

Chapter 388-180 WAC

STANDARDS FOR HEALTH AND SAFETY REVIEWS OF THE WASHINGTON STATE SCHOOL FOR THE DEAF

WAC

PURPOSE

388-180-0100 What is the purpose of this chapter?

DEFINITIONS

388-180-0110 What are the definitions for this chapter?

CHILD PROTECTIVE SERVICES (CPS) INVESTIGATIONS

388-180-0120 Is CPS required to investigate allegations of CA/N of students at the school?

388-180-0130 What is included in the CPS investigation?

HEALTH AND SAFETY REVIEWS

388-180-0140 What health and safety reviews are required?

388-180-0150 Who receives a copy of the completed health and safety reports?

388-180-0160 What health and safety standards and written policies will the monitors be looking for when conducting their health and safety reviews of the school?

388-180-0170 What specific areas must be included in the comprehensive health and safety review?

388-180-0180 What health and safety areas must be included in the monitoring review?

388-180-0190 Must WSD allow the department access to the records of the school?

388-180-0200 Must WSD allow the department access to all students and staff for the reviews?

388-180-0210 What must be included in the incident documentation?

388-180-0220 What are the staffing requirements for the residential portion of the school?

388-180-0230 What are the physical environment safety requirements for the residential facilities?

PURPOSE

WAC 388-180-0100 What is the purpose of this chapter? The purpose of this chapter is to outline the process of investigating child abuse or neglect at Washington state school for the deaf and establish rules for completing health and safety monitoring reviews of the school.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0100, filed 1/24/03, effective 3/1/03.]

DEFINITIONS

WAC 388-180-0110 What are the definitions for this chapter? The following definitions apply to this chapter:

"CA/N" means child abuse or neglect as defined in chapter 26.44 WAC.

"Department" means the department of social and health services (DSHS).

"DLR" means the division of licensed resources, a division of children's administration, department of social and health services.

"Residential staff" means individuals in charge of supervising the day-to-day living situation of the children in the residential portion of the school.

"School" means the Washington State School for the Deaf.

(1/24/03)

"Superintendent" means the superintendent of the Washington state school for the deaf.

"WSD" means the Washington state school for the deaf.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0110, filed 1/24/03, effective 3/1/03.]

CHILD PROTECTIVE SERVICES (CPS) INVESTIGATIONS

WAC 388-180-0120 Is CPS required to investigate allegations of CA/N of students at the school? The department's child protective services (CPS) must investigate referrals of alleged child abuse or neglect occurring at the Washington state school for the deaf. This includes alleged incidents of students abusing other students.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0120, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0130 What is included in the CPS investigation? (1) A CPS investigation at the school must determine if:

(a) Abuse or neglect is substantiated or "founded"; and

(b) A referral to law enforcement is appropriate.

(2) CPS must send a copy of the investigative report for incidents of alleged abuse or neglect to the school's superintendent.

(3) CPS may include recommendations for increasing student safety to the superintendent and the board of trustees or its successor board.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0130, filed 1/24/03, effective 3/1/03.]

HEALTH AND SAFETY REVIEWS

WAC 388-180-0140 What health and safety reviews are required? The department must complete health and safety reviews of the school as follows.

(1) A comprehensive health and safety review of WSD must be completed every three years; and

(2) Monitoring health and safety reviews must be completed at least quarterly until December 1, 2006.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0140, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0150 Who receives a copy of the completed health and safety reports? (1) The department must provide a copy of the comprehensive health and safety review report of the school to:

(a) The governor;

(b) The legislature;

(c) The superintendent; and

(d) The school's board of trustees or its successor board.

[Ch. 388-180 WAC—p. 1]

(2) The department provides a copy of the periodic monitoring health and safety review reports of the school to the superintendent and to the governor.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0150, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0160 What health and safety standards and written policies will the monitors be looking for when conducting their health and safety reviews of the school? Reporting requirements

The health and safety standards that apply to WSD are as follows:

(1) All residential program personnel and volunteer staff at the school must comply with the mandatory reporting requirements of child abuse or neglect, RCW 26.44.020.

(2) The school must comply with all applicable fire marshal and department of health requirements.

Written policies and procedures

(3) The department will be reviewing the written policies and procedures of the school that:

(a) Promote a program aimed at providing personal safety and protection of all students residing at the school;

(b) Provide sufficient staffing levels on all shifts to meet the physical, emotional, and safety needs of all students, as required under RCW 72.40.240;

(c) Implement and maintain effective admission and retention policies that protect all students from sexual victimization, as required under RCW 72.40.270;

(d) Implement and maintain an effective communication system between educational staff and residential staff and parents and/or legal guardians;

(e) Ensure that the residential facility meets all applicable fire and health requirements and promote environmental safety against physical risk or harm to students;

(f) Minimize student-to-student conflict or harm when transporting students;

(g) Conduct and document background and CA/N checks on all staff to determine each employee's suitability for employment at the school (see chapter 388-06 WAC);

(h) Provide all students with training on self-protection from abuse or neglect, as required under RCW 72.40.230 and 72.40.260;

(i) Implement and maintain effective child protection policies that include proper reporting of incidents, notification, documentation, and cooperation with the department and law enforcement;

(j) Describe what procedures staff must follow when they have reason to believe a student may have been abused or neglected, as defined under RCW 26.44.020; and

(k) Maintain adequate documentation of all abuse or neglect incidents.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0160, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0170 What specific areas must be included in the comprehensive health and safety review?

(1) In conducting a comprehensive health and safety review of the school, the department must review the children's administration's case and management information system (CAMIS) records for any child abuse or neglect referrals and the disposition of the investigations.

[Ch. 388-180 WAC—p. 2]

(2) The reviewers must:

(a) Examine the residential facilities for health and safety (a specific list of elements for review are outlined in WAC 388-180-0230);

(b) Develop appropriate questionnaires or survey tools for interviews;

(c) Conduct interviews of staff, students, parent, teacher, and community stakeholders for concerns of student health and safety at the school.

(d) Review facility logs, including incident reports and daily shift logs;

(e) Review medication policies, including documentation of medicine disbursement when and by whom;

(f) Review admissions and expulsion policies for compliance with RCW 72.40.040;

(g) Review staff coverage policies for compliance with RCW 72.40.240 and 72.40.270;

(h) Review behavior management policy for compliance with RCW 72.40.220, including a description of the de-escalation techniques used with different ages or developmental levels of students;

(i) Review employee/volunteer supervision policies for compliance with RCW 72.40.250;

(j) Review policies for protecting students from abuse or neglect policies for compliance with RCW 72.40.250;

(k) Review any corrective action plans including implementing the written plan of action to assure health and safety and prevention of abuse or neglect incidents as directed in RCW 72.40.250;

(l) Review the documentation of awareness and prevention training of staff for compliance with RCW 72.40.230 and 72.40.260; and

(m) Sample criminal history and CA/N checks of school employees for compliance with the school's criminal history inquiry and FBI fingerprinting process.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0170, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0180 What health and safety areas must be included in the monitoring review?

(1) The health and safety areas covered in the monitoring review must include, but are not limited to, the following:

(a) Inspection and evaluation of the school's incident log;

(b) Child protective services investigation documentation;

(c) Residential program policies and procedures;

(d) Residential facilities, cafeteria, nurse's station, and all other venues where residential students frequent;

(e) Staff, student, and parent interviews; and

(f) Review any corrective action plans including implementing the written plan of action to assure health and safety and prevention of abuse or neglect incidents.

(2) The monitoring review may include, but is not limited to, the following:

(a) Written personnel policies and procedures;

(b) Personnel records including background check results; and

(c) Job descriptions and history of personnel training.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0180, filed 1/24/03, effective 3/1/03.]

(1/24/03)

WAC 388-180-0190 Must WSD allow the department access to the records of the school? Consistent with federal law, the school must give the department complete access to all records and documents requested by the reviewers in monitoring and conducting the reviews of the school.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0190, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0200 Must WSD allow the department access to all students and staff for the reviews? Consistent with federal law, the school must give the department complete access to students and staff requested by the reviewers in monitoring and conducting the reviews of the school.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0200, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0210 What must be included in the incident documentation? The incident log documentation must include:

- (1) The students involved (not identified to the reviewers);
 - (2) The date and time of the incident;
 - (3) A description of what occurred, any injury and severity of injury;
 - (4) Any other persons present at the time of the incident;
- and
- (5) Any action taken by WSD staff, including notification of the child's parents.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0210, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0220 What are the staffing requirements for the residential portion of the school? (1) A staffing ratio of 1:7 must be maintained for residential students while students are in dorms or cottages and when they are participating in elective activities.

(2) A staffing ratio of 1:9 must be maintained for visiting and day students while they are in the residential settings.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0220, filed 1/24/03, effective 3/1/03.]

WAC 388-180-0230 What are the physical environment safety requirements for the residential facilities? The school must ensure that the residential facilities comply with the applicable state fire marshal and department of health regulations, including the following:

- (1) The grounds, office, living areas, kitchen, bedrooms, bathrooms, shops, recreational areas, and laundry areas are clean and free of hazardous conditions.
- (2) Furnishings are clean, comfortable, durable, and safe.
- (3) Cleaning products and toxic chemicals are securely stored.
- (4) Medications are securely stored.
- (5) First-aid supplies are readily available.
- (6) Emergency lighting devices are available.
- (7) Kitchen and bathrooms are ventilated.
- (8) The facilities regularly conduct and document fire drills.
- (9) Smoke detectors are regularly inspected and the results of the inspections are documented.

(1/24/03)

(10) Procedures for evacuation and other emergencies are posted, reviewed, and tested at regular intervals.

[Statutory Authority: RCW 74.15.030 and 74.20.280. 03-04-013, § 388-180-0230, filed 1/24/03, effective 3/1/03.]