

POLICY EBAB

**Board of Education
Las Cruces Public Schools**

Related Entries: EBAB-R, EB, EB-R
Responsible Office: Associate Superintendent for Operations

ENVIRONMENTAL PROGRAM AND HAZARDOUS MATERIALS

I. PURPOSE

The purpose of Policy EBAB is to establish a policy that promotes a healthy and safe environment for students, teachers, staff, parents and community members and to ensure that employees of the school district are trained and informed of the hazards associated with the materials/chemicals that they use in the work environment.

II. BACKGROUND

- A. Is the Board's belief that a healthy, safe and supportive learning and work environment promotes personal and academic growth and development, wellness, productivity and positive interpersonal relationships. Therefore, it is the Board's desire and expectation that the school district promotes a climate and culture of safety before, during and after school hours.
- B. The Board recognizes a healthy, safe and supportive learning and working environment is also beneficial to the public and its use of LCPS grounds and facilities.
- C. The Board desires and intends through this Policy to reduce the possible impact of pesticide use on human health and the environment, insofar as is practicable, and in a manner that is consistent with applicable laws and regulations.

III. DEFINITIONS

1. "*EPA*" means the federal Environmental Protection Agency.
2. "*General Use Pesticides*" means any pesticide or device that is not classified by the EPA for restricted use as specified in 40 CFR 152.175. These pesticides may be used and purchased by the general public.
3. "*Pest*" means any living organism injurious to other living organisms, except human, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the Pesticide Control Act, Sections 76-4-1 through 76-4-39 NMSA 1978.
4. "*Pesticide*" means any substance or mixture of substances intended for prevention, destroying, repelling or mitigating any pest.
5. "*Restricted Use Pesticides*" means any pesticide or device, designated by the Board of Regents of NMSU, as requiring specific restrictions to prevent unreasonable adverse effects on the environment, to include humans, beneficial

insect predators and parasites, pollinating insects, animals, crops, wildlife and land, but excludes the pests or device that is intended to prevent, destroy, control and mitigate. These pesticides cannot be used or purchased by the general public. They may be purchased and applied by those trained, licensed and authorized to do so.

IV. POSITION

- A. In order to ensure that all buildings, facilities and grounds provide a safe and orderly environment for public use, the superintendent shall ensure that they are safe, healthy, orderly, clean and in good repair.
- B. The Superintendent shall develop regulations to ensure district compliance with the New Mexico Pesticide Control Act and all related regulations regarding pest management, with particular consideration for reducing the possible adverse impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides. Such procedures shall ensure the following:
 - 1. Use of an Integrated Pest Management (IPM) program to reduce pesticide risk and exposure to children as recommended by the EPA;
 - 2. No general use or restricted use pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico Department of Agriculture or by employees under their direct supervision;
 - 3. General use or restricted use pesticides will only be applied in or on the outside of school buildings when a problem with a pest is present and will not be applied on a regular or “calendar” basis unless it is to treat an infestation and is part of a pest management system being implemented to address a particular target pest;
 - 4. General use or restricted use pesticides that are applied in a liquid, aerosolized, or gaseous form through spraying, aerosol cans, bombs, fumigation, or injections into the ground, foundation, or plants will not be applied on public school property when students, staff, or visitors are present or may reasonably be expected to be present within six (6) hours of the application;
 - 5. In emergency cases where a pest infestation threatens the health and/or safety of the occupants of public school property, and which requires the immediate application of a pesticide to remediate the infestation, students, staff, and other school occupants will be removed from the treatment area prior to the application;
 - 6. At the beginning of each school year, and when new students register, schools will develop a list of parents/guardians who wish to be notified prior to pesticide application during the school year. In emergency cases where a pest infestation threatens the health and safety of the occupants on public school property, no pre-notification is required; and

7. Written records of pesticide application will be kept for three (3) years with the district's Physical Plant Department and will be available upon written request.
- C. The school district shall adhere to all federal, state, and local laws, regulations or guidelines with regard to the use and storage of chemicals or hazardous materials on school campuses. In addition, the district's Director of Public Safety shall conduct annual audits to ensure all laws and guidelines related to hazardous materials are being followed.
1. All work sites/facilities shall have a list of all hazardous materials/chemicals used or stored on site and the containers and materials/chemicals shall be properly labeled.
 2. Employees will be provided with appropriate information and training regarding hazards and hazardous materials/chemicals, and will be provided with information on how to protect themselves.
- D. The Superintendent shall promulgate regulations which implement and provide guidance for this Policy.

V. REVIEW

This policy shall be reviewed on an ongoing basis in accordance with the Board of Education policy review process.

Maurice A. Flores

Board of Education, President

May 16, 2017

Date

History: Revised 11.04.08; New Pesticides Section, March 2017 Walsh Gallegos reviewed; combined with original EBAB and renamed from Hazardous Materials/Right to Know, 05.16.17

Legal Ref: 40 CFR 152.175; Pesticide Control Act, Sections 76-4-1 through 76-4-39 NMSA 1978