

Summary of New Provisions
State Board of Health School Environmental Health and Safety Rules
Chapters 246-366 and 246-366A WAC
Adopted August 12, 2009 – Filed December 22, 2009
Tentative Effective Date July 1, 2013

On August 12, 2009, the State Board of Health adopted two new sections to chapter 246-366 WAC and an entirely new chapter 246-366A WAC regarding school environmental health and safety. The Board directed staff to file a rule order with an effective date of July 1, 2010. The Board voted in March 2010 and again in April 2011 to delay the effective date because of legislative restrictions on implementing new rules due to the poor economy. The Board's intention is that existing chapter 246-366 WAC will remain effective until legislative action allows implementation of new requirements of chapter 246-366A WAC. After subsequent legislative sessions, the Board may again consider delaying the effective date of the rule order depending on legislative actions. An amended rule order could have different effective dates for the various sections of the new rules. The Board will notify stakeholders if there are changes to the status of the effective date(s).

New provisions in chapter 246-366A WAC beyond existing requirements in chapter 246-366 WAC include:

- Rule language reflects current and possible future restrictions on implementation of new rules according to legislative action
- Department of Health (DOH) develops technical support materials and makes training available
- DOH, along with the Office of Superintendent of Public Instruction, update the *K-12 Health and Safety Guide* every four years
- DOH reports to Board every three years about status of implementation and variances
- School officials prepare annual reports to the public and school boards on health and safety
- Local health departments inspect schools annually or approve school programs for self-inspection two out of every three years
- Local health departments annually report variances to DOH after three years
- School officials report status of environmental health and safety annually to local school board
- Phase 1 Environmental Site Assessment conducted for new school sites
- Floor materials must be easily cleanable and dryable (may include tightly woven carpets with water-impervious backing)
- Standards for new health rooms if provided at the school (health room not required by rule)
- Upholstered furniture allowed only if approved by school officials
- Moisture control and mold remediation required
- School officials must have written policies for any animals allowed in school
- If air ducts are lined, lining materials must not release particles (applies to construction three years after effective date of rule)
- Use ducted air returns, not open plenums (applies to construction three years after effective date of rule)
- Limit student exposure to air contaminants of public health importance from office equipment by placing in appropriately ventilated spaces and providing instruction to users (existing rule requires local mechanical exhaust ventilation for all sources of contaminants of public health importance)
- Sample drinking water for lead and copper (phased in over four years, repeat lead every five)
- Playground equipment must be manufactured and installed according to national standards and guidelines
- Central emergency gas and electricity shut offs located in laboratories and shops
- Local health officer may provide emergency variances
- Schools must have written complaint procedures