

**School Integrated Pest Management Plan  
for the  
Bloomsbury Elementary School**

**for the School Year  
Starting September 1, 2010 and  
Ending June 30, 2011**

*Plan prepared by: Michael Slattery*

*Date prepared: August 1, 2010*

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1. **General school information:**

**School name:** Bloomsbury Elementary School

Address: 20 Main Street

City: Bloomsbury

County: Hunterdon District: Bloomsbury Zip Code: 08804

Phone: (908) 479-4414 E-mail: msslattery@bburyes.com

**School IPM Coordinator:** Mr. Michael Slattery, Chief School Administrator

Email: msslattery@bburyes.com Phone: (908) 479-4414 ext. 5

2. **Integrated Pest Management Statement**

Integrated Pest Management (IPM) on school property is a long-term approach to maintaining healthy landscapes & facilities that minimizes risks to people and the environment. Bloomsbury Elementary School will use: site assessment, monitoring, and pest prevention in combination with a variety of pest management tactics to keep pests within acceptable limits. Instead of routine chemical applications, cultural, mechanical, physical, and biological controls will be employed with selective use of pesticides when needed. Educational strategies are used to enhance pest prevention, and to build support for the IPM program

3. **School IPM Policy:**

**Integrated Pest Management Policy for Bloomsbury Elementary School**

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy.

The law requires the superintendent of the school district, for each school in the district, the board of trustees of a charter school, and the principal or lead administrator of a private school, as appropriate, to implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. Bloomsbury Elementary School shall therefore develop and maintain an IPM plan as part of the school's policy.

**Integrated pest management procedures in schools**

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

Each school shall consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

### **Development of IPM plans**

The school IPM plan is a blueprint of how Bloomsbury Elementary School will manage pests through IPM methods. The school's IPM plan states the school's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The Bloomsbury Board of Education, in collaboration with the Chief School Administrator, shall be responsible for the development of the IPM plan for this school.

### ***IPM Coordinator***

The Chief School Administrator shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy.

### **Education /Training**

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

### **Record keeping**

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the school board.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

### **Notification/Posting**

The Chief School Administrator of Bloomsbury Elementary School is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

### **Re-entry**

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

### **Pesticide applicators**

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

### **Evaluation**

Annually, the Chief School Administrator will report to the local school board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Bloomsbury Board of Education directs the Chief School Administrator to develop regulations/procedures for the implementation of this policy.

### **Authorizing Regulatory references**

The School Integrated Pest Management Act of 2002  
N.J.A.C. Title 7 Chapter 30 Subchapters 1-12  
Pesticide Control Act of 1971

*Revised 8/1/10*

#### **4. School IPM Plan Goals:**

- a. The roles, responsibilities, and training of all members of the school community [school administration, School IPM Coordinator, Pest Management Professional (includes staff or contractors, if used), School Nurse, kitchen staff, maintenance staff, staff, teachers, students, parents or guardians of all students enrolled in the school, and vendor/contractors] regarding IPM at the school are clearly defined.

- b. Pest identification: Initially, define indoor and outdoor pests for the school by historical account and/or by direct monitoring. Establish monitoring types and schedules, and recordkeeping.
- c. Pest prevention and control to maintain a healthy school environment: Outline non-chemical controls that will be routinely practiced at the school. Establish threshold levels for all anticipated pests. Define prescribed use of low impact versus non low impact pesticides for identified pests. Maintain records of all pesticide applications.
- d. Keep the school community informed: Maintain IPM records and make available for public inspection. Issue annual notice of school IPM program status. Establish pre-notification procedures for non low impact pesticide use. Adopt notification procedures for emergency use of non low impact pesticides. Establish posting procedures for indoor and outdoor areas that are treated with non low impact pesticides.
- e. Evaluate and revise the School IPM Plan annually.

5. **School IPM Roles & Responsibilities:** For an IPM program to be successful, all members of the school community must be made aware of the school's policies on pest control and their respective roles in the overall pest management plan. The roles, responsibilities, and training for this school regarding pest management are outlined below:

a. **School Administrators:**

Specific duties of New Jersey School Administrators **required by the School IPM Act and proposed regulations:**

- 1. Adopt and implement a school IPM policy for the school property; the policy was developed by the NJDEP prescribes that the school administrators will adopt and implement a School IPM Plan for the school property.
- 2. Implement IPM procedures to control pests and minimize exposure of children, faculty, and staff to pesticides.
- 3. Designate a School IPM Coordinator. The IPM Coordinator should be someone who is familiar with the school buildings and grounds, such as the buildings and grounds maintenance staff.
- 4. Report effectiveness and recommend improvements to the School IPM Plan annually to local school or governing boards.

Other **duties required by law of the school administration but that may be delegated** to specific individuals, such as the School IPM Coordinator are:

- 5. Coordinate pre- and post-notification of parents and staff of non low impact pesticide applications according to the school's notification procedure.
- 6. Prepare and post signs as required in areas where non low impact pesticides are to be applied.
- 7. Obtain and maintain all pesticide application records for a minimum of 3 years; in the case of termiticides, maintain records a minimum of 5 years.
- 8. Prepare and send out 'Annual School IPM Program Notification Letter to Parents & Staff'.

b. **School IPM Coordinator:**

The School IPM Coordinator, **by law**, is jointly responsible with the school administration for the implementation of this School IPM Plan.

Role: The IPM Coordinator is the individual within the facility who is in charge of pest control activities for the school. This individual has the authority and backing of the school administration or management. The School IPM Coordinator has the primary responsibility for ensuring the IPM plan is carried out, and is the primary contact for the school community and public. Ultimately, this person is directly responsible for the integration of all IPM activities through the coordination of all parties including custodial, building, food service, outside vendors, Pest Management Professionals, grounds staff, students, parents, staff, and teachers.

Specific duties of a New Jersey School IPM Coordinator **required by law or regulation:**

1. Implement the School IPM Policy and Plan.
2. Maintain information about the IPM Policy and Plan in place at the school.
3. Maintain information about pesticide applications on school property including records obtained from the pesticide applicator, Material Safety Data Sheets (MSDS) when available for pesticides used, and labels for all pesticide products used.
4. Maintain records of any pest monitoring and non-pesticide controls implemented.
5. Provide access to the above information for public review.
6. Respond to inquiries and providing information to students, staff, and parents or guardians regarding IPM.
7. Provide training in IPM practices to the school community as described in the individual 'Roles, Responsibilities, and Training' sections of the School IPM Plan.
8. Provides a signature on the 'School Integrated Pest Management Act Compliance Certification' Form when requested by pesticide applicators.
9. Ensure that all persons conducting pesticide applications have all NJDEP-required training, certification, and licensing. Also ensure that they follow the School IPM Policy and Plan, as well as all NJDEP School IPM regulations and the precautions of the pesticide label.
10. Obtain training sufficient to implement the Policy and Plan.
11. Submit required information to the NJDEP.

**School administration responsibilities by law (see # 5, 6, 7, and 8 of their duties)** that must be carried out and may be delegated as duties of the School IPM Coordinator by this school administration include:

Coordinate pre- and post-notification of parents and staff of non low impact pesticide applications according to the school's notification procedure.

Prepare and post signs as required in areas where non low impact pesticides are to be applied.

Obtain and maintain all pesticide application records for a minimum of 3 years; in the case of termiticides, maintain records a minimum of 5 years.

Prepare and send out 'Annual School IPM Program Notification Letter to Parents & Staff'.

In order to carry out the duties prescribed above, the School IPM Coordinator will (*check all that apply*):

Distribute and train school community in the use of 'Pest Problem Report Forms' to be submitted when activity is noticed.

Distribute and train school kitchen staff in the use of 'Food Service Report' forms to be submitted weekly.

Compile all 'Pest Problem Report' and 'Food Service Report' forms received in 'IPM Pest Activity Monitoring and Control Log.' Also, write actions taken to remedy pest problems in the log.

Maintain a prioritized list of pest management issues (including key pests, and needed structural/landscape improvements and substandard sanitation practices) which exist both inside and outside the school.

Consider all available options (including no action) with the school's Pest Management Professional prior to determining control(s) to be used.

Ensure that Pest Management Professional(s) make accurate entries in the 'Pesticide Application Log' when these pesticides are applied at the school.

Work with administration if contracting for pest control services to ensure that the bid specifications comply with the school IPM policy and plan.

Serve as the point of contact for contracted pest management services for the school.

Evaluates efficacy of IPM practices on school property on a monthly basis at a minimum.

Sets up and moderates the annual evaluation of the School IPM Plan. Revises the School IPM Plan accordingly.

Training:

The School IPM Coordinator will receive NJDEP-approved training that provides an overview of the principles of IPM, legal requirements, and how to implement the IPM Policy and Plan at the school per rules as adopted by the NJDEP.

c. **Pest Management Professional:**

All pesticide applications made on school property must be made by applicators or operators licensed to apply pesticides by the NJDEP PCP per the New Jersey Administrative Code Title 7 Chapter 30; Subchapters 1-12. These 'Pest Management Professionals' may either be staff and /or a contractor as described below.

All **indoor applications** at this school are made by a licensed Pest Management Professional. The contractor for indoor pest management services at this school is Pest Pro. Our contact for the company is Richard Potts, 610-865-5679. The contractor will meet all specifications as contracted by the School per the standards set forth by our IPM policy.

All **outdoor applications** at this school are made by a licensed Pest Management Professional. The contractor for outdoors pest management services at this school is Pest Pro. Our contact for the company is Richard Potts, 610-865-5679. The contractor will meet all specifications as contracted by the School per the standards set forth by our IPM policy. If specified in the contract, the contractor will provide horticultural services for landscape and turf management.

Other Specific Duties of Pest Management Professional(s) in the School IPM Program (*check all that apply*):

Inspect school annually for the presence of pests or signs of pest activity.

Notify the IPM Coordinator when pests or signs of pest activity are found.

Make written recommendations to the School IPM Coordinator for corrective actions to be taken by the school to reduce potential pest populations.

Recommend to School IPM Coordinator appropriate non-chemical procedures to correct pest problems.

When it is determined that a pesticide must be used, select and recommend necessary pesticides. Preference will always be given to low impact pesticides.

When approved by the School IPM Coordinator, follow appropriate least-toxic procedures to correct pest problems. Never apply a non low impact pesticide without first consulting in advance with the IPM Coordinator to allow them to proceed with all required notification and posting of the area to be treated.

Provide School IPM Coordinator with MSDS (when available) of any pesticide that is applied on school property.

Provide application information as specified in the 'Non Low Impact Pesticide Application Log' when they apply these pesticides at the school. This log is kept on file in the head custodian's office.

If a non low impact pesticide is to be used, provide a 'School Integrated Pest Management Act Compliance Certification' Form to the School IPM Coordinator for their signature ensuring all advance notification and posting has been performed as required. Applicators are not liable for damages resulting from the failure of the school to provide the notification or posting as required by the New Jersey School IPM Act.

Participate in the annual evaluation of the School IPM Program and Plan. Provide comments regarding any necessary modifications to the School IPM Plan.

Training:

Training for either a new commercial applicator or operator is to include BOTH a PCP-approved basic pesticide training course, and 40 hours of on-the-job training to competently perform the functions associated with any applications in which they are expected to perform. Additionally, within the 40 hours of training, the candidate must perform or witness a minimum number of applications for each of the categories that they

will be licensed (see the NJDEP website at <http://www.state.nj.us/dep/enforcement/pcp/index.html>; or the Rutgers Cooperative Extension pesticide applicator training website at <http://www.pestmanagement.rutgers.edu/PAT/CertlicensReq.htm> for details).

In order to maintain valid Pesticide Applicator Certification in the state of New Jersey, pesticide applicators must earn a minimum of 24 recertification credits by attending continuing education courses. Commercial Pesticide Applicators must accumulate 8 Core credits and 16 category credits (per each category certified).

Rules are being proposed by the NJDEP that would require an additional category ("IPM in Schools") for commercial applicators that apply pesticides on school property. If these rules are adopted as final, applicators would be given a grace period during which the new category exam would need to be taken. This IPM in Schools category would be required in addition to any other category (such as ornamental & turf, or termite control) required depending on the type of work performed.

d. **School Nurse:**

The school nurse will consider potential pesticide exposure when evaluating a child's health complaint. The school nurse should have access to MSDS sheets for any chemical used on school property and be aware of any children with asthma or chemical sensitivities.

Other Duties of the School Nurse in the School IPM Program (*check all that apply*):

Keep copies and review MSDS of all pesticides used on school property.

Maintain easy access to Poison Control Center hotline at 1-800-222-1222 in case acute poisoning is suspected.

Monitor for headlice (a common problem for children between 3 and 10 years old).

Educate parents and staff about preventing headlice spread when it occurs.

Submit a 'Pest Problem Report' to School IPM Coordinator whenever pests are detected in the health suite/Nurse's office.

Training (*check all that apply*):

In addition to required professional training,

Be aware of public health pests of significance that may impact student health; see EPA's *List of Pests of Significant Public Health Importance* at [http://www.epa.gov/opppmsd1/PR\\_Notices/pr2000-draft.htm](http://www.epa.gov/opppmsd1/PR_Notices/pr2000-draft.htm).

Obtain copies of selected pesticide resources on poisoning which may include:

*Recognition and Management of Pesticide Poisonings*, Routh Reigart and James Roberts, 5th edition, U.S. Environmental Protection Agency, March 1999; available online at <http://www.epa.gov/oppfead1/safety/healthcare/handbook/handbook.htm>.

**Kitchen Staff:**

Food handling and preparation areas are among the most critical areas for pest management. Kitchen staff must keep all food areas free of crumbs and food residue after use.

Other Duties of Kitchen Staff in the School IPM Program (*check all that apply*):

Practice good sanitation of all kitchen and food service areas (clean all surfaces daily) per the 'IPM Priorities' checklist of this Plan.

Donna Vanya, cafeteria manager, will inspect the kitchen daily.

Donna Vanya, cafeteria manager, will submit a Pest Problem Report to the School IPM Coordinator whenever pests are detected in the kitchen and food service areas

Manage specific pest problem(s) as directed by the IPM Coordinator.

Training:

Michael Slattery, IPM Coordinator, will be responsible for training the kitchen staff in proper sanitation procedures when hired and annually thereafter. The School IPM Coordinator will train the kitchen staff in the pest detection and monitoring program in place in the kitchen when hired and annually thereafter.

e. **Maintenance Staff:**

Maintenance staff maintains the cleanliness and take care of the school building and grounds. These staff members may be assigned to indoor and/or outdoor maintenance. School maintenance staff may make applications of pesticides that are "over-the-counter" disinfectants and antimicrobials such as Lysol® and toilet-bowl cleaner, and use "minimum risk" pesticides published by the federal EPA. If the use of other pesticide is necessary, only a licensed Pest Management Professional may make the application (see 'c' above).

Other Duties of Maintenance Staff in the School IPM Program (*check all apply*):

Practice all sanitation and maintenance techniques per the 'IPM Priorities' checklist of this Plan.

Provide a 'Pest Problem Report' to School IPM Coordinator whenever pests or signs of pest activity are discovered in the school building, or are a problem on school grounds.

Recognize and correct conditions that may lead to pest problems such as water leaks, potential pest entryways, and poor sanitation practices.

Manage specific pest issue(s) as directed by the School IPM Coordinator. This will not include pesticide application.

Training:

Steven Weber, head custodian, will be responsible for training the indoor Maintenance Staff in proper sanitation procedures and schedules when hired and annually thereafter.

The School IPM Coordinator must train the indoor Maintenance Staff in the pest detection and monitoring program and devices in place throughout the school when hired and annually thereafter.

If landscaping or turf maintenance is required by their duties, grounds maintenance staff will be trained in accepted horticultural practices grounded in IPM.

**Staff, Teachers, and Students:**

Duties of Staff, Teachers, & Students in the School IPM Program (*check all that apply*):

The most important responsibility of the students and staff is sanitation. Much of the prevention and reduction of pest infestation at the school site depends on whether or not students and staff clean up food leftovers, food in lockers, gum under desks, paper clutter, etc., or perform proper maintenance.

Leave pest control and pest management to trained professionals.

Will not move sticky traps or other pest monitoring devices.

Report any evidence of pest activity to the School IPM Coordinator using the 'Pest Problem Report' form.

Training:

School staff, teachers, and students will be trained in their roles in the school's pest management system by the School IPM Coordinator.

Other training (*check all that apply*):

Staff, teachers, and students will be given a brief overview or updates by the School IPM Coordinator on pest identification and the conditions that they may create that promote pests. This information will focus on pest reduction strategies connecting people's behavior such as eating at desks, leaving crumbs on floor, etc. to pest problems.

Education will be focused to increase people's willingness to share their environment with other organisms so that people are less likely to insist on toxic treatments for harmless organisms.

They will be instructed in how to log pest complaints using the 'Pest Problem Report' form.

Pamphlets and fact sheets will be made available at the time of training and/or posted on bulletin boards in specific areas such as the cafeteria and teachers' lounge.

**Parents or Guardians of All Students Enrolled in the School:**

Duties of Parents/Guardians in the School IPM Program:

Learn about IPM practices and follow them at home so that pests are not carried to school in notebooks, lunch boxes, backpacks, clothing, or the children's hair.

Make their children aware of their role in the School IPM Program at the school.

Encourage children to lend a hand in cleaning up.

Discourage children from keeping food in their lockers and desks.

Be aware of the current pest management practices in their children's school. Review the 'Annual School IPM Program Notification Letter to Parents & Staff' as well as all notices

of application of pesticides at the school. For questions or concerns, parents and /or guardians will contact the School IPM Coordinator.

Training (*check all that apply*):

Michael Slattery, School IPM Coordinator, will educate parents and guardians of all students enrolled at the school about the School IPM Program.

Pamphlets and fact sheets will be made available upon request.

i. **Vendors and Contractors**

Should the need arise to contact a licensed vendor, duties of vendors and contractors in the School IPM Program to be prescribed in specific language in their bid specifications and contracts (*check all that apply*):

Contracts will specify regular maintenance service, cleaning under and behind machines during service visits, and immediate correction of problems which may foster pests (for example, breakage, leaks, or excessive condensation from machinery).

6. **Pest Identification: Preliminary Site Assessment and Ongoing Monitoring**

One of the key principles of School IPM is site assessment to precisely define the presence of pests and the site conditions that contribute to their presence. Indoor and outdoor pests will be defined for the school by historical account, interviews, and by direct monitoring.

When the IPM program is implemented at the School, the School IPM Coordinator, Michael Slattery, will perform a thorough inspection of all school buildings and grounds to identify pest activity and conditions that are contributing to any pest problems.

**Indoor site assessment:** Pest Management Professional, Mr. Richard Potts, will compile:

- Areas that currently have pests or show signs of pest activity.
- Areas that historically have had pests as well as identifying when this occurs during the school year.
- Conditions or behaviors contributing to pest problems that can be corrected.
- If already in use, location of detection and monitoring devices and bait stations.
- Recommendations for sanitation, structural repairs, and habitat modification.

**Outdoor site assessment,** Pest Management Professional, Mr. Richard Potts, will map the school grounds:

- Show locations of trees, shrubs, and ornamentals.
- Assign & divide the landscape into management units (for example, football field turf versus playground).

- Note key plants, any pest problems, and horticultural recommendations.

*Note: The Rutgers Cooperative Extension 'IPM Report Card for School Grounds' provides a series of self-assessment tools for schools to measure their adoption of IPM on school grounds. Additionally, each Report Card in the series can be used as a guide to incrementally or completely implement IPM by simply following the practices outlined. IPM practices are precisely outlined for control of common pests of New Jersey school grounds. Report Cards for School Grounds include: General Requirements; Athletic Fields; Turf ; Ornamental Plants; and Landscape Plantings. See @ <http://www.pestmanagement.rutgers.edu/IPM/SchoolIPM/reportcard.html>.*

It is important that the pest(s) be accurately identified in order to gather information about the pest's life cycle and habits. Identification is essential for selecting the combination of strategies which will be most effective as well as knowing when to implement them. If the School IPM Coordinator and the Pest Management Professional are unable to identify the pest(s), the County office of Rutgers Cooperative Extension (RCE) will be consulted and samples will be submitted for identification if needed.

### **Ongoing Monitoring**

Once a pest is correctly identified, monitoring methods and schedules, as well as controls will be determined based on its life cycle, food sources, habitat preferences, and natural enemies.

**Indoor** pests will be monitored via direct inspection, sticky traps, pheromone baits, tracking powder, mechanical traps, and glueboards as necessary. If baits or traps of any kind are used (*check all that apply*):

Each bait station or trap is assigned an identification number.

A map is prepared showing the location and number of each trap or bait placement.

Each trap or bait station is marked with appropriate warning language.

Traps will be checked by the Pest Management Professional weekly during the early stages of solving a serious pest infestation, then taper off to monthly, once the pest problem is under control.

Captured rodent pests will be recorded and disposed of on a daily basis.

**Outdoor** landscape pests will be monitored via direct inspection (*check all that apply*):

Landscape plants are scouted at least monthly during the growing season for conditions requiring action (for example, damaged, diseased, dead limbs; soil erosion/compaction; insect, disease, weed pests and damage).

Scouting usually begins when plants put out new leaves in spring and ends when leaves fall in autumn.

Plants with annually recurring pest problems will be scouted according to pest appearance timetables.

**Monitoring Records:** Pest Management Professional, Mr. Richard Potts, will maintain and keep records of any pest monitoring, including traps.

## 7. Pest Prevention and Control

Wherever possible, the School will take a preventive approach by identifying and removing, to the degree feasible, the basic causes of the problem rather than merely attacking the symptoms (the pests). This prevention-oriented approach is also best achieved by integrating a number of strategies. It is easier to spot a potential problem when the interior and exterior of the school is clean and uncluttered.

IPM employs a multi-tactic approach, integrating several strategies to combat a particular pest. Control strategies that remove a pest's food, water, and shelter (harborage), and limit its access into and throughout buildings and on school grounds will be employed as follows:

- Cultural control: for example, improve sanitation; reducing clutter; people change habits like leaving food in the classroom; maintain plant health by taking care of the habits and conditions; fertilization, plant selection (right plant/right place), and sanitation to exclude problematic pests and weeds.
- Physical control: for example, pest exclusion; removing pest access to the school building by sealing openings with caulk and copper mesh; repairing leaks and screens; removing pests by hand.
- Mechanical control: for example, insect monitors, light traps, rodent traps; till soil prior to planting to disrupt pest life cycles.
- Biological control: use of pest's natural enemies. For example, introduce beneficial insects or bacteria to the environment or, if they already exist, provide them with the necessary food and shelter; and avoid using broad-spectrum chemicals that will inadvertently kill beneficials.
- Least hazardous chemical controls with preference given to School IPM Act-defined 'low impact pesticides'.

Pesticides will be selected when other control methods are not effective or practical in resolving a pest problem. Pesticides will not be used on School property unless both the pest has been identified and its presence verified. It is neither possible, nor desirable to completely exterminate every pest and potential pest from every population on school property.

The School IPM Coordinator, Michael Slattery, will establish injury (also known as tolerance or threshold) levels and action thresholds for each individual pest species before making any chemical treatment. Action Thresholds for pesticide treatment are triggered if all other IPM tactics have not been able to control pest populations to an acceptable level. Appropriate injury levels will be set, and may take into consideration economic losses (for example, amount of foodstuffs contaminated by pantry pests); health risks (for example, occurrence of disease-bearing pests); aesthetic evaluations (for example, temporary presence of ants); nuisance problems (for example, stinging insects); and pest visibility.

The New Jersey School IPM **law defines** 'low impact pesticides' and necessarily creates the distinction 'non low impact pesticides' for other pesticides not meeting their definition. The law and resulting model policy published by DEP make it clear that when pesticide use is needed, preference should be given to choosing a 'low impact pesticide', if possible. The School will give preference to choosing a 'low impact pesticide', as described below.

A low impact pesticide is a pesticide that is considered to have relatively minimal risk as compared to pesticides in general. The New Jersey School IPM law specifically defines what a low impact pesticide is in two parts. The first part consists of a federal EPA list of pesticides that it considers to be minimal risk and thus do not require formal registration. These pesticides are listed in the federal code at 40 CFR § 152.25. (See <http://www.pestmanagement.rutgers.edu/IPM/SchoolIPM/NJAct/40cfr15225.pdf>). The second part consists of a list of pesticide ingredients (such as boric acid or diatomaceous earth) and formulation types (such as gels or pastes) that are considered low impact. It is important to note that a substance considered "low impact" does not necessarily mean zero risk. All pesticides must be used properly to reduce potential risk from their use.

*See the Rutgers Cooperative Extension School IPM website at <http://www.pestmanagement.rutgers.edu/IPM/SchoolIPM/NJAct/lowimpact.htm> for information on low impact pesticides as it becomes available.*

When it is determined that a non low impact pesticide must be applied to adequately control pests within established thresholds, application guidelines **per the law** will be followed. Specifically, non low impact pesticides will be applied in a school building only when students are in another area of the building AND only if the area being treated with the pesticide is served by a different air handling system and is separated from the students by smoke or fire doors. Further, applications of non low impact pesticides on school property will be made in advance of when students will be present for instruction

or extra-curricular activities, allowing for any label-prescribed entry restrictions; if there is no re-entry interval listed on the label, a minimum of 7 hours will be allowed prior to student re-entry on school property.

**Per the law**, emergency application of a non-low impact pesticide will only be made when the health or safety of a student or staff member is threatened. A "school pest emergency" is defined in the law as "an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member." One example would be the presence of stinging insects such as ground hornets in an athletic field where events are scheduled. If a pest emergency exists, the school may use pesticides without the normal 72-hour pre-notification to parents and staff, and the advance posting of signs. Rather, the posting must be done at the time of the application, and the notice to parents and staff must be done within 24 hours after the emergency application. The notice that goes to parents and staff must explain what the reason for the emergency was, and if possible, what could be done to prevent such an emergency use next time.

Treatments, whether pesticides or low impact pesticide materials, will only be applied on school property when and where needed. It is rarely necessary to treat an entire building or landscape area to solve a pest problem. Monitoring will be used to pinpoint where pest numbers are beginning to reach the action level and 'spot' treatments' will be confined to those areas.

The School IPM Coordinator and Pest Management Professional(s) will meet as needed to cover monitoring reports and determine corrective action. The Pest Management Professional should make recommendations for corrective actions to the School IPM Coordinator. They will consider all options, including no control, and look at pest activity levels versus thresholds.

They will consider EPA-defined criteria for selecting a treatment strategy:

1. Least hazardous to human health
2. Least disruptive of natural controls
3. Least toxic to non-target organisms
4. Most likely to be permanent
5. Easiest to carry out safely and effectively
6. Most cost-effective
7. Most site-appropriate

They will generate a pest management priority list to optimize a plan of corrective actions. School IPM Coordinator, Michael Slattery, will assign and contact the appropriate staff to carry out individual tasks on the checklist.

All controls that are actually implemented should be documented in the log by Steven Weber, head custodian.

## 8. Notification, Posting, and Re-Entry

It is important to keep the school community informed of the school's implementation of the School IPM Plan. Accordingly, this section outlines the:

- annual notification of School IPM program status.
- pre-notification of planned use and notification of emergency use of non low impact pesticides.
- posting requirements for areas inside and out that are treated with pesticides.
- re-entry requirements for areas inside and out that are treated with pesticides.

### **Annual Notification**

The School IPM Coordinator, Michael Slattery, will prepare and send an annual notice of school IPM program status to parents or guardians of each student enrolled at the school, and all staff members at the beginning of each school year. Once the annual notice has been sent, he will also give this information to new staff or the parents/guardians of new students upon their arrival.

The Appendix has a sample 'Annual School IPM Program Notification Letter to Parents & Staff'. **New Jersey law requires** that this notice shall include:

1. a copy of the School IPM policy
2. the name, address, and telephone number of the integrated pest management coordinator of the school or school district
3. a list of any pesticide that is in use or has been used within the last 12 months on school property
4. a statement that:
  - (a) the integrated pest management coordinator maintains the product label and material safety data sheet, when available, of each pesticide that may be used on school property;
  - (b) the label and data sheet is available for review by a parent, guardian, staff member, or student attending the school; and
  - (c) the integrated pest management coordinator is available to parents, guardians, and staff members for information and comment;
5. the time and place of any meetings that will be held to adopt the school integrated pest management policy; and
6. the following statement:

*"As part of a school pest management plan, the Bloomsbury School District may use pesticides to control pests. The United States Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (DEP) register pesticides to determine that the use of a pesticide in accordance with instructions printed on the label does not pose an unreasonable risk to human health and the environment. Nevertheless,*

*the EPA and DEP cannot guarantee that registered pesticides do not pose any risk to human health, thus unnecessary exposure to pesticides should be avoided. The EPA has issued the statement that where possible, persons who are potentially sensitive, such as pregnant women, infants and children, should avoid unnecessary pesticide exposure."*

## **Notification and Posting of Non Low Impact Pesticide Use**

There are two situations when non low impact pesticides may be used on school property; when it is pre-planned and when it is an emergency.

### 1. Pre-Notification and Posting of Planned Non Low Impact Pesticide Use:

At any time of the year when children may be present, the school will issue prior notification of all non-low impact pesticides to be used. Specifically, Steven Weber, head custodian, will issue notice to all staff, and parents/guardians of each student enrolled at the school. The area where the pesticide will be applied will be posted at least 72 hours prior and 72 hours following the application.

### 2. Emergency Use Notification and Posting for Non low Impact Pesticide Use:

When an emergency application of pesticides is required, Steven Weber, head custodian, will issue notice of emergency use of non low impact pesticides used to all staff, and parents or guardians of each student enrolled at the school within 24 hours after the application or on the morning of the next school day, whichever is earlier. The reason for the emergency and any measures that will be taken so that emergency pesticide use may be avoided in the future may be included. The area where the pesticide is applied will be posted at the time of application, and will remain posted for 72 hours following the application.

In either situation, the school is **required by law to make NJDEP-prescribed notification and posting** as described below. The Appendix contains sample written notification forms, 'Pre-Notification of the Use of Pesticides' (72 hour pre-notification) and 'Emergency Pesticide Use Notification', and a sample posting sign (for indoors & outdoors) 'Notice of Pesticide Application'. The specific 'what', 'how' and 'where' requirements of the law that will be followed on School property on posting and notification follows:

**What:** In either planned or emergency applications of non low impact pesticides, **New Jersey law requires** content of both notification and posting as follows:

- common name of pesticide,
- EPA registration number,

- EPA statement on sensitive persons: "*Where possible, persons who potentially are sensitive, such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure*"
- location description, date, and time of application (one date for indoor application; three dates for outdoor applications in case of cancellation),
- potential adverse effects of product,
- reasons for the application,
- contact information for the IPM Coordinator of the school or school district, and
- further label information or precautions for public safety.

**How:** In either planned or emergency applications of non low impact pesticides, the School IPM Coordinator, Michael Slattery, will advise the parents and guardians and staff of the school of pesticide applications by the following method of notification (*check all that apply*).

written note that the students take home (see Appendix for sample notice)

written note that is mailed at least one week prior to the application (see Appendix)

phone call

direct contact

email

**Where:** In either planned or emergency applications of non low impact pesticides, **per New Jersey law**, Steven Weber, head custodian, will post signs:

- prominently in or adjacent to the area where the pesticide is to be applied.
- at each entrance to the building or school ground where the pesticide is to be applied.
- that are at least 8.5" by 11".

### **Re-Entry**

If there is application of a low impact pesticide on school property, it will be made so that adequate settling or drying occurs in advance of when students will be present for instruction or extra-curricular activities.

Students cannot enter a pesticide treated area for at least seven hours after the application of a non low impact pesticide, unless the pesticide label states a specific numerical re-entry time that is different than this. The use of low impact pesticides does not require an automatic seven-hour wait; students can re-enter after the pesticide application has dried or settled, or longer if the pesticide label specifies.

## **9. Record Keeping and Evaluation**

### **Record Keeping**

Steven Weber, the head custodian, will maintain records as listed in their outlined role and responsibility for school IPM.

The following records will be maintained in the IPM Log binder kept in the head custodian's office (*check all that apply*):

Pest Problem Reports

Food Services Areas Reports

IPM Pest Activity Monitoring and Control Log

Indoor Pest Thresholds

IPM Priority Checklists

Pesticide Application Log

Annual School IPM Program Notification Letters to Parents & Staff

Pre-Notification of the Use of Pesticides (72 hour pre-notification)

Emergency Pesticide Use Notifications

School Integrated Pest Management Act Compliance Certification Forms

Posting Sign (for indoors & outdoors) 'Notice of Pesticide Application'

School IPM Report Cards

Specific service reports will also be placed in the log binder that document particular actions taken by the pest management contractor'.

### **Evaluation**

At least annually, the School IPM Plan and School IPM Program of the Bloomsbury Elementary School will be evaluated. This necessarily includes review of all records in the IPM log binder. Program evaluation involves reviewing monitoring data, actions taken, treatment impacts and effectiveness, and any other relevant observations. These records will provide information on previous and current pest populations and which strategies were applied. Comparing data will clearly indicate which pest management strategies were most effective for the amount of time and money spent. IPM practices and procedures will be modified, if necessary, based on past experience, results, and gained knowledge.

This evaluation will be coordinated by Michael Slattery, School IPM Coordinator. The participants in the evaluation will be: Steven Weber (head custodian), Cathy Foulk (board member), and Marnie Carrick (board member). A written evaluation was completed on August 1, 2007. If the school is using a contractor, the School IPM Coordinator will meet with the pest control contractor to evaluate the success or failure of this IPM Plan.

The following issues will be addressed during the evaluation of the School IPM Plan and Program (*check all that apply*):

- adequacy of pest control indoor and outdoor
- areas of concern
- sanitation issues
- building maintenance issues
- new less toxic pest control tactics
- adequate support by all members of the community
- adequacy of thresholds
- revise integrated pest management priorities

Following evaluation, the School IPM Plan will be revised by Michael Slattery, the School IPM Coordinator, as needed.

## **School IPM ACT**

### **CHAPTER 117**

**AN ACT** concerning the implementation of integrated pest management policies in public and private schools, and supplementing Title 13 of the Revised Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

#### **C.13:1F-19 Short title.**

1. This act shall be known and may be cited as the "School Integrated Pest Management Act."

#### **C.13:1F-20 Findings, declarations relative to the "School the Integrated Pest Management Act."**

2. The Legislature finds and declares that in 1992, the National Parent Teacher Association passed a resolution calling for the reduced use of pesticides in schools and calling on policy makers to consider all possible alternatives before using any pesticides; that the National Education Association and many national public interest organizations have announced support for reducing or eliminating pesticide use in schools; that the State, as well as 87 local government entities throughout the State, have adopted integrated pest management policies for their buildings and grounds; that childhood cancer is continuing to increase at the alarming rate of one percent per year; that the overall incidence of childhood cancer increased 10 percent between 1974 and 1991, making cancer the leading cause of childhood death from disease; and that approximately 4,800,000 children in the United States under the age of 18 have asthma, the most common chronic illness in children, and the incidence of asthma is on the rise.

The Legislature further finds and declares that children are more susceptible to hazardous impacts from pesticides than are adults; that numerous scientific studies have linked both cancer and asthma to pesticide exposure; that the United States Environmental Protection Agency has recommended the use of an integrated pest management system by local educational agencies, which emphasizes nonchemical ways of reducing pests, such as sanitation and maintenance; that integrated pest management is an effective and environmentally sensitive approach to pest management that relies on common sense practices; that integrated pest management programs use current, comprehensive information on the life cycles of pests and their interaction with the environment, and that this information, in combination with available pest control methods is used to manage pest damage with the least hazard to people, property and the environment and by economical means; and that integrated pest management programs take advantage of all pest management options possibly including, but not limited to, the judicious use of pesticides; that a notification process should be established for schools under which each student, parent, guardian, staff member, and teacher shall be notified of a pesticide application; that parents and guardians have a right to know that there is an integrated pest management system in their children's schools; that an integrated pest management system provides long-term health and economic benefits; and that parents and guardians should have a right to be notified in advance of any use of a pesticide in their children's schools.

The Legislature therefore determines that it is in the public interest of all of the people of New Jersey that the schools in this State establish an integrated pest management policy.

**C.13:1F-21 Definitions relative to the "School Integrated Pest Management Act."**

3. As used in this act:

**"Charter school"** means a school established pursuant to P.L.1995, c.426 (C.18A:36A-1 et seq.).

**"Commissioner"** means the Commissioner of Environmental Protection.

**"Department"** means the Department of Environmental Protection.

**"Integrated pest management coordinator"** or **"coordinator"** means an individual who is knowledgeable about integrated pest management systems and has been designated by a local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, as the integrated pest management coordinator pursuant to section 5 of this act.

**"Low Impact Pesticide"** means any pesticide or pesticidal active ingredient alone, or in combination with inert ingredients, that the United States Environmental Protection Agency has determined is not of a character necessary to be regulated pursuant to the "Federal Insecticide, Fungicide, and Rodenticide Act," 7 U.S.C. s.136 et seq. and that has been exempted from the registration and reporting requirements adopted pursuant to that act; any gel; paste; bait; antimicrobial agent such as a disinfectant used as a cleaning product; boric acid; disodium octoborate tetrahydrate; silica gels; diatomaceous earth; microbe-based insecticides such as bacillus thuringiensis; botanical insecticides, not including synthetic pyrethroids, without toxic synergists; and biological, living control agents.

**"Pesticide"** means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. "Pesticide" shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.

**"School"** means any public or private school as defined in N.J.S.18A:1-1.

**"School integrated pest management policy"** means a managed pest control policy that eliminates or mitigates economic, health, and aesthetic damage caused by pests in schools; that delivers effective pest management, reduces the volume of pesticides used to minimize the potential hazards posed by pesticides to human health and the environment in schools; that uses integrated methods, site or pest inspections, pest population monitoring, an evaluation of the need for pest control, and one or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other nonchemical methods, and when nonchemical options are ineffective or unreasonable, allows the use of

a pesticide, with a preference toward first considering the use of a low impact pesticide for schools.

**"School pest emergency"** means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.

**"School property"** means any area inside and outside of the school buildings controlled, managed, or owned by the school or school district.

**"Staff member"** means an employee of a school or school district, including administrators, teachers, and other persons regularly employed by a school or school district, but shall not include an employee hired by a school, school district or the State to apply a pesticide or a person assisting in the application of a pesticide.

**"Universal notification"** means notice provided by a local school board, a board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, to all parents or guardians of children attending a school, and staff members of a school or school district.

#### **C.13:1F-22 Development of model school integrated pest management policy.**

4. a. No later than 12 months after the effective date of this act, the commissioner, in consultation with the Commissioner of Education, the New Jersey School Boards Association, and the New Jersey Cooperative Extension of Rutgers, The State University shall develop a model school integrated pest management policy that is based upon recommended integrated pest management plans for schools disseminated by the United States Environmental Protection Agency and that conforms to the rules adopted by the department pursuant to the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1 et seq.).
- b. No later than 18 months after the effective date of this act, the superintendent of the school district, for each school in the district, the board of trustees of a charter school, and the principal or chief administrator of a private school, shall adopt and implement a school integrated pest management policy for the school property consistent with the model policy developed pursuant to subsection a. of this section and that complies with the provisions of this act.

#### **C.13:1F-23 Designation of integrated pest management coordinator.**

5. a. Each local school board of a school district, each board of trustees of a charter school, and each principal or chief administrator of a private school, as appropriate, shall designate an integrated pest management coordinator to carry out the school integrated pest management policy required pursuant to section 4 of this act.

b. The integrated pest management coordinator for a school or school district shall:

- (1) maintain information about the school or school district's school integrated pest management policy and about pesticide applications on the school property of the school or the schools within the school district;
- (2) act as a contact for inquiries about the school integrated pest management policy; and
- (3) maintain material safety data sheets, when available, and labels for all pesticides that are used on the school property of the school or of the schools in the school district.

**C.13:1F-24 Maintenance of records of pesticide application; notices of policy.**

6. a. The local school board of a school district, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall request from the pesticide applicator and shall maintain records of pesticide applications used on school property at each school or for each school in the school district for three years after the application, and for five years after the application of a pesticide designed to control termites, and on request, shall make the data available to the public for review.
- b. Annually, each local school board, each board of trustees of a charter school, or each principal or chief administrator of a private school, as appropriate, shall include a notice of the school integrated pest management policy of the school or school district in school calendars or other forms of universal notification.
- c. The notice shall include:
  - (1) the school integrated pest management policy of the school or school district;
  - (2) a list of any pesticide that is in use or that has been used in the last 12 months on school property;
  - (3) the name, address, and telephone number of the integrated pest management coordinator of the school or school district;
  - (4) a statement that: (a) the integrated pest management coordinator maintains the product label and material safety data sheet, when available, of each

pesticide that may be used on school property; (b) the label and data sheet is available for review by a parent, guardian, staff member, or student attending the school; and (c) the integrated pest management coordinator is available to parents, guardians, and staff members for information and comment;

(5) the time and place of any meetings that will be held to adopt the school integrated pest management policy; and

(6) the following statement:

*"As part of a school pest management plan, Bloomsbury Elementary School may use pesticides to control pests. The United States Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (DEP) register pesticides to determine that the use of a pesticide in accordance with instructions printed on the label does not pose an unreasonable risk to human health and the environment. Nevertheless, the EPA and DEP cannot guarantee that registered pesticides do not pose any risk to human health, thus unnecessary exposure to pesticides should be avoided. The EPA has issued the statement that where possible, persons who are potentially sensitive, such as pregnant women, infants and children, should avoid unnecessary pesticide exposure."*

- d. After the beginning of each school year, each local school board, each board of trustees of a charter school, or each principal or chief administrator of a private school, as appropriate, shall provide the notice required pursuant to subsection b. of this section to: (1) each new staff member who is employed during the school year; and (2) the parent or guardian of each new student enrolled during the school year.

**C.13:1F-25 Permitted use of certain pesticides; notice.**

7. a. If a local school board, board of trustees of a charter school or principal or chief administrator of a private school, as appropriate, determines that a pesticide, other than a low impact pesticide, must be used on school property, a pesticide may be used only in accordance with this section.
- b. At least 72 hours before a pesticide, other than a low impact pesticide, is used on school property, the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall provide to a parent or guardian of each student enrolled at the school and each staff member of the school, notice that includes:
- (1) the common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;
- (2) a description of the location of the application of the pesticide;

- (3) a description of the date and time of application, except that, in the case of outdoor pesticide applications, one notice shall include three dates, in chronological order, on which the outdoor pesticide applications may take place if the preceding date is canceled;
- (4) a statement that The Office of Pesticide Programs of the United States Environmental Protection Agency has stated: "*Where possible, persons who potentially are sensitive, such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure*";
- (5) a description of potential adverse effects of the pesticide based on the material safety data sheet, if available, for the pesticide;
- (6) a description of the reasons for the application of the pesticide;
- (7) the name and telephone number of the integrated pest management coordinator for the school or the school district; and
- (8) any additional label instruction and precautions related to public safety.

c. The local school board of a school district, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, may provide the notice required by subsection b. of this section by:

- (1) written notice sent home with the student and provided to each staff member;
- (2) a telephone call;
- (3) direct contact;
- (4) written notice mailed at least one week before the application; or
- (5) electronic mail.

d. If the date of the application of the pesticide must be extended beyond the period required for notice under this section, the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall reissue the notice required under this section for the new date of application.

**C.13:1F-26 Posting of sign prior to use of certain pesticides.**

8. a. At least 72 hours before a pesticide, other than a low impact pesticide, is used on school property, the local school board, the board of trustees of a charter school,

or the principal or chief administrator of a private school, as appropriate, shall post a sign that provides notice of the application of the pesticide (1) in a prominent place that is in or adjacent to the location to be treated; and (2) at each entrance to the building or school ground to be treated.

b. A sign required pursuant to subsection a. of this section for the application of a pesticide shall

- (1) remain posted for at least 72 hours after the end of the treatment;
  - (2) be at least 8 ½ inches by 11 inches; and
  - (3) state the same information as that required for prior notification of the pesticide application pursuant to section 7 of this act.
- c. In the case of outdoor pesticide applications, each sign shall include three dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled due to weather. A sign shall be posted after an outdoor pesticide application in accordance with subsection b. of this section.
- d. The requirement imposed pursuant to this section shall be in addition to any requirements imposed pursuant to the "Pesticide Control Act of 1971," P.L.1971, c.176 (C.13:1F-1 et seq.), and any rules or regulations adopted pursuant thereto.

#### **C.13:1F-27 Applicability of notice and posting requirements.**

9. The provisions of sections 7 and 8 of this act shall apply if any person applies a pesticide, other than a low impact pesticide, on school property, including a custodian, staff member, or commercial applicator. These provisions shall apply to a school during the school year, and during holidays and the summer months, only if the school is in use by children during those periods. During those periods, notices shall be provided to all staff members and the parents or guardians of the students that are using the school in an authorized manner.

#### **C.13:1F-28 Emergency use of certain pesticides; notice requirements**

10. a. A pesticide, other than a low impact pesticide, may be applied on school property in response to an emergency, without complying with the provisions of sections 7 and 8 of this act, provided the requirements of subsection b. of this section are met.
- b. Within 24 hours after the application of a pesticide pursuant to this section, or on the morning of the next school day, whichever is earlier, the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall provide to each parent or guardian of a student enrolled at the school, and staff member of the school, notice of the

application of the pesticide for emergency pest control that includes: (1) the information required for a notice under section 7 of this act; (2) a description of the problem and the factors that qualified the problem as an emergency that threatened the health or safety of a student or staff member; and (3) if necessary, a description of the steps that will be taken in the future to avoid emergency application of a pesticide pursuant to this section.

- c. The local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, may provide the notice required by subsection b. of this section by: (1) written notice sent home with the student and provided to the staff member; (2) a telephone call; (3) direct contact; or (4) electronic mail.
- d. When a pesticide is applied pursuant to this section, the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall post a sign warning of the pesticide application at the time of the application of the pesticide, in accordance with the provisions of section 8 of this act.
- e. If there is an application of a pesticide pursuant to this section, the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, shall modify the school integrated pest management policy of the school or school district if necessary, to minimize the future emergency applications of pesticides under this section.

**C.13:1F-29** Application of pesticides; re-entry period requirements

- 11. a. A pesticide, other than a low impact pesticide, shall not be applied on school property where students are expected to be present for academic instruction or for organized extra-curricular activities prior to the time prescribed for re-entry to the application site by the United State Environmental Protection Agency on the pesticide label, except that if no specific numerical re-entry time is prescribed on a pesticide label, such a pesticide, other than a low impact pesticide, shall not be applied on school property where students are expected to be present for academic instruction or for organized extra-curricular activities within seven hours of the application.
- b. A pesticide, other than a low impact pesticide, shall not be applied in a school building when students are present. Students may not be present in an untreated portion of a school building unless the area being treated with a pesticide, other than a low impact pesticide, is served by a separate ventilation system and is separated from the untreated area by smoke or fire doors.
- c. A low impact pesticide may be applied in areas of a school building where students will not contact treated areas until sufficient time is allowed for the

substance to dry or settle, or after the period of time prescribed for re-entry or for ventilation requirements on the pesticide label has elapsed.

- d. This section shall not apply when pesticides are applied on school property for student instructional purposes or by public health officials during the normal course of their duties.

**C.13:1F-30 Immunity from liability of commercial pesticide applicator.**

12. A commercial pesticide applicator shall not be liable to any person for damages resulting from the application of a pesticide at a school if the damages are solely due to the failure of the local school board, the board of trustees of a charter school, or the principal or chief administrator of a private school, as appropriate, to provide the notice required prior to the application of a pesticide pursuant to the provisions of section 7, 8, 9, or 10 of P.L.2002, c.117 (C.13:1F-25, C.13:1F-26, C.13:1F-27 or C.13:1F-28).

**C.13:1F-31 Development, availability of form for certifying compliance.**

13. The department shall develop and make available to commercial pesticide applicators a form which a commercial pesticide applicator may request an integrated pest management coordinator to sign prior to the application of a pesticide, other than a low impact pesticide, on school property. The form developed pursuant to this section shall set forth a certification by the integrated pest management coordinator that the notice and posting requirements for the application of a pesticide established pursuant to section 7 and section 8 of this act, or the posting requirement established pursuant to section 10 of this act, as appropriate, have been complied with. Upon being presented by a commercial pesticide applicator with a form pursuant to this section, the signature of the integrated pest management coordinator shall be required as a condition for the application of the pesticide.

**C.13:1F-32 Issuance of administrative order; notice of violation.**

14. a. The Department of Environmental Protection may issue an administrative order against a local school board, the board of trustees of a charter school, or a principal or chief administrator of a private school that fails to adopt and implement a pesticide use and school integrated pest management policy in

compliance with the provisions of this act. Upon identification of a violation of this act, the department shall issue a notice of violation by certified mail or personal service to the person responsible for the violation that identifies the violation and states that an administrative order may be issued requiring compliance with the act. Any notice of violation or administrative order shall (1) specify the provision or provisions of this act, or the rule or regulation adopted pursuant thereto, of which the person is in violation; (2) cite the action that caused the violation; and (3) require compliance with the provision of this act or the rule or regulation adopted pursuant thereto of which the person is in violation. In addition, any administrative order issued pursuant to this section shall give notice to the person of his right to a hearing on the matters contained in the order. The person shall have 20 days from receipt of the order within which to deliver to the commissioner a written request for a hearing. Subsequent to the hearing and upon finding that a violation has occurred, the commissioner may issue a final order. If no hearing is requested, the order shall become a final order upon the expiration of the 20-day period.

b. The provisions of section 10 of P.L.1971, c.176 (C.13:1F-10) shall not apply to this act.

### **C.13:1F-33 Rules, regulations.**

15. The commissioner shall adopt, pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules or regulations as are necessary to implement the provisions of this Act.

This act shall take effect immediately. Approved December 12, 2002.