WASHINGTON STATE BOARD OF HEALTH

Minutes for School Environmental Health and Safety Rule Project
Technical Advisory Committee Meeting
January 15, 2025
Hybrid Meeting
ASL (or CART)
Seattle Airport Marriot
3201 South 176th St,
Seattle, WA 98188
Snoqualmie Ballroom
Virtual meeting: ZOOM Webinar

Technical Advisory Committee Members:

In Person Participants

Patty Hayes, RN, MSN, Chair
Becky Doughty, Spokane Public Schools
Brian Freeman, Inchelum School District
David Hammond, Washington Association of School Administrators (WASA)
Devon Kellogg, Washington State PTA (reside in Lake Washington SD)
Erin Hockaday, Benton Franklin Health District
Geoff Lawson, WAMOA and Auburn School District
Gina Yonts, Association of Washington School Principals
Laura Peterson, Washington State PTA
Lauren Jenks, Washington State Department of Health
Laurette Rasmussen, Whatcom County Health & Community Services
Nicole Daltoso, Evergreen Public Schools (Clark County)
Preet Singh, Bellingham Public School
Tammy Allison, Washington Association of School Business Officials

Online Participants

Brian Buck, Lake Washington School District
Jared Mason-Gere, Washington Education Association
Pam Schwartz, Washington State Catholic Conference/Catholic Schools
Samantha Fogg, Washington State PTA (Seattle Public Schools)
Sandy Phillips, Spokane Regional Health District
Sharon Ricci, Washington Federation of Independent Schools
Suzie Hanson, Washington Federation of Independent Schools

Technical Advisory Committee members absent:

Anders Lindgren, School OPS
Bailey Stanger, Benton Franklin Health District
Brook Wilkerson, School OPS
Dan Steele, Washington Association of School Administrators (WASA)
Doug Rich, Washington State Catholic Conference/Catholic Schools
Jacob Cook, Parent
Jaime Bodden, WSALPHO
Jeff Rogers, WAMOA and Auburn School District
Jessica Sankey, Bellingham Public School
Julie Salvi, Washington Education Association

Kate Espy, South Kitsap School District
Kellie Lacey, Richland School District
Kelly Cooper, Washington State Department of Health
Kelsey Greenough, Richland School District
Kenney Johnson, Lake Washington School District
Kevin Jacka, The Rural Alliance
Morgan Powell, Office of Superintendent of Public Instruction (OSPI)
Nicole Roel, Washington Association of School Business Officials
Randy Newman, OSPI
Richard Conley, The Rural Alliance
Roz Thompson, Association of Washington School Principals
Sandra Jarrard, Spokane Public Schools
Steve Main, Spokane Regional Health District
Susan Baird-Joshi, Washington State PTA (reside in Lake Washington SD)
Ted Dehnke, Evergreen Public Schools (Clark County)
Tyler Muench, OSPI

Technical Advisory Committee staff present:
Andrew Kamali, Project Manager
Nina Helping, Policy Advisor
Marcus Dehart, Communications
Michelle Larson, Communications
Anna Burns, Communications
Mary Baechler, Community Outreach Coordinator
Crystal Ogle, Administrative Assistant
Melanie Hisaw, Administrative Assistant

Guests and other participants:
Karen Langehough, FirstRule, Facilitator
Brian Cawley, Hargis Engineering
Ali Boris, Department of Health

1. Minutes Review

Patty Hayes, Committee Chair, welcomed committee members and convened the School Rules Technical Advisory Committee meeting at 11:00 a.m.

Chair Hayes welcomed the American Sign Language and Spanish language interpreters and expressed appreciation for their patience and support.

Chair Hayes presented meeting minutes and asked if there were any questions or comments, there were none.

2. Reminders

Chair Hayes read from a prepared statement on file. Chair Hayes stated that the meeting is being recorded and posted online shortly after the meeting, then reminded everyone to speak slowly for the translators.

3. Objectives and Meeting Agreement

Karen Langehough, Facilitator, asked for quick introductions from committee members. Facilitator Langehough explained that the objective for the day was to talk about fiscal assumptions. Tomorrow the committee will talk about details. The process will continue to be iterative and can be

brought back to future meetings. In February, more work will follow to prepare for the review with the Board at the April 9 meeting.

Facilitator Langehough shared the committee agreements.

Andrew Kamali, Project Manager, revisited the proviso for awareness of pieces that still need completing. During the 2024 session, the Legislature directed the Board and the Office of Superintendent of Public Instruction (OSPI) via the technical advisory committee to make revisions of the School Environmental Health and Safety Rules, including the fiscal portion and analysis and recommendations for implementation.

4. Fiscal Assumptions

PM Kamali explained fiscal analysis—comparing the cost of the current rule with the new requirements in the proposed rule. They acknowledged that the current rule has not been uniformly applied throughout the state. There are over 1.1 million students and 10,000 buildings in the state, so we'll be looking at ranges. Some schools can fully comply as is, others may not have that capacity. The critical piece today is plugging in the numbers and assessing the costs of the pieces.

Brian Freeman, Committee Member, asked if the numbers are based on the allocation the districts receive or the average costs.

PM Kamali said we have a document from OSPI that averages costs for positions. We need committee members to help us identify the positions and hours needed to fulfill the requirements. We can align with the average salaries provided by OSPI and the state of Washington. Much of the analysis involved reaching out to vendors to get estimations. We know the goal, but what is the process to get there? We are also looking at low-cost alternatives. We are looking at Rule Requirement Labor Hours for specific topics highlighted.

PM Kamali outlined the common school positions from the superintendent to all staff classifications. They gave a few minutes for committee members to review the Duty Code Definitions, saying they may not align perfectly and asked for committee members to help identify them.

Tammy Allison, Committee Member, asked for clarification.

PM Kamali said we need to know how much more time it will take staff and who will do the work of the new rule.

Member Freeman said contractor expenses aren't part of the duty code, so how do we quantify those numbers?

PM Kamali said we have a way to get the information for the contracting piece.

Brian Buck, Committee Member, echoed Member Freeman's question, expressing uncertainty about whether duty codes are applicable to contracted services.

Nicole Daltoso, Committee Member, mirrored the comments by Member Freeman and Member Buck.

Member Daltoso said the cost for the schools would be the amount of time school employees spend doing requests for proposals (RFP's), so maybe an hour plus review for these types of jobs. If it's a roster, that would be emailing directly. If not, it would be writing an advertisement for the paper.

Facilitator Langehough asked if we have an assumption for the time of the current rules.

PM Kamali said the current rules are vague and don't have specific requirements. PM Kamali said this is an abstract process, we can use this discussion to get to the numbers.

Member Allison asked about the money from OSPI for positions.

PM Kamali said we need to know the dollars to implement the rule for the legislature.

Member Allison said there is Classified and Classified Admin. Some Classified make over 100,000-200.000 per year, and this is at 50%.

Member Freeman talked about large districts and small districts due to capacity, saying an RFP for a small district might take two hours vs. one hour for a large district. If you don't have capacity, it takes longer.

PM Kamali appreciated the introduction of the capacity piece.

Member Freeman said most districts are small.

Facilitator Langehough asked Member Freeman if it would be three times the amount of time if averaged out.

Geoff Lawson, Committee Member, said rural districts will not have the same resources or competitiveness.

Member Freeman said it depends on the item, such as pest plan—there's nobody in their district with this expertise, but it would take the same time to work on a project since they would work with professionals.

Suzie Hanson, Committee Member, asked about assumptions.

PM Kamali said we would assume the maximum needed. We'd rather overestimate and factor in the extensive amount of coordination that needs to happen and go with the highest salary assumption.

Erin Hockaday, Committee Member, asked how frequency of service plays into this.

PM Kamali said it depends. Site assessment only happens with a new plot of land, so it might be a one-time cost. Other times are routine inspections, and it depends on the size of district, region, and more.

Member Lawson said it depends on how often bonds are passed.

Member Allison said 109 out of 313 schools are above 2,000 enrollments.

Member Buck said it's difficult to draw comparisons without seeing them side by side and what's in practice.

PM Kamali said we are aware that WAC 366 is not formally enforced throughout the state, but we must show the costs between 366 and 370.

David Hammond, Committee Member, said Bethel School District passed one in 2018 and site assessments up to seven, before that it was zero. The costs at purchase time are different, maybe two to three times when going through the process than when ready to build. Labor costs aren't too intensive unless the property is somewhat complicated.

Chair Hayes, said we must do this analysis according to fiscal rules, but our report can reflect the message here, such as what Member Buck just about actual costs.

Devon Kellogg, Committee Member, asked if the Department of Health (Department) is providing guidance to plans and templates.

PM Kamali said yes, we can get to that and it will vary if a school decides to use it.

Facilitator Langehough asked in terms of a baseline, how much time does it take today to do a site assessment versus what we have in the language. It seems about zero to one hour.

PM Kamali said we don't need to come to a consensus, and please estimate high.

Facilitator Langehough said the upcoming QR code is not a vote, it is a survey to get to an assessment of how much time to factor in and which positions would do that. When using the QR code, some questions have branching questions, and some don't.

Pam Schwartz, Committee Member, said they have a wide range of school sizes so it would be the principal or facilities manager if they have one. They didn't know how long these tasks would take or how to reply to the survey.

Facilitator Langehough said if you honestly don't know, feel free to skip the question.

PM Kamali said if your schools are on the smaller end, maybe discuss with fellow committee members.

Member Freeman said some of us have done these tasks and know and others don't. This is very role-dependent, and it might be better to approach this collectively as a committee.

Member Buck, asked if we should calculate as a one-time or annual cost.

PM Kamali said we are looking at singular projects.

Member Freeman gave an example such as Member Hammond's large district that has in-house staff, so his costs are higher than schools that will be contracted out. For a district with capacity, their costs are higher.

Member Hammond said they contract out the actual assessment of the site and they have a team of construction folks that takes about 30 hours. But an elementary site is different than a high school site. They will lean towards the higher end and see this as negotiation. They will use the salary position of Director of Planning, although their Director of Planning outsources some of the work.

Sandy Phillips, Committee Member, asked for confirmation that those from local health jurisdictions should not respond.

Facilitator Langehough confirmed that local health jurisdictions should not respond.

Member Phillips said meetings are generally about an hour for some site visits.

Member Hanson said it's a strange exercise to estimate costs, while at the same time not getting any money from the state. They recognized that the committee hopes for legislators to come up with funding to support the rule, but the private schools need to cover their own costs.

PM Kamali recognized private schools are in a different situation and that can add a layer of complexity. We might find some places that may have decreased costs.

Member Freeman said if the cost is a million, it doesn't mean the Legislature will allocate that amount.

Chair Hayes said this fiscal analysis is different than a fiscal note, saying this is our opportunity to build costs and build in assumptions at that higher level. This is our opportunity to be transparent and arm the process with the information needed to move forward. Rules go into a black hole when they go to the Legislature, but transparency is important.

Member Kellogg asked about the cost to students if we don't proceed.

Chair Hayes talked about the cost of asthma in the schools, saying we must follow rulemaking procedures that might not include that cost, but the report can include anything we want.

Member Hanson asked about adjusting the requirement with the knowledge of costs.

PM Kamali said if we review and see the high cost with net zero benefit for students, then why are we doing it. That is a piece of the conversation.

Facilitator Langehough said we aren't making decisions about what stays or doesn't stay.

Facilitator Langehough summarized that the recommendation is for group input rather than individual input. Can we still leverage individual responses and let the team consider this.

PM Kamali thinks it's good to move forward with the survey and said folks are allowed to select up to two answers.

Facilitator Langehough said if you select "other," then please enter the duty code.

Member Freeman asked about the duty codes, such as for the range of superintendents.

PM Kamali recommended they assume in this case.

Facilitator Langehough asked Nina Helpling, Policy Advisor, how to best simplify.

PA Helpling said they are more concerned with the salary amounts, so best to put the position and salary range if the codes are confusing.

PM Kamali said if members are unsure of the codes, put down the salary and title. These are preliminary numbers that can be updated later if necessary.

Member Schwartz appreciated the info but said that it doesn't help. They may get 74 different answers from 74 different people.

Member Allison asked about district sizes.

PM Kamali said that a district with more than 2,000 students is large and less than 2,000 is small. We have the average salaries for positions from OSPI.

Survey

> *Will the rule change the amount of time to complete site assessments from the current requirements?*
> *Who will perform these tasks?*

Lunch Break from 12:30 p.m. to 1:00 p.m.

5. Fiscal Assumptions

Construction Plan Review

Chair Hayes announced that the next section is a construction plan review for new alterations and portables.

Facilitator Langehough asked the committee to take a few minutes to review the components on the slide.

Sam Fogg, Committee Member, asked if we are including one-time costs to implement getting these systems in place.

PM Kamali encouraged members to share any one-time costs they might be aware of so we can include them.

Member Freeman said that they went through this section with architects and the costs didn't change because of the added step to notify a local health officer at 50% of planning. There was an extra meeting for them but the costs were an hour of prep and an hour for the meeting, between three architects, the project manager, and Member Freeman.

PM Kamali verified that these cost assumptions were included up front under the existing rule—that there would be no increase in cost.

Member Freeman replied that it was painless for them but probably more time for the local health officer as they had to review the plans at the 50% mark.

Member Hockaday replied that the 50% review is like their process. It saves time—a lot less back and forth chasing down specifications—so much smoother when we connect early.

Member Hanson thanked Member Freeman and asked if it was hard to coordinate the meeting with the local health officer.

Member Freeman said it was easy—two minutes for a phone call and then finding a time to meet that worked for everyone.

Member Phillips agreed that it pushes the project to be approved sooner because the final plans are likely to be 100% correct.

PM Kamali asked Member Freeman how long the 50% design development stage meeting was. Did it increase the time?

Member Freeman said no. We were already meeting weekly. It was the same amount of time, except for the prep for the meeting.

Laurette Rasmussen, Committee Member, said that they don't have a formal 50%, but they do offer a pre-app with their planning department, and the 50% sounds great.

Facilitator Langehough asked members to complete the survey question.

Survey

> *Will the rule change the amount of time to complete site assessments from the current requirements?*
> *Who will perform these tasks?*

Routine Inspection

Facilitator Langehough asked members to review the next section in their packet. The screen listed any changes or new components.

Member Hanson commented that it's one thing to have your own inspection and another thing to provide a written report to your local health jurisdiction. They've heard that it is cumbersome and asked if anyone had done a report and what the expectations are.

Member Daltoso asked Member Hanson if they were referring to routine inspections.

Member Hanson replied that in Spokane, they allow every third year or every second year for a school to do their own inspection using the checklist given by the health officer. It teaches the entire school staff how to look for issues in the school building that are unsafe. They added that they don't want to write detailed findings of the inspection or go through training. Will writing reports put a huge burden on the school?

Member Daltoso replied that they can't speak about the one through three-year schedule as they don't have this option; for writing reports, it depends on what issues you find, the size of the school, and what programs are included. If you don't have an art studio, then you don't have to worry about related concerns.

Member Freeman said that their school is small with no capacity, so they don't do this. The Educational Service District, insurance company, health department, or fire department will do it and then respond.

Member Lawson said that for cleaning they do a lot of routine inspections in their district. Most of their elementaries are about 75,000 square feet which is huge. They usually do a room-to-room inspection. It takes about four and a half hours, and the reports are very detailed. A company provides an app that takes a few clicks and it's done. This is specifically for cleaning.

Facilitator Langehough points out that the self-inspection language uses "may," so it's not required. They asked Member Hanson if this addressed their concerns.

Member Hanson asked that since it says "may," does the survey allow what Member Freeman says, that this would not be done.

PM Kamali replied that we would frame this section to show the costs if a school does self-inspection. If they choose not to do it, there are no new costs.

Member Buck said that in lieu of the health department doing the inspection, a school could elect to do the inspection to save money—assuming the health department is going to bill the school district. If they don't bill the school, there would be no additional costs.

Member Hockaday commented that some local health jurisdictions that offer self-inspection will still charge because they are processing the reports and reviewing, responding, and coming up with compliance plans. Some will charge only if they do the inspection. Each local health jurisdiction has its own way of doing this. They don't go into all the rooms in the school. At my health district, we just

do one specialty area at a time. This year we're doing science. Next year, we're doing another area. This makes estimating the cost difficult.

Member Hanson replied that Member Hockaday had answered their question.

Member Phillips added that they thought Member Hockaday was correct. Their jurisdiction charged for their time. Originally it was optional that schools could opt in or out. If they didn't conduct the inspection, the jurisdiction did it and charged the school. Then when their board required them to collect 100% fee recovery for their school inspections, it was going to be more expensive for the schools, so they made self-inspection mandatory as it was cost prohibitive for the schools to pay for the jurisdiction to do it. They seem happy now that they are used to doing it. Based on their experience it is probably two to three hours for an elementary school. If it includes an old playground, an hour for that, three hours for a middle school, four, possibly five hours for a high school.

Member Lawson asked about the estimates that were on the screen.

Member Phillips replied that every year they hold a half day workshop, with a checklist for them to follow through with; that they didn't know how long it would take to fill it out. It is going to depend on the number of issues identified and the size of the school.

Member Daltoso asked Member Phillips what the cost difference was for the jurisdiction doing the inspection versus reviewing the school's inspection.

Member Phillips replied that if a school couldn't do the inspection, it would be $180 per hour on top of what they already pay. They're charged the three years like Member Hockaday mentioned because we must review the reports. The cost is split over the three years so they're not paying a large chunk of the one year that of the routine inspection. The fee numbers are on the website. If they have questions there is no charge for that. The schools decided that they would participate in the self-inspection program because it was less expensive for them.

The committee viewed the Spokane district fee schedule which ranged from $600 to $2,350.

Member Schwartz asked when the jurisdiction does an inspection, and they pass a fee to the school, how is that fee assessed. How is it paid? Is it property taxes? And what happens in a private school?

Member Daltoso answered that most school districts get an invoice post inspection. The school sends an application, schedules the inspection, gets the report, reviews, then gets a certificate. For their district, facilities cover the costs from the general fund. The process is the same for a private school.

PM Kamali shared that not every jurisdiction charges for inspections. Not all the fees are the same because there are differences in costs based on location.

Member Hammond commented that for most districts, when they think about this process, they're going to do whatever reduces their liability the most, and that is usually having somebody else do it. Their risk manager takes this which marries the health department with their insurance, and they don't do any of this in-house.

Member Hanson said that some jurisdictions don't charge and some charge way more. It feels arbitrary or not in the favor of the schools.

Facilitator Langehough said that the survey is asking for common school positions that would be doing this inspection. They asked for any questions or comments.

Member Daltoso had a question for Member Phillips. Member Daltoso asked if the self-inspection fee is divided over the three years so it is the same amount every year.

Member Phillips confirmed that they were correct. They are billed the same amount every year.

Member Hanson asked if the option to do the self-inspection is decided by the jurisdiction or the school.

PM Kamali replied that a school official may conduct the required additional inspection. If the school or school official opts not to do it or not to get the training, then they're not going to do it; if you're not trained for it, then you're obviously not going to do it. You must opt into the training to be able to do it.

Member Rasmussen added that they don't have the option yet, as they are just starting their school inspection program. It may be something that will develop in the future. Right now, they don't have a training program for a school official to come to. When asked, the schools answered that they did not want to do the inspection. This portion intends that the school is the one that opts in or opts out. It's not the local health officer that prompts that. If the local health jurisdiction or local health officer allows and develops this program. Then the school can opt to do it if it leads to cost savings. It's a choice.

PM Kamali added that if a jurisdiction starts this program, the local school can opt in.

Member Hanson commented that some jurisdictions refuse to do this, so the school may not be able to opt in. The second piece is whether the school will be allowed to participate. In some areas, the schools do find this as a cost savings, but the jurisdiction doesn't allow it.

PM Kamali commented that the local health jurisdiction makes the decision whether to offer based on factors they decide on. If this program is available, the school decides if they want to opt in.

Member Freeman asked if the insurance company does this, and if they don't charge, are they getting the same training?

Member Hockaday replied that this past year they offered schools the option to do self-inspection of their playgrounds, and many of them used third-party insurance companies to conduct those inspections. Even though we allowed a lot of the schools to have the insurance companies do their inspection, we still asked them to submit it in our format. It must go into our database in a specific format.

Member Freeman asked if there was a uniform reporting program across the state. That would be a savings.

Member Hockaday answered that many health jurisdictions use different software.

Member Lawson asked the local health jurisdiction members if there is an application where they could input the data into an app and then have the app send the report right back to the jurisdiction quickly.

Member Hockaday replied that they did not think anyone has anything like that, because the report requires review and discourse before it's finalized. They use REDCap, which is a database where staff directly input data. Then there's a compliance plan, and then it is formalized into a report.

Member Rasmussen commented that from a jurisdiction view, it would be good if we were all on the same report. We are working on spreadsheets that we upload.

Facilitator Langehough asked members to complete the survey.

Survey

> *What common school positions would typically perform the duties to complete a routine inspection?*

General Building Requirements

Facilitator Langehough said that this section focuses on water temperature, and if all the sinks provide hot water.

PM Kamali said that the current food code in Washington requires temperatures to be between 100 and 120 degrees. We reduced that to 85 degrees to align with the federal standard for handwashing.

Member Hockaday pointed out that for food service the temperature would still have to be 100 degrees.

PM Kamali said we are trying to see if you have any handwashing sinks that have only cold water, which would be out of compliance because then we would do a fiscal analysis.

Gina Yonts, Committee Member, replied that their district had a fiscal savings program and turned off all hot water in the student sinks. We had hot water only in the nurse's office.

Laura Peterson, Committee Member, added that they turned off the hot water because kids would scald themselves.

PM Kamali asked if these are temporary installations. Scalding temperatures would be over 120 degrees, which is outside the proposed range. We want it to be at least 85 degrees, like a swimming pool.

Member Hockaday added that our current code says you must have hot water at hand washing sinks. The issue is it just says hot water.

Member Rasmussen said there is a cost to adding that. They just had a whole bank of bathrooms go in at a football field and each bathroom had its own water heater.

Member Freeman commented that they added hot water tanks at the football fields because we thought we had to.

Member Yonts asked Member Freeman for the cost of the water tank.

Member Freeman replied that the total was about $3,000, but it's hand-washing temperature.

Member Daltoso commented that if it's a stadium, it's a stadium, not a school facility. Our greenhouses have handwashing sinks with cold water.

Facilitator Langehough said that if members have areas with handwashing without hot water, you are going to answer no on the survey.

Member Hockaday asked if this is in the showers and restrooms or general building.

PM Kamali replied that it is the general building. It might be important in greenhouses due to toxic things. It would be good for the soap to emulsify properly.

Member Hanson responded a second time when they realized there were lots of places without hot water.

Survey

> *What common school positions would typically perform the duties to complete a routine inspection?*

Indoor Air Quality—Control sources of air contaminants

Member Daltoso asked if we are looking specifically at (1)(a).

Facilitator Langehough replied yes.

Member Freeman asked who is the official: custodians, staff, administrators?

Facilitator Langehough commented if there are no questions, you can go ahead and respond.

Survey

> *What common school positions would typically perform the duties to complete a school inspection to look for sources of air contaminants?*

Member Freeman asked if this is based on buildings or districts.

PM Kamali replied yes.

Indoor Air Quality—Radon

Facilitator Langehough introduced the next section on indoor air quality and radon.

PM Kamali asked Member Daltoso to share their experience with radon.

Member Daltoso replied that this estimate is as accurate as it can be. They developed a plan from scratch, using the American National Standards Institute (ANSI) standard and other sources like the Environmental Protection Agency and the Department. They believed that this was a fairly accurate estimate; there would be nuances based on district size. If it comes from a template, that will be easier. Everyone will be testing in the same way. A testing plan will vary by district size and school size.

Member Freeman commented that the plan is a district plan, and small districts might take tenhours, and large districts one hour, due to capacity and previous knowledge. If ten buildings, not one hour.

Member Lawson commented that we don’t have a radon plan right now, we would have to develop it. It’s a huge cost, and there’s a need to train personnel. It’s not on the radar for anyone.

Member Hanson agreed. An example is a school that rents and just has two rooms.

PM Kamali replied that you measure radon at specific levels. If you have a sublevel in a school, that's where you'd measure radon. If it doesn't have a sublevel, you'd measure it on the first floor. These times are based on specific schools, not district wide. I don't know if you could uniformly

apply one plan to a whole district, there's going to be variability there. Buildings that are rented still need to meet the code. You'd have to work with the landlord and must do it by the standard.

Member Hanson said that businesses won't rent to us if the code has an impact on them. I think it's going to limit the places available for schools.

Member Buck said they think we are looking at district-wide versus individual schools. It's a large effort to develop a plan across a district.

PM Kamali asked Member Hockaday or Member Daltoso to describe the process and added a reminder that radon is the second leading cause of lung cancer in Washington state.

Member Daltoso replied that it states testing for radon is every five years, so you could do 20% of buildings each year. They took the floor plan for every school and did a plan for 20%. If there was a basement level, they tested it right away. Once you have your floor plans then you order test kits with steps to validate the quality of the kits. They had a spike in tests, and once those were returned they were ready to test. The first time they did it, they had a company come in to train them, and then they met with the team every year. They bagged the kits, sent them out, got them on Tuesday night, and then mailed them to get the report back and a review of the results. If passed, they set up communications. If they did not pass, then they would check the ventilation system retest right away, then contract to have mitigation to install, and then develop communications about steps taken. If the building passes, it's a quick process. If not, then it's a contract process.

Member Daltoso added that you want to do those checks to support the accuracy of results and that you are following the protocol. If contracting it out, it's a similar process.

Member Freeman asked if committee members can run a radon plan.

Member Daltoso replied that with support from the local health jurisdictions and the Department, yes. The first year is a learning curve. If we can do a pandemic, we can do this. Having a template helps and supports the state. Once you've done it once, it will get easier.

Member Hammond commented that they are installing radon detectors in all their schools and asked if that meets the standard.

PM Kamali confirmed that installing radon detectors would meet the standard.

Member Hanson commented that when they listened to the description of the process that Member Daltoso described and wondered what they set aside to do this. Then Member Hammond came up with an easier way. The testers would be a way to go.

Member Hammond added that you do have ongoing maintenance, costs, and a system. They are pursuing something that monitors this via the internet, so that has costs.

Member Daltoso said that just looking at the costs, $200 to $300 each, or wiring it in, there is still the cost of getting that done. As a safety coordinator, nothing gets set aside, but we get the work done. It will be extra work that will land on someone. There are options whether you get monitors or conduct tests once a year.

Member Freeman said that if it's a coach, it's not going to be an hour.

Member Hockaday said this feels like the lead testing plan in water. Can we use that as an estimate?

Member Freeman added that the Department did it for them, and it didn't cost anything.

Member Hockaday asked what should happen regarding the plan to discuss with the public.

Member Fogg said that they have lived in states where you had to do it. You picked up a kit at the hardware store. Everything is more complex at a district level, but if it's a school with two rooms, anybody can set it up. They would not be comfortable testing for lead, but they would be comfortable with this.

Member Hanson asked why isn't the Department doing this, like with lead in schools.

Member Rasmussen replied that we were specifically funded for lead.

Member Daltoso estimated 170 test kits for their schools and 45 hours to set those up. If it goes well, it's easy. If it doesn't, that's where additional work comes in.

PM Kamali asked how long it would take to develop a plan for doing the testing.

Member Daltoso replied the testing plan, maybe three hours total including meetings and ordering test kits.

Member Freeman asked Member Daltoso where they put the test kits.

Member Daltoso replied that the directions tell you. For a gym, you would add two or three test kits. If you only have 20 classrooms, you'd be doing four a year. If two wings, 16 classrooms, it would be four. If there is a high reading on one side, we would retest that room and adjoining rooms.

Member Yonts commented that teachers and professionals are living in those classrooms. They are a workforce. Over a 10-year period many people get sick. Think about the Department of Labor and Industries (L&I) concerns.

Member Allison said that this could be a simple plan, testing each room once every five years.

Member Daltoso added that the actual base plan is nine pages total, including the appendix, flow chart, directions, spreadsheet, and floor plan.

Member Hanson was cautious about using the word "just." If there is mitigation, how will schools communicate it to parents and the community? The responsibility falls on the schools alone. There needs to be a stronger system from the state.

Member Daltoso explained that doing all the work for their radon testing. The local health jurisdiction was not able to support the testing. Member Daltoso had the degree and could understand the language. The responsibility will land on one person. There are three people for a 23,000-student population. Templates would provide success where there are bumps in the road.

Facilitator Langehough asked if the committee could add the need for support in the guide.

Chair Hayes commented that when we talk about phased implementation, we need a risk analysis. We need to keep compiling and we will have to prioritize. A recommendation could go in with a statement about partnership with local public health.

PM Kamali recommended that the Department develop templates and support.

Survey

> *What common school positions would typically perform the duties to develop and implement a radon testing plan?*

Afternoon Break from 3:00 p.m. to 3:15 p.m.

6. Fiscal Assumptions

Facilitator Langehough welcomed committee members back from the break and reminded them where they were in the agenda. They would continue the conversation on indoor air quality and noted that they had a subject matter expert joining at 4:00 p.m. to discuss ventilation. The committee would have to switch gears and topics if they don't finish the discussion on other indoor air quality topics.

Indoor Air Quality—Mold Remediation

Facilitator Langehough then re-opened the discussion on Indoor Air Quality and Mold Remediation.

Member Allison asked the committee if schools use their own staff to work on mold remediation or if they hire external people.

Member Daltoso said if the mold is in a small area, typically their maintenance staff or trades technicians take care of it. They added that the school ensures that these staff also have access to proper personal protective equipment to do the remediation and that the areas are properly confined so mold spores don't spread. If the mold issue is more expansive, they would hire an external remediation company and an environmental health specialist to address the issue and assess indoor air quality and then notify families about the status of this work.

Member Allison asked if insurance would cover the costs of remediation.

Member Daltoso wasn't sure.

Member Buck said that mold remediation is a complex process. The school has initial assessment activities, which are done by staff, and it usually can include an environmental industrial hygienist, and then a restoration company. They added the next steps after the initial assessment are remediation activities and post remediation activities. Sometimes an insurance claim requires this work and provided the example of pipes freezing and breaking last year. They were unsure how to answer the survey because of the complexity of who performs what duties and when it's for the complete remediation of mold.

Member Doughty said their process is like Member Daltoso's and Member Buck's. We have an industrial hygienist who works with a maintenance supervisor for the detection of it. We also bring in outside testing because it tends to be the most effective. Insurance won't cover it because we have 250,000 FIR (?).

Chair Hayes raised a concern about how mold remediation is addressed in the report. They emphasized that if schools identify mold, it must be dealt with, and it's important not to give the Legislature the impression that mold issues are being ignored. Chair Hayes asked the members to consider this aspect, noting that while the new language requires a plan, they did not create the language and had removed some provisions to reduce the burden. They questioned how the cost of mold remediation should be reflected, considering that responsibilities are already in place. They expressed concern that the situation could appear problematic or odd to external parties and asked for feedback from the group.

Facilitator Langehough suggested that the person overseeing the process should ensure it happens, rather than involving the entire team in the oversight.

Member Freeman shared an example of dealing with a leaky roof. They used fans to dry out the area and prevent mold. They emphasized that these actions were necessary regardless of the rule. The changes in costs associated with these actions are zero because schools already have to do this work.

Chair Hayes asked staff if it's possible to include this consideration with the new rule language to specify this work is already going on.

PM Kamali said the team could include it. As an example, staff could say that there is no additional cost as determined by research in our committee.

Member Hockaday reflected on the impact of explicitly calling out certain items in the code that were already in practice. They noted that this would likely only add a small amount of time to the inspection process, as it would require someone to specifically check these items, even though they were already being addressed as part of routine inspections.

PM Kamali suggested that if the committee agrees, they can move forward without assessing additional costs, as schools are already addressing mold remediation. They proposed revisiting the topic later and discussing potential implications for the inspection process, particularly if there is an increase in inspections or if schools request local health authorities to examine specific areas.

Member Jenks agreed that the proposal sounded reasonable and suggested adding it to the list in their comprehensive report. They highlighted that remediation can be very expensive and may not fit within everyone's budget. They proposed recognizing this as a potential cost, as schools are already facing the risk of having to pay for it.

Chair Hayes agreed that a note or anecdotal examples could be included in the report. However, they emphasized that the key point to communicate to the Legislature is that schools are already doing their due diligence and incurring these costs. The costs are not being driven by the rule but are a burden schools already bear due to their ongoing efforts.

Facilitator Langehough noted widespread agreement on the previous point.

Chair Hayes stated that there was no need to address the question further.

Member Philips agreed, mentioning that schools are very responsive to water intrusion and mold issues, aligning with others' comments.

Survey

> *What common school positions would typically perform the duties to complete remediation for mold?*

Indoor Air Quality Plan

Facilitator Langehough then moved the discussion to the next section, regarding indoor air quality plan development and implementation. They mentioned the hours are estimates in the table on the slide and mentioned that the focus is on the positions that would typically perform the work.

PM Kamali asked members to share any concerns about the hours estimated.

Member Freeman disagreed with the hours listed in the table and said the estimates might even be inverse of what is listed in the table. They explained that their staff have no expertise in this area, with no one on their team having any knowledge of indoor air quality plans.

PM Kamali acknowledged Member Freeman's input and suggested they could adjust the estimate later based on the feedback provided.

Member Jenks mentioned that templates will be included in the K-12 guide, which might help reduce the number of hours required for individual schools.

Member Buck agreed with Member Freeman's comments, stating that the efforts required are much larger than the eight hours estimated for schools to put everything together.

Member Hanson agreed with Member Freeman's and Member Buck's comments.

Member Freeman elaborated on the difficulty and expense of creating a routine inspection plan for heating and ventilation systems. They shared a previous experience with a contractor, where developing such a plan was both costly and time-consuming. The effort could exceed the 32-hour estimate due to the plan's complexity and the need for specialized expertise. Member Freeman asked Member Hammond how long it would take to develop a schedule for routine inspections of heating, ventilation, and cooling systems, create a plan to identify all the components, and establish a preventive maintenance plan.

Member Hammond said that they didn't know the exact time required but acknowledged that some of the work had already been implemented due to pandemic measures.

Member Allison asked for clarification from those in maintenance roles regarding typical building reviews. Are inspections usually done during the summer when school is out or at the beginning of the school year?

Member Lawson said that it depends on the staffing levels of the district. Some districts are well-staffed due to investment in maintenance, while others, regardless of size, may struggle with limited funding and may not have the resources to address basic issues like broken toilets. The approach largely depends on the district's funding and maintenance budget.

Member Freeman shared that a company submitted a bid for a three-year preventive maintenance plan for HVAC units, including repairs. They quoted just under a quarter million dollars for a 52,000-square-foot building. These plans are costly.

Member Jenks asked if this was the typical cost for a contractor to create a maintenance plan. If so, they suggested documenting the example.

Member Freeman clarified that the $10,000 quote was only for creating the preventive maintenance plan, not for carrying out the work itself. They had to decline the plan due to lack of funds and resources. However, they noted that students missed a day of school this year because of HVAC issues.

Member Kellog asked about how indoor air quality is currently being monitored. Is it based solely on complaints? How are HVAC systems being inspected to ensure they are functioning properly?

Member Lawson explained that the ability to perform regular preventive maintenance depends on staffing levels and resources available to each district. Districts with dedicated resources can maintain regular schedules, while others may only be reactive or handle emergency repairs. They noted that community investment in schools and the ability to pass bonds also play a significant role. Some communities have the resources to invest in buildings, while others lack the taxable base to afford such improvements.

Member Freeman shared that their district had four school day closures, including one due to a snow day and another due to power or heating issues. In one instance the school contacted the health department regarding building temperatures, and they allowed certain areas to be used if the temperature could be maintained at 65°F or 62°F for gyms. Maintaining HVAC systems is a struggle, and the district is facing significant challenges in this area.

Member Jenks acknowledged the struggles districts face and stressed the importance of addressing this variation across the state in the rules. What would it take to properly implement a solution?

Member Freeman replied that for just one school in their district, the HVAC costs alone would exceed $6 million for a 52,000-square-foot building and a 12,000-square-foot instructional space. They added that at the state level, the issue could have been addressed if priorities had been different. Resources were available but misallocated, specifically pointing out that if funds hadn't been spent on sports facilities in Seattle, the HVAC issues could have been managed. They asserted that it was not a lack of resources but rather a failure to make appropriate choices for the benefit of children.

Member Kellog asked if the $6 million estimate was for the HVAC system, not the plan.

Member Freeman confirmed that the estimate was for the system itself and explained that the plan for the building would be to maintain a minimum temperature of 65°F for the school year. Anything beyond that was not feasible with current resources.

Member Lawson shared their experience working in Federal Way and Auburn. Although Auburn is a smaller district, it has a larger HVAC staff (seven) compared to Federal Way, which manages 46 sites and has four HVAC staff members. The cost of maintenance is tied to staffing and the current funding model is based on student count rather than the number of buildings. We need to reconsider the school's prototypical funding model to better support maintenance and operations. School budgets are controlled by superintendents, and they decide how much money is allocated for staffing and operations. The cost of running a preventive maintenance program could quickly escalate into the millions. A school in southwest Washington with a $100,000 maintenance budget was depleted in two months—the school also had to shut down bathrooms and halt repairs due to a lack of maintenance staff. They concluded that the state faces a fundamental funding problem for maintenance and operations, which would require significant investment to address staffing shortages and perform necessary maintenance.

Member Allison stated that if schools were fully funded by the state, they would have the resources to address many of these issues. Special education is underfunded each year, and while schools would like to prioritize the health and safety of students and employees, the lack of adequate funding makes it difficult to do so.

Member Daltoso asked for clarification on the expectations for creating a plan to perform routine HVAC inspections. Are districts required to create a literal schedule or is it acceptable to provide a statement outlining goals, such as maintaining a temperature of 65°F, while acknowledging limitations due to budget and staffing? Would local health jurisdictions accept this approach, rather than requiring a detailed, costly preventive maintenance schedule?

Member Jenks replied that no specific qualifications were written for the plan, so simply having a plan would meet the requirement. Air quality has always been a priority in their discussions. The legislative conversation around air quality in schools is gaining momentum, and while immediate funding may not be available, the path forward is to identify the cost and advocate for state funding.

PM Kamali supported Member Jenks's point, noting that any rule requirements would be implemented gradually, a phased implementation potentially over a decade or more, depending on legislative funding. The requirement is for a schedule to perform routine HVAC inspections—to make sure they are operating within the intended parameters of the rule, not an expectation for schools to replace the HVAC system immediately.

Member Freeman added that, based on their experience as a superintendent, many districts' current HVAC systems won't operate within the parameters specified in the rule without undergoing a major remodel. While the rule is important, it may be aspirational, as districts cannot often meet these standards.

Member Fogg acknowledged the frustration many are feeling about the state of school buildings and the challenge of presenting a funding request to the Legislature. They described two strategies. The first is asking for the full amount needed, potentially resulting in nothing being allocated, or the second is asking for a smaller amount, which may be more likely to secure funding but fall short of meeting the full needs. It's important to prioritize the health and safety of students and it's difficult to address these issues when schools are not meeting the necessary standards. We need clarity while recognizing the challenges faced by districts and the community's concerns about sending students to schools with inadequate facilities.

Member Hanson replied that the concern isn't about asking for funding, but rather the fear that the responsibility for addressing HVAC issues would fall solely on the schools, especially since many districts lack the necessary resources. If schools are unable to replace HVAC systems due to insufficient funds, it's not the fault of the superintendent or staff, but rather a reflection of state priorities. What's the value of setting standards that schools may not be able to meet due to these financial limitations?

Member Lawson added that while some districts may already conduct HVAC inspections, starting inspections in districts that aren't doing so could uncover additional problems. Pulling employees off repairs to focus on inspections would also incur costs. While a plan could be written, executing it might not be feasible, as the ability to carry out the plan depends on available resources.

Member Buck clarified that his district already has HVAC plans in place, and their earlier comment was about consolidating these individual plans into a documented and centralized plan. Preventative maintenance for HVAC systems is part of the clean buildings requirements, and districts in the asset preservation program conduct annual assessments of major mechanical equipment through a third party. These activities are already happening in schools, but the challenge lies in organizing them into a comprehensive, robust plan.

Member Kellogg shared three points. First, the ventilation language may need to be reviewed, as there are alternatives if HVAC systems are not functioning. Second, schools may pursue funding through the Climate Commitment Act, which could help upgrade HVAC systems to become more energy-efficient and meet clean building standards. Third, non-competitive federal dollars are currently available for all schools, nonprofits, churches, and government buildings, which could support HVAC improvements.

Member Allison raised concerns about cash flow issues for districts. While grants are available, districts often need to pay large upfront costs (e.g., $300,000) and may struggle to secure loans if they don't have available funds.

Facilitator Langehough asked members to take the survey on the topic.

Survey

> *What common school positions would typically perform the duties to develop and implement an indoor air quality plan?*

7. Language: Ventilation

Facilitator Langehough introduced the language.

Proposed Language

> *(1) A school official shall ensure a school facility ventilation system:*
> *(a) Operates at the maximum ventilation rates allowed by chapter 51-11C WAC.*
> *If a school facility ventilation system is unable to maintain ventilation rates as set forth in (1)(a) of this section, a school official must:*
> *(A) Install and maintain integrated carbon dioxide monitors; or*
> *(B) Install and maintain a ventilation filter with a minimum efficiency reporting value (MERV) rating of at least 13 or equivalent; or*
> *(C) Provide portable air cleaners in each classroom.*
> *(I) Air cleaners must be limited to mechanical air cleaners that only use physical filtration, such as HEPA and carbon filters, unless the local health officer approves an alternative air cleaning technology.*
> *(II) Replace filters as needed to maintain operating performance.*
> *(b) Has particulate filtration as set forth in WAC 51-52-0605 including ventilation systems that use small-ducted air handlers.*
> *(c) Provides adequate ventilation for specialized rooms as set forth in WAC 246-370-150.*
> *(2) A school official shall:*
> *(a) Test and balance the ventilation system every five years.*
> *(b) Perform routine ventilation system inspections and replace filters as needed to achieve required ventilation flow rates.*

PM Kamali introduced Brian Cawley, subject matter expert (SME), from Hargis Engineering who would explain the intricacies of ventilation. PM Kamali then explained that SME Boris, from the Department, would help to explain health-related language.

SME Cawley provided the background for their preparation. They began by consulting the Board and Department staff to understand the recommendation and then reviewed and compared associated codes and standards as well as alternatives and best practices. Having explained the background, they explained the rationale behind recommendations. Currently, CO_2 is used as a benchmark to determine the quality of indoor air management. A common practice is to manage CO_2 level by increasing the ventilation rate. MERV 13 filters remove airborne viruses and better at removing other airborne particles. If higher filtration rates cannot be achieved by an existing system, portable air filters could supplement filtration.

Member Kellogg asked if carbon dioxide monitors are a good approximation of air quality and if any values would be added to the language. At what point would air be considered unhealthy?

SME Cawley answered detectors provide a measurement but do not account for contaminants such as volatile organic compounds (VOCs) or other irritants. CO_2 detectors have a benchmark for the number of occupants in the space. SME Cawley recommended no more than 1000 parts per million

(PPM). Some opinions range from 100-1100, and some studies reviewed use the value of 500 PPM above ambient or outside air. This will vary by the quality of the air around the building.

Member Buck asked if this section would pertain to all existing schools or new construction.

PM Kamali confirmed all schools, new or existing.

Member Buck expressed concern about the cost involved in purchasing individual air purifiers for every classroom, but also the conflict of compliance with the Clean Buildings Act in doing so. Additionally, air purifiers are not efficient, they only move or exchange the air one to two times per hour. An additional concern was expressed for those schools that use naturally ventilated.

PM Kamali asked for an explanation of naturally ventilated buildings.

SME Cawley explained that naturally ventilated buildings have no ventilation system and use passive measures, such as population and radiators for heat and open windows for ventilation. Then provided a per decade history of ventilation methods to committee members.

PM Kamali asked if it would be possible to get an estimate of the number of school facilities that are naturally ventilated.

SME Cawley suggested OSPI as the best resource, though they are not sure such information is tracked.

SME Boris explained that the proposed language provides options including ventilation or filtration. There are multiple concerns with indoor air quality. Some methods focus and fix the airborne infection rates, but others focus on cleaning the air of other contaminants such as VOCs and molds. Ideally, both would be used, ventilation and filtration, but they want the requirements to be realistic for implementation. Portable air filters are a good option, they have been used during the pandemic and to deal with wildfire smoke. Downsides to the portable air filters include noise, room capacity, ancillary filtration systems (such as UV or ozone), storage of the units, and maintenance. The school district is left to make the decision. There are options for schools to consider what works best for them in their situation.

PM Kamali clarified that we want to provide alternative methods. This language is not final, what we see in February from this language may be significantly different and encouraged committee members to share about known alternative systems.

SME Cawley explained the difference between ventilation codes. The mechanical code uses a minimum ventilation and the energy code uses a maximum based on energy usage. The energy code limits to no more than 150% of the mechanical code. SME Cawley also discussed different types of systems and their effectiveness.

Member Kellogg shared the thought that if the system is not cleaning the air, then our children's lungs are cleaning the air.

PM Kamali reminded everyone that there will be a more robust conversation around this topic on February 6—today is just an introduction.

Chair Hayes requested the formation of a subcommittee that included conversations with the Board and the Department, and Engineering.

PM Kamali suggested that the subcommittee would require a longer meeting. They said they would send a survey to committee members for interest.

SME Cawley added that regarding natural ventilation and indoor air quality, thermal comfort is sometimes prioritized over air quality, and windows may be shut. That will reduce the effectiveness of ventilation.

Member Freeman proposed a question to the committee for consideration when realizing the purpose of the committee is to establish minimum requirements. In this case, we are focusing on maximum ranges based on energy consumption.

PM Kamali suggested the subcommittee could address that question and requested moving the focus to cost because without it, we cannot advocate for funding. We need to know the costs.

Facilitator Langehough thanked SME Cawley for attending the meeting and for the information and insight provided. They turned the attention of the committee back to indoor air quality and feedback on routine ventilation inspections. Members responded to the survey online.

Indoor Air Quality—Pest Management Plan

Facilitator Langehough introduced the next topic of a pest management plan.

Member Lawson shared their experience with introducing a pest management plan into their schools and shared resources available including the University of Washington which has published and has many resources available. They also shared that the plan includes aspects that are not very difficult, such as not leaving food out, cleaning out sinks from food residue, and not leaving outside doors open. However, most of the time spent on the plan is in educating staff and faculty about these preventative measures. The time of year is also a consideration, as colder months can attract pests indoors. For those circumstances, November to March is generally management of the plan and March to June is focused on prevention.

Member Daltoso added that pests can also be found outside. Outside preventative measures include methods of weed control. Pest management control involves using the least toxic or lowest risk first. When something escalates to the use of chemicals, there are costs involved with completing forms and notification to students, family, and staff to consider.

Member Buck agreed and added that they have a section in their plan to control bee nests that pose a health hazard, which has been an issue in their schools.

Facilitator Langehough asked committee members to take the survey on indoor pest management.

Survey

> *What common school positions would typically perform the duties to develop an extreme temperature readiness plan?*

Extreme Temperature Readiness Plan

Facilitator Langehough moved to the next section on temperature.

Member Lawson shared that they have a temperature recording procedure that they do when they get a temperature complaint in an occupied classroom. The procedure involves taking that temperature and comparing it to the thermostat and based on the results, they take appropriate steps.

Facilitator Langehough asked for additional comments and hearing none, asked committee members to take the survey on temperature.

Survey

> *What common school positions would typically perform the duties to develop an extreme temperature readiness plan?*

Injury Prevention—Chemical and Cleaning Storage

The committee members completed the remaining survey with minimal discussion.

Survey

> *What common school positions would typically perform a school-wide chemical inventory to ensure chemicals and cleaning supplies are appropriately stored?*

8. Recap/Next Steps

Facilitator Langehough thanked everyone and reminded the group that the next day's meeting would begin at 8:00 a.m.

ADJOURNMENT

Chair Hayes adjourned the meeting at 5:16 p.m.

WASHINGTON STATE BOARD OF HEALTH

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Patty Hayes, Chair