

Notice of Environmental Justice Assessment: Primary and Secondary School Environmental Health and Safety Standards

Updated June 26, 2024

WHAT

The State Board of Health (Board), in collaboration with the Department of Health (Department) is conducting an Environmental Justice Assessment for proposed rules regulating environmental health and safety standards for K-12 schools. This rulemaking is required by a budget proviso that was included in the [Washington State 2024 supplemental operating budget](#), (Section 222, subsection 159, page 492).

The new chapter will establish updated, minimum statewide health and safety standards for schools and formalize school environmental health and safety inspection procedures. Topics that may be addressed in proposed rules are:

- Indoor air quality including heating, cooling, and ventilation
- Water quality
- Noise
- Moisture and mold
- Lighting
- Restrooms/showers
- Playgrounds
- Laboratory and shop safety
- Sewage
- Food safety

The purpose of this environmental justice assessment is to identify:

- Who might be most impacted by the proposed rules
- Environmental benefits, harms, and health impacts of the proposed rules
- Ways to minimize or eliminate negative environmental impacts
- How to equitably distribute positive environmental impacts

Visit the Department's [Environmental Justice webpage](#) to learn more about Environmental Justice Assessments.

WHY

The current school environmental health and safety rule (chapter 246-366 WAC) is over 50 years old. In 2004, the Board initiated rulemaking and in 2009 adopted updated school environmental health and safety standards (chapter 246-366A WAC). However, the Legislature has not acted to fund the updated rules and implement them, and they are now out of date.

The 2024 budget proviso requires the Board to review and evaluate the current rules and propose updates to meet current health and safety standards. To meet these requirements the Board is considering creating a new chapter of draft rules for school environmental health and safety (chapter 246-370 WAC). The new

chapter will establish minimum statewide health and safety standards for schools and formalize school environmental health and safety inspection procedures. The Board will also consider repealing chapters 246-366 and 246-366A WAC

WHO

The proposed rulemaking will directly impact over one million K-12 students in Washington State served by public, charter, and private schools as well as school staff, parents, and other visitors to the schools.

If you identify as a member of one or more of these groups and would like to share your thoughts or connect with one of our staff, please contact us at schoolehs@sboh.wa.gov or see ways to get involved below.

WHEN

See below for our proposed timeline and how the environmental justice assessment fits into this process. We highlighted in grey when the public can engage in the assessment and rulemaking process:

Date	Milestone/Action	Purpose
May 2024	Invite Technical Advisory Committee (TAC) Members	The proviso named specific organizations to work in collaboration with the Board to update the rules as part of a technical advisory committee (TAC). A full list of required representatives can be found here: 2024-2025 School Rule Review Project SBOH (wa.gov) The Board will include additional members such as Parent-Teacher Organizations, Teachers Unions, Students, and private schools.
June 20, 2024	Filed CR- 101 Pre-proposal Statement of Inquiry	The Board formally filed WSR 24-13-117 to announce the intent to create rule language.
Aug 2024 – Nov 2024	TAC Meetings	Work with members of the TAC to draft rule language and discuss implementation. TAC meetings are open to the public and everyone is welcome to join.
Nov 2024	Initial Draft Rule Complete	Draft rule language is complete and ready to be reviewed by interested parties including members of the public.
Dec 2024	Focus Groups	Virtual and in-person meetings will be held to discuss preliminary draft language to help the Board rulemaking team make informed decisions about finalized draft rule language. These meetings will take place across Washington state. All members of the public are welcome to participate in these focus groups.
Dec 2024	Informal Comment Period	Invite all interested parties to review and share feedback on the draft rule language. All members of the public are welcome to provide comments during the informal comment period.
March 12, 2025	Preliminary Review by the Board	Members of the Board will do a preliminary review of the draft proposed rule language, Environmental Justice Assessment, and Fiscal Analysis.
April 9, 2025	TAC Provides Recommendation to the Board	TAC members address the Board to provide comments and make recommendations.
May 2025	Final Draft Rule Proposal	After considering all comments and recommendations the draft rule is finalized.

Date	Milestone/Action	Purpose
June 11, 2025	Board Approves Report	Board approves the final draft rule documents and recommends that they are submitted to the Governor and legislative committees.
June 30, 2025	Report to the Governor	Final draft rule language, Environmental Justice Assessment, and Fiscal Analysis is submitted to the Governor's office and legislative committees.

HOW TO GET INVOLVED

Please subscribe at schoolehs@sboh.wa.gov to receive notifications about this rule update or to participate in our TAC meetings, focus groups, or provide informal comments.

For more information, please visit our website at: <https://sboh.wa.gov/rulemaking/agency-rules-and-activity/2024-2025-school-rule-review-project>

For questions about this rulemaking or the environmental justice assessment, please contact us at schoolehs@sboh.wa.gov.

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