

Legal requirements for Notification, Posting, and Record-Keeping (Oregon Revised Statute 634.740 and 634.750)

634.740 Written notice requirements; warning signs; failure to notify or warn.

(1) The governing body responsible for a school shall adopt policies and processes for ensuring that the integrated pest management plan coordinator for the school, or a designee of the coordinator, gives written notice of a proposed pesticide application at the campus to, at a minimum, parents and guardians of minor students, adult students, school administrators, faculty members and staff members. The plan coordinator or designee may give a written notice described in this subsection by any reasonable means, including but not limited to, electronic mail.

(2) In adopting policies and processes under subsection (1) of this section, the governing body shall consider the age of the students attending the school and consider which methods for transmitting notice are most likely to reach the intended recipients.

(3) Except as provided in this subsection, the plan coordinator or designee must give a pesticide application notice in a manner reasonably calculated to reach the intended recipient at least 24 hours before the pesticide application occurs. A notice must identify the name, trademark or type of pesticide products, the registration number assigned to each of the pesticide products, the expected area of application, the expected date of application and the reason for the application. If a pest emergency makes it impracticable to give a pesticide application notice at least 24 hours before the pesticide application occurs, the plan coordinator or designee shall send the notice no later than 24 hours after the application occurs.

(4) Except as provided in this subsection, if a pesticide is applied at a campus, the plan coordinator or a designee of the coordinator shall place warning signs around pesticide application areas beginning no later than 24 hours before the application occurs and ending no earlier than 72 hours after the application occurs. A warning sign must bear the words "Warning: pesticide-treated area," give the expected or actual date and time for the application and provide the telephone number of a contact person. If a pest emergency makes it impracticable to place the warning signs at least 24 hours before the pesticide application, the plan coordinator or designee shall place the signs as soon as practicable but no later than at the time the application occurs.

634.750 Pesticide application records.

(1) If a pesticide is applied at a campus, the integrated pest management plan coordinator or a designee of the coordinator shall place the labeling information and material data safety sheet for the pesticide on file at a school on the campus. The plan coordinator or designee shall record and make available the following information:

- (a) The brand name or trademark of the pesticide product;
 - (b) The United States Environmental Protection Agency registration number assigned to the pesticide product;
 - (c) The pest condition that prompted the application;
 - (d) A description of the area on campus where the application occurred;
 - (e) The approximate amount and concentration of pesticide product applied;
 - (f) The type of application and whether the application proved effective;
 - (g) The pesticide applicator or public applicator license numbers and pesticide trainee or public trainee certificate numbers of the persons applying the pesticide;
 - (h) The names of the persons applying the pesticide;
 - (i) The dates on which the plan coordinator gave any notices required by ORS 634.740;
and
 - (j) The dates and times for the placement and removal of warning signs under ORS 634.740.
- (2) Pesticide application records must include copies of all notices given under ORS 634.740.
- (3) A school shall retain pesticide application records required by this section for at least four years following the application date.