

Operational Services

Environmental Quality of Buildings and Grounds ¹

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials and (2) the environmental quality of the District's buildings and grounds. ² The Superintendent or designee shall maintain a registry of employees and parents/guardians of students requesting notification before the application of pesticide(s) and notify those people as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

¹ State or federal law controls this policy's content. The requirements imposed by 105 ILCS 5/10-20.46, added by P.A. 96-424, and the corresponding compliance methods follow:

1. Districts must adopt a procedure to comply with the Structural Pest Control Act and the Lawn Care Products Application and Notice Act. This policy cross references 4:160-AP, *Administrative Procedure - Environmental Quality of Buildings and Grounds*.
2. A staff person must be designated to be responsible for compliance with the Acts listed in the second sentence of the policy – this policy designates the superintendent or designee.

Many State and federal laws regulate the environmental quality of schools. For example:

1. Owners of underground storage tanks must comply with federal law (Hazardous and Solid Waste Amendments of 1984, Pub.L. No. 98-616), as well as State regulations (41 Ill.Admin.Code Part 170).
2. Several federal laws regulate asbestos as a hazardous substance, the most significant for schools being the Asbestos Hazard Emergency Response Act of 1986. The Asbestos Abatement Act, 105 ILCS 105/, requires schools to perform a variety of functions regarding asbestos.
3. The Indoor Air Quality Act, 410 ILCS 87/, created an advisory council to develop advisory guidance. Ill. Dept. of Public Health Guidelines for Indoor Air Quality:
www.idph.state.il.us/envhealth/factsheets/indoorairqualityguide_fs.htm
4. The Smoke-Free Illinois Act, 410 ILCS 82/, bans tobacco smoking inside schools.
5. The Structural Pest Control Act, 225 ILCS 235/, reenacted by P.A. 96-473, required the Ill. Dept. of Public Health to establish guidelines for an integrated pest management program for schools. See:
www.idph.state.il.us/envhealth/entpestfshts.htm.
6. Notices to employees and parents/guardians before pesticide applications are required by the Structural Pest Control Act (225 ILCS 235/10.3, reenacted by P.A. 96-473). The Lawn Care Products Application and Notice Act requires similar notices but only to parents/guardians (415 ILCS 65/3, amended by P.A. 96-424).
7. The Green Cleaning School Act, 105 ILCS 140/, and Green Cleaning for Elementary and Secondary Schools, 23 Ill.Admin.Code Part 2800, contain guidelines for green cleaning. See policy 150, *Facility Management and Building Program*.
8. The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements (20 ILCS 3130/, added by P.A. 96-73). Waivers may be granted by the Capital Development Board in certain situations (*Id.*).
9. The Ill. legislature recommended that each occupied school building be tested every 5 years for radon and provided a process for the screening in 105 ILCS 5/10-20.46, added by P.A. 96-417, eff. 1-1-10.

² A board persuaded by #9 in the above footnote may add the following option which may be modified (e.g., omit “if economically feasible” or add time periods):

If economically feasible, the Superintendent or designee shall manage the testing of each occupied school building for radon pursuant to Section 10-20.46 of The School Code.

A board may want to add the following option if it is concerned that employees who are eligible for district-paid hepatitis B vaccination are unaware of their eligibility:

The Superintendent or designee shall notify all employees who must be offered, according to State or federal law, District-paid hepatitis B vaccine and vaccination.

Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/. ³

- LEGAL REF.: 29 C.F.R. Part 1910.1030, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.300(c).
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/10-20.17a; 5/10-20.46; 135/; and 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act.
23 Ill.Admin.Code §1.330, Hazardous Materials Training.
56 Ill.Admin.Code Part 205, Toxic Substances Disclosure To Employees.
- CROSS REF.: 4:150 (Facility Management and Building Programs), 4:170 (Safety)
- ADMIN. PROC.: 4:160-AP (Administrative Procedure - Environmental Quality of Buildings and Grounds)

³ Different requirements pertain to the notices in the Structural Pest Control Act (225 ILCS 235/10.3, reenacted by P.A. 96-473) and the Lawn Care Products Application and Notice Act (415 ILCS 65/3(f), amended by P.A. 96-424). Both require notice to parents/guardians. Notice to employees is only required by the Structural Pest Control Act. For the sake of simplicity, the sample policy requires notice to employees before pesticides are used. Notice at least 4 business days before application is required by Lawn Care Products Application and Notice Act; notice at least 2 business days is required by the Structural Pest Control Act.

Be sure the notice provisions in the policy and its implementing administrative procedure are consistent.

Operational Services

Administrative Procedure - Environmental Quality of Buildings and Grounds

Hazardous and/or Infectious Materials

A hazardous and/or infectious material is any substance, or mixture of substances, that constitutes a fire, explosive, reactive, or health hazard. The following are examples of such materials:

- Any item contained in the definition of “toxic substance” in the Toxic Substances Disclosure to Employees Act (820 ILCS 255/)
- An item or surface that has the presence of, or may reasonably be anticipated to have the presence of, blood or other bodily fluids
- Non-building related asbestos materials
- Lead and lead compounds (included in school supplies, i.e., art supplies, ceramic glazes)
- Compressed gases (natural gas); and explosive (hydrogen), poisonous (chlorine), or toxic gases (exhaust gases, such as, carbon monoxide)
- Solvents (gasoline, turpentine, mineral spirits, alcohol, carbon tetrachloride)
- Liquids, compounds, solids or other hazardous chemicals that might be toxic, poisonous, or cause serious bodily injury
- Materials required to be labeled by the Department of Agriculture or the EPA (pesticides, algaecide, rodenticide, bactericides)
- Regulated underground storage tank hazardous materials (including diesel fuel, regular and unleaded gasoline, oil (both new and used), and propylene glycol)

The Buildings and Grounds Supervisor is responsible for compliance with State and federal law, including the Toxic Substances Disclosure to Employees Act (820 ILCS 255/), and shall: ⁴

1. Maintain a perpetual inventory of hazardous materials.
2. Make available inventory lists to the appropriate police, fire, and emergency service agencies.
3. Compile Material Safety Data Sheets (MSDS) for each toxic substance used, produced, or stored to which an employee may be exposed, and distribute them as appropriate. Update the data sheets when necessary.
4. Submit to the Director of the Illinois Department of Labor, as required, an alphabetized list of substances, compounds, or mixtures for which the District has acquired a MSDS.
5. Make available MSDS to all persons requesting the information.
6. Store hazardous or toxic materials in compliance with local, State, and federal law. Storage containers must be labeled with the chemical name and appropriate warning hazards and stored in a location that limits the risk presented by the materials. Containers must be stored in a limited-access area.
7. Transport hazardous materials in a manner that poses the least possible risk to persons and the environment and that is in compliance with local, State, and federal law.
8. Classify hazardous materials as current inventory, waste, excess, or surplus. Dispose of hazardous materials in accordance with local, State, and federal law.

⁴ Alternatively, these duties may be given to another staff member in which case that staff member’s title should replace “Buildings and Grounds Supervisor” throughout this procedure.

9. Post information regarding employee rights under the Act on employee bulletin boards throughout the District.
10. Provide an education and in-service training program with respect to all toxic substances to which employees are routinely exposed in the course of employment.

Pesticide Application on School Grounds ⁵

The Buildings and Grounds Supervisor is responsible for compliance with the Lawn Care Products Application and Notice Act (415 ILCS 65/3, amended by P.A. 96-424) and shall:

1. Provide an annual schedule of pesticide application to the supervisor of each District building.
2. In coordination with the supervisor of each District building (including each Building Principal), notify employees and students and their parents/guardians in each building. The notification must:
 - a. Be provided at least 4 business days before a pesticide application on school grounds.
 - b. Be written or by telephone. If written, the notice may be included in newsletters, calendars, or other correspondence currently being published.
 - c. Identify the intended date of the application.
 - d. Provide the name and telephone contact number for the Buildings and Grounds Supervisor or other school personnel responsible for the pesticide program.

An exception to this notification is permitted if there is an imminent threat to health or property, in which case the Lawn Care Products Application and Notice Act shall control. If such a situation arises, the Building and Grounds Supervisor must sign a statement describing the circumstances that gave rise to the health threat and ensure that written or telephonic notice is provided as soon as practicable.

Pesticide Application in School Buildings and Structures ⁶

The Buildings and Grounds Supervisor is responsible for compliance with the requirements in the Structural Pest Control Act (225 ILCS 235/, reenacted by P.A. 96-473) and shall:

1. Provide an annual schedule of pesticide application to the supervisor of each District building.
2. In coordination with the supervisor of each District building (including each Building Principal):
 - a. Maintain a registry of all employees and parents/guardians of students.
 - b. Notify those employees and parents/guardians before pesticides are applied in or on each building. The notification must:
 - i. Be provided at least 2 business days before a pesticide application in or on school buildings.

⁵ Notice to parents/guardians of students is required before pesticides are applied on school grounds by the Lawn Care Products Application and Notice Act, 415 ILCS 65/3, amended by P.A. 96-424. Notice to employees, while not required, is included in this procedure because notice to employees is mandated by the Structural Pest Control Act, 225 ILCS 235/10.3, reenacted by P.A. 96-473. Item #1 is not legally required. Items #2a-d are required. The district may alternatively maintain a registry of parents/guardians requesting written notification of pesticide application and notify only those people in the registry. Be sure the notice provision is consistent with board policy.

⁶ Item #1 is not legally required. The *registry* identified in item #2a is required by the Structural Pest Control Act, 225 ILCS 235/10.3, reenacted by P.A. 96-473. However, for ease of compliance, the procedure automatically puts all employees and parents/guardians in the registry. Change #2a as follows if the superintendent prefers to limit the registry to only those who expressed interest in being notified: “Maintain a registry of all employees and parents/guardians who have requested to receive notice before pesticides are applied to school property.” The notice described in item #2b, i-iv, is mandatory. Be sure the notice provision is consistent with board policy.

- ii. Be written. The notice may be included in newsletters, bulletins, calendars, or other correspondence currently being published.
- iii. Identify the intended date of the application.
- iv. Provide the name and telephone contact number for the Buildings and Grounds Supervisor or other school personnel responsible for the pesticide program.

An exception to this notification is permitted if there is an imminent threat to health or property, in which case the Structural Pest Control Act shall control. If such a situation arises, the Building and Grounds Supervisor must sign a statement describing the circumstances that gave rise to the health threat and ensure that written notice is provided as soon as practicable.

The Buildings and Grounds Supervisor is responsible for the District's integrated pest management program and the District's compliance with the Structural Pest Control Act (225 ILCS 235/, reenacted by P.A. 96-473).

- Applicable if the Superintendent determines that an integrated pest management program is economically feasible:*

The Buildings and Grounds Supervisor or designee shall: (1) develop and implement a program incorporating the Department of Public Health guidelines; (2) notify the Department, on forms provided by the Department, that a program is being implemented; (3) repeat the notification every 5 years after the initial notification; and (4) keep copies of all notifications and all written integrated pest management program plans.

- Applicable if the Superintendent determines that adopting an integrated pest management program is not economically feasible because such adoption would result in an increase in pest control costs:*

The Buildings and Grounds Supervisor or designee shall: (1) notify the Department, on forms provided by the Department, that the development and implementation of an integrated pest management program is not economically feasible; (2) include in the notification the projected pest control costs for the term of the pest control program and projected costs for implementing a program for that same time period; (3) repeat this notification every 5 years after the initial notification until a program is developed and implemented; and (4) attend a training course, approved by the Department, on integrated pest management and repeat attendance every 5 years thereafter until a program is developed and implemented in the District's schools.

The Buildings and Grounds Supervisor or designee shall maintain copies of all notifications that are required by the Structural Pest Control Act and provide the Building Principal(s) or designee(s) sufficient information to allow him/her/them to inform all parents/guardians and school employees at least once each school year that the District has met its notification requirements.

Training and Necessary Equipment

Each Building Principal and noncertificated staff supervisor shall ensure that all staff members under his or her supervision receive training on the safe handling and use of hazardous materials as required by 105 ILCS 5/10-20.17a. Emergency response and evacuation plans must be a part of the training.

Before an employee is given an assignment where contact with blood or bodily fluids or other hazardous material is likely, the employee must be provided the necessary training, including training in the universal precautions and other infection control measures to prevent the

transmission of communicable diseases and/or to reduce potential health hazards as required by 23 Ill.Admin.Code §1.330. The appropriate supervisor shall maintain an attendance record of an employee's participation in the training.

Substitute Non-Hazardous Materials

District staff shall comply with State law governing toxic art supplies in schools, 105 ILCS 135/. This includes substituting non-hazardous material for hazardous substances whenever possible and minimize the quantity of hazardous substances stored in school facilities. No art or craft material containing a toxic substance shall be ordered or purchased for use through grade 6; material containing toxic substances may be used in grades 7 through 12 only if properly labeled according to State law.

Infectious Materials

The Buildings and Grounds Supervisor shall prepare and distribute to all employees an Occupational Exposure Control Plan to eliminate or minimize occupational exposure to potentially infectious materials. ⁷ The Plan shall comply with the Bloodborne Pathogens Standards adopted by State and federal regulatory agencies and an updated copy given to the Superintendent annually. The Plan shall address the following issues:

1. Exposure determination. Positions that do not subject the employee to occupational exposure are exempt from the Plan and the Standards generally.
2. Implementation schedule specifying how and when risks are to be reduced. The Standards are very specific on risks reduction, e.g., Universal Precautions must be followed; engineering and work practice controls are specified (hand washing, restricted food areas); personal protection equipment must be provided; housekeeping requirements are specified (regulated waste disposal and laundry); vaccination requirements (all employees who have occupational exposure must be offered, at employer expense, the hepatitis B vaccine and vaccination series); communication of hazards to employees through labeling and training; and recordkeeping.
3. Process for ensuring that all medical evaluations and procedures, including the hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, are available as required by law.
4. Procedures for evaluating an exposure incident.

Emergency Response Plan

The Building Principal shall ensure that proper procedures for the cleanup of potentially hazardous material spills are followed including the following:

1. A building custodian is responsible for the actual cleanup,
2. Personal protective equipment, chemical neutralization kits, and absorbent material are available in each building at all times, and
3. Spill residue is placed in containers designated for such purpose and disposed of in compliance with local, State, and federal law.

⁷ The federal regulatory agency administering the Occupational Safety and Health Act (OSHA) issued Bloodborne Pathogens Standards (29 C.F.R. Part 1910.1030) that were adopted by the Illinois Department of Labor (56 Ill.Admin.Code §350.300). The Standards were developed to reduce the risk of occupational exposure to bloodborne pathogens. According to the Standards, "occupational exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. The Standards require employers to institute a written Exposure Control Plan containing the elements in the sample procedures.

Evacuation

The Building Principal shall ensure compliance with the School Safety Drill Act, 105 ILCS 128/. This includes, among other things, ensuring that evacuation rules are posted in each room and discussed with each class using the room during the first days of the school year. The evacuation rules indicate the primary and alternate exits and the evacuation area to which students should proceed upon leaving the building.

The Building Principal shall conduct evacuation drills according to School Board policy 4:170, *Safety*, and administrative procedure 4:170-AP1, *Comprehensive Safety and Crisis Program*.

LEGAL REF: 29 C.F.R. Part 1910.1030, adopted by the Ill. Department of Labor, 56
 Ill.Admin.Code §350.300.
 105 ILCS 5/10-20.17a, Hazardous Materials Training; 5/10-20.46, Compliance
 with Chemical Safety Acts; 135/, Toxic Art Supplies in School Act; and
 140/, Green Cleaning School Act.
 225 ILCS 235/, Structural Pest Control Act.
 415 ILCS 65/, Lawn Care Products Application and Notice Act.
 820 ILCS 255/, Toxic Substances Disclosure to Employees Act.
 23 Ill.Admin.Code §1.330, Hazardous Materials Training.
 56 Ill.Admin.Code Part 205, Toxic Substances Disclosure to Employees.

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