

## School Environmental Health and Safety Rule Newsletter

Issue #2—April 8, 2008



### Board of Health Hosts First Rule Revision Meeting

On April 4, a rule revision team met to discuss the current working draft of Chapter 246-366A, a proposal to modernize the State Board of Health school environmental health and safety rule. This was the first of four or five planned meetings. More information about this process can be found at the Board's Web site. In addition to suggesting wording changes (see below), the team raised several policy issues:

- Considerable discussion occurred about what kinds of facilities were covered by the rule (see below).
- There was a request that an advisory group be established to support consistent implementation statewide.
- Schools requested stronger training provisions for local public health staff.
- The group recommended the new language for site assessment not apply to sites for which a land use application had been filed before the new rule's effective date.
- Both public health and school representatives expressed concern about whether a requirement regarding an annual report to school boards was too broad, and the Board was asked to research its authority to mandate school board agenda items.
- There were discussions about whether to update the *Health and Safety Guide for K-12 Schools in Washington State* every three, four or five years.

These suggestions will go back to the Board for consideration.

### What is a School—Exactly?

One of the issues that took up quite a bit of time at the April 4 meeting was the question of what, exactly, is a school. The rule would apply currently to any public or private facility providing instruction for kindergarten through 12th grade. It includes preschools that are part of a K-12 facility. Participants asked whether it would apply to places like detention facilities and hospitals in which a school district might offer instruction to place-bound students. Would it apply to tutoring centers, or facilities shared between schools and nonprofits like the Boys and Girls Club? What about leased facilities? Should school districts be held accountable when they don't own or manage the facility? If they are not responsible, who is? And what happens when schools relocate during an emergency? The Board and the Department of Health will propose clearer language.

### Next Meeting

**April 15, 9:30 a.m.-3:30 p.m.**, Federal Way Public Schools, Board Room, 31405 18th Ave S, Federal Way

*These meetings are open to the public for observation. Participation in the discussions will be limited to invitees.*

### Suggested Wording Changes

#### Section 010—Definitions

- May need to define *construction project*
- *Contaminant*: Change "hazardous material" to "potentially hazardous material or irritant"
- *Emergency eye wash*: Remove "tempered" to avoid hot water in the eyes.
- *Emergency shower*: Research "tempered"; cold water may be more effective in some instances (acid burns)
- *First draw sample* and *flush sample*: Make language consistent between the two definitions
- *Imminent health hazard*: Change "significant threat or danger" to "significant threat or significant danger"
- *Laboratory*: Change "where students are exposed to greater health and safety hazards" to "where students might be exposed to greater potential health and safety hazards" (also some concern about term itself)
- May need to define *maintenance*
- *Portable*: Change "any structure" to "any relocatable structure" to exclude permanent modular buildings
- *Very low lead plumbing fixture*: Research 0.3% lead threshold, verify percent of what (0.3% by weight?)

#### Section 020 Responsibilities—General

- Research current records retention law and consider changing minimum retention requirement to seven years to be more consistent

**NOTE:** Some of the definitions and the matter of the rule's effective date may be revisited at future meetings.

### School Rule Revision Web Site

<http://www.sboh.wa.gov/rules/schooleh/index.htm>