

WASHINGTON STATE BOARD OF HEALTH

Minutes for School Environmental Health and Safety Rule Project
Technical Advisory Committee Meeting
February 6, 2025
Virtual Meeting
ASL (or CART)
Department of Health
101 Israel Road,
Tumwater, WA 98501
Town Center One: Room 164
Virtual meeting: ZOOM Webinar

Technical Advisory Committee Members:

1. Introduction/Minutes Review

Patty Hayes, Committee Chair, welcomed committee members and convened the School Rules Technical Advisory Committee meeting at 10:04 a.m.

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

Chair Hayes reminded committee members to speak at a slower and comfortable pace for our interpretation providers.

Chair Hayes presented two sets of meeting minutes from January 15 and 16, 2025, committee meetings and asked if there were any questions or comments.

Committee members had no questions or comments about previous minutes.

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

2. Reminders

Chair Hayes reminded everyone that this is a virtual public meeting. Meeting materials have been posted to the Board's website at sboh.wa.gov under meetings since Monday, February 3, 2025. Today's meeting will be recorded and posted to the website within three days.

Chair Hayes reminded participants that members were asked to complete a short survey before the meeting. Today's discussion will refine the ranking that we received from the survey.

Chair Hayes reminded the committee that funding and implementation go hand in hand. We are coming to a consensus about the funding and implementation recommendations to the Legislature and the Governor. Later there will be a discussion about compliance timelines.

3. Objectives and Meeting Agreement

Facilitator Langehough reiterated that the objective of today's meeting is to have members prioritize the rule sections for implementation.

Facilitator Langehough reviewed the rulemaking timeline. The committee is two thirds of the way through the project. The committee is here today to review prioritization. The committee will meet again on February 26, March 19, and April 9, 2025.

Facilitator Langehough reviewed the committee agreements on how to work together in an all-virtual space.

4. Prioritization Refinement

Facilitator Langehough explained the activity today will help prioritize the topics compiled from the completed surveys. Using a pairwise methodology, members will compare sections in pairs and pick one over the other based on which has the greatest benefit to student health and safety. The outcome will be a ranked list of priorities.

Brian Freeman, Committee Member, expressed concern that using the greatest benefit to student health and safety alone could leave schools with the financial burden of unfunded mandates.

Facilitator Langehough explained that the process helps to prioritize what will be funded first. Without funding, the rule cannot be implemented.

Andrew Kamali, Project Manager, added that one of the provisos prevents implementation unless there is funding.

Brian Buck, Committee Member, shared that they disagree with language in several sections and expressed difficulty in determining rank when they disagree and we have not finalized all the language.

PM Kamali acknowledged the difficulty expressed. Language will continue to be refined and estimated that at this point the committee completed 90% of the process. This exercise will help set a base for identifying which sections need to be funded first.

Pam Schwartz, Committee Member, expressed concern about funding for private schools and asked whether the proviso addresses funding for both private and public schools.

PM Kamali answered that the proviso does not address a school being public or private, but generally, it requires full funding.

Facilitator Langehough suggested members consider their input today as a directional prioritization effort. This prioritization will likely be refined as the process continues and finalized in a future meeting with full fiscal analysis and final language.

PM Kamali agreed and added that committee members can consider this a base to work from.

Facilitator Langehough asked if committee members agreed to move through the process today with the acknowledgment that the exercise and results today are directional and not final.

Member Buck agreed that it's a valid way to recognize the issues still at hand and things may need further refinement in the future.

Tammy Allison, Committee Member, agreed and added that many issues remain around wording and funding that can change the final background to these sections.

Facilitator Langehough added that public and final comments will also be layered into upcoming meetings and may affect prioritization and funding.

PM Kamali directed staff to upload new documents to the website and noted that the process today is iterative, not a final ranking.

Facilitator Langehough provided instructions on voting to prioritize sections and asked that the first QR code be shown.

Q3: Site Assessment versus Construction Plan Review

Facilitator Langehough opened the floor for discussion.

Steve Main, Committee Member, explained the difficulty in ranking these two sections. They are not simultaneous.

Member Freeman agreed. The site assessment was completed before building a school on a new property. Most projects remodel or modernize facilities on existing property.

Member Main agreed.

Nicole Daltoso, Committee Member, said that we must consider the frequency.

Devon Kellogg, Committee Member, asked if committee members should consider only the changes to the rule or the overall rule. They added that they are unfamiliar with building codes and what they include for site assessment and construction review.

PM Kamali instructed committee members to focus on changes to the rule. In addition, the committee attempted to limit duplications from other codes and rules. These rules should not be covered in other rules.

Facilitator Langehough asked members to prioritize between the sections online.

Q4: Site Assessment versus Routine Inspection

Facilitator Langehough opened the floor for discussion.

Suzie Hanson, Committee Member, said routine inspections are time-consuming and unhelpful. Site assessments would be most helpful.

Lauren Jenks, Committee Member, said they would prioritize routine inspections because this is when health hazards are found.

Member Main agreed that routine inspections are a higher priority and likes the proposed changes. In particular, the frequency of inspection and options for a self-inspection program. Site assessment is important, but routine inspections are where issues are caught more frequently.

Laurette Rasmussen, Committee Member, commented that routine inspections are important, especially the frequency change, which will make local health jurisdictions that currently don't have plans or programs create them.

Member Hanson wanted to hear from members who received inspections. How do they feel? Is there a split between those who do the inspections and those who receive them?

Member Daltoso said that schools feel inspections are important for the health and safety of students and staff. But once the inspection is completed and the final report is done, smaller issues may fall through the cracks until the next inspection. Schools will tackle big issues—both they and

local officials are busy. It's important to have a third party provide an extra set of eyes because sometimes schools miss things.

Facilitator Langehough asked members to prioritize between the sections online.

Q5: Site Assessment versus General Building Requirements

Facilitator Langehough opened the floor for discussion.

Member Main said that site assessment should be ranked very high. General building is important, but site assessment ensures environmental safety.

Member Daltoso agreed with Member Main and added that site assessments happen once, while inspections can happen multiple times throughout the lifetime of a building. They struggle with the frequency piece of ranking.

Facilitator Langehough asked members to prioritize between the sections online.

Q6: Site Assessment versus Showers and Restrooms

Facilitator Langehough opened the floor for discussion.

Member Buck said that the current code for the number of showers or toilets is sufficient. They added that in their 12 years with the school district, they have never had a comment otherwise.

Member Kellogg was also confused by this pairing. What do building codes say for requirement and frequency? If a building is built on an unsafe site, there will be frequent health issues.

Member Allison added that showers are seldom used. If not used, do they help health and safety? They are inclined to vote for site assessment based on that and the cost.

Member Freeman asked what the current Office of Superintendent of Public Instruction (OSPI) and Department of Health (Department) facility guidance says. Is it a ratio of 1 toilet for every 10 students?

PM Kamali confirmed the current guidance is 1:10 and clarified that the code's ratio is more lenient and dependent on gender.

Facilitator Langehough asked members to prioritize between the sections online.

Q7: Site Assessment versus Indoor Air Quality/Ventilation

Facilitator Langehough opened the floor for discussion.

Member Rassmussen said that where a building is built can be an important factor in air quality and ventilation. For example, if it's built near a source of pollution.

Member Kellogg mentioned the need to inhibit mold growth in the Indoor Air Quality section is critical for air quality and ventilation.

PM Kamali said mold remediation and prevention is a new topic and wasn't included in WAC 246-366.

Facilitator Langehough asked members to prioritize between the sections online.

Q8: Site Assessment versus Temperature

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q9: Site Assessment versus Injury Prevention

Facilitator Langehough opened the floor for discussion.

PM Kamali asked school officials to speak to the benefit of health and safety for these topics.

David Hammond, Committee Member, said that injury prevention is ongoing while site assessment is just once.

Member Freeman added that injury prevention is day-to-day.

Member Daltoso said that injury prevention has the greatest immediate benefit. In their district, they aren't planning to build on a new site anytime soon, so the biggest benefit for students in current buildings is injury prevention.

Laura Peterson, Committee Member, agreed and added that day-to-day injury prevention is more important.

Member Buck agreed to prioritize injury prevention.

Facilitator Langehough asked members to prioritize between the sections online.

Q10: Site Assessment versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q11: Site Assessment versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q12: Site Assessment versus Specialized Rooms

Facilitator Langehough opened the floor for discussion.

Member Kellogg wanted to hear school officials' thoughts about specialized rooms.

Member Hammond shared that specialized rooms have frequent safety checks and administrators in charge of working with staff to ensure the room needs are met. Specialized rooms have extra focus and ongoing prioritization in their experience over two different districts.

Member Daltoso echoed what Member Hammond said. Specialized rooms get regular attention.

Member Peterson added there can be more issues when a specialized room has been converted. Especially when schools are placing medically fragile students wherever they can find a spot.

Facilitator Langehough asked members to prioritize between the sections online.

Break for lunch at 12:10 p.m., plan to return 12:50 p.m.

5. Prioritization Refinement

Facilitator Langehough reminded members to choose which section of each pair has the most benefit for school environmental health and safety.

Q13: Construction Plan Review versus Routine Inspection

Facilitator Langehough opened the floor for discussion.

Erin Hockoday, Committee Member, said that additions to routine inspection would have a greater benefit.

Facilitator Langehough asked members to prioritize between the sections online.

Q14: Construction Plan Review versus General Building Requirements

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q15: Construction Plan Review versus Showers and Restrooms

Facilitator Langehough opened the floor for discussion.

Member Rasmussen said that showers and restrooms were already covered in a construction plan review.

Facilitator Langehough asked members to prioritize between the sections online.

Q16: Construction Plan Review versus Indoor Air Quality/Ventilation

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q17: Construction Plan Review versus Temperature

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked how much this comes up in practice.

Member Freeman said that maintaining temperature in multiple buildings in Washington has been a daily challenge at times. They lost four days of school due to cold temperatures. Currently, there is no guidance on the maximum—this is a positive step. This tends to give guardrails, such as 90 degrees is too hot for a comfortable learning environment.

Member Buck said that we did not add a maximum requirement and the minimum exists.

PM Kamali said the minimum and maximum serve as action levels. If a school goes outside the recommended range, then it needs to activate its extreme temperature readiness plan.

Member Buck said they are actively battling cold and hot temperatures depending on the time of year. They do have the readiness plans, but this adds the requirement of documentation.

Member Daltoso agreed. Schools battle during extreme temperatures during the seasons. This formalizes the process.

Member Kellogg asked if this is a change from the original WAC.

PM Kamali said the current rule does list the minimum temperature. Schools still go below those temperatures. They need to balance student health and safety. What we're proposing in the 246-370 rule is maintaining the minimum threshold and adding a maximum threshold with a readiness plan for student health and safety if temperatures go outside the recommended range.

Facilitator Langehough asked members to prioritize between the sections online.

Q18: Construction Plan Review versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q19: Construction Plan Review versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q20: Construction Plan Review versus Playgrounds

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked if the construction plan review includes playgrounds.

PM Kamali said playgrounds have a separate set of requirements that go beyond what's typically included in construction plan review. There is a plan review for playgrounds but it's not necessarily the same as a construction plan review.

Facilitator Langehough asked members to prioritize between the sections online.

Q21: Construction Plan Review versus Specialized Rooms

Facilitator Langehough opened the floor for discussion.

Member Freeman said this is very difficult due to the specialized rooms.

Member Kellogg said it is helpful to know that specialized rooms are covered under the construction plan review.

Facilitator Langehough asked members to prioritize between the sections online.

Q22: Routine Inspection versus General Building Requirements

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q23: Routine Inspection versus Showers and Restrooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q24: Routine Inspection versus Indoor Air Quality/Ventilation

Facilitator Langehough opened the floor for discussion.

Member Hanson asked to hear from inspectors or schools what they think is most important.

Member Freeman said routine inspections cover a whole range of safety concerns in the building that could include indoor air quality or ventilation.

Member Buck echoed Member Freeman, saying routine inspections have inspectors looking at ventilation and filtration systems, and they are already optimizing standards.

Member Daltoso has two minds about it. The routine inspection every three years looks at everything in the WAC. The indoor air quality must be maintained every day. We do have newer systems and depending on the controls you'll know. An inspector cannot measure whether a ventilation system can accommodate 21 cubic feet per minute per person.

Member Kellogg asked if it's not in the WAC, will our inspectors check it. Having the rules there may be more important than checking they are getting done. We need the rule.

Member Buck said routine inspections are a requirement by health departments and a set frequency.

PM Kamali said that is accurate. So, we can set standards or prioritize that inspectors perform inspections with documented frequency.

Member Rasmussen said they do follow up on air quality, and it would not be ignored.

Facilitator Langehough emphasized that this is not a no to one or the other; it's prioritizing which should come first.

Facilitator Langehough asked members to prioritize between the sections online.

Q25: Routine Inspection versus Temperature

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Member Kellogg expressed concern about mold remediation being part of indoor air quality from a previous discussion.

Q26: Routine Inspection versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q27: Routine Inspection versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked what's different from what schools currently do when there is an imminent health hazard.

PM Kamali deferred to our school partners as they are more aware of what they currently do.

Member Daltoso said the purpose of this section is to ensure when a school discovers an imminent health hazard, they are currently communicating with the local health jurisdiction, which may or may not be happening. For example, a sewage line was cut in a new school and caused the plumbing to not work, which is an imminent health hazard. In that scenario, they immediately contacted the jurisdiction and explained what they were doing. This new rule encourages communication between schools and jurisdictions; this equips the jurisdiction with information so they can respond to questions from the community or parents. That is just one of many examples. It would exclude issues like a hornet's nest, which would be covered by an integrated pest management plan.

Member Buck said they have many issues that happen all the time. Sometimes they don't report things that have been resolved such as a plugged toilet. If there is a backed-up sewer, yes, they are calling the health department. Documenting an issue with the jurisdiction is a great thing.

Member Rasmussen was glad for this new section as it helps answer questions and makes sure the community and schools are on the same page. The rule makes direction clearer between the school and jurisdiction.

Facilitator Langehough asked members to prioritize between the sections online.

Q28: Routine Inspection versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q29: Routine Inspection versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q30: General Building Requirements versus Showers and Restrooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q31: General Building Requirements versus Indoor Air Quality/Ventilation

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q32: General Building Requirements versus Temperature

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q33: General Building Requirements versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q34: General Building Requirements versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked how showers and restrooms fit in with the general building requirements.

Member Rasmussen said they've heard that sometimes bathrooms are closed for vandalism prevention, and having the bathrooms closed is not a good idea. That's the reason why some schools close bathrooms.

Member Kellogg asked if this is saying they need to be open and available, then the answer is yes.

Member Hockaday talked about schools that have large portables outside and when the main building doors are locked, access to bathrooms during school hours is restricted.

Member Hockaday confirmed that it's about having restrooms available.

Facilitator Langehough asked members to prioritize between the sections online.

Q35: General Building Requirements versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q36: General Building Requirements versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q37: Showers and Restrooms versus Indoor Air Quality/Ventilation

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q38: Showers and Restrooms versus Temperature

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked what schools receive more complaints about.

Member Hammond said it depends on the condition of the building. Sometimes they have more control over the temperature.

Facilitator Langehough asked members to prioritize between the sections online.

Q39: Showers and Restrooms versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q40: Showers and Restrooms versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q41: Showers and Restrooms versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q42: Showers and Restrooms versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q43: Indoor Air Quality/Ventilation versus Temperature

Facilitator Langehough opened the floor for discussion.

Member Kellogg asked what schools receive more complaints about.

Member Hammond said it depends on the condition of the building. Sometimes they have more control over the temperature.

Member Daltoso said it depends on the day. Ventilation with a newer system manages itself well. They might get a few more complaints about air quality. Indoor air quality and ventilation go hand in hand. With temperature, there are many factors such as the age of the building, season, and more. They see a myriad of complaints on all sides.

Member Buck said people notice temperature first. The temperature can trigger the inspection of ventilation. It's great having documentation and guidance from the Department.

Member Kellogg appreciated that and asked about the risk of radon and mold remediation. How often does that come up?

Member Jenks said it's often determined by geographic location. Spokane and Clark County often have higher rates of radon.

Member Buck said they have plans to diagnose and remediate mold, which is often associated with leaks or pipes bursting.

Member Hockaday mentioned that there are resources and data on the Department website.

Q44: Indoor Air Quality/Ventilation versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q45: Indoor Air Quality/Ventilation versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q46: Indoor Air Quality/Ventilation versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q47: Indoor Air Quality/Ventilation versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q48: Temperature versus Injury Prevention

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q49: Temperature versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Member Kellogg asked if temperature is considered an imminent health hazard.

PM Kamali said it depends. An extreme range would be a hazard, but comfort level temperatures would not be considered imminent.

Q50: Temperature versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q51: Temperature versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q52: Injury Prevention versus Imminent Health Hazard

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q53: Injury Prevention versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q54: Injury Prevention versus Specialized Rooms

Facilitator Langehough opened the floor for discussion.

Member Kellogg wondered which one in practice introduces more contaminants to the airspace: fragrance from cleaners or inadequate ventilation? Which one is the bigger risk?

Chair Hayes said the cleaning supplies and fragrances have a greater impact on the health of children.

Facilitator Langehough asked members to prioritize between the sections online.

Q55: Imminent Health Hazard versus Playgrounds

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q56: Imminent Health Hazard versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Q57: Playgrounds versus Specialized Rooms

Facilitator Langehough opened the floor for discussion. Hearing none, they asked members to prioritize between the sections online.

Break from 2:35 p.m. to 2:50 p.m.

6. Prioritization Refinement/Implementation Timing Goal

Some committee members had issues completing the form. After a brief break, Marcus DeHart, Board staff, explained that the form may have timed out for some members and instructed those who could not complete it to relaunch the survey and enter their answers again. In total, 16 out of 19 members completed the survey. Three members left the meeting before submitting their form.

Break

Facilitator Langehough asked to show the ranking.

Staff DeHart displayed the rankings and explained that the rank is determined by the total number of times each section was prioritized over another.

Facilitator Langehough explained that with the prioritization refined, the next step is to discuss implementation and compliance. The implementation timeline will show when each section receives funding after the rule is approved and when schools will be expected to comply. What is a reasonable time to become fully compliant? Does the implementation and time make sense?

PM Kamali added that implementation and funding are the same thing. When discussing implementation, funding must come first. What will this committee recommend? How long will it take to reasonably come into compliance with the rules? An example of this is in the indoor air quality section with the requirement for the extreme weather readiness plan. There's a delay built into the section that allows five years for compliance. So that means you have five years to come into

compliance with that subsection of the rule after it's been implemented. We're asking the committee to recommend the full length of time it takes for all sections of this rule to be implemented. For example, should it be rolled out over a five- or ten-year period? What do we want to recommend to the Legislature?

Member Freeman asked which one of these (rules) are no cost, minimal, or high cost. Their preference was to prioritize the low-cost ones and push out the high-cost ones for ten years.

PM Kamali said that in this discussion the list of 1 through 11 is the committee's prioritization, which will continue to be refined. The purpose of that exercise was to say you all feel that injury prevention is the most important piece for student health and safety. That's likely what should be funded first. Once you receive funding, how long will it take to come into compliance with that part of the rule?

Facilitator Langehough asked how much time the committee would recommend for funding injury prevention if it were prioritized first. Should it be funded in one year or two years? Once it's funded, what timeline should be recommended for compliance? For example, if injury prevention is funded within one year, the new pieces would include injury protection, fall protection from balconies, updated language for chemical storage, fragrance free, low-hazard cleaning, and injury and communicable disease prevention.

PM Kamali answered that the committee has already identified which areas or what order to have the rule implemented in. The important question is how long will it take to roll out the entire rule. Then we can discuss how long it will take for each section, for schools to come into compliance or for local health jurisdictions to come into compliance.

PM Kamali recommended focusing on the total piece first and asked Chair Hayes how many years should it take to roll out this rule. Five years, ten years, or another timeframe? What do we want to recommend to the Legislature?

Member Buck discussed that the indoor air quality and ventilation requirements could be so costly that it's uncertain whether all schools could ever comply with them. What if it's 2.8 billion dollars? We would need to retrofit 56 schools and comply with the Clean Buildings Act. We need to finalize what the costs are and then the Legislature will be able to discuss their funding timeline.

Member Allison had similar concerns. What if we don't have the funding for injury prevention? If we lose a levy, then we can't do anything.

PM Kamali appreciated the comments and agreed that funding is dependent on the Legislature. The committee is asking the Legislature to fund the implementation this way, rather than expecting schools to comply without the necessary funds. When the Legislature authorizes the rule's implementation, they will also authorize the required funding.

Member Jenks commented that the way we get money from the Legislature is by providing a plan. They asked if we want to provide them with a five-year or a ten-year plan. If you had all the money you needed to prevent injuries, how long would it take you to spend that?

Member Freeman discussed that the committee has priorities 1 through 11. Rather than start with something complex, start with something like temperature that is easy to implement quickly and get results.

Facilitator Langehough replied that the proviso asked the committee to prioritize based on what would provide the greatest benefit of health and safety to the students. It didn't ask about any other criteria. While the criteria mentioned are valid, they are not part of this ranking. Recognizing that it's difficult to set a timeline without funding, the key point is that implementation equals funding.

There's a time combination of how soon they should fund it, and how long would it take to become compliant.

Member Buck discussed that if the costs are significant and implementation is lengthy, there will be limited resources across the state if this applies to every school. Trying to input compliance and time with unresolved issues and cost information is data that is not going to be meaningful.

Member Daltoso added for perspective that they have been, for lack of a better word, "burned" by the state with various unfunded mandates. It's hard to establish a frame of mind for this exercise knowing everything Member Freeman and Member Buck have stated. We're dealing with no funding, public or private, to make all these things happen. If we submit this to the Legislature, how does it get funded? Or is all the work for nought?

Member Fogg shared their perspective as a parent, prioritizing safety and advocacy. They have seen this before. The Legislature says they're funding something and then give like a quarter of the money and then call it funded. Our buildings are in bad shape. Where will the labor and materials come from? I don't want to be in the position where we say, this is what it takes to keep your kids safe, but we can't do it. They gave the example of special education and SCAP, where the amount they are funding is not what it costs. If this timeline is 10 years or 20 years, how do we figure out what that would look like?

Chair Hayes reflected on the important comments from the committee members and revisited Facilitator Langehough points. To reframe it, we could present what we believe are the priority list. They agreed that there's a sub piece we could then do, such as a routine inspection as a requirement on local public health, that could use a shorter timeline. Rather than putting in aggressive requirements with big investments, we chose to do planning. And when we are pricing sections, we could choose to say "Legislature, we have this, there are some strategies that are lower cost that can be implemented immediately, but that doesn't change the fact that this committee identified injury prevention as the most beneficial for the health and safety of students and here's what that will cost." We want funding to follow the recommendations, but you are all right, that is out of our control. We need to be unified in our report on how we see this. We need to see the costs, keep our priority list, and say that some sections aren't as enormous to implement. We must find a way to talk about both funding and compliance at the same time.

Member Freeman discussed that there are 20 to 40 small modernization grants a year. Half of the districts are small and have thousands of buildings. Even if we start today and have the money, it's a 20-to-30-year process. There are subsections, like injury prevention, that could be implemented in a year. Focus on those things that we can accomplish and push out things that are unattainable by districts.

Member Kellog discussed that the committee is still working on the language, and the current language doesn't require anything from existing schools that is unfeasible. The current language says, "if feasible."

Member Allison asked if there is a way to prioritize some items within five years, some within ten years, and the cost is broken out individually.

PM Kamali replied we can use this as our prioritization, develop a timeline, and calculate the cost. For example, ventilation is important but expensive, so we think you should fund it in five years. Once we have realistic funding, we need to know how long it will take to come into compliance with the rule.

Member Allison asked if a specific dollar amount is required. What is the going rate today, compared to five years from now? If we factor in terms of time and building size, everyone is going to be different. A toilet for me is going to cost \$1,000.

Facilitator Langehough replied that we are hearing your concerns. We will put our heads around a different way to ask that of the committee.

Chair Hayes discussed the committee meeting later this month, which is where we will revisit some language. Using Member Bucks comments as an example, we will revisit the showers and restrooms section. That is an opportunity to relook and realign. Also, we are going to do a survey exploring subsections with required actions versus planning as the assumption for the fiscal notes. We are not on the same page for which section only requires planning and which is actual funding. We need to look again at implementation because the Legislature wants us to give them a plan. The third thing is how we ask for money from the Legislature in the future; it is not linear. We need to be grounded in how it works because it will rely on this group becoming a coalition to be mindfully watching and supporting. As a state agency, we cannot put a direct budget request to the Legislature. We must work with whatever the Governor puts into their budget. That must be reflected in our report and in what you take back to your organizations.

Member Fogg said that the charge is to prioritize the health and safety of students in our schools. The most powerful argument is that we all came together and said this is what is necessary for children. I have gone to the Legislature with students, and they have come away with pennies compared to what they need. It can be overwhelming. In Seattle, we have levies, but we pay more on sales tax than what we get from the state. It happens every year. They tell families that they funded it when they didn't fund it. We've got to be strong and say this is what our kids need.

PM Kamali discussed that this is helpful in grounding us in that shared discomfort. What are the biggest barriers to this rule? Beyond that, we need to ensure students' health and safety in general. We will reconnect with all of you, developing a process that is clearer and frame it in a way that focuses on the advocacy piece of it. This is the need. This is the bare minimum, and here's the realistic costs.

7. Recap/Next Steps

PM Kamali discussed sending out a survey to gather feedback. Are there any specific sections that you are concerned about or want to revisit? The informal public comment period ends this Sunday and we will share the comments with you and provide more than three days to review them. This should give you a broader understanding of the public's response to these rules so far. Next week, our subcommittee on ventilation will meet. Hopefully, we will have some draft language for you all to review and consider at our February 26 meeting.

Chair Hayes thanked everyone. We needed to have this heartfelt and difficult conversation.

ADJOURNMENT

Chair Hayes adjourned the meeting at 4:01 p.m.

WASHINGTON STATE BOARD OF HEALTH

Patty Hayes, Chair

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