

HEALTHY SCHOOLS ACT COMPLIANCE PACKET FOR SCHOOL DISTRICTS

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FREQUENTLY ASKED QUESTIONS ABOUT THE HEALTHY SCHOOLS ACT (HSA)

GETTING STARTED WITH THE HEALTHY SCHOOLS ACT

Which types of schools and child care centers must follow the requirements of the Healthy Schools Act and which are exempt?

FOLLOW REQUIREMENTS OF THE HEALTHY SCHOOLS ACT?

YES	Public K–12 schools Public and private child care centers Child care centers located at colleges, community colleges, and universities State-funded schools and child care centers that operate on military bases
NO	Colleges, community colleges, and universities (even when attended by secondary school students) Private K–12 schools Family day-care homes Schools located on Indian reservations and rancherias

How does the Healthy Schools Act define a schoolsite?

Schoolsites are public K–12 schools, public and private child care centers, and employer-sponsored child care centers (equivalent to *school sites* or *schools*). School sites (schools) include buildings or structures, playgrounds, athletic fields, vehicles, and any other area of the property visited or used by students.

What's an IPM coordinator?

Each district appoints an **IPM coordinator** to make sure that its schools meet the requirements of the Healthy Schools Act. School districts often choose an IPM coordinator among maintenance and operations directors or business officers. Child care centers often assign the center director as the IPM coordinator. One exception is when a school district oversees child care centers. In that case, the school district IPM coordinator may represent the child care centers—or the district may appoint individual directors to do that job.

What are the responsibilities of the school site IPM coordinator?

The **IPM coordinator** works with administrators, staff, parents, and guardians to make sure districts and child care centers comply with the Healthy Schools Act.

Posts an **IPM Plan** on the district or school site web site. If no web site exists, the IPM plan must be sent to all staff, parents, and guardians.

Sends staff, parents, and guardians **annual written notification** about pesticide products expected to be used at each school or child care center in the coming year.

Gives staff, parents, and guardians an **opportunity to register for notification** each time pesticides are used at the school or child care center. Notification is sent at least 72 hours before each application.

Sends staff, parents, and guardians **written notification at least 72 hours in advance** if the school or child care center decides to use a pesticide not listed in the annual notification.

Posts **warning signs** 24 hours before to 72 hours after a pesticide application.

Makes sure that anyone applying pesticides at the school completes DPR-approved HSA training.

Oversees pesticide record keeping and reporting for pesticide applications made by school staff. Except for certain applications exempt from HSA record keeping and reporting, the IPM coordinator makes sure **use reports** are filled out and sends these reports to DPR annually. Reports are due January 30 for the previous year.

What happens when a public park is next to a school or child care center and functions as a playground? Does the city or county have to notify and post when applying pesticides to the park?

City and county properties are exempt from HSA requirements if not used as school sites. If your school or child care center uses an adjoining city or county park regularly, *then that location is considered to be a school site*. In that case, all requirements of the HSA apply. These school districts and local agencies should sign a formal memorandum of understanding or joint-use agreement so that the pesticide-use information can be shared between both entities.

If a school or child care center is contiguous with an agricultural parcel and the school district owns the land, does the district have to include this in the IPM plan, notify, post, record, and report when the crop is sprayed?

The agricultural parcel, although owned by the school district, is not a school site. If an agricultural site is located next to a school and there's concern about off-site movement of pesticides, contact your county agricultural commissioner's office. The commissioner follows up on any reported illness that may be pesticide-related or any complaint about pesticide applications.

INTEGRATED PEST MANAGEMENT OR IPM

How is IPM different from conventional pest management?

IPM is a long-term approach that focuses on prevention and is widely used on school campuses—inside and outside of buildings, in landscaping, and on athletic turf.

Instead of taking a conventional approach and spraying for pests around the building's perimeter, using a variety of IPM practices will keep pests from invading. Outdoors, you can seal vents with hardware cloth and close gaps under doors with door sweeps. You can prevent pests from taking up residence indoors by removing garbage daily, repairing leaky faucets, and cleaning up clutter. A number of sanitation and maintenance practices will go far to deny pests food, water, and shelter.

In landscaping, you can make sure plants are getting the right amount of sunlight, water, and slow-release fertilizer. For healthy turf, you can periodically test soil fertility, provide good drainage, raise mowing height to improve competition with weeds, and use a dethatcher.

[Click here](#) for more examples of IPM practices for schools. As you adopt more and more of these practices, you'll prevent and reduce pest problems at your school and reduce your reliance on pesticide applications.

PESTICIDES

What exactly is a pesticide?

A pesticide is any substance that controls, destroys, repels, or attracts a pest. Pesticides include insecticides, herbicides, fungicides, fumigants, rodenticides, avicides, plant growth regulators, defoliants, desiccants, algicides, and antimicrobials. Plant nutrients, fertilizers, and soil amendments are not considered pesticides unless they include a pesticide. However, weed-and-feed products and fertilizers that contain insecticides *are* considered pesticides.

Which pesticide products can be used legally at schools or child care centers? Does the label have to say that the product can be used at a school or child care center?

You can use any product unless the label specifically says *not* to use it in schools or other settings where children are likely to be present.

PRODUCT USE AT SCHOOLS OR CHILD CARE CENTERS

YES	Words on the label are for specific areas or rooms that exist in a school (e.g., for institutional use, use in kitchens or dining areas, use in and around buildings, use in and on buildings and structures and their immediate surroundings, and on modes of transport) Application for outdoor use (unless restricted somewhere else on the label): use on turf and ornamentals, use on playing fields
NO	Do not use if the label excludes schools

Contact your county agricultural commissioner's office for additional help to determine appropriate use of a product in school buildings, on school grounds, or at child care centers.

Are there any pesticide products that are specifically prohibited from use in schools and child care centers?

In general, pesticides are prohibited for use in schools and child care centers for two main reasons:

When they bear a conditional, experimental, or interim registration, and contain a new active ingredient, or have a new use.

When they've been canceled, suspended, or are being phased out.

Click [here](#) and go to #9 to see the list of pesticide products prohibited from use at schools. Note that this list changes every three months. Click [here](#) to check for active registration.

Can school staff apply restricted-use pesticides?

Only a person holding a qualified applicator certificate (QAC) or a qualified applicator license (QAL) can apply restricted-use pesticides at schools. If school staff have a QAC or QAL, they can obtain and apply restricted-use pesticides.

Are there pesticides that don't require HSA notification, posting, and reporting?

Self-contained bait stations; gel or paste deployed as a crack-and-crevice treatment indoors; pesticides exempted from registration by U.S. EPA; or antimicrobial pesticides, including sanitizers and disinfectants are exempt from notification, posting, and reporting requirements.

Pest control companies must report their pesticide use at school sites for all registered pesticide products, even when using self-contained baits stations, gel, or paste baits that are exempt from notification and posting.

Is granular gopher bait, the kind put into gopher runways underground, exempt from requirements of the Healthy Schools Act?

No. Only bait in a self-contained bait station is exempt. All HSA requirements are in effect for granular gopher baits.

What are self-contained baits?

These are pesticides inside of tamper-proof devices designed to keep people from accessing the pesticide.

What's a crack-and-crevice treatment?

This is the application of small quantities of a pesticide—usually a gel—into tight spaces such as expansion joints, along floor molding and trim, behind plumbing penetrations under sinks, and between equipment and floors.

What if a pesticide label doesn't have a U.S. EPA registration number?

Check to see if it's a minimum-risk pesticide exempt from registration. If it's exempt, all of the ingredients—both active and inert—must be listed on the label. The active ingredients must be listed by name and percentage by weight. If the label is missing a U.S. EPA registration number and you don't see a list of ingredients, it may be an illegal product. If you have questions about the product, contact your county agricultural commissioner's office.

Which pesticides are exempt from registration by the U.S. EPA?

The U.S. EPA exempts (excuses) pesticides from registration if they contain certain minimum-risk active and inert ingredients. These are primarily food-grade materials such as mint oil, clove oil, and sodium lauryl sulfate. The U.S. EPA has determined that these ingredients pose little to no risk to human health or the environment.

Locate a U.S. EPA or a California registration number on the product label. If the label doesn't have a registration number, then the product may be exempt. To determine if the product is exempt, check to see if all the product's active and inert ingredients are listed on the FIFRA section 25(b) list and the accompanying inert [inactive] ingredient list. (You'll find both by clicking on the link above. Go to **page 3** for the list of exempt active ingredients and **page 4** for inert ingredients.)

The term "exempt" is confusing. What's the difference between pesticides (1) exempt from registration by the U.S. EPA and (2) exempt from requirements of the Healthy Schools Act? What about schools and child care centers (3) exempt from HSA requirements?

The term *exempt* simply means products—or locations—excused from HSA requirements such as notification and posting.

(1) Exempt from registration

The U.S. EPA exempts (excuses) pesticides from registration if they contain certain minimum-risk active and inert ingredients. These are primarily food-grade materials such as mint oil, clove oil, and sodium lauryl sulfate. The U.S. EPA has determined that these ingredients pose little to no risk to human health or the environment.

(2) Exempt from HSA requirements (e.g., notification and posting)

This is a broader definition of exemption—it *includes* products exempt from registration by U.S. EPA *and* self-contained bait stations, gel or paste deployed as a crack-and-crevice treatment indoors, or antimicrobial pesticides, including sanitizers and disinfectants. These are all exempt from notification, posting, and reporting requirements of the HSA.

There's one exception—pest control and landscaping companies (but not school staff) must report *any* registered products applied. So if the product has a U.S. EPA registration number, include it on the **School Site Pesticide Use Reporting** form submitted at least once a year to DPR. These products include ant and cockroach bait stations, cockroach gels, and plant-based sprays that are legally exempt from registration, but are registered anyway.

Antimicrobials in products that we use on our bodies are exempt from HSA requirements, including training. These include hand sanitizers and soap.

(3) Schools and child care centers exempt from HSA requirements

Colleges, community colleges, and universities (even when attended by secondary school students)

Private K–12 schools and family day-care homes

Schools located on Indian reservations and rancherias

ANTIMICROBIALS AND DISINFECTANTS

Are antimicrobials pesticides?

Antimicrobials, which include **disinfectants** and **sanitizers**, are pesticides intended to disinfect, sanitize, and reduce growth or development of microbiological organisms .

Antimicrobials are also found in products such as hand sanitizers and soap that we use on our bodies. These personal products are all regulated by the Food & Drug Administration, not the U.S. EPA, and are exempt from HSA requirements.

Are disinfecting wipes pesticides? What about hand sanitizers and hand-sanitizing wipes?

Yes. Disinfecting wipes are intended for use on surfaces such as desks, counters, doorknobs, and toys. The U.S. EPA regulates **disinfecting wipes** as pesticides. In contrast, **hand sanitizers** and **hand-sanitizing wipes** are used on living things (us—and specifically, our hands). These wipes contain antimicrobials (pesticides), but are regulated by the Food & Drug Administration, not the U.S. EPA. Hand sanitizers and hand-sanitizing wipes are exempt from HSA requirements.

What are the HSA requirements for using disinfectants, disinfecting wipes, and sanitizers at schools or child care centers?

Annual HSA training is required for everyone—including **teachers and custodians**—who use disinfectants, disinfecting wipes, and sanitizers at schools or child care centers. However, disinfectants and sanitizers used on hands are exempt from IPM plans and other HSA requirements.

TRAINING REQUIREMENT IF USING DISINFECTANTS OR SANITIZERS

Pesticide type	Where used	Who regulates	Training required?
Disinfecting wipes Disinfecting sprays	Desks, counters, doorknobs, toys	U.S. EPA	Yes
Hand sanitizers Hand-sanitizing wipes	Hands	FDA	No

RIGHT-TO-KNOW LAW: IPM PLAN, NOTIFICATION, POSTING, RECORD KEEPING, AND REPORTING

IPM PLAN

When does a school or child care center need an IPM plan?

You'll need to put together an IPM plan when pesticides not exempt from HSA requirements are used at a school or child care center. Use the DPR IPM plan template to meet this requirement.

Where does an IPM plan need to be posted?

If the school has a web site, then post the IPM plan there. If not, the IPM plan must be mailed to all staff, parents, and guardians. The IPM plan must also be available by request at the front office of the school or child care center. Include the web site link for the IPM plan in the annual notification.

NOTIFICATION

Do schools or child care centers have to notify when they make applications during breaks?

Yes—during breaks, notification requirements are still in effect.

How do schools and child care centers carry out the annual notification?

Each district and child care center must give a written notice to parents, guardians, teachers, and staff identifying pesticides expected to be used during the coming year. Most districts include the list with the back-to-school packet typically issued to students early in the school year. The notice must also include the DPR web site, www.cdpr.ca.gov, so staff, parents, and guardians can find information on pesticides and IPM practices. The annual notification should also provide an online link to the IPM plan used by the district or child care center.

What are the requirements if a pesticide is to be applied but was not listed in the annual notification?

The IPM coordinator must provide written notification to all parents, teachers, and staff at least 72 hours before application. The notice should identify the product name and active ingredients, and list DPR's School IPM Web site, www.cdpr.ca.gov/schoolipm.

How does the pesticide notification registry work?

Schools and child care centers are required to register parents, teachers, and staff if they want to be notified about individual pesticide applications. The school or child care center must notify those on the list at least 72 hours before an application. This notice must include the product name, pesticide active ingredient, and the scheduled date of application.

What if a school district or child care center plans its pesticide applications well in advance on specific dates? Is it complying with the law if parents are simply notified at the beginning of the year about these applications?

Technically, this type of advanced notification is allowed. Posting of warning signs is still required when the pesticide application takes place. However, we recommend an IPM approach instead. When you schedule pesticide applications for specific dates, you're not monitoring for pests or paying attention to pest thresholds, and may be spraying when you don't actually have pests.

What are "emergency conditions"?

These arise when the school or child care center IPM coordinator, property owner, or someone who's hired decides that the immediate use of a pesticide is necessary to protect the health and safety of pupils, staff, other people, or the school in general.

When is advanced notification not required?

You don't have to notify in advance for pesticide products exempt from HSA notification, posting, and reporting requirements. Included are self-contained bait stations, crack-and-crevice applications of gel or paste bait, and products exempt from U.S. EPA registration.

Advanced notification is also not required under emergency conditions. **However, you must notify and post warning signs as soon as possible.**

ADVANCED NOTIFICATION REQUIRED?

YES	Dusts, sprays, aerosols (spray cans), foggers or bombs
NO	Applications made under emergency conditions Self-contained bait stations (e.g., for cockroaches or ants) Rodent bait stations Indoor crack-and-crevice applications of gel or paste bait Products exempt from U.S. EPA registration

How are notification requirements at child care centers different from those at K–12 public schools?

The HSA requires that property owners notify child care centers 120 hours (5 days) before any pesticide application on the property **if the application is made by the property owner or someone they’ve hired**. The child care center’s IPM coordinator then ensures notification is made to those on the registry at least 72 hours (3 days) before the pesticide application, and that warning signs are posted 24 hours before and 72 hours after the application is made.

What’s the purpose of the 120-hour child care center notification?

This ensures that the director of the child care center knows about the scheduled pesticide application and that the center’s IPM coordinator has enough time to notify individuals on the registry at least 72 hours (3 days) in advance and can post warning signs 24 hours before the pesticide application.

What information is required in the 120-hour notice given to child care centers?

Product name	Intended date of application
Manufacturer’s name	Areas of application
Active ingredients of each pesticide	Reason for application
U.S. EPA product registration number	

If a pesticide is applied to a building where a child care center is located but not inside the child care center itself, would the 120-hour notice still be required?

Yes. If pesticides are applied in an area designated for use by the child care center, on a playground used by the childcare center, or within 10 feet of the child care center, the property owner, staff, or contractors are subject to the 120-hour (5-day) notice requirement unless an emergency condition exists. Applications more than 10 feet from the center and on areas of the property not used by the child care center are exempt from the 120-hour notification requirement.

POSTING

Do schools or child care centers have to post warning signs when they apply pesticides during breaks?

Yes. The HSA lacks special provisions for school breaks. Even when schools are closed, students, teachers, or members of the community often enter school grounds for one reason or another.

How long before and after a pesticide application must warning signs be posted?

Post signs 24 hours before and 72 hours after the pesticide application. [One day before; three days after.]

What do the warning signs have to say?

Signs must prominently display “Warning—pesticide treated area,” and include the product and manufacturer’s name, U.S. EPA product registration number, scheduled date and areas of application, and reason for the application (the target pest). The sign must be visible to anyone entering a treated area. Download sample warning signs in English and Spanish [here](#).

What about vandalism of signs? What happens when a sign is removed before the posting period is over?

Replace the sign as soon as possible after you notice the sign is vandalized or missing.

Does the law require posting before an aerial application by a mosquito abatement district or California Department of Public Health (CDPH) Vector Control?

No, the law does not require an IPM plan, notification, posting, record keeping, or reporting for pesticide applications completed by CDPH. However, you should notify students, teachers, staff, and the public by posting information distributed by the mosquito abatement district or CDPH.

RECORD KEEPING

How does record keeping work and should we keep records of HSA-exempt products?

Each school must keep records of pesticide applications for four years. Some pesticide applications are exempt from the record keeping requirement.

Exempt products are exempt from record-keeping requirements. Exempt products include self-contained bait stations, gels or pastes used as crack-and-crevice treatments indoors; pesticides exempted from registration by U.S. EPA; and antimicrobial pesticides, including sanitizers and disinfectants.

Licensed pest control businesses hired by a school or child care center are required to keep records of pesticide use at schools or child care centers.

Does the public have access to school pesticide use records?

Records must be available to the public upon request as paper copies or electronic files.

Does the law require that records be kept of every pesticide used and each application?

Each school or child care center must keep records of every pesticide application for a period of four years, except for HSA-exempt products or applications. Records must include the pesticide product name, manufacturer's name, U.S. EPA registration number, date and areas of application, reason for application, and amount of pesticide used. DPR recommends that records be kept of all pest management practices, including those that are exempt from HSA reporting requirements.

REPORTING

Who has to report pesticides used at schools and child care centers and how often?

When **school staff** apply pesticides, the IPM coordinator (or other designated person) must submit the **School Site Pesticide Use Reporting** form to DPR by January 30 of the following year. (For example, 2016 application records are due January 30, 2017.) **Pest control businesses** contracted by school districts or child care centers must also submit a **School Site Pesticide Use Reporting** form to DPR by January 30 of the following year.

If any restricted-use pesticides are used by either school staff or a pest control business, a monthly pesticide use report must be submitted to the county agricultural commissioner.

Note that there are two distinct pesticide use reporting forms submitted to DPR—one for IPM coordinators and another for pest control businesses (see links above).

Are licensed pest control businesses required to report pesticide use at school sites as part of their existing monthly reports to the county agricultural commissioner?

Yes. Pest control businesses must include pesticide use at schools or child care centers on their Monthly Summary Pesticide Use Report to the county agricultural commissioner. Pest control businesses must also submit their **School Site Pesticide Use Reporting** forms at least annually to DPR.

What about restricted-use pesticides applied by school staff?

Only a person holding a qualified applicator certificate (QAC) or a qualified applicator license (QAL) can make applications of restricted-use pesticides at schools. That person must report restricted pesticide use to the county agricultural commissioner each month and report school pesticide use to DPR annually.

TRAINING

What's the training requirement for applying a pesticide at a school site?

School staff must complete DPR-approved training every year to apply any pesticides, including disinfectants. You can find information about free training [here](#).

Pest control operators must complete DPR-approved training once every license renewal cycle.

Is training required for teachers when they use disinfectants and disinfecting wipes?

Yes, DPR requires annual training for anyone at a school or child care center using disinfectants and disinfecting wipes. If you're a teacher who uses a pesticide at a school or child care center, you must complete DPR-approved training.

Is training available for child care center owners and directors about the Healthy Schools Act?

Free basic online courses are currently available.

Of the three DPR online courses, which one should I take?

DPR'S ONLINE TRAINING COURSES

Course level	Best for...	Focus	CE units
BASIC	Custodians, teachers, food service workers, and child care providers	Disinfectant use	None
INTERMEDIATE	Maintenance & operations staff, groundskeepers	IPM and the Healthy Schools Act	None
ADVANCED	Individuals with DPR certificates and licenses; individuals with SPCB licenses	IPM and pesticide safety at schools	1 hour

DEVELOPING AN IPM PROGRAM

Where can I get information about IPM programs, policies, and practices?

You can get the most current information by reviewing DPR's *School IPM Guidebook*, which includes everything you'll need to start an IPM program or improve upon an existing one.

How does DPR communicate with staff at schools and child care centers?

DPR does outreach, mails updates and calendars, offers workshops, and uses a listserv to update interested parties. Find resources and information at DPR's [School IPM web site](#).

[Click here](#) to subscribe to the listserv or to contact the School IPM Program.

GLOSSARY

Annual Notification. A document sent out at the beginning of the school year that includes information about all of the pesticides intended to be used at the school that year.

IPM Coordinator. The person assigned to ensure that the pesticide use requirements of the Healthy Schools Act are met.

IPM Plan. A document that describes the integrated pest management program for a school district or school site.

Notification Registry. A list of school community members who have requested notification of each pesticide application at least 72 hours before the application.

Notification. Written documentation provided to the school community if a pesticide that was not included in the annual notification is going to be applied.

Posting. The use of signs to inform the school community of pesticide applications before, during, and after the application is made at a specific place.

School Community. All staff, parents, and guardians associated with a school.

Schoolsite or school site. Public or private licensed childcare centers and public K–12 schools. School sites include buildings or structures, playgrounds, athletic fields, vehicles, and any other area of the property visited or used by students. "Schoolsite" is the term used in the Healthy Schools Act. In this FAQ, "school" is equivalent to "schoolsite."

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