



# UPDATE ON SCHOOL RULES

State Board of Health-June Board meeting 2023

Presenter:

State Board of Health Meeting

06.14.2023



**Juan C. Gamez Briceño**

*Lodging, Schools EHS +IAQ, Legionella & CDL Manager*

Office of Environmental Health and Safety

# Chapter 246-366

## Washington Administrative Code

- 1955 – earliest version, but not earliest rules
- Covers all new, major remodel, public, private K-12
- Local Health Jurisdictions requirements:
  - Site Approval
  - Plan Review
  - Pre-opening Inspections
  - Annual inspections
  - **1971 - “Periodic” inspections**
- 2004-2009 – latest rule revision
- In 2009, State Board of Health adopted chapter 246-366A WAC
  - State legislation prohibited implementation due to funding.

# Title 28A RCW - Common School Provisions

---

## **RCW 28A.335.010, School Districts' Property - Last updated in 1969:**

Are laws that apply to Public School Buildings, maintenance, furnishing and insuring.

Every board of directors, unless otherwise specifically provided by law, shall:

- (1) Cause all school buildings to be properly heated, lighted and ventilated and maintained in a clean and sanitary condition; and
- (2) Maintain and repair, furnish and insure such school buildings.



# 2003

## School Environmental Health & Safety Rule Review

---

January 8, 2003: SBOH requested staff to prepare and submit a rule review document by July 2004

SBOH Goals for the Rule Revision:

- Proactively protect children's health.
- Be based on the best available science.
- Ensure accountability between school districts, their communities and local health jurisdictions.
- Support and promote current school health and safety programs that work.
- Present the least burdensome regulatory structure.
- Be compatible and consistent with existing related regulations (such as building codes).
- Be realistic about resource limitations of schools and local health jurisdictions.

# School Rule Development 2004-2009

---

- Large, inclusive rule development committee.
- 3 technical workgroups: IAQ, Drinking Water, Safety.
- 3 successive drafts for review/comment.
- WAC 246-366A adopted by the SBOH August 12, 2009.
- Legislative proviso in state's 2009-2011 operating budget restricted implementation of new or amended school environmental health rules unless funding provided.
- Proviso still in effect.



# The School Environmental Health & Safety Program at DOH

Provide technical support & training

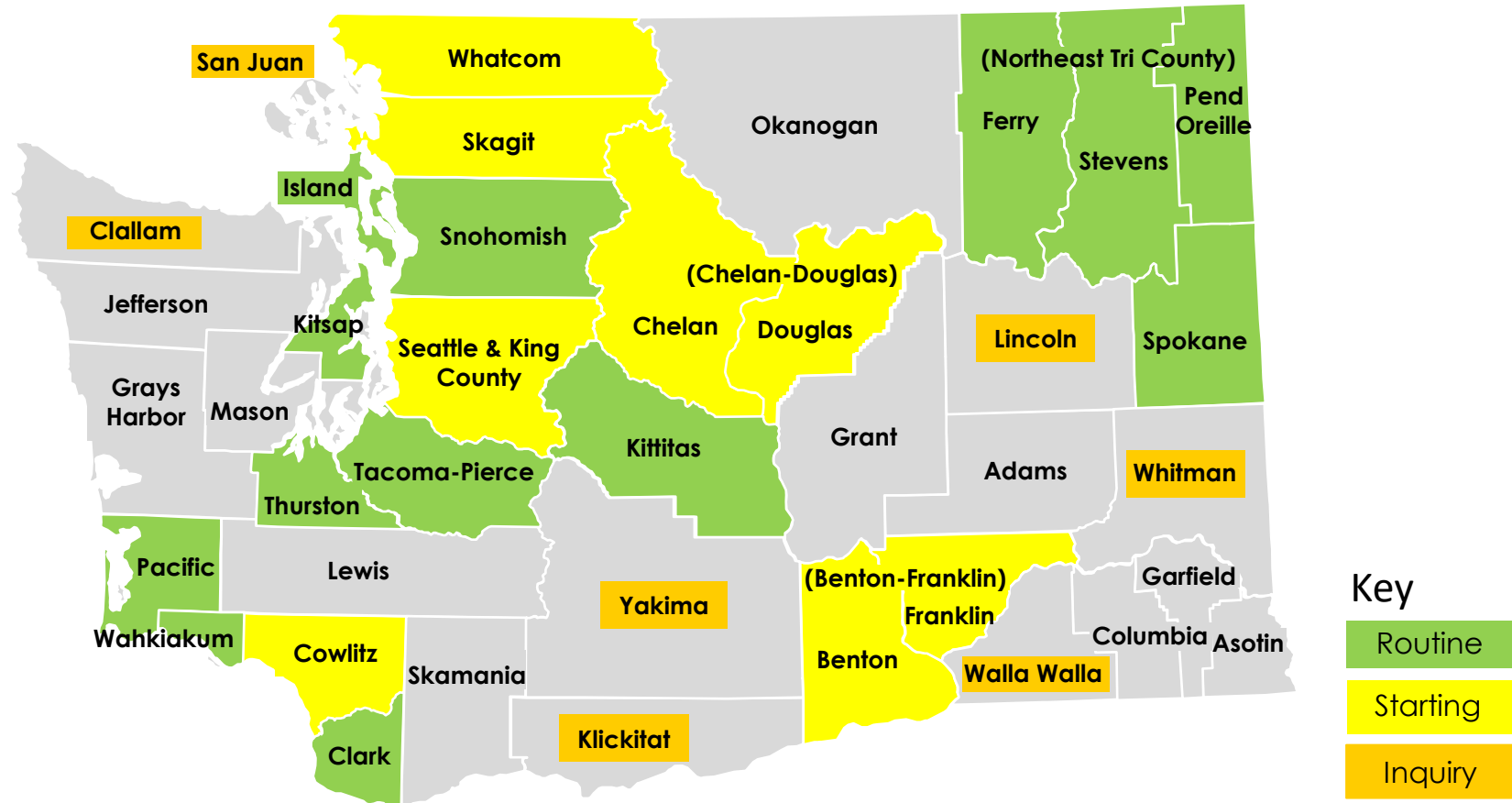
- Local Health Jurisdictions (LHJs)
- Schools

Authority

- RCW 43.20.050(2)(c) Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, cleanliness and space in all types of public facilities including but not limited to food service establishments, schools, institutions, ...
- State Board of Health chapter 246-366 WAC
- DOH / OSPI K12 Health & Safety Guide  
2000, 2003 – current edition. Being updated Summer 2023.

# Local Health Jurisdiction

## School Environmental Health & Safety Inspection Programs



- Schools in all 39 counties in the state receive food service inspections, construction plan review and complaint response from their LHJ.
- **17 LHJs** have or are starting school programs with **periodic routine inspections**. Seven more are starting the process of implementing a program.



# The University of Washington Report in 2022

---

- Foundational Public Health Services funding allowing more LHJs to increase School EHS work under WAC 246-366

The legislature ordered a report that was due on December 31, 2022, regarding school environmental health policies, recommendations, and standards by the University of Washington Department of Environmental and Occupational Health Sciences

- A review of policies and regulations in other states pertaining to environmental health in K-12 schools;
- Literature and recommendations for exposure standards and remediation levels which are protective of health and safety for students in schools;
- A summarization of activities, such as inspections, management, control levels, and remediation of a variety of contaminants and issues, including PCBs, lead, asbestos, poor ventilation, and mold; and
- Recommendations for next steps for policies and standards in Washington schools.

# School Environmental Health & Safety

---

The evidence is clear that **improved school environments reduce absenteeism, improve academic performance and attentiveness, and reduce the incidence of communicable respiratory diseases and asthma episodes.**

School environmental conditions that affect the health and success of children include (but are not limited to) **indoor air quality, drinking water, air temperature, lighting, noise levels, moisture, dust, and animal dander and feces.**



# Ongoing Work

---

- Update the Health and Safety Guide for K-12 schools.
- Continue working with LHJs during our monthly School EHS Program Partners' meetings and provide training sessions, open forum for discussions about hot topics, and communication between LHJs and School partners.
- Provide training and technical assistance to improve ventilation, chemical storage, identify school hazards and best practices, and other informational opportunities for schools in WA.
- Continue to provide technical guidance to schools under chapter 246-366 WAC.

Questions?

Juan Gamez Briceño

[juan.gamezbriceno@doh.wa.gov](mailto:juan.gamezbriceno@doh.wa.gov)

---

Special thanks to Nancy Bernard, Julie Awbrey, Lori Karnes, and  
all LHJs in the state

Thank you!



To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email [civil.rights@doh.wa.gov](mailto:civil.rights@doh.wa.gov).