator Langehough announced a consensus for the language as is.

New, Alterations, and Portable (2)(d)-(f)

Facilitator Langehough introduced the proposed language.

Proposed Language

(d) Before starting construction, obtain written approval from the local health officer for construction project;

(e) Before allowing school facilities to be occupied, obtain a preoccupancy inspection by the local health officer to ensure imminent health hazards are corrected; and
(f) Notify the local health officer at least five business days before a desired preoccupancy inspection.

Member Hanson asked how preoccupancy inspection dovetails with building code occupancy rules.

Member Main said this is common. Coordination between the two entities is really important.

<u>Member Buck</u> referred to subsection (2)(b) and recommended striking that as not all projects are the same. Some have a limited window such as when adding a classroom in a district. Section (d) prohibits us from going forward.

<u>Member Daltoso</u> said that this is typically a checklist. It all gets captured at the same time. Jurisdiction will work with schools. If converting a general ed into a career and specialty education, would we need to wait? Or is it sizing?

<u>Member Buck</u> gave an example. This summer they did a gymnasium over 5,000 square feet. The county official said they can't look at it for 90 days. So, they moved forward and provided all the steps to the local health official.

<u>Member Jenks</u> expressed confusion. How does this deviate from the current language? How are the rules different and the effect?

<u>Member Freeman</u> said this protects the local school. If it says 60 days, and the local health jurisdiction can't get to it for 90, then they are abrogating their responsibility.

<u>Member Hockaday</u> discussed the impacts of this and gave an example of a school going forward without the review, then they have to redo when the health official reviews after construction is complete.

Member Buck said that these are decision points the district should be able to make.

<u>PM Kamali</u> said that the current rule already has requirements on local health officers. We are adding time constraints. If an officer can't comply, it is not the school's fault.

<u>Member Buck</u> discussed hundreds of projects. If time is constrained, the school has to make decisions.

<u>Member Main</u> agreed with Members Freeman and Hockaday. These are significant protections. But there is a significant liability if proceeding without approvals. Getting approvals is a much better way to go. Taking this out will cause a lot of grief for schools that proceeded without our approval.

<u>Member Daltoso</u> said that school districts are very familiar with codes. The biggest question is what recourse do we have as school districts if approval is not received in time as allotted in the rule. Once construction has started, any potential delay can cause problems with general conditions of contractor and increase the cost.

<u>Member Hockaday</u> recommended that the school could reach out to the supervisor, or appeal process, if it sat on a desk for 60 days.

<u>Member Daltoso</u> urged the committee to ensure there is an appeal process. Without it, school districts will proceed without approval.

<u>Member Hockaday</u> acknowledged that this happens often. This takes much more time for the local health jurisdiction. Communicating with the local health jurisdiction early gives them time to respond. It's much more challenging going the other way.

<u>Member Hanson</u> appreciated the conversation. Adding 50% to the language is an improvement, but construction will need to go forward if they can't come out in that time.

<u>Member Jenks</u> reminded the committee that the language is changing from approval is necessary, but not time bound, to approval within a specific time.

<u>Member Buck</u> acknowledged the intent. In some instances—in a large county with many projects schools cannot occupy the facility until it is approved by the local health jurisdiction. Now we cannot construct. <u>Chair Hayes</u> suggested that if on (d), if the conditions in (2)(a) - (c) are met, and if the local health officer cannot do (3)(f), construction can proceed. It is a little complicated, and we would have to check with the Attorney General (AG) office.

PM Kamali asked for five minutes to revise the language.

<u>Chair Hayes</u> pointed out how this is a good example of creative work by partners. This language will need to be reviewed by the AG.

<u>PM Kamali</u> reviewed the revised language: if requirements are met, and the local health officer does not meet the timeline, the school can move forward in construction.

Member Rogers recommended changing "shall" to "may."

Facilitator Langehough called for a vote of fist to five for the revised language.

Member Hockaday discussed leaving as subsection (3).

Devon Kellogg, Committee Member, asked if we are leaving the safety of construction guidelines.

<u>PM Kamali</u> said that this just says they can move forward with construction. They still must comply with the rules. They also need an inspection before occupancy.

Voting Results

Fist	1	2	3	4	5
0	0	0	3	9	8

Facilitator Langehough announced a consensus for the revised language.

Member Freeman asked about the timeline.

PM Kamali said that this is for our rule only. The financial aspect is OSPI's responsibility.

New, Alterations, and Portable (3)(a)-(c)

Facilitator Langehough introduced the language.

Proposed Language

(3) The local health officer shall:

(a) Respond to a request to consult with a school official within 15 business days of receipt;

(b) Consult with a school official to determine what is required for plan review and approval;

(c) Review construction project plans at the 50 percent design development stage to confirm if a construction review and approval is needed to meet the health and safety requirements of these rules;

Facilitator Langehough asked for clarifying questions.

Member Allison asked if the local health jurisdictions wanted to expand on these requirements.

<u>PM Kamali</u> explained that in the original language, it was short following the subcommittee's recommendations that if the school has the requirement, then the local health officer also has the requirement.

Facilitator Langehough called for a vote as is or with edits.

Voting Results

As is	With edits
19	0

Facilitator Langehough announced a consensus for the language as is.

New, Alterations, and Portable (3)(d)-(f)

Facilitator Langehough introduced the language.

Proposed Language

(3) The local health officer shall:

(d) Consult with a school official when additional reviews are required;

(e) Identify and request any additional documents required to determine compliance with requirements set forth by these rules; and

(f) Provide written approval within 60 days of receiving the 100 percent design development for the construction design plans or a written statement describing construction project plan deficiencies that need to change to obtain approval. This timeline may be altered if mutually agreed upon by the school official and the local health officer.

Facilitator Langehough asked for clarifying questions.

<u>Member Allison</u> said that the last sentence mentions altering the timeline. Is that what Member Freeman was asking to change?

<u>Member Freeman</u> replied that mutual is fine. (a) through (f) is providing districts with a lot of support and protection and meeting timelines.

Facilitator Langehough called for a vote on the language as is or with edits.

Voting Results

As is	With edits
21	0

Facilitator Langehough announced a consensus for the language as is.

New, Alterations, and Portable (3)(g)(i)-(ii)

Facilitator Langehough introduced the language.

Proposed Language

(3) The local health officer shall:
(g) Conduct inspections:
(i) In a coordinated effort with the on-site project manager or other appropriate person identified by a school official;
(ii) At any point during the construction period to verify compliance with the requirements of this chapter;

<u>Member Hanson</u> asked why we are identifying who the district is choosing instead of just saying school official. Why "on-site project manager or other appropriate person"?

<u>Member Daltoso</u> said the onsite project manager may work for the construction firm. They may not work for the school district. It's allowing schools to designate someone else if they can't make it to the meeting. Someone who is representing the school district.

Facilitator Langehough called for a vote on the language as is or with edits.

Voting Results

As is	With edits
20	1

Facilitator Langehough announced a consensus for the language as is.

New, Alterations, and Portable (3)(g)(iii)-(iv)

Facilitator Langehough introduced the proposed language.

Proposed Language

(iii) Before the completed construction project is occupied and not more than five business days after the date requested by a school official or as otherwise agreed to by the school official and the local health officer.

(A) If an imminent health hazard is identified, a solution must be identified and agreed to by the school official, the local health officer, and the local building official and implemented by school officials before the affected portion of the building is occupied.
(B) If other conditions of noncompliance with this chapter are identified, provide the school official with a written list of items and consult in developing a correction schedule based on the level of risk to health and safety.

(iv) To confirm satisfactory correction of the items identified under (iii) of this subsection.

Facilitator Langehough asked for questions or comments. No discussion.

Voting Results

As is	With edits
19	0

Facilitator Langehough announced a consensus for the language as is.

Lunch Break at 12:30 p.m. Returned at 1:00 p.m.

7. Language: Indoor Air Quality Subcommittee Updates

Facilitator Langehough reviewed the agreements from the previous session and the intent.

Agreements

Approve Section 1 - 2. Move Section 3: Carbon Monoxide requirements from this section to applicability section. Approve Sections 4 - 6. Have a subcommittee review and update Section 7 (now Section 6).

Intent

The intent of this section is to provide minimum standards that mitigate or eliminate exposures to air contaminants of public health significance to promote student health

Facilitator Langehough introduced the terminology.

Established Terms

"Integrated pest management" means a program that reduces sources of food, water, and shelter for pests by using the least toxic pest controls when necessary. *"Air contaminant"* means pollutants in the air that could, depending on dose and circumstances, cause adverse health impacts.

"Emissions" mean substances released into the air, including gases and particles, from various sources.

"Air cleaning technologies" means technologies used to reduce the levels of air contaminants in indoor air.

Indoor Air Quality (1)-(5)

Facilitator Langehough introduced the approved language.

Proposed Language

A school official shall:

(1) Control sources of air contaminants by:

(a) Excluding sources of potential air contaminants from a school facility; or

(b) Providing a space with appropriately used and maintained ventilation to minimize student exposure to potential air contaminants;

(2) Develop and implement a plan to test for radon every five years in regularly occupied areas on and below the ground level;

(3) Prohibit the use of air fresheners, candles, or other products that contain fragrances;(4) Physically contain construction activities that generate emissions or conduct

construction at times that minimize student exposure;

(5) Promptly control sources of moisture and remediate mold using measures to minimize occupant exposure to mold and chemicals used during the remediation process;

Indoor Air Quality (6)

Facilitator Langehough introduced the proposed language.

Proposed Language

(6) Ensure the implementation of a written indoor air quality plan within five years of the effective date of this section that includes:

(a) Preventative maintenance measures for identified areas of indoor air quality concerns;

(b) A schedule to perform routine inspections of heating, ventilation, and cooling systems to ensure systems are operating within intended parameters; and
 (c) An integrated pest management plan.

<u>Facilitator Langehough</u> thanked the subcommittee members and reviewed the October 31 agreements and intents.

<u>PM Kamali</u> said the subcommittee had robust discussions and hoped the committee could come to a consensus.

Facilitator Langehough said the focus today will be what is now section (6).

<u>Member Kellogg</u> thanked the subcommittee for the revisions. They reviewed the language with advocacy directors and asked about the air quality unit.

<u>Chair Hayes</u> reminded Member Kellogg that all associations and others will have the opportunity to review the rule in its entirety and provide feedback to the committee. They encouraged association members to write comments and submit them so the committee review them. We have not moved past anything yet that can't be commented on.

<u>Member Hanson</u> expressed frustration with the process. The committee comes to a consensus through negotiations during these committee meetings. But when they present the results to peers, the consensus goes back to the beginning of the discussion with the same issues that the committee has already resolved.

<u>Chair Hayes</u> thanked Member Hanson and said the rules process in general creates tension. They said the beauty of a committee is coming to a consensus. Then we take a breath to look at something we missed. If we are hitting a good mid-ground, we'll get comments both ways. Then we'll talk about it and move forward. Rulemaking is a continued empowerment of the process.

<u>Member Jenks</u> said we think we do good work, then we get public comment. It's hard because we might get challenged when something comes up.

<u>Member Hanson</u> said what's frustrating is they work things out in these negotiations, and then the same comments come in from people we represent.

Facilitator Langehough said this is good information to share back with colleagues.

Member Allison asked if the subcommittee reached a consensus.

<u>Member Daltoso</u> said there was much debate, but eventually, they arrived at a consensus. One of the biggest challenges on the table was defining the role of the indoor air quality coordinator.

Member Kellogg had more questions about this role.

<u>Facilitator Langehough</u> said there was consensus. An area of discussion was whether an air quality program coordinator would be a created role or an existing role.

<u>Member Schwartz</u> said part of that language was vague.

<u>Member Buck</u> interpreted (3)(a) as saying if we have HVAC concerns, we are providing mechanical maintenance to ensure it keeps operating.

<u>Member Schwartz</u> asked for more guidance by specifically referencing HVAC systems.

<u>Ali Boris, Subject Matter Expert (SME)</u>, said the language has changed a bit. Perhaps changing the order to say identify the areas of air quality concerns and then implement measures. Initially, this piece was a "Tools for Schools" checklist, looking at ventilation, but also looks at other elements like the grounds. This is something the Department would provide guidance on—possibly checklist.

Member Schwartz wondered what it meant for the school official.

<u>Member Hockaday</u> commented that this is preventative maintenance for the HVAC but wants to make sure there is routine HVAC maintenance and other outside maintenance.

<u>Member Rogers</u> talked about the importance of using clear language and pointed out the "mold." They mentioned that they refer to "surface visual growth" until lab results confirm that it is "mold."

<u>Facilitator Langehough</u> agreed that correct language is important and that terminology could be reviewed later.

<u>Member Hanson</u> said they would submit comments about a "plan" in general. They don't like when the government tells them what and how to do something. There are many kinds of schools. Sometimes buildings are owned by third parties. The school may not have the authority to create a plan. It's a question of who is responsible.

<u>Facilitator Langehough</u> said subsection (6) has not been voted on yet and is still open to revisions. They appreciated the concerns about the word "plan."

<u>Member Daltoso</u> said it's important to have a written plan. If a local health officer comes in and you can explain your plan then you met the intent. Preventative measures could be documenting routine maintenance that might already be occurring. Having the plan can help communicate to parents the steps being taken by the school if an air quality incident takes place.

<u>Facilitator Langehough</u> asked SME Boris to confirm that there were multiple examples in their research of scaling the plan for needs of individual schools.

<u>SME Boris</u> said the Department is planning to have a model plan available that a school can choose to use. There are examples out there of minimal and large-scale processes and the plan can change to meet the needs of the school over time.

<u>Member Kellogg</u> brought up moisture management and specialty rooms. It is not clear if this is intended to be just HVAC. Their association promotes monitoring air quality and would like the plan to be broader and to identify areas such as shop class.

Facilitator Langehough said the intent of (6)(a) includes multiple areas.

Member Kellogg wondered where monitoring would come in.

Facilitator Langehough thought maybe that was under routine inspections.

<u>PM Kamali</u> said monitoring can be complex, and we can't expect air monitors in every room. Routine maintenance is the process we can write in the plan to ensure safety. The school official can identify and monitor the area of concern. They are more familiar with the existing issues than the local health jurisdiction.

<u>Member Schwartz</u> said that by requiring a plan, the rule is subjecting schools to an inspection of the plan by the local health jurisdiction, which might provide feedback on the efficacy of the plan. That feels like a lot.

<u>Member Freeman</u> like SME Boris' recommendation to start (a) with identify and follow it with (i) preventative maintenance. They said, based on personal experience in Alaska, they were required to have a preventative maintenance plan, and it is extremely costly. They said that if the Legislature doesn't approve the funding, they can't afford it.

<u>SME Boris</u> expressed interest in learning more. This rule asks for a schedule to check parameters. There are simple checklists available.

<u>Member Freeman</u> said when talking about scheduled routine maintenance, you're talking about identifying individual components. You need a system to do routine maintenance and right now it's not at that level.

<u>Member Daltoso</u> pointed to the key word "scheduling." The plan is saying to outline the "schedule." A plan could say "Please refer to our work order" or include as an appendix the maintenance manuals of systems. It could mean pulling any work orders to see what work was completed. They added that Member Freeman is describing a massive, detailed plan. The purpose we're trying to capture is the routine maintenance (which can be the same as inspections).

<u>Member Freeman</u> gave the example of a building with a heating system installed in 1978. There's no way it can operate within the intended parameters. Upgrading the system would be an extremely expensive proposition.

Facilitator Langehough wondered if there was other language with older systems or an exception.

<u>PM Kamali</u> reminded the committee about the variance section. They added that this section doesn't mention mediation. It focuses on awareness of issues and concerns.

<u>Member Freeman</u> suggested changing the wording "implementation," saying we can't fix until we have money.

<u>Member Jenks</u> said this section is about inspecting to identify any health problems. The school doesn't necessarily need to replace, but they need to inspect and mitigate risks.

<u>Member Hanson</u> agreed with Member Freeman. The language is problematic and can result in a large expense. They advocated for schools in old buildings and recommended revising the language. They advocated for schools that lease buildings in which they have no control over the facility systems.

<u>PM Kamali</u> said leased facilities still need to comply with the rules and the list of inspections could apply to the building owner.

<u>Member Hanson</u> said there are power dynamics. They need to ask those leasing if this is something they feel they can do. They also don't want "I like your plan" or "I don't like your plan." They'd rather see "your plan is healthy or not."

<u>Chair Hayes</u> said the language on inspection hinges on what we have. We're trying to strike a balance to let schools be in charge more and more. This is to allow the schools to develop a plan and when the local health jurisdiction reviews it, they can help flag and give any technical assistance. We are caught in the dilemma of being too detailed to drive costs vs flexibility regarding checklists and help available by technical assistance or a relationship with local health.

Member Jenks said the health jurisdictions do not need to approve a plan but to see if there is one.

<u>Member Hockaday</u> said this is not to benefit the local health jurisdiction. It benefits the school so jurisdictions don't have to be invasive.

<u>Member Daltoso</u> said in the guidance, the Department is going to provide examples they can copy and paste or modify to suit the needs of the school. The subcommittee removed the indoor air quality coordinator and left just the plan. When an issue arises, having a plan is invaluable to provide to a parent, or the public, to show a plan has been written. They suggested looking at this as an advantage, especially if an issue comes up.

Member Allison asked if they could just remove the (a)-(c).

<u>Facilitator Langehough</u> said this section intends to establish minimal requirements. Not what is in the plan and suggested making edits.

<u>SME Boris</u> agreed with Facilitator Langehough. To answer Member Allison's question, the Department was trying to create a minimal list for the intent of the plan. There could have been more, but (a)-(c) were the bare minimum.

<u>Member Hanson</u> suggested not using "preventative maintenance" since it seems to have a specific meaning.

<u>PM Kamali</u> said reordering (a) to have "identify" before "develop preventative maintenance" so it's clear that preventative maintenance doesn't apply to everything. "Preventative maintenance" needs to be included.

<u>Member Freeman</u> said under a scheduled inspection, they have no idea of the intended parameters. They suggested taking out "intended parameters."

<u>Member Hockaday</u> asked if the intended parameters were meant for the equipment or the space. They gave statistics on asthma and emergency room visits of children in lower economic spaces.

Member Main said the intent was to reach a standard for the classroom.

Chair Hayes said the staff understands and will refer it back to other standards in the classroom.

<u>Facilitator Langehough</u> recommended voting on modified language on the screen and staff will add more clarity to subsection (b) where it reads "of this rule" and reference back to intended parameters of the classroom. <u>Facilitator Langehough</u> called for a vote for the revised language using fist to five voting.

Voting Results

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

<u>Facilitator Langehough</u> announced a consensus for the revised language. They asked for feedback from the three members who voted with a 2.

Member Schwartz commented that they didn't think a discussion would change anything.

Break at 2:05 p.m. Returned at 2:15 p.m.

8. Language: Routine Inspection Updates

Facilitator Langehough reviewed the October 31 agreements and intentions:

Agreements

Clarify subsection (1)(a) - (1)(b) and possibly remove (1)(b) or combine it with (1)(a). Approve Section (1)(c) - (1)(f)Add language from 246-366A to allow a school official or qualified designee to perform a routine inspection.

Intent

The intent of this section is to provide minimum requirements for routine inspections of school facilities by the local health officer.

Routine Inspections (1)(a)

Facilitator Langehough introduced the proposed language.

Proposed Language

(1) The local health officer shall:

(a) Conduct an environmental health and safety inspection of each school facility within their jurisdiction at minimum every three years, prioritizing areas for emphasis based on risk.

<u>Facilitator Langehough</u> stated that this is the revised language originally covered in the October 4 meeting. Member Hockaday assisted with some of the revisions.

<u>Member Allison</u> asked the subcommittee if they reached consensus.

<u>Member Hockaday</u> said they pulled together the school program subcommittee, including the environmental health directors committee and several local health jurisdictions. Some wanted no constraints. Some wanted five years. Most everybody agreed around a three-year time frame.

<u>Facilitator Langehough</u> said the intent of this section is routine inspections by the local health officer. We have language that was approved, so the focus is on what we need to vote on. This language is that the local health officer shall conduct the environmental health and safety inspection a minimum of every three years, prioritizing areas for emphasis based on risk.

<u>Member Hanson</u> asked for clarification. Does a minimum of every three years mean that they could do it annually or every two years? Some districts are doing it every two years, which is a lot. It's expensive and time consuming. They were not convinced that it's helpful.

<u>Member Hockaday</u> stated that it is every three years. If an issue is identified, the local health jurisdiction could ask for a different schedule.

<u>PM Kamali</u> asked staff to remove the phrase "minimum of." It could be three years, but it could be different depending on circumstances and local health jurisdiction requirements.

Facilitator Langehough called for a vote of fist to five for the revised language.

Voting Results

Fist	1	2	3	4	5
0	0	0	4	7	9

<u>Member Hockaday</u> stated that they voted on the wrong QR code and selected "As is," which was in support of the revised language.

Facilitator Langehough announced a consensus for the revised language.

Routine Inspections (1)(b)-(e)

Facilitator Langehough introduced the approved language.

Proposed Language

(b) Notify school officials at the time of discovery, or immediately following the inspection, if conditions that pose an imminent health hazard are identified and follow the imminent health hazard requirements set forth in WAC 246-370- XXX.
(c) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, collaborate with school officials to

develop a remediation schedule. (d) Issue a final inspection report, within sixty days following an inspection. The local health officer may establish an alternate timeline for issuing the final inspection report when agreed upon in consultation with school officials. The report must include inspection findings related to this chapter and any required remediation.

(e) Confirm, as needed, that corrections are accomplished.

<u>Facilitator Langehough</u> discussed that this same language was approved on October 4. The committee did not vote and there was no discussion.

Routine Inspections (2)(a)

Facilitator Langehough introduced the proposed language.

Proposed Language

(2) The local health officer may:

(a) Increase the number of years between inspections, up to one inspection every five years, if:

(i) The local health officer develops a written risk-based inspection schedule, that is uniformly applied throughout the jurisdiction.

(ii) The local health officer can justify the reduction in inspection frequency based on credible data or local risk factors such as low-risk environmental settings,

implementation of advanced monitoring systems, or recent findings of low risk in prior inspections;

<u>Member Hanson</u> asked whether "such as" in (2)(a) has the same meaning as "including but not limited to"—meaning that these are examples but that there might be other reasons why the local health jurisdiction might reduce inspection frequency.

<u>Member Hockaday</u> confirmed that the intent of language was not "limited to." These are examples.

<u>SME Boris</u> asked if there was a need to call out that a reinspection may be needed in a follow-up action.

<u>PM Kamali</u> said the follow-up actions are under the approved section (1)(c): consult with school officials upon completion of the inspection and findings and recommend follow-up actions, and if necessary, develop a remediation schedule and that local health could go back into the school to inspect it. We voted on and approved this on October 4, 2024.

Facilitator Langehough called for a vote for the language as is or with edits.

Voting Results

As is	With edits
18	0

Facilitator Langehough announced a consensus for the language as is.

Routine Inspections (2)(b)

Facilitator Langehough introduced the proposed language.

Proposed Language

(b) Decrease the number of years between inspections to less than one inspection every three years if:

(i) The local health officer develops a written risk-based inspection schedule, that is uniformly applied throughout the jurisdiction;

(ii) The local health officer can justify the increase in inspection frequency based on credible data or local risk factors such as high-risk environmental settings, age of the school facility, or recent findings of high risk in prior inspections

<u>Facilitator Langehough</u> said that the next section is a continuation of 2. The focus is on decreasing the number of years between inspections to less than one inspection every three years.

<u>Member Hanson</u> asked whether this applies to each school or district. Is the decrease in the number of years between inspections less than one inspection every three years? They gave an example of a school with mold. The jurisdiction will do inspections more often based on risk for that school. Could a local health jurisdiction decrease the number of years between inspections for the entire district because of that one school?

<u>Member Hockaday</u> said it is a little bit of each. The local health jurisdiction would have a risk-based plan that's uniformly applied through the jurisdiction. There may be some schools that meet the circumstances and some that don't. Some may get inspected more, some less, according to the plan, but the plan overall is uniform. Depending on the risk threshold, they might have a newer school or a school that already has some sort of really advanced monitoring systems in place, we may say, here's our threshold. Same thing for the opposite.

<u>Member Hanson</u> asked if it was true that they could write a plan that their thresholds included all schools. And if a district determines that they prefer to do it every two years, could they write a risk-based inspection schedule for every two years?

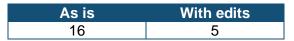
<u>Member Hockaday</u> clarified that the district refers to health jurisdiction. No, it needs to be based on real data and credible factors in your community. The risk factors on the west side of the state are very different than eastern Washington based on climate.

<u>Member Kellogg</u> asked if (3)(d) is intended to be more than one inspection every three years if we're decreasing the number of years between inspections.

<u>PM Kamali</u> recognized that the language is a little confusing. We can revise it to say that inspections can be more frequent than every three years. But just know that this is saying inspections can be more frequent if those parameters are met.

Facilitator Langehough called for a vote with the language as is (with future revisions).

Voting Results



<u>Facilitator Langehough</u> announced a consensus for the language as is. Those who voted "with edits" confirmed that they were referring to clarifications that would be covered by the future revisions for clarification.

Routine Inspections (2)(c)

Facilitator Langehough introduced the approved language.

Proposed Language

(c) Allow a school official or qualified designee to conduct the required additional inspections under a program approved by the local health officer, if the program includes provisions for:

(i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection;

(ii) Completing a standardized checklist at each inspection;

(iii) Providing a written report to the local health officer detailing the findings of the inspection, within 15 days of completing the inspection.

<u>PM Kamali</u> explained that subsection (2)(c) was already approved. The committee voted on it, and it states that a local health jurisdiction can say that a person has received appropriate training, so they can do any intermediary inspections that the rule or the jurisdiction might require.

9. Language: Noise Updates

<u>Facilitator Langehough</u> reviewed the October 31 agreements and intents and explained that the staff recommended reverting to the original language in WAC 246-366.

Agreements

Clarify Section 1a-1b Approve Section 1c-1f as is Clarify Section 2

Intents

The intent of this section is to provide standards for noise to prevent over exposure to noise that could damage children's hearing or interfere with learning.

Facilitator Langehough introduced the terminology.

Established Terms

"Integrated pest management" means a program that reduces sources of food, water, and shelter for pests by using the least toxic pest controls when necessary. *"Air contaminant"* means pollutants in the air that could, depending on dose and circumstances, cause adverse health impacts.

"Emissions" mean substances released into the air, including gases and particles, from various sources.

"*Air cleaning technologies*" means technologies used to reduce the levels of air contaminants in indoor air.

Language: Noise—Revert or Revise?

<u>Facilitator Langehough</u> asked the committee to vote for either reverting to the original language or working through the revised language.

<u>PM Kamali</u> said the staff worked with some acoustic experts. Their revisions did not change the intent of the language, so to expedite the process, we recommend reverting to the original language. The experts confirmed that the science hasn't changed, and it's not necessary to fix something that is not broken.

Member Hanson asked who made the recommendation.

PM Kamali said it was their recommendation. It is safe to implement this statewide.

<u>Member Freeman</u> asked if the committee could revert the whole section instead of section by section.

<u>Facilitator Langehough</u> confirmed that this vote intends to revert the entire section. They called for a vote to either revert to the original rule or to revise based on previous discussions.

Voting Results

Revert	Revise
19	0

Facilitator Langehough announced a consensus to revert the language.

Break at 2:05 p.m. Returned at 2:15 p.m.

10. Language: Ventilation Updates

Facilitator Langehough reviewed the October 31 agreements and intents.

Agreements

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Approve Sections 1 - 2
Clarify Sections 3 - 5
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Intents

The intent of this section is to ensure the appropriate care and maintenance of ventilation systems.

There was a brief discussion amongst members regarding ventilation language.

<u>Member Freeman</u> brought to light some language clarification about the use of the term "new construction" that had been discussed in a previous meeting.

<u>PM Kamali</u> agreed and asked the committee to hold a review of this language so staff could add the term to the language and present the language at the December 4 meeting. The committee then moved to the next agenda item.

11. Recap/Next Steps

Facilitator Langehough reviewed the decisions and action items made at the meeting today.

Action items include:

- Speaking with the guest directors about the timing of implementing the rule and additional feedback
- Clarifying the repeal process in relationship to construction (1) and to bring back the playground definition per ASTM; Member Hockaday will provide that information to PM Kamali.
- PM Kamali will forward the public comments received to committee members.
- Committee members may want to consider future discussions on how to incorporate comments and feedback to the language that has already been approved. Additionally, committee members may want to explore ways to ensure schools are included in decision making processes at the local, state, and federal levels regarding rules and policies.
- Regarding decisions, we will postpone ventilation language to our next meeting.

Facilitator Langehough asked committee members if there was anything additional.

<u>Member Freeman</u> remembered that the school directors were going to propose language on local control.

<u>Facilitator Langehough</u> asked to connect with Member Freeman to capture that, as they missed that particular action item. Then they turned the floor to Chair Hayes and PM Kamali to close out the meeting.

<u>Chair Hayes</u> thanked committee members for the work they are doing and thought everyone offered something today. They are looking forward to the workshop on December 4 and shared that they will be visiting an outdoor classroom tomorrow with PM Kamali, which will be insightful and good.

PM Kamali thanked everyone for being with us and provided the following reminders:

- The next meeting will be on December 4 in Tumwater
- Listening sessions are scheduled, and members will be invited to the sessions within their regions. Members were asked to share those invitations with people within their community.

ADJOURNMENT

Chair Hayes adjourned the meeting at 3:00 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 <u>2024-2025 School Rule Review Project | SBOH (wa.gov)[1]</u> to keep the public informed.

School Environmental Health and Safety Rule Project 2024 - 2025

Reference Materials

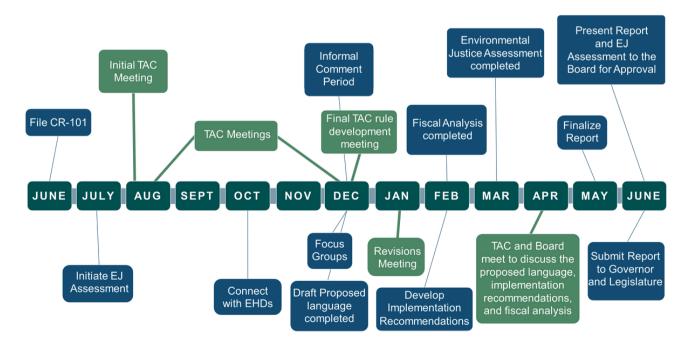
- Chapter 246-366 WAC[2] Primary and Secondary Schools
- <u>Chapter 246-366A WAC[3]</u> Environmental Health and Safety Standards for Primary and Secondary Schools
- Chapter 296-800 WAC[4] Safety and Health Core Rules
- Title 110 WAC[5] Children, Youth, and Families, Department of

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

School Environmental Health and Safety Rule Project 2024 2025

WAC 246-370-XXX Routine Inspection

Proposed Language: Routine Inspection

(1) A The local health officer shall

- (a) Conduct an environmental health and safety inspection of each school facility within their jurisdiction every three years, prioritizing areas for emphasis based on risk.
- (b) Notify school officials at the time of discovery, or immediately following the inspection, if conditions that pose an imminent health hazard are identified and follow the imminent health hazard requirements set forth in WAC 246-370- XXX.
- (c) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, collaborate with school officials to develop a remediation schedule.
- (d) Issue a final inspection report, within sixty days following an inspection. The local health officer may establish an alternate timeline for issuing the final inspection report when agreed upon in consultation with school officials. The report must include inspection findings related to this chapter and any required remediation.
- (e) Confirm, as needed, that corrections are accomplished.
- Approved (2) The local health officer may:
 - (a) Increase the number of years between inspections, up to one inspection every five years, if:
 - (i) The local health officer develops a written risk-based inspection schedule, that is uniformly applied throughout the jurisdiction.
 - (ii) The local health officer can justify the reduction in inspection frequency based on credible data or local risk factors such as low-risk environmental settings, implementation of advanced monitoring systems, or recent findings of low risk in prior inspections;
 - (b) Decrease the number of years between inspections to less than one inspection every three years if:
 - (i) The local health officer develops a written risk-based inspection schedule, that is uniformly applied throughout the jurisdiction;
 - (ii) The local health officer can justify the increase in inspection frequency based on credible data or local risk factors such as high-risk environmental settings, age of the school facility, or recent findings of high risk in prior inspections;



Review and Vote	 (c) Allow a school official or qualified designee to conduct the required additional inspections under a program approved by the local health officer, if the program includes provisions for: (i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection; (ii) Completing a standardized checklist at each inspection; (iii) Providing a written report to the local health officer detailing the findings of the inspection, within 15 days of completing the inspection.
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WASHINGTON STATE

School Environmental Health and Safety Rule Project 2024 2025

Language Comparison: Routine Inspection

12/4/ Proposed Language	Approved 10/4 and 11/20	WAC 246-366-040	WAC 246-366A-120
	 (1) The local health officer shall: (a) Conduct an environmental health and safety inspection of each school facility within their jurisdiction every three years, prioritizing areas for emphasis based on risk. 	(b) Make periodic inspections of each existing school within his jurisdiction, and forward to the board of education and the administrator of the inspected school a copy of his findings together with any required changes and recommendations.	 (2) Responsibilities of the local health officer. (a) Except as provided in (b) of this subsection, the local health officer shall: (i) Periodically conduct an environmental health and safety inspection of each school facility within his or her jurisdiction. Beginning one year after the effective date of this section, those inspections must be conducted at least once each year.
	(b) Notify school officials at the time of discovery, or immediately following the inspection, if conditions that pose an imminent health hazard are identified and follow the imminent health hazard requirements set forth in WAC 246-370- XXX.		(ii) Notify school officials at the time of discovery or immediately following the inspection if conditions that pose an imminent health hazard are identified and recommend actions to mitigate the hazards and prevent exposure.
	(c) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, collaborate with school officials to develop a remediation schedule.		(iii) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, develop a correction schedule. Approaches and timelines used to address noncompliant conditions will depend on the level of risk to health and safety presented by the condition, and may include consideration of low-cost alternatives.
	(d) Issue a final inspection report, within sixty days following an		(iv) Develop draft and final inspection reports, in consultation with school



m iss wi wi in th	aspection. The local health officer may establish an alternate timeline for souing the final inspection report when agreed upon in consultation with school officials. The report must include inspection findings related to his chapter and any required emediation.	officials, within sixty days after conducting an inspection. The report must include inspection findings related to this rule and any required correction schedule.
	e) Confirm, as needed, that orrections are accomplished.	(v) Confirm, as needed, that corrections are accomplished.
		 (vi) Retain for at least six years, unless otherwise required by other state or federal laws, records pertaining to: (A) Health and safety inspections of the school facilities performed by the local health officer, including, but not limited to, the final inspection report and correction schedules; and
		(B) Imminent health hazards identified under this section and WAC 246- 366A-190, and local health officer actions taken in response.
		(vii) Have the records described in this subsection available to the public, except where otherwise provided by applicable public disclosure law.
(a be in: (i) wi sc	 2) The local health officer may: a) Increase the number of years etween inspections, up to one aspection every five years, if: b) The local health officer develops a vritten risk-based inspection chedule, that is uniformly applied proughout the jurisdiction. 	



	 (ii) The local health officer can justify the reduction in inspection frequency based on credible data or local risk factors such as low-risk environmental settings, implementation of advanced monitoring systems, or recent findings of low risk in prior inspections; 	
	 (b) Decrease the number of years between inspections to less than one inspection every three years if: (i) The local health officer develops a written risk-based inspection schedule, that is uniformly applied throughout the jurisdiction; (ii) The local health officer can justify the increase in inspection frequency based on credible data or local risk factors such as high-risk environmental settings, age of the school facility, or recent findings of high risk in prior inspections 	
 (c) A school official or qualified designee may conduct the required additional inspections under a program approved by the local health officer, if the program includes provisions for: (i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection; 		 (b) The local health officer may allow a school official or qualified designee to conduct a required inspection under a program approved by the local health officer not more than two out of every three years. The program must include provisions for: (i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection;
(ii) Completing a standardized checklist at each inspection;		(ii) Completing a standardized checklist at each inspection;



(iii) Providing a written report to the local health officer detailing the findings of the inspection, within 15 days of completing the inspection.	(iii) Providing a written report to the local health officer about the findings of the inspection;
	(iv) Notifying the local health officer regarding any identified imminent health hazards and coordinating with the local health officer to mitigate hazards and prevent exposure; and
	(v) Consulting with the local health officer on follow-up and corrective actions needed to address noncompliant conditions that do not pose an imminent health hazard.



WAC 246-370-XXX Specialized Rooms

This section outlines the requirements for Specialized Room.

Terminology: Specialized Rooms

Established Terms	 "Emergency eye wash fountain" means a hands-free device that meets the ANSI Z358.1-2014 standards. "Emergency shower" means a hand-activated shower that meets the ANSI Z358.1-2014 standards. "Magnetic switch" means a non-contact device used to monitor the position of machine guards, gates, and doors by sensing the presence or absence of a magnetic field and signaling the machine to shut down or enter safe mode if the field is interrupted. "Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.
Review and Vote	"Specialized room" means a room that has a specific function that requires equipment, furniture, or supplies not found in a standard room. This includes but is not limited to, a career and technical education room, laboratory, auto shop, art room, or health room.

WASHINGTON STATE

School Environmental Health and Safety Rule Project 2024 2025

Proposed Language: Specialized Rooms

Review and Vote	A so (1) (2)	 chool official shall ensure specialized rooms that are part of a school facility include, if applicable: Single-use soap and single-use towels at handwashing sinks. Emergency first aid fixtures. (a) Emergency eyewash fountain in each room where hazardous materials are used or eye irritants are produced; (b) Emergency shower in each room where hazardous materials are used, and the potential for chemical spills exists; (c) All emergency eyewash fountains and showers must have unobstructed access and be within 10 seconds of use and less than 50 feet from anywhere in the room.
Review and Vote	(3)	 Emergency shut-off valves or switches for gas and electricity connected to stationary machinery. Valves or switches must: (a) Be located close to the room exit door; (b) Have unobstructed access; and (c) Have signage posted adjacent to the valve that room occupants can easily read and understand from the opposite side of the room during an emergency.
Review and Vote	(4)	 A prohibition of use and storage of compounds that are: (a) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or (b) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals
Review and Vote	(5) (6) (7)	Safety procedures and process for instructing students regarding the proper use of hazardous materials or equipment. Appropriate personal protective equipment when exposure to potential hazards might occur. Situation-specific emergency and protective equipment during demonstrations with hazardous materials and with hazardous procedures. Examples of protective equipment include, but are not limited to, safety shields for eyes, protective gloves that are fire retardant and chemical resistant, respiratory protection, and fire extinguishers.
Review and Vote	(8) (9)	Magnetic switches on all stationary machinery to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the emergency shut-off. Appropriate ventilation or source capture systems that prevent the recirculation of air into the room or transfer of airflow into other parts of the school facility.



	(10) If a school facility includes a designated health room, a school official shall ensure that the health room includes:
	(a) The means to visually supervise and provide privacy for room occupants;
Review	(b) Surfaces that staff can easily clean and sanitize;
and Vote	(c) A handwashing sink in the room;
	(d) An adjoining restroom; and
	(e) Mechanical exhaust ventilation that ensures that air does not flow from the health room to other parts of the school facility.



Language Comparison: Specialized Rooms

Proposed Language	WAC 246-366-020	WAC 246-366A-040, 050, and 165
"Emergency eye wash fountain" means a hands-free device that meets the ANSI Z358.1-2014 standards.		 (11) "Emergency eye wash" means a hands-free device that:(a) Irrigates and flushes both eyes simultaneously with tepid potable water; (b) Activates an on-off valve in one second or less and remains on without user assistance until intentionally turned off; and (c) Delivers at least 0.4 gallons (1.5 liters) of water per minute for at least fifteen minutes.
"Emergency shower" means a hand-activated shower that meets the ANSI Z358.1-2014 standards.		(12) "Emergency shower" means a hand-activated shower that delivers tepid potable water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for at least fifteen minutes.
"Magnetic switch" means a non-contact device used to monitor the position of machine guards, gates, and doors by sensing the presence or absence of a magnetic field and signaling the machine to shut down or enter safe mode if the field is interrupted.		
"Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.		(36) "Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.
" Specialized room " means a room that has a specific function that requires equipment, furniture, or supplies not found in a standard room. This includes but is not limited to, a career and technical education room, laboratory, auto shop, art room, or health room.		



Proposed Language	WAC 246-366-020	WAC 246-366A-040, 050, and 165
 A school official shall ensure specialized rooms that are part of a school facility include, if applicable: (1) Single-use soap and single-use towels at handwashing sinks. (2) Emergency first aid fixtures. (a) Emergency eyewash fountain in each room where hazardous materials are used or eye irritants are produced; (b) Emergency shower in each room where hazardous materials are used and the potential for chemical spills exists; (c) All emergency eyewash fountains and showers must have unobstructed access and be within 10 seconds of use and less than 50 feet from anywhere in the room. ¹ 		 School officials shall: (1) Provide an emergency eyewash fountain for each laboratory and shop where hazardous materials are used or eye irritants are produced. (2) Provide an emergency shower for each laboratory where hazardous materials are used and the potential for chemical spills exists. (3) Assure that all emergency eyewash fountains and showers have unobstructed access and are reachable within ten seconds. (4) Provide handwashing and appropriate drying facilities in an easily accessible location in each laboratory and shop
 (3) Emergency shut-off valves or switches for gas and electricity connected to stationary machinery. Valves or switches must: (a) Be located close to the room exit door; (b) Have unobstructed access; and (c) Have signage posted adjacent to the valve that room occupants can easily read and understand from the opposite side of the room during an emergency. 		 (5) Provide emergency shut-offs for gas and electricity connected to stationary machinery in laboratories and shops. Emergency shut-offs must: (a) Be located in close proximity to the room exit door; (b) Have unobstructed access; and (c) Have signage readable from across the room for immediate identification during an emergency.
 (4) A prohibition of use and storage of compounds that are: (a) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or (b) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals 		 (2) Prohibit use and storage of compounds that are: (a) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or (b) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals identified as the P-list under WAC 173-303-9903.

¹ Eyewash and Emergency Washing Facilities



Proposed Language	WAC 246-366-020	WAC 246-366A-040, 050, and 165
 (5) Safety procedures and process for instructing students regarding the proper use of hazardous materials or equipment. (6) Appropriate personal protective equipment when exposure to potential hazards might occur. 		(3) Adopt safety procedures and processes for instructing students regarding the proper use of hazardous materials and equipment.
 (7) Situation-specific emergency and protective equipment during demonstrations with hazardous materials and with hazardous procedures. Examples of protective equipment include, but are not limited to, safety shields for eyes, protective gloves that are fire retardant and chemical resistant, respiratory 		 (4) Provide and require use of appropriate personal protective equipment when exposure to potential hazards might occur. Potential hazards include, but are not limited to hazardous material exposures, burns, cuts, and punctures.
protection, and fire extinguishers.		(5) Provide situation-specific emergency and protective equipment during demonstrations with hazardous materials and with hazardous procedures. Examples of protective equipment include, but are not limited to, safety shields for eyes, protective gloves that are fire retardant and chemical resistant, respiratory protection, and fire extinguishers.
(8) Magnetic switches on all stationary machinery to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the emergency shut-off.		(6) Provide all stationary machinery in laboratories and shops with magnetic-type switches to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the emergency shut-off.
(9) Appropriate ventilation or source capture systems that prevent the recirculation of air into the room or transfer of airflow into other parts of the school facility.		 (7) Provide mechanical exhaust ventilation in hazardous material storerooms, and in laboratories and shops where equipment or activities may produce air contaminants of public health importance. (8) When activities or equipment in laboratories or shops produce air contaminants of public health importance, provide an appropriate source capture system to prevent those contaminants from entering the student's breathing zone. These activities and equipment include, but are not limited to, spray painting, welding, pottery kilns, chemistry experiments, and wood-working.
 (10) If a school facility includes a designated health room, a school official shall ensure that the health room includes: (a) The means to visually supervise and provide privacy for room occupants; 		(8) Provide the following items for health rooms, if health rooms are provided:(a) The means to visually supervise and provide privacy of room occupants;



Proposed Language	WAC 246-366-020	WAC 246-366A-040, 050, and 165
(b) Surfaces that staff can easily clean and sanitize;		(b) Surfaces that can be easily cleaned and sanitized;
(c) A handwashing sink in the room;		(c) A handwashing sink in the room;
(d) An adjoining restroom; and		(d) An adjoining restroom; and
(e) Mechanical exhaust ventilation that ensures that air does not flow from the health room to other parts of the school facility.		(e) Mechanical exhaust ventilation so that air does not flow from the health room to other parts of the school facility.



WAC 246-370-XXX Lighting

This section outlines the requirements for Lighting.

Terminology: Lighting

Established
Terms"Foot-candle" means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot."Total solar energy transmission factor" means the measurement of solar gain due to the glazing of a window or door.

School Environmental Health and Safety Rule Project 2024 2025

Proposed Language: Lighting

A school official shall:

- (1) Provide light intensities that meet or exceed those specified in Table X.
- (a) Natural lighting, energy-efficient lighting systems, lighting fixtures, or bulbs may be used to maintain the minimum lighting

Review and Vote

- intensities. (2) Control excessive brightness and glare in all instructional areas. Surface contrasts and direct or indirect glare must not cause
 - excessive eye accommodation or eye strain problems.

Table X		
Lighting Intensities Measured 30 inches above the floor or on working or teaching surfaces. Some lighting fixtures may require a start-up period before reaching maximum light output.		
Task	Min. Foot Candle Intensity	
General instructional areas, for example, study halls, lecture rooms, and libraries.	30	
Special instructional areas where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops, drafting rooms, and art and craft rooms.	50	
Noninstructional areas including: auditoriums, lunch rooms, assembly rooms, corridors, stairs, storerooms, and restrooms.	10	
Gymnasiums: Main and auxiliary spaces, shower rooms and locker rooms.	20	

(3) Provide sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms, and meeting rooms during at least 80 percent of the normal school hours. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Sun control is not required if air conditioning is provided, or special glass is installed having a total solar energy transmission factor less than 60 percent.

Review and Vote

- (4) Provide lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces.
- (5) Provide windows in sufficient number, size, and location to enable students to see outside at least 50 percent of the school day. Windows are optional in specialized rooms.

WASHINGTON STATE

School Environmental Health and Safety Rule Project 2024 2025

Language Comparison: Lighting

Proposed Language		WAC 246-366		WAC 246-366A-150	
Table X Lighting intensities measured 30 in the floor or on working or teaching. Some lighting fixtures may require period before reaching a maximum.	g surfaces. e a start-up	Task General instructional areas including: Study halls, lecture	Min. Foot Candle Intensity 30	Candle tensityLighting Intensities Measured 30 inches above the floor or on working or teaching surfaces. Some lighting fixtures may require a start-up	
period before reaching maximum	Min. Foot Candle Intensity	rooms and libraries. Special instructional areas where safety is of prime consideration or fine detail work is done including:		Task General instructional areas, for	Min. Foot Candle Intensity
General instructional areas, for example, study halls, lecture rooms, and libraries.	30	Sewing rooms, laboratories (includes chemical storage areas), shops, drafting rooms and art and craft rooms. Kitchen areas including: Food storage and preparation rooms. Noninstructional areas including: Auditoriums, lunch rooms, assembly rooms, corridors, stairs, storerooms, and toilet rooms. Gymnasiums: Main and auxiliary	50	example, study halls, lecture rooms, and libraries.30Special instructional areas where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops, drafting rooms, and art and craft rooms.50	30
Specialized instructional areas where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops,	50		30 10		50
drafting rooms, and art and craft rooms. Noninstructional areas including auditoriums, lunchrooms, assembly rooms, corridors, stairs, storerooms, and restrooms.	10	spaces, shower rooms and locker rooms.	20	Noninstructional areas including: Auditoriums, lunch rooms, assembly rooms, corridors, stairs, storerooms, and restrooms. Gymnasiums: Main and auxiliary	10
Gymnasiums: Main and auxiliary spaces, shower rooms and locker rooms.	20			spaces, shower rooms and locker rooms.	20

Proposed Language	WAC 246-366	WAC 246-366A-150
A school official shall: (1) Provide light intensities that meet or exceed those specified in Table X. (a) Natural lighting, energy-efficient lighting systems, lighting fixtures, or bulbs may be used to maintain the minimum lighting intensities.		
(2) Control excessive brightness and glare in all instructional areas. Surface contrasts and direct or indirect glare must not cause excessive eye accommodation or eye strain problems.	(2) Excessive brightness and glare shall be controlled in all instructional areas. Surface contrasts and direct or indirect glare shall not cause excessive eye accommodation or eye strain problems.	(2) Control excessive brightness and glare in all instructional areas. Surface contrasts and direct or indirect glare must not cause excessive eye accommodation or eye strain problems.
(3) Provide sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms, and meeting rooms during at least 80 percent of the normal school hours. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Sun control is not required if air conditioning is provided, or special glass is installed having a total solar energy transmission factor less than 60 percent.	(9) Exterior sun control shall be provided to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least 80 percent of the normal school hours. Each area shall be considered as an individual case. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Exterior sun control is not required if air conditioning is provided, or special glass installed having a total solar energy transmission factor less than 60 percent.	(3) Provide sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least eighty percent of the normal school hours. Each area must be considered as an individual case. Sun control is not required for sun angles less than forty-two degrees up from the horizontal. Sun control is not required if air conditioning is provided or special glass is installed having a total solar energy transmission factor less than sixty percent.
(4) Provide lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces.	(3) Lighting shall be provided in a manner which minimizes shadows and other lighting deficiencies on work and teaching surfaces.	(3) Provide lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces.
(5) Provide windows in sufficient number, size, and location to enable students to see outside at least 50 percent of the school day. Windows are optional in special rooms.	(8) Schools shall be provided with windows sufficient in number, size and location to permit students to see to the outside. Windows are optional in special purpose instructional areas including, but not limited to, little theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, libraries and seminar areas. No student shall occupy an instructional area without windows more than 50 percent of the school day.	(2) Design school facilities with windows in sufficient number, size, and location to enable students to see outside at least fifty percent of the school day. Windows are optional in special purpose instructional areas including, but not limited to, theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, laboratories, libraries, and seminar areas.



Health and Safety Rule Project

Technical Advisory Committee Meeting

Tumwater, December 4, 2024

Canales de Idioma de Zoom



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Minutes Review





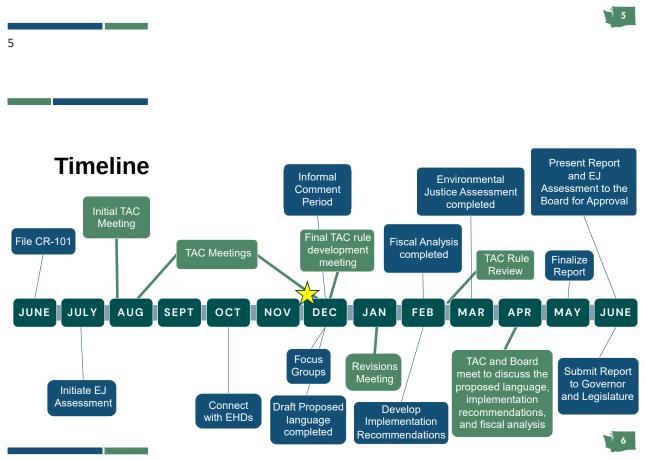
Reminders



4. Today's Objectives



- · Workshop with DOH and Commerce
- Review and develop language for the following sections of the rule:
 - Review Routine Inspection Language
 - o Specialized Rooms
 - $\circ \text{Lighting}$



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 and objectives of the committee



Introductions





Funding Opportunities





Perspectives





10-Minute Break Return at 11:50 a.m.





Breakout Sessions





Key Takeaways





30-Minute Lunch Break Return at 1:00 p.m.



13



Routine Inspection



Routine Inspections

Let's Review

On November 20, 2024, we:

- Approved Sections (1) (2)(b)
- Postponed voting on Section (2)(c)

The intent of this section is to provide minimum requirements for routine inspections of school facilities by the local health officer.

16

Routine Inspections

Local Health Officers-Section (2)(c)

- 2) The local health officer may:
 - c) Allow a school official or qualified designee to conduct the required additional inspections under a program approved by the local health officer, if the program includes provisions for:
 - Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection;
 - ii. Completing a standardized checklist at each inspection;
 - Providing a written report to the local health officer detailing the findings of the inspection, within 15 days of completing the inspection.







10-Minute Break Return at 1:40 p.m.





Proposed Rule Section: Specialized Rooms



21

Specialized Rooms

Intent

The intent of this section is to set standards to mitigate risk and injury in rooms where high risks tasks are completed or there is an increased chance of exposure to harmful containments/chemicals.





Definition: Established Terms

"Emergency eye wash fountain" means a hands-free device that meets the ANSI Z358.1-2014 standards.

"Emergency shower" means a hand-activated shower that meets the ANSI Z358.1-2014 standards.

"**Magnetic switch**" means a non-contact device used to monitor the position of machine guards, gates, and doors by sensing the presence or absence of a magnetic field and signaling the machine to shut down or enter safe mode if the field is interrupted.

"Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.





Specialized Rooms

Definition: Specialized room

"**Specialized room**" means a room that has a specific function that requires equipment, furniture, or supplies not found in a standard room. This includes, but is not limited to, a career and technical education room, laboratory, auto shop, art room, or health room.





24

Language: Specialized Rooms (1)-(2)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- 1) Single-use soap and single-use towels at handwashing sinks.
- 2) Emergency first aid fixtures:
 - a) Emergency eyewash fountain in each room where hazardous materials are used, or eye irritants are produced;
 - b) Emergency shower in each room where hazardous materials are used and the potential for chemical spills exists; and
 - c) All emergency eyewash fountains and showers must have unobstructed access and be within 10 seconds of use and less than 50 feet from anywhere in the room.





27

Specialized Rooms

Language: Specialized Rooms (3)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- Emergency shut-off valves or switch for gas and electricity connected to stationary machinery. Valves or switches must:
 - a) Be located close to the room exit door;
 - b) Have unobstructed access; and
 - c) Have signage posted adjacent to the valve that room occupants can easily read and understand from the opposite side of the room during an emergency.



Language: Specialized Rooms (4)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- 4) A prohibition of use and storage of compounds that are:
 - (a) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or
 - (b) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals identified as the P-list under WAC 173-303-9903.



33

Specialized Rooms

Language: Specialized Rooms (5)-(7)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- 5) Safety procedures and process for instructing students regarding the proper use of hazardous materials or equipment.
- 6) Appropriate personal protective equipment when exposure to potential hazards might occur.
- 7) Situation-specific emergency and protective equipment during demonstrations with hazardous materials and with hazardous procedures. Examples of protective equipment include, but are not limited to, safety shields for eyes, protective gloves that are fire retardant and chemical resistant, respiratory protection, and fire extinguishers.



Language: Specialized Rooms (8)-(9)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- Magnetic switches on all stationary machinery to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the emergency shut-off.
- Appropriate ventilation or source capture systems that prevent the recirculation of air into the room or transfer of airflow into other parts of the school facility.



39

Specialized Rooms

Language: Specialized Rooms (10)

A school official shall ensure specialized rooms that are part of a school facility include, if applicable:

- 10) If a school facility includes a designated health room, a school official shall ensure that the health room includes:
 - a) The means to visually supervise and provide privacy for room occupants;
 - b) Surfaces that staff can easily clean and sanitize;
 - c) A handwashing sink in the room;
 - d) An adjoining restroom; and
 - e) Mechanical exhaust ventilation that ensures that air does not flow from the health room to other parts of the school facility.





Proposed Rule Sections: Lighting

Lighting

Intent

The intent of this section is to maintain the current lighting standards to ensure that there is minimized eye stress and fatigue for students.

Note: There are no substantive changes to the language. It has been simplified.



Lighting

Definitions: Established Terms

"Foot-candle" means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.

"Total solar energy transmission factor" means the measurement of solar gain due to the glazing of a window or door.





Lighting

Language: Lighting (1)-(2)

A school official shall:

- Provide light intensities that meet or exceed those specified in Table X.
 - a) Natural lighting, energy-efficient lighting systems, lighting fixtures, or bulbs may be used to maintain the minimum lighting intensities.
- Control excessive brightness and glare in all instructional areas. Surface contrasts and direct or indirect glare must not cause excessive eye accommodation or eye strain problems.



47

Lighting

Language: Lighting (3)-(5)

A school official shall:

- 3) Provide sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms, and meeting rooms during at least 80 percent of the normal school hours. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Sun control is not required if air conditioning is provided, or special glass is installed having a total solar energy transmission factor less than 60 percent.
- 4) Provide lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces.
- Provide windows in sufficient number, size, and location to enable students to see outside at least 50 percent of the school day. Windows are optional in specialized rooms.



51



Open Discussion and Questions





Recap





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

Date	Location
Monday, December 16, 2024	Zoom only
Thursday, January 15-16, 2025 Fiscal Review	SeaTac
Thursday, February 6, 2025 Final Review	TBD

57

THANK YOU

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ACCESSIBILITY AND THE AMERICANS WITH DISABILITIES ACT (ADA)

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- Our agency, website, and online services follow the Americans with Disabilities (ADA) standards, Section 508 of the Rehabilitation Act of 1973, Washington State Policy 188, and Web Content Accessibility Guidelines (WCAG) 2.0, level AA.
 We regularly monitor for compliance and invite our users to submit a request if they need additional assistance or would like to notify us of issues to improve accessibility.
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 - · The nature of the accessibility needs
 - · The URL (web address) of the content you would like to access
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