



State of Oregon IPM in Schools Requirement ORS 634.700 – 634.750

Frequently Asked Questions

LAWS AND RESPONSIBILITIES

Which schools must comply with the Oregon school IPM law?

- All Oregon public schools, public charter schools, and private schools; grades K-12;
- Oregon community colleges;
- Facilities operating an Oregon prekindergarten program;
- Facilities operating a federal Head Start program;
- ESDs (education service districts); and,
- Oregon School for the Deaf (ORS 634.700(8)).

What do schools or districts have to do by July 1, 2012?

- Adopt an IPM plan for use on the school campus.
- Designate an IPM Plan Coordinator.
- Identify plan coordinator responsibilities.
- Give notices of pesticide applications (ORS 634.740).
- Start retaining pesticide application records (ORS 634.750).
- License any employees making pesticide applications on school property.
- Provide a process for responding to inquiries and complaints about noncompliance with the IPM plan.
- Conduct outreach to the school community about the school's IPM plan (ORS 634.705(1)).

What is a pest?

A pest is defined in ORS 634.700(5):

“A pest means: (a) An insect or other arthropod; (b) A weed, moss, slime, or mildew or a plant diseases caused by fungus, bacteria, or virus; (c) A nematode, snail, slug, rodent, or predatory animal; (d) A bacterium, spore, virus, fungus, or other microorganism that is harmful to human health, or; (e) Other forms of plant or animal life that may infest or be detrimental to vegetation, humans, animals, structures, managed landscapes or other human environments.”

Does this law apply to schools on tribal land?

No, tribes are a sovereign nation and not subject to state law. However, information is available to any school or other entity to implement IPM practices.

How does a boarding school apply the notification requirements?

Notification should follow the requirements of the ORS 634.700-750 and the school's IPM plan.

Who has the responsibility to make sure the IPM in Schools law is being followed?

The responsibilities of complying with the requirements of the IPM in Schools law ultimately reside with the governing body of a school, school district, ESD, etc. (ORS 634.700 – 634.720 & 634.740)

Does the IPM law apply to a small private school or public charter school that uses, but does not own, portable classrooms that are located on rented property?

If a governing body has control over only part of a building, a structure or property where a campus is located, the governing body may limit an integrated pest management plan to those parts of the building, structure or property over which the governing body exerts substantial control.

Example: If a charter school leases a building for its use, the charter school must adopt an IPM plan and comply with the School IPM law to the extent that they have control over building/grounds maintenance as agreed upon in the lease agreement.

IPM COORDINATOR & IPM PLAN

What kind of IPM Coordinator training is required with the new law?

IPM Plan Coordinators are required to have at least 6 hours of IPM training per year to include a review of IPM principles and the requirements of the law. (ORS 634.720(2))

Who is eligible to be an IPM Plan Coordinator?

An IPM Plan Coordinator may be an employee of a district, unit, school, or entity, UNLESS pest management duties are delegated to an independent contractor. An IPM Coordinator may serve more than one school and is responsible for specific activities outlined in the law. Some of these duties may be delegated or contracted out, and as such, a person need not have a pesticide applicator's license to assume the IPM Plan Coordinator's role (ORS 634.720).

If very small schools or school districts do not use any pesticides, do they still need to designate an IPM Coordinator and have them complete six hours of annual training?

Yes. (ORS 634.700(8) & 634.720(2))



What education of school staff/faculty is required by the law (in addition to the coordinator training)?

The law states that an IPM plan should include “...staff education about sanitation, monitoring, and inspection and about pest control measures.” It does not specify how this education should be provided. The plan adopted by the governing body may define how this education will be provided. (ORS 634.700(3)(i)).

Does school property used by after-school programs and non-district employees need to be covered in an IPM Plan?

Yes. ORS 634.705 states, “The governing body responsible for a school shall adopt an integrated pest management plan for use on the campuses of the school.”

Are ESDs required to take the IPM Coordinator training or is it just school districts?

Yes, IPM Coordinator training is required of the designated IPM Coordinator of a district, unit, school, or entity, including an ESD. (ORS 634.700(8) & 634.720(2))

Can an IPM plan allow herbicides to be applied when hand weeding and mulching are more expensive?

If weed management is focusing on long-term prevention or suppression of pest problems through economically sound measures that protect local ecosystem health, and focuses on the prevention of pest problems by working to reduce or eliminate conditions conducive to weeds, then herbicides can occasionally be applied as part of an integrated approach. Cost is only one of the factors to consider when focusing on long-term prevention and protection of ecosystem health along with other features of IPM as outlined in ORS 634.700(3).

NOTIFICATION & POSTING

When school is not in session (summer months), is notification of parents and staff still necessary to apply pesticides?

Yes, the governing body responsible for a school shall adopt policies and processes for ensuring that the IPM coordinator for the school, or a designee, gives written notice. (ORS 634.740)

Is notification and posting required for pesticides applied in attics, crawlspaces, or other areas inaccessible to children?

Yes. There are no exceptions to these provisions that are identified in the law. (ORS 634.740)

Is notification required for pesticide applications made on residential property or other land that is adjacent to school campuses?

NO. The IPM in Schools law is limited to activities conducted on school campuses that are under the control of the governing body. (ORS 634.740)

When do you have to notify that you are going to make an application?

ORS 634.740 (3) states that 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.

Can giving a “notification” for a pesticide application on a school’s website suffice for “written notification”?

ORS 634.740 states that the plan coordinator or designee may give a written notice by any reasonable means, and that the school should consider which methods for transmitting notice are most likely to reach the intended recipients. It is up to the school to determine which means and methods are most likely to reach the intended recipients. Usually this will be the same as standard notification procedure for other important information.

The law requires placing warning signs around the application areas beginning no later than 24 hours before the application and ending no earlier than 72 hours after the application. If a pesticide lasts for days (e.g. gel baits) does the posting need to stay up until the pesticide is gone?

No, as long as they are applied in a manner consistent with the label, warning signs must remain posted for at least 72 hours after the application. (ORS 634.740)

If there is a large kitchen with baits applied in more than one location, is it acceptable to post only one warning sign for all of the baits?

Yes, if the warning sign is in a prominent location where kitchen staff are most likely to see it when they come to work.

PESTICIDE LICENSING & PESTICIDE USE

Is a license required to apply pesticides in schools under the new law?

A Commercial Pesticide Applicator license is required for employees of private schools. A Public Pesticide Applicator license is required for employees of public schools. Licensing is required for any pesticide application made on school campuses (indoors and outdoors). (ORS 634.725)

Where can I get information on pesticide applicator licensing?

The Oregon Department of Agriculture website:

http://www.oregon.gov/ODA/PEST/licensing_index.shtml.



What kind of pesticides may be applied without a license?

The law requires a pesticide applicator license for ANY pesticide applied on school property other than antimicrobials (disinfectants/sanitizers) and insecticidal soap. (ORS 634.705(4) & 634.725)

Is pesticide licensing required to apply “minimum-risk” pesticides that don’t have an EPA registration number?

These products are called FIFRA 25(b) products. They ARE pesticides and a pesticide license is required to use these products on school property. (ORS 634.705(5) & 634.725)

What is the difference between an immediately supervised trainee or pesticide apprentice?

Contact the Oregon Department of Agriculture regarding pesticide license options at <http://www.oregon.gov/ODA/PEST/> or (503) 986-4635.

Although the law “excludes the application of pesticides on a routine schedule for purely preventative purposes, other than applications of pesticides designed to attract or be consumed by pests” can pre-emergent herbicides be applied on an annual or seasonal basis?

If you know that a weed pest emerges every year at a certain time, and you know of no other best management practices for managing the pest, you can apply low-impact herbicides on a seasonal basis, if not doing so would necessitate the application of more pesticides post-emergence. (ORS 634.700(3)(g))

Can unlicensed volunteers make pesticide applications for a school?

All pesticide applications must be made by a licensed pesticide applicator. A school cannot have anyone (paid or not) making pesticide applications without the correct pesticide license. (ORS 634.725)

The law “excludes the application of pesticides for purely aesthetic purposes”. With regard to herbicide applications on school turf and landscape, how is “purely aesthetic purposes” defined?

The law does not define “purely aesthetic purposes”, so the plan adopted by the governing body may define “purely aesthetic purposes.” (ORS 634.700(3)(h))

Can a school use county weed control agency services or any other contracted professional who is a licensed applicator?

There are very strict laws regulating when one public entity may apply pesticides to the property of another public entity. Licensed Commercial Pesticide Operators (companies) may be hired to conduct pesticide applications on school grounds. (ORS 634.116(12))

What about the vector control district spraying to control mosquitoes that may be applied to school campus property?

Vector Control Districts activities are not controlled by the school governing body thus their activities are not subject to the provisions of the IPM in Schools law. It is recommended that schools (that are located in a vector control district) communicate with vector control district staff to develop a strategy to address pesticide applications that are necessary to protect human health.

Can an IPM plan state that a pesticide with a warning label may be used if it is cheaper and/or more effective than one with a caution label?

The IPM in Schools law does not allow use of any pesticide that has the signal word of “warning” or “danger” on the label, other than if the application is by or at the direction or order of a public health official, and in a declared pest emergency as defined in the law. (ORS 634.700(3)(L), 634.705(5), & 634.730(3))

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Oregon Department of Agriculture

- Website: oda.direct/IPMSchools
- Email: pestx@oda.state.or.us
- Phone: 503-986-4635

Oregon Health Authority

- Website: www.healthoregon.org/pesticide
- Email: pesticides.health@dhsosha.state.or.us
- Phone: 971-673-0440

National Pesticide Information Center

- Website: npic.orst.edu
- Email: npic@ace.orst.edu
- Phone: 1-800-858-7378

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