

# **PESTICIDES IN SCHOOLS**

## **A Texas Parent's Bill of Rights**

You have the right to know  
when, where and how  
pesticides are being used  
in your child's school.

Here's how to gain access  
to pesticide information and  
how to analyze it.

## **Why would I want to know about pesticide use in my child's school?**

Pesticides have been linked to a variety of children's illnesses - from rashes to asthma, even to leukemia and other sometimes-fatal cancers. In 1995, the state of Texas adopted laws requiring that all public school districts follow Integrated Pest Management (IPM) principles. IPM is the practice of regular monitoring and record keeping to determine if and when pest treatments are necessary. IPM emphasizes the use of least toxic methods and products first and suggests the use of more toxic chemicals only when necessary. The fewer pesticides used in your child's school, the safer it is.

## **How do I find out about pesticide use at my child's school?**

It depends. Even though schools are required by state law to have an IPM Coordinator, many schools will not know what you are asking for. If you live in a small community or already have a relationship with your child's principal or maintenance person, it might be easiest to ask school staff. If not, call the school district's central office and ask for the person in charge of maintenance and pesticide applications.



You can request a copy of the school district's IPM policy, which the district is required by state law to have, and records of pesticide applications at a specific school. Large school districts may forward you to their legal counsel.

## **What if I am having trouble getting the information?**

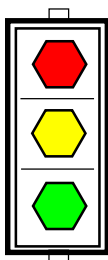
Make sure to explain that you are a parent and that you want to know what is happening in your child's school. Most people will understand that and will want to help you.

Know your rights. It is always helpful to read up on the Structural Pest Control Board code included on pages 4-5, which describes regulations about school IPM. By understanding these provisions, you can explain clearly what the school is required - by law - to do to protect children from pesticide exposure.

Make your request in writing if the district has not responded to your phone call or personal visit. You can make an open records request as well, which provides you with recourse through the Texas Attorney General's Office if you do not receive a response after ten working days (see page 6).



## How do I translate the information once I've gotten it?



There are three color classifications for pesticides used on school property: Green List, Yellow List, and Red List products. In this manner, the Texas School IPM system is color-coded, like traffic lights. Green List pesticides are least toxic, Yellow List pesticides are more toxic, and Red List pesticides are highly toxic (see p. 4).

If there are approval forms included with the records of pesticide application, those pesticides are likely on the Yellow or Red Lists.

Application of Yellow List products requires written approval from the Certified Applicator. The school district's IPM coordinator must maintain these approvals in his or her records. Records of Red List product use must also be kept by the IPM coordinator. These are kept in a separate file in the pest control records of the school.

Unfortunately, many school districts do not document their pesticide use adequately or accurately, so you may have to do some detective work. A Consumers Union August 1999 Report found that some school districts listed pesticides as Green List when they were actually Yellow or Red. Consumers Union also found school districts that did not include basic documentation in their paperwork, or had components missing.

You can get a better picture if you can find out (1) the EPA registration number of the pesticide used; (2) the active ingredient of the pesticide; or (3) the pesticide product name. If you have at least one of these three things, there are websites and a telephone hotline available for you to get specifics about the toxicity of the pesticide and details about its proper application (see p. 7).





## **THE STRUCTURAL PEST CONTROL ACT -- A SUMMARY**

Texas law provides that each school district must adopt an integrated pest management (IPM) program as of September 1, 1995. This program must incorporate the IPM standards established by the Texas Structural Pest Control Board. Generally, IPM principles advocate proper identification of pest problems, the use of non-chemical management strategies whenever practical, and the use of the least toxic methods available to control pests when necessary.

### **Activities**

Each school district is required to develop a written pest management policy for all pest control activities conducted on school property and to designate an IPM Coordinator to implement these activities and maintain related records.

The IPM Coordinator is also the person responsible for coordinating pest management personnel, ensuring that such personnel have the necessary training and licenses, and confirming that pesticide use on school property is in compliance with the district's policies.

### **Kinds of Pesticides**

There are three color classifications for pesticides used on school property: Green List, Yellow List and Red List products. Pesticides are classified for these lists according to their toxicity. Green List products include less toxic chemicals such as boric acid, diatomaceous earth and botanical insecticides like pyrethrins. Green List products may be used at the discretion of the person(s) licensed to apply pesticides for the school. Some Green List products may be applied to an area if no students are present in the room being treated or within 10 feet of the location at the time of the application.

Yellow List products carry a CAUTION signal on their labels. Application of these products requires written approval from the Certified Applicator, a person trained to use these pesticides. The IPM Coordinator must maintain these approvals in his or her records. Yellow List products and some Green List products may be applied only if students are not expected to be present in the room or within 10 feet of the area being treated for the next 12 hours, or longer if specified by the product label. Yellow List product approvals are good for no longer than six months or six applications per site, whichever occurs first.



Red List products are marked with a WARNING or DANGER signal on their labels. Application of these products requires written approval from the Certified Applicator and the IPM Coordinator. Red list products may be used only when students are not expected to be present in the building (if being applied indoors) or within 50 feet (if outdoors) for the next 12 hours. Records of Red List product use approvals must be kept in a separate file in the pest control records of the school and clearly marked. Red list product approvals are good for only three months or three applications per site.

Both Yellow and Red List product approvals must include a description of the pest problem and justification for its use. Approvals must be kept by the IPM Coordinator for a minimum of two years. (Additionally, it is helpful to know that several pesticides can be classified as either Green, Yellow or Red List, depending on the manner of application of the product used.)

## **Recordkeeping**

The IPM Coordinator is also responsible for handling requests and inquiries for pest problems and for maintaining records of pest complaints, pesticide application records, labels and safety data sheets. The IPM Coordinator is required to keep records related to the use of more toxic pesticides for a minimum of two years.

## **Notice**

School personnel are required to inform parents at the time a child is registered that the school periodically applies pesticides indoors and that the information related to those pesticide applications is available at the parents' request.

Additionally, if a school is located within 1/4 mile of an agricultural field on which pesticides are applied, the person in charge of the school may request that the farm operator provide the school with prior notification of such applications. Such notice may take the form of raising a red flag or sign in or near the field to be treated, in writing or by telephone, or by some other manner agreed upon by the school administrator and farm operator. If the person in charge of the school has refused to request such notification, the parent of a student may for good cause request that the Texas Department of Agriculture require the farm operator to give notice to the person in charge of the school. (*Title 4. Agriculture, Part I. TDA, Ch. 7. Pesticides, Subch. D, Use and Application, §7.37(c)(2)*)



## ***SAMPLE OPEN RECORDS ACT REQUEST***

Date

Superintendent  
\*\*\* Independent School District  
\*\*\*  
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Dear \*\*\*:

Pursuant to the Texas Open Records Act, please provide me with the documents in the District's files relating to any of the following items:

1. The District's Integrated Pest Management Policy, which is required under Art. 135b-6, Tex. Rev. Civ. Stat. Ann., § 4J(b);
2. All records relating to applications at \*\*\* School during 1998 and 1999 of Green List, Yellow List and Red List pesticides (as designated by the Structural Pest Control Board regulations at 22 T.A.C. § 595.11(h));
3. Any contracts between the District and pesticide application companies for 1997, 1998 or 1999;
4. Any complaints received by the District regarding pesticide applications in any of its schools and responses to those complaints; and
5. Any records related to training of District personnel in Integrated Pest Management techniques during 1997, 1998, or 1999.

As required by the Act, please provide this information to me within ten days of receiving this request. If copy costs would exceed \*\*\*, please notify me of a time and place where I may review the requested records and select those for which I will request copies.

If you have any questions about this request, please do not hesitate to call me at \*\*\*.

Sincerely,

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# RESOURCES

## Regulatory Agencies

Texas Department of Agriculture  
<http://www.agr.state.tx.us>

Texas Structural Pest Control Board  
<http://www.spcb.state.tx.us>

U.S. Environmental Protection Agency,  
Office of Pesticide Programs  
<http://www.epa.gov/pesticides>

## Non-Governmental Organizations

Pesticide Action Network of North America (PANNA)  
<http://www.panna.org>

Texas Pesticide Information Network  
(Hosted by Texas Center for Policy Studies)  
<http://www.texascenter.org/txpin/index.htm>

## Other Information

Effects of Pesticides (EXTOXNET)  
<http://ace.orst.edu/info/extoxnet>

National Pesticide Telecommunications Network  
1-800-858-7378 (PEST)

*Provides poisoning prevention and technical information on pesticide active ingredients and product registrations in the United States.*



## BILL OF RIGHTS FOR TEXAS PARENTS

*When it comes to pesticides, Texas  
should put the health of children first.*



### **Parents have the right:**

- \* to receive** notification and get information about when and what pesticides are being used in schools.
- \* to review** a school's pest management policy and its records of pest complaints and pesticide applications.
- \* to request** that schools adopt a non-chemical or least-toxic approach to pest management and stop using the most-toxic pesticides.