

- There could be increased costs for school districts and boards of mental retardation and developmental disabilities, associated with the requirement for a written abatement plan. There could also be increased costs to school districts and boards of mental retardation and developmental disabilities, dependent upon the complexity of the minimum standards established for school inspections. If the school inspection guidelines change from what they currently are, then the school may have to address more complex issues that arise during the inspection process. Currently, there are no penalties for school districts for noncompliance. The bill does not change this. However, it is possible that as a result of the abatement plan and the fact that the minimum standards regarding school inspections are in rules, school districts would have to correct deficiencies identified in inspections. It is uncertain how school liability would be affected by these provisions. Also, the Ohio School Boards Association and the Ohio Education Association will be involved in the process of establishing minimum standards for inspection procedures, so they can relay areas of concern or cost to ODH.
- The bill requires ODH to develop school inspection minimum standards in rules. Local health departments (LHDs) may realize increased costs if additional procedures are to be completed during school inspections or if additional schools are inspected as a result of the bill. This would raise costs proportional to the complexity of the procedures added to the minimum standards versus what each local health department currently checks during an inspection. However, any increase in costs due to additional procedures could be partially or fully offset by the fact that the frequency of inspections is reduced from twice a year to once a year. Also, the Association of Ohio Health Commissioners will be involved in the process of establishing minimum standards for inspection procedures, so they can relay areas of concern or cost to ODH.

For fiscal analyses, a "yes" local impact determination results in an annual cost of more than \$1,000 for any affected county, city, or township with a population of less than 5,000 or a school district with an average daily membership (ADM) of less than 1,000 or an annual cost of more than \$5,000 for any affected county, city, or township with a population of 5,000 or more, or a school district with ADM of 1,000 or more. The costs for this bill cannot be fully estimated without knowing what the minimum standards for school inspections will be.

Detailed Fiscal Analysis

The bill would require the Director of Health to establish the School Health and Safety Network to coordinate school inspections, and to include school safety and sanitary inspections within the practice of environmental health for registered sanitarians.

Current School Inspections

Currently, local health districts (LHDs) are required to conduct two school inspections per year. According to the Association of Ohio Health Commissioners (AOHC), the estimate for a three-hour inspection of each school building in Ohio is \$557,550 (total of approximately \$1,115,100 for the required two inspections) or \$150 per inspection. School inspections tend to vary by district and the guidance offered to LHDs on school inspections is outdated. In fact, the guidance used for school inspections was last revised in 1977. Also, the guidance does not provide a standardized, comprehensive protocol for inspections. As a result, there is little consistency among LHDs statewide. Many LHDs have added or edited procedures to their

inspection process to reflect current factors. According to the AOHC, there is a multi-disciplinary workgroup consisting of the Department of Health (ODH), LHDs, and the Bureau of Workers' Compensation, as well as others, actively involved in updating the guidelines for school inspections. The goal of this group is to have these new guidelines in place by the fall of 2005.

Examples of Criteria Currently Inspected

Since school inspections vary from district to district, LSC provides a few examples of what LHDs look for. The City of Newark Health Department maintains that the Board of Health "has a responsibility to assure that schools are operated in such a way as to prevent health, sanitation, and safety problems." Newark inspects public and parochial schools semi-annually. Inspectors look at the building structure, heating and ventilation systems, lighting, water supply, waste disposal, playground equipment, accident prevention program, and inspect for rodent control. Toilet and locker room facilities are checked for cleanliness, modesty equipment, and hand washing facilities. Accident prevention measures, including a properly equipped emergency room, traffic safety, fire exits, fire fighting equipment, and hazard free rooms, halls, and stairways, are also checked.³

The Warren City Board of Health inspects schools for the following: classroom conditions, lighting standards, water supply, toilet and locker room facilities, ventilation systems, kitchen areas, playground equipment, swimming pool, insect and rodent control, accident prevention, condition and operation of windows and doors, traffic safety, stairwells and halls, and fire exits and equipment, etc.⁴

According to ODH, most LHDs do not inspect safety items during their routine school inspections. Also, as mentioned previously, there is no consistency in regards to inspections from district to district. As a result, there are differences in the things inspected and the complexity of the inspections.

Requirements Regarding Inspections

The bill requires ODH to establish the School Health and Safety Network under which LHDs are required to inspect each public and nonpublic school building and grounds within its jurisdiction at least once each year. The bill specifies that each inspector shall conduct inspections during regular school hours using forms, templates, and checklists developed by ODH or other forms approved by ODH. ODH, with the cooperation of each board of health, is to coordinate inspections, to avoid duplication of authority over a school by multiple LHDs and to ensure that each school is inspected. ODH may determine the appropriate manner to coordinate inspections.

LHDs are to report inspection findings of each public and nonpublic school building and grounds to: the principal or chief administrator of the building; the administrator responsible for facility operations and maintenance of the school district, etc., controlling the inspected building

³ www.newarkhealthdept.org/programs/school_inspection.html.

⁴ www.warren.org/healthenvironmental.htm.

and grounds; the superintendent and board of education of the school district if the school is operated by a school district; in the case of a school operated by an educational service center or board of mental retardation and developmental disabilities, the center or board; and the Auditor of State. The report is to include recommendations for changes that the LHD determines may be necessary to abate conditions that are hazardous to occupants. The board of education of each school district, the board of mental retardation and developmental disabilities, the governing board of each education service center, and the chief administrator of each nonpublic school for which an inspection report is submitted are to develop a plan of abatement of conditions that are hazardous to occupants. The plan must be in written form and submitted by a deadline and in a manner established by ODH. The plan must also include a schedule for completion of the abatement. The LHD shall determine compliance with the written plan for abatement. On completion of any plan for abatement, the LHD shall submit a supplemental report to the same persons receiving the inspection findings reports.

ODH is to establish minimum standards and procedures for school health and safety network inspections in rule. ODH is to establish these standards in consultation with the Association of Ohio Health Commissioners, the Ohio Environmental Health Association, the Ohio School Boards Association, and the Ohio Education Association. The bill also requires the ODH to develop information specifying dangerous conditions and products that may be present in school building and grounds and distribute this data, on a quarterly basis, to boards of health through electronic mail and also make this information available on its web site. ODH may use information developed by other sources, including other state and federal agencies. The bill specifies that each LHD and the ODH, to the greatest extent possible, shall use existing staff to establish and operate the Network.

Fiscal Impact

The Department is currently working with LHDs, as well as others, in establishing guidelines for inspections. AOHC believes that current inspections could cover many of the minimum standards established. However, the new standards have yet to be established, so there is a possibility that standards could be established that would require additional procedures for school inspections. The Department maintains that most LHDs do not inspect safety items during their routine school inspections, so it is likely that some increased costs for additional procedures are possible. This would raise costs proportional to the complexity of the additional procedures and the number of LHDs that would have to implement these procedures. However, any increase in costs due to additional procedures could be partially or fully offset by the fact that the frequency of inspections is reduced from twice a year to once a year. However, it is important to note that the Association of Ohio Health Commissioners will be involved in the establishment of the minimum standards. As such, they would have a voice in the process and could alert ODH to any areas of concern or cost. Also, it is possible that some LHDs may have additional schools to inspect as a result of the bill – it is unclear how many LHDs currently inspect schools maintained by boards of mental retardation and developmental disabilities. LSC contacted the Massillon Health Department and they do inspect schools maintained by the boards of mental retardation and developmental disabilities.

Currently, schools that do not pass inspection are not required to submit a written correction plan. LHD school inspectors can issue orders for correction, but at the present time there is no provision outlining how schools are to respond to the correction order and there are no penalties or sanctions for noncompliance. The bill requires the board of education and others to submit a written plan for abatement of the conditions determined during inspection as hazardous to occupants, as well as requiring a schedule for completion of the abatement. The requirement for a written plan could increase expenditures for school districts or boards of mental retardation and developmental disabilities. School inspection standards have yet to be established. If these guidelines become more complex in nature than what local health departments currently inspect for, then the school may have to address more complex issues that arise during the inspection process, which would result in increased expenditures. Current guidelines are not in rules. The bill requires the minimum standards to be in rules. As such, it is possible that compliance with the standards in rules will be necessary. However, there are still no penalties associated with noncompliance. While there are no penalties, school districts may have to correct for any deficiencies as a result of the written abatement plan. It is uncertain how school liability will be affected. However, it is important to note that the Ohio School Boards Association and the Ohio Education Association will be involved in the establishment of the minimum standards. As such, they would have a voice in the process and could alert ODH to any areas of concern or cost.

ODH is to establish the school health and safety network. ODH will be responsible for coordinating inspections, with the cooperation of each board of health. ODH will also be responsible for establishing minimum standards for health and safety network inspection procedures. ODH would still provide some level of technical support, when needed, to local health districts. However, ODH has estimated these costs to be minimal.

The proposed legislation addresses the filing of reports and other procedures that the inspection process must follow. The legislation states that the Auditor of State shall review reports of each school health and safety inspection of a public school building. This could potentially increase costs to the Auditor's Office. According to the Auditor's Office, any increase would be minimal.

The LHDs may also realize a minimal increase in expenditures as a result of the requirements regarding inspection reporting. LHDs would have to report findings from each inspection to the principal or chief administrator, the administrator responsible for facility operations, etc., the superintendent in certain instances, and the Auditor of State. It is possible that some findings would need to be sent through the use of certified mail. Certified mail provides the sender a mailing receipt and online access to the delivery status. This service is available with first-class and priority mail. The cost of certified mail is \$2.30 plus postage. If the findings were submitted by standard U.S. mail or through email or fax, the costs would be negligible at best.

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