



STATE OF WASHINGTON  
**WASHINGTON STATE BOARD OF HEALTH**

*PO Box 47990 • Olympia, Washington 98504-7990*

January 14, 2009

**TO:** Washington State Board of Health Members

**FROM:** Craig McLaughlin, Executive Director

**SUBJECT: UPDATE ON SCHOOL ENVIRONMENTAL HEALTH AND SAFETY  
RULE, CHAPTER 246-366A WAC**

**Background and Summary**

At its October meeting, the State Board of Health deferred until no later than June 2009 a vote on a motion to adopt revised rules establishing modern health and safety standards for primary and secondary schools. The Board agreed to updates at every meeting as one way to keep this issue before the Board and the public. The following are some developments since the last meeting.

1. The Joint Task Force on Basic Education Finance issued a discussion draft of its final report. It makes no reference to the school rule or school construction. Recommendations regarding staffing ratios for custodial and facilities personnel and proposed changes to the allocation formula for non-employee related costs (NERC) may impact the ability to implement the rule. Board staff will conduct further analysis and report back. The draft can be viewed at <http://www.leg.wa.gov/documents/joint/bef/DraftFinalReport.pdf>.
2. The Office of Superintendent of Public Instruction (OSPI) revised its budget request for implementing the school rule. The revision reflected changes to the proposed draft approved by the Board in October. The revised proposal is attached.
3. The Joint Legislative Task Force on School Construction Funding approved its final report December 17. Eighth on its list of expenditure-related recommendations for immediate action was, "Evaluate funding to implement the Board of Health's proposed rule revisions for school health and safety." The report can be viewed on line at <http://www.leg.wa.gov/Joint/Committees/K12SCF/meetings.htm>.
4. The federal economic stimulus package is expected to include funding for school renovation, repair, and replacement. Some reports put the likely amount at \$5 billion nationally. A coalition of governors is asking for on the order of \$250 billion in noncategorical funding for schools, and OSPI has put together a \$1.1 billion proposal that includes money for school rule implementation. Federal dollars might make the rule more implementable, and the rule could provide critical standards to guide the expenditure of those funds. I will continue to monitor developments nationally and support the use of federal stimulus funds to help both schools and public health implement the rule.

5. The Select Interim Legislative Task Force on Comprehensive School Health Reform released its final report on January 6. Included was a section on school environmental health that contained two recommendations. The first, recommendation 9 in the full report, reads in part:

*“The Legislature should recognize the nexus between the design and maintenance of school facilities and the health of students and faculty. The Legislature should encourage local public health jurisdictions and local school districts to develop and implement strategies to monitor environmental changes on school campuses. Agencies that establish standards for public buildings, including schools, should be required to consider standards that are appropriate to the unique environmental health and safety needs of school populations, and they should be given the authority to enforce their standards.”*

The second, recommendation 10, asks the Legislature to “coordinate, and perhaps consolidate, resources and enforcement authority in a statewide or regional entity to provide broad accountability for the maintenance and safe and healthy operation of school facilities to promote adequate compliance at the local level.” The report can be viewed on line at <http://www.l.leg.wa.gov/documents/joint/cshr/FinalReport.pdf>.

### **Recommended Board Action**

No action recommended.