



Department of Pesticide Regulation



Brian R. Leahy
Director

Edmund G. Brown Jr.
Governor

December 11, 2014

PML 14-04

TO: County Agricultural Commissioners

SUBJECT: AMENDMENTS TO THE HEALTHY SCHOOLS ACT

New Requirements for Schoolsites and Pest Management Professionals

Recently Governor Brown signed Senate Bill 1405 which amends the Healthy Schools Act (HSA) to require schoolsites (public K-12 schools and public and private child care centers) to develop an integrated pest management (IPM) plan and report to the Department of Pesticide Regulation (DPR) schoolsite pesticide use done by schoolsite employees. It also requires anyone doing a pesticide application at a schoolsite to receive specific training. This training is in addition to the existing requirement for employers to provide pesticide safety training to employees who apply pesticides.

CAC Involvement

This letter summarizes the new HSA requirements for schoolsites, schoolsite employees, and licensed pest management professionals. The information should help the County Agricultural Commissioners (CACs) address questions from schoolsite staff, DPR and Structural Pest Control Board (SPCB) licensees, and the public; as well as, clarify the CACs' role with respect to the HSA.

Requirements for Unlicensed Schoolsite Pesticide Applicators

Starting January 1, 2015:

- Schoolsites must develop an IPM Plan.
- Schoolsites must send pesticide use reports annually to DPR for any applications made by any unlicensed person.

Starting July 1, 2016:

- Schoolsite IPM Coordinators and any unlicensed person applying pesticides at a schoolsite must complete DPR-approved HSA training.
- Training must be completed annually.

DPR is currently developing online training courses to meet the HSA requirements.

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**Requirements
for Licensed
Pest
Management
Professional**

Starting July 1, 2016:

- **Any person** hired to apply a pesticide at a schoolsite must complete a DPR-approved training course in school IPM and the safe use of pesticides in relation to the unique nature of schools and children's health.
- The training course must be completed prior to using pesticides at a schoolsite and again during each license renewal cycle.
- This training course will be approved for continuing education credit for both the DPR and the SPCB licensees.

**CACs' Role in
HSA
Compliance**

Most of the HSA requirements are in the Education Code. There is no enforcement of the Education Code by DPR or CACs. If CAC staff encounters potential violations of the Education Code's HSA provisions, they should inform the schoolsite that they are out of compliance with the HSA requirements as a courtesy.

The requirement for anyone applying pesticides at a schoolsite to receive specific training has been added to the Food and Agricultural Code section 13186.5. This section is enforceable by DPR, not the CACs. This requirement goes into effect July 1, 2016.

**Healthy Schools
Act
Amendments**

- Education Code (amended Sections: 17609, 17610, 17611, and 17612; added Sections: 17611.5 and 17614).
- Business and Professions Code (added Section 8593.2).
- Food and Agricultural Code (amended Sections: 12996, 12999.4, 13181, 13182, 13183, and 13187; added Section 13186.5).

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Contact

If you or your staff receive questions about the HSA from schoolsite staff or pest management professionals, they can be referred to one of my staff.

- DPR's School IPM Program, Lisa Estridge at 916-445-2489 or <Lisa.Estridge@cdpr.ca.gov>.
- DPR's Child Care Center IPM Program, Belinda Messenger at 916-324-4077 or <Belinda.Messenger@cdpr.ca.gov>.

If a parent has a complaint about a schoolsite's noncompliance with the Education Code requirements, then CAC staff should refer the parent to the school principal, school district superintendent, or school board for action.

Sincerely,

Original signed by

Nan Gorder, Ph.D., Chief
Pest Management and Licensing Branch
916-445-4038

Attachment: [Healthy Schools Act Amendments Fact Sheet](#)

cc: Mr. Joe Marade, DPR Agricultural Commissioner Liaison, Pesticide Programs Division
Mr. George Farnsworth, Environmental Program Manager II, Enforcement Branch