

School Environmental Health and Safety Rule 2024-2025

WASHINGTON STATE DEPARTMENT OF HEALTH WASHINGTON STATE BOARD OF HEALTH

Environmental Justice Assessment Summary

Chapter 246-370 WAC

Board of Health, April 2025

School Environmental Health and Safety Rule 2024-2025

Overview

Purpose

An environmental justice assessment is an evaluation of a significant agency action, including the impact on and meaningful involvement of Washington state residents to provide solutions for communities that face environmental health inequities.

Background Information

The assessment provides a summary of the State Board of Health (Board) proposed rule that establishes minimum health and safety standards for public and private K-12 schools. The summary includes background, history, proposed chapter 246-370 WAC, issues for implementation, and impacts on overburdened communities and vulnerable populations.

Section One: Analyze Environmental Benefits and Harms

The assessment describes the likely environmental benefits, environmental harms, positive health impacts, and negative health impacts for overburdened communities, vulnerable populations, and tribes associated with this action.

Section Two: Identify Overburdened Communities and Vulnerable Populations

The assessment identifies the geographic areas where there may be environmental and health impacts because of the agency's action. The proposed rulemaking will directly affect over one million K-12 students in Washington state served by public, charter, and private schools. The assessment includes maps with geographic information system tracking to show statewide locations and concentrations of unhealthy air days, extreme heat days, asthma hospitalization rate by age, overburdened communities, and free or reduced lunch.

Section Three: Tribal Engagement and Consultation

This section summarizes Tribal engagements and invitations for Tribal consultation. It addresses potential impacts on Tribal rights, discusses resources associated with this action, and explains how information received from Tribes and Tribal organizations informed decision-making about this action. It sets an agency plan for ongoing and future Tribal consultation after the rule is implemented. Staff reached out to the 29 federally recognized Washington Tribes and hosted two Tribal listening sessions and completed outreach to 12 Tribal educational or community-based organizations.

Section Four: Community Engagement Summary

This section summarizes engagement with people from overburdened communities and vulnerable populations. Between October 2024 through February 2025, we held three online listening sessions and six in-person listening sessions in Yakima, Lacey, Spokane, Vancouver, Pasco, and Auburn. We connected with nine educational service districts, 24 school districts, 364 schools, and 198,232 student families. We engaged with people who identify as Latino, Black, Indigenous, and People of Color (BIPOC), LGBTQ+, and various community-based organizations representing people with disabilities. The Board is committed to ongoing community engagement and will continue outreach to underserved communities throughout the rulemaking process.

We accepted feedback through an informal public comment period from December 2024 through February 9, 2025. We notified 7,873 contacts and encouraged them to submit their informal remarks. We received 79 unique informal comments and presented them to the technical advisory committee for review and consideration.

We had 53 participants in a total of six in-person listening sessions and 171 participants in the virtual listening sessions. Concerns raised by participants included air quality, vaping, wildfire smoke, illness in schools, cost of implementation, wildfires, extreme temperatures, safe drinking water, and pest management. The technical advisory committee reviewed a summary of informal public comments, as well as having access to the verbatim remarks.

Section Five: Strategies to Address Environmental Harms and Equitably Distribute Environmental Benefits

The agency will pursue the following strategies to eliminate, reduce, or mitigate environmental harms and equitably distribute environmental benefits:

Provide equitable participation and meaningful engagement of vulnerable populations and overburdened communities in the development of the significant agency action. Staff included a wide range of participants in both the technical advisory committee and in the public listening sessions who are from diverse, vulnerable, and overburdened communities to ensure meaningful engagement during development of the rule.

Prioritize equitable distribution of resources and benefits to overburdened communities. Staff brought resources, benefits, and outreach efforts to underserved communities throughout the state.

Modify substantive regulatory or policy requirements. The technical advisory committee acknowledged the financial impact of substantive regulatory or policy requirements on overburdened communities and sought solutions that would provide flexibility to address environmental health and safety issues while maintaining minimum standards.