



# School Rule Project Update

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# Board Authority

- The Board's primary authority for school environmental health and safety is housed in RCW 43.20.050 in subsection 2:
  - (d) Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, and cleanliness in public facilities including but not limited to food service establishments, schools, recreational facilities, and transient accommodations;
- The Board's primary enforcement is found under the same RCW in subsection 5:
  - All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules adopted by the state board of health.
- The Board also has authority to prevent the spread of disease in schools found in RCW 28A.210.010:
  - The state board of health, after consultation with the superintendent of public instruction, shall adopt reasonable rules regarding the presence of persons on or about any school premises who have, or who have been exposed to, contagious diseases deemed by the state board of health as dangerous to the public health.

# Budget Proviso

- State appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety.
- Collaborate with the office of the superintendent of public instruction and develop a fiscal analysis.
- Assist the department in completing environmental justice assessments on any proposed rules.
- The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025.



# Deliverables

- New draft proposed rules
- Environmental Justice Assessment
- Fiscal Analysis
- Report recommending implementation priorities for Governor's office and Legislature

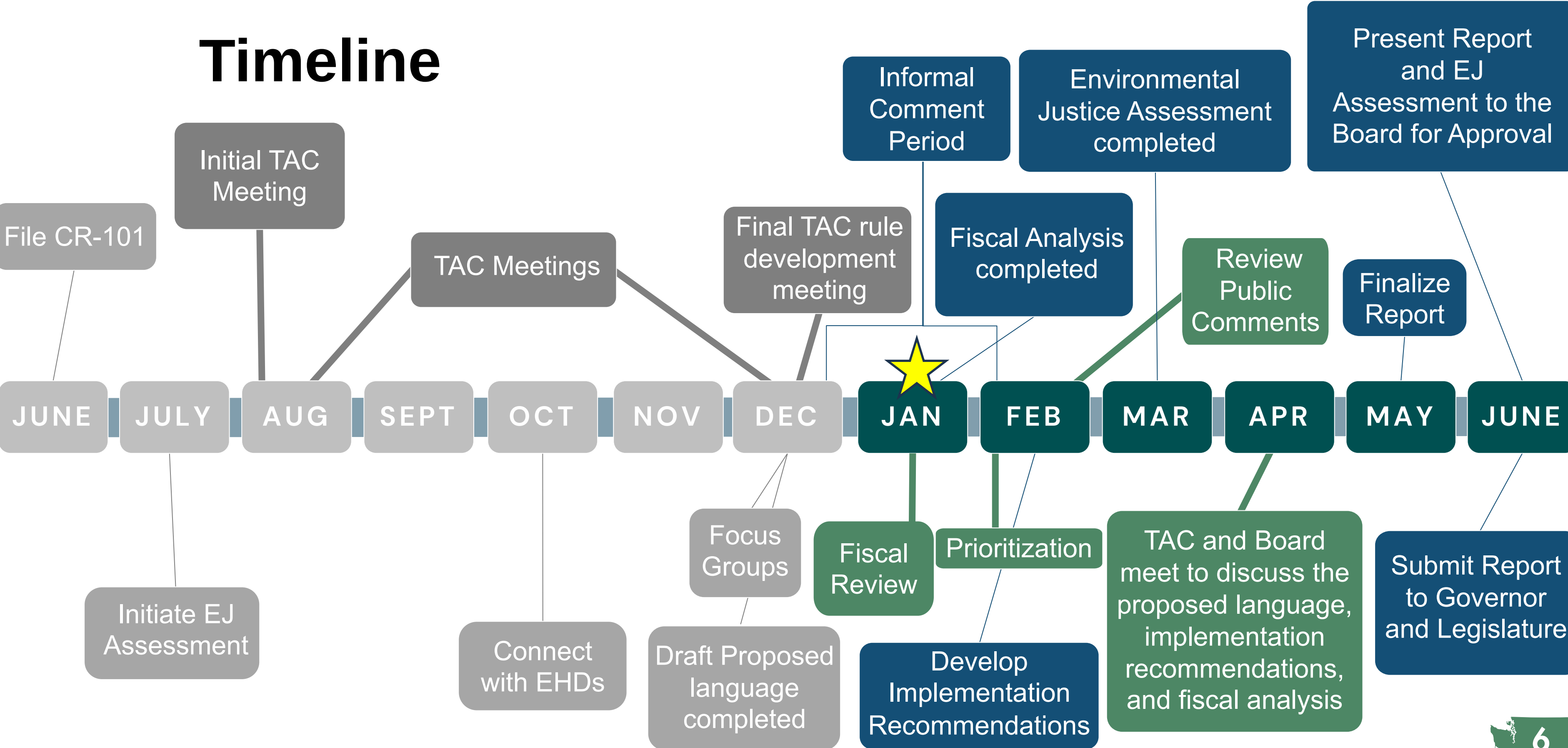


# Technical Advisory Committee

- Required Members
  - Office of Superintendent of Public Instruction
  - Small & Large School Districts
  - Washington Association of School Administrators
  - Washington State School Directors' Association
  - Washington Association of Maintenance and Operation Administrators
  - Washington Association of School Business Officials
- Additional Members
  - Washington Education Association
  - Small & Large Local Health Jurisdictions
  - Parent Teacher Association
  - Private Schools
  - Tribal-Compact Schools
  - Overburdened Communities
  - Washington Association of School Principals
  - Department of Health



# Timeline



## **Deliverable: New Proposed Rule**

### Rulemaking Process – Chapter 246-370 WAC

- Review of Chapter 246-366 WAC – Currently effective rule
- Review of Chapter 246-366A – Suspended rule
- 10 to 12 Technical Advisory Committee Meetings
- Informal Comment Period
- Review Meeting
- Board Review and Approval
- Legislature and Governor Review and Approval

## **Deliverable: New Proposed Rule**

### Retained and Removed Language

- 2 Sections have been retained
- 3 Sections have been reformatted/retitled
- 2 Sections have been removed



# Deliverable: New Proposed Rule

## New Sections

- 3 new sections have been added
  - Applicability
  - Indoor Air Quality
  - Specialized Rooms
- New references to current state law and rules:
  - Lead Testing in Schools (RCW 43.70.830)
  - Foundational Quality Standards for School-Age Programs (WAC 110-301)

# Deliverable: Environmental Justice Assessment

## Environmental Justice

- Healthy Environment for All (HEAL) Act
  - Goal of eliminating environmental and health disparities among communities of color and low-income households. It is the first statewide law in Washington to create a coordinated state agency approach to environmental justice.
- The Assessment
  - The Board is working closely with partners at the Department of Health to develop a comprehensive report and intentional engagement with communities most affected by school environmental health and safety issues.

# **Deliverable: Environmental Justice Assessment**

## Community and Regulated Community Engagement

- Tribal Engagement
  - Dear Tribal Leader Letter (June 2024)
  - Tribal Listening Session (July 2024)
  - ONE STEC Convening
- Community Engagement
  - 7 in-person listening sessions
  - 2 fully remote listening sessions
  - 5 Focus Groups
- Regulated Entities Engagement
  - Executive Principals Meeting
  - Heads of School Meeting
  - WSSDA Annual Conference
  - LHJ Outreach and Education

## **Deliverable: Fiscal Analysis**

### Fiscal Impacts & Possible Conflicts

- Key areas
  - Indoor Air Quality
  - Temperature
  - Specialized Rooms
- Coordination
  - OSPI
  - Industry
  - Interested Parties
- Possible conflicts
  - Clean Buildings Performance Standards
  - State Building Code
- Fiscal Analysis Report
  - Cost per sqft
  - Regional cost differences
  - Cost differences related to age of school facility

## **Deliverable: Implementation Priorities Report**

### Implementation Recommendations Process

- In collaboration with the TAC, the Board will develop recommendations on which sections of the proposed rule should be prioritized for funding and implementation.
- The TAC will meet in February and March to identify the areas they recommend the Board prioritize to the Legislature and Governor's Office.

# Key Upcoming Dates

- Informal Comment Period:  
December 20, 2024 – February 9, 2025
- Fiscal Summit:  
January 15 and 16, 2025
- Board and TAC Meeting:  
April 9, 2025
- Board finalizes and approves report:  
June 11, 2025



# THANK YOU

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