BUILDINGS

Every school building shall be located on grounds that are well-drained and maintained in a sanitary condition. All buildings shall be properly ventilated and provided with an adequate supply of drinking water, an approved sewage disposal system, handwashing facilities, a heating system, and lighting facilities, all of which shall conform with established standards of good public health engineering practices.

LUNCHROOMS

All school lunchrooms shall be maintained in accordance with state food and drug regulations.

CUSTODIAL SERVICES

All school buildings and appurtenances to buildings shall be maintained in a sanitary manner, and all full-time building custodians and janitors shall know the fundamentals of safety and school sanitation.

Health and Safety Code 341.065

STRUCTURAL PEST CONTROL

When necessary, the District shall obtain pest control services for school buildings either by:

1. Contracting with a business that has a structural pest control business license; or
2. Requiring the District employee who is licensed as a certified noncommercial applicator or technician to perform the services.

Occupations Code 1951.459

Before treating a school building for pest control, the District shall ensure that the necessary signs and information for employees and parents of students are posted or made available. *Occupations Code 1951.455* [See DI, FD]

INTEGRATED PEST MANAGEMENT PROGRAM

The District shall establish, implement, and maintain an Integrated Pest Management (IPM) program. An IPM program is a regular set of procedures for preventing and managing pest problems using an integrated pest management strategy. The District is responsible for the IPM coordinator's compliance with these regulations.

IPM PROGRAM REQUIREMENTS

The IPM program shall contain these essential elements:

1. The Board-approved IPM policy, stating the District's commitment to follow integrated pest management guidelines in all pest control activities that take place on District property. The IPM policy statement shall include:
   a. A definition of IPM consistent with this section;
   b. A reference to Texas laws and rules governing pesticide use and IPM in public schools;

c. Information about who can apply pesticides on District property; and

d. Information about designating, registering, and required training for the District's IPM coordinator. The Superintendent and IPM coordinator shall maintain a copy of the policy.

2. A monitoring program to determine when pests are present and when pest problems are severe enough to justify corrective action;

3. The preferential use of lower risk pesticides and the use of non-chemical management strategies to control pests, rodents, insects, and weeds;

4. A system for keeping records of facility inspection reports, pest-related work orders, pest control service reports, pesticide applications, and pesticide complaints;

5. A plan for educating and informing District employees about their roles in the IPM program; and

6. Written guidelines that identify thresholds for when pest control actions are justified.

IPM COORDINATOR

The Superintendent shall appoint an IPM coordinator to implement the District's IPM program. Not later than 90 days after the Superintendent designates or replaces an IPM coordinator, the District must report to the Texas Department of Agriculture (TDA) the newly appointed coordinator's name, address, telephone number, e-mail address and the effective date of the appointment. A school district that appoints more than one IPM coordinator shall designate a responsible IPM coordinator who will have overall responsibility for the IPM program and provide oversight of subordinate IPM coordinators regarding IPM program decisions.

TRAINING

The IPM coordinator shall:

1. Successfully complete a TDA-approved IPM coordinator training course within six months of appointment; and

2. Obtain at least six hours of TDA-approved IPM continuing education units at least every three years, beginning July 7, 2009, or the date of designation, whichever is later. No approved course may be repeated for credit within the same three-year period.

DUTIES

The IPM coordinator shall be responsible for implementation of the District IPM program and District compliance with 4 TAC 7.150. The IPM coordinator shall oversee and be responsible for:

1. Coordination of pest management personnel, ensuring that all school employees who perform pest control, including those employees authorized to perform incidental use applications, have the necessary training, are equipped with the appropriate personal protective equipment, and have the necessary licenses for their pest management responsibilities;

2. Ensuring that all IPM program records, including incidental use training records, facility inspection reports, pest-related work orders, pest control service reports, pesticide applications, and pesticide complaints are maintained for a period of two years and are made available to a TDA inspector upon request;

3. Conducting periodic facility inspections on campus buildings and grounds;

4. Working with District administrators to ensure that all pest control proposal specifications for outside contractors are compatible with IPM principles, and that contractors work under the guidelines of the District's IPM policy;

5. Ensuring that all pesticides used on District property are in compliance with the District's IPM program and that current pesticide labels and material safety data sheets (MSDS) are available for interested individuals upon request;

6. Overseeing and implementing that portion of the plan that ensures that District administrators and relevant District personnel are provided opportunities to be informed and educated about their roles in the IPM program, reporting, and notification procedures;

7. Pesticide applications, including the approval of emergency applications at buildings and on school District grounds, are conducted in accordance with these rules; and

8. Maintaining a current copy of the District's IPM policy and making it available to a TDA inspector upon request.

LICENSED APPLICATOR

A district that engages in pest control activities must employ or contract with a licensed applicator, who may, if an employee, also serve as the IPM coordinator.

The commercial or noncommercial certified applicator or licensed technician shall:

1. Apply only EPA labeled pesticides, appropriate for the target pest, except as provided in these rules;

2. Provide the structural pest management needs of the District by following the District's IPM program and these regulations;

3. Obtain written approval from the IPM coordinator for the use of pesticides in accordance with these rules;

4. Handle and forward to the IPM coordinator records of IPM activities, any complaints relating to pest problems, and pesticide use;

5. Ensure that pesticide use records are forwarded to the IPM coordinator within two business days or in a time frame as agreed to by the IPM coordinator;

6. Consult with the IPM coordinator concerning the use of control measures in buildings and grounds; and

7. Ensure that all pest control activities are consistent with the District's IPM program and IPM policy.

NOTICE

The District shall prior to or by the first week of school attendance, ensure that a procedure is in place to provide prior notification of pesticide applications in accordance with 4 TAC Chapter 7. Individuals who request in writing to be notified of pesticide applications may be notified by telephonic, written, or electronic methods.

PESTICIDE USE

All pesticides used by the District must be registered with the United States Environmental Protection Agency (EPA) and the TDA, with the exception of those pesticides that have been exempted from registration by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), Section 25(b). All pesticides used by the District must also bear a label as required by FIFRA and Chapter 76 of the Texas Agriculture Code. Pesticide use must also meet the following requirements:

1. Pest control signs shall be posted at least 48 hours prior to a pesticide application inside District buildings as provided for under 4 TAC 7.148.

2. For outdoor applications made on District grounds, a pest control sign shall be displayed at the time of application and shall remain posted until the specified reentry interval has been met in accordance with these rules.

3. Pesticides used on District property shall be mixed outside of student occupied areas of buildings and grounds.

4. The use of non-pesticide control measures, non-pesticide monitoring tools and mechanical devices, such as glue boards and traps as permitted in accordance with these rules, are exempt from posting requirements.

5. Pesticide applications shall not be made to outdoor school grounds if such an application will expose students to physical drift of pesticide spray particles. Reasonable preventative measures shall be taken to avoid the potential of drift to occur.

6. Districts are allowed to apply the pesticides to control pests, rodents, insects, and weeds at school buildings, grounds, or other facilities in accordance with the approval for use and restrictions listed in the categories detailed in 4 TAC 7.150.

Occupations Code 1951.212; 4 TAC 7.150