

To: Chair Neron, Vice Chairs Dobson and McIntire and Members of the Committee

From Lisa Arkin, Executive Director of Beyond Toxics

Date: 2/19/2025

**Subject: Testimony in support of HB 2684, Toxics Free Schools**

Chair Neron and Members of the Committee,

My name is Lisa Arkin, Executive Director of Beyond Toxics, and I am here today to testify in support of HB 2684, which strengthens and modernizes the existing School Integrated Pest Management (IPM) law to better protect children from unnecessary pesticide exposure in schools. Thank you for today's opportunity to share information about the Toxic Free Schools bill.

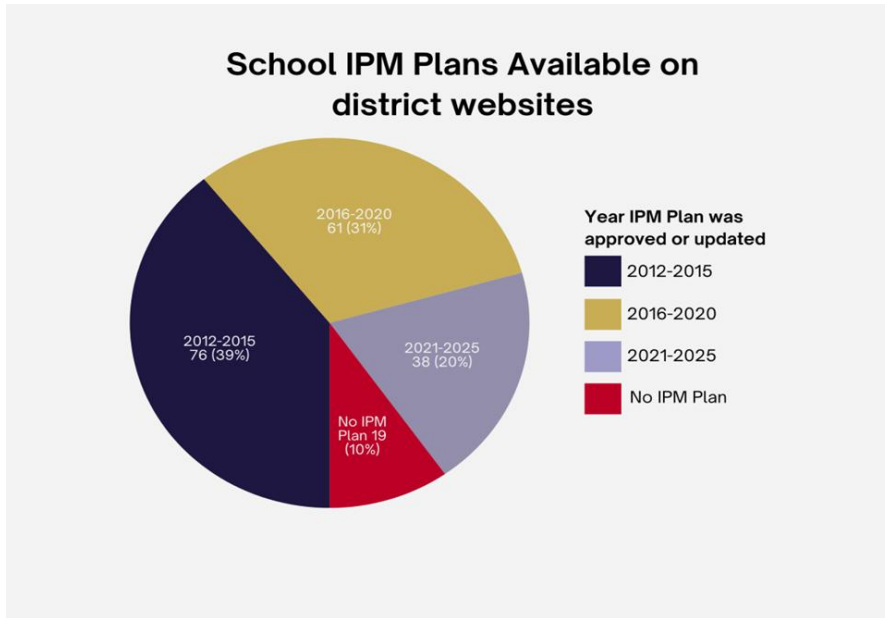
In 2009, Beyond Toxics and a broad coalition of stakeholders worked with then-State Senator Suzanne Bonamici to pass the Senate Bill 637, the School IPM Law. We met as a formal Legislative Workgroup that included all stakeholders, from Oregonians for Food and Shelter, to COSA, to Oregon Schools Facility Managers Association and received input from ODA and ODE. It required schools to develop an IPM plan and designate an IPM coordinator to oversee its implementation. However, since then, gaps in transparency and implementation have emerged, making it clear that simple updates are necessary.

As explained by Representative Hudson, HB 2684 builds upon the foundation of the original bill by requiring school districts to review, update, and readopt their IPM plans and Low-Impact pesticide use list every five years to ensure compliance with state and federal pesticide laws. Additionally, it mandates that these plans be made publicly available on school websites, increasing transparency and accessibility for parents, staff, and the broader community. This transparency gap is a simple result of school districts not having websites in 2009.

One important update in this bill is the inclusion of school gardens in the definition of school campuses. School gardens are valuable learning environments where students interact with nature and develop an understanding of agriculture and ecology. In 2009, there were no school garden programs. Today, approximately 700 schools have school gardens that produce food. Including them under the IPM law ensures that they receive the same level of protection and oversight as other areas of school property.

Finally, we are supportive of continuing to meet and work with key stakeholders such as COSA to address the most efficient way to implement the four requirements of HB 2684 into school operations.

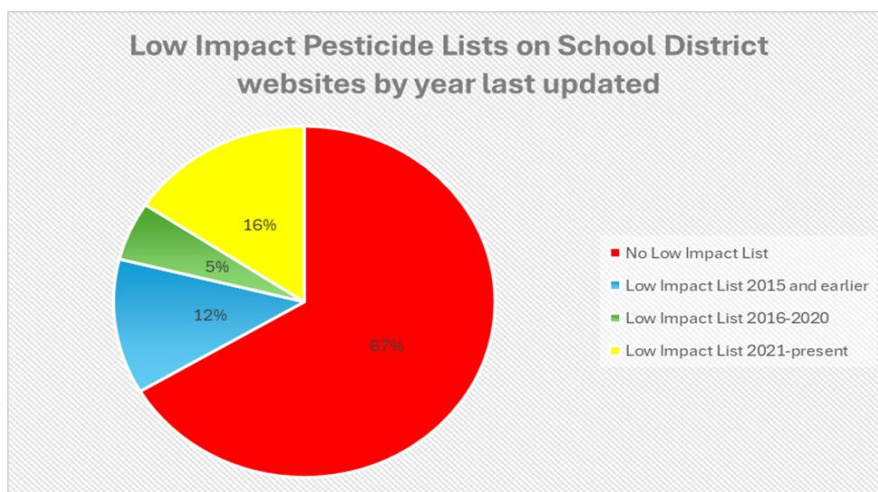
Briefly, I would like to share a short slide deck that helps illustrate the ways HB 2684 seeks to address gaps in the original 2009 School IPM bill.



#### Slide 1 - School IPM Plan Updates

A review of nearly 200\* School District websites revealed that:

- Only **38** school districts have updated their IPM Plan in the past 5 years
- **76** school districts have not updated their plan in over 10-years
- **19** school districts still do not have IPM plans on district websites.



**Slide 2 -- A review of School Districts with or without Updated Low Impact Lists**

Low Impact Pesticide Lists are defined and required by School IPM Law, ORS 634.705 - 634.750 to be adopted by School Boards as part of the District’s IPM plan. However, again, there is no requirement to update the lists or ensure transparency.

A review of nearly 200\* School District websites revealed that

- **29** school districts have updated their Low Impact Pesticide List in the past 5 years,
- **23** school districts have not updated their Low Impact Pesticide List,
- **123** school districts do not have low impact pesticide lists on district websites.

**Slide 3-- Medford School District Low-Impact List**

**8 products**

**List of “low-impact pesticides” that meet the requirements of ORS 634.700 – 634.750**

<b>Product Name</b>	<b>Formulation</b>	<b>EPA Registration #</b>	<b>Active Ingredient</b>
Advion Ant Gel	Bait Gel	352-746	Indoxacarb
Advion Cockroach Gel Bait	Bait Gel	352-652	Indoxacarb
Glyphosate PTO	Liquid	EPA-73220-6	Glyphosate, isopropylamine salt
Ortho Home Defense Wasp & Hornet Killer	Pressurized liquid	1021-1775-239	Tetremethrin d-Phenothrin cyclopropanecarboxylate
Ortho Home Defense Ant & Roach Killer	Pressurized Liquid	239-2695	Bifenthrin ETOC
Speed Zone	Emulsifiable Concentrate	2217-833	Carfentrazone-ethyl, 2,4-D, 2-ethylhexyl ester, mecoprop-p acid, Dicama acid
K-Orthine Dust	Dust	432-772	Deltamethrin
The Andersons 0.25% Granular Dithiopyr Herbicide	Granular	9198-213	Dithiopyr

## Slide 4 -- Bend-La Pine School District Low-Impact List

12 products

### Appendix F – Approved List of Pesticides

<u>Pest</u>	<u>Product Name</u>	<u>EPA No.</u>
Weeds	Roundup Pro Max	524-579
Wasps & Yellowjackets	Champ Wasp, Bee and Hornet Killer	498-156
Clover	Speed Zone Broadleaf Herbicide for Turf	2217-833
Weeds	Surflan	70506-44
Rockchucks Gophers	Zinc Phosphate On Oats	12455-102-3240
Rockchucks Gophers	Sodium Nitrate (emergencies only)	56228-2
Weeds	Caseron	400-168-59807
Ants	Temprid SC Insecticide	432-1483
Ants	Tempo SC Ultra	432-1363
Ants	Termidor SC	7969-210
Mice	Weatherblock XT	100-1055
Weeds	FusiladeDX	100-1070

## Slide 5 -- ODA Guidance for Declaring a Pest Emergency.

If a school district determines that they have a more aggressive pest problem and need to use any product that is not a low-impact pesticide, ODA has established a process to assist schools choose the appropriate pesticide. School districts work with ODA to identify their needs under the provisions in the original IPM bill under Declaring a Pest Emergency. School are not without assistance to adopt the correct course of action:

# School Integrated Pest Management Declaring a Pest Emergency

11/2021

To protect children, the School Integrated Pest Management (IPM) law (ORS 634.700 – ORS 634.750) establishes certain requirements and limitations when pesticides are applied on a school campus. These include, but are not limited to, providing written notification, posting of warning signs, maintaining pesticide application records, and other requirements for certain school personnel and the governing body.

If a school has followed the IPM plan and nonchemical pest control measures were ineffective, subject to ORS 634.730 the IPM plan coordinator may authorize the application of a low-impact pesticide.

When certain steps are followed and criteria are met, the school IPM law does provide some flexibility to respond to a qualifying “pest emergency”, and pesticide use is not limited to just those that are categorized as “low-impact” (ORS 634.730(3)). It is important to recognize that each school’s IPM plan coordinator is responsible for following the required steps described in the school IPM law regardless of who will be applying a pesticide in response to the pest emergency.

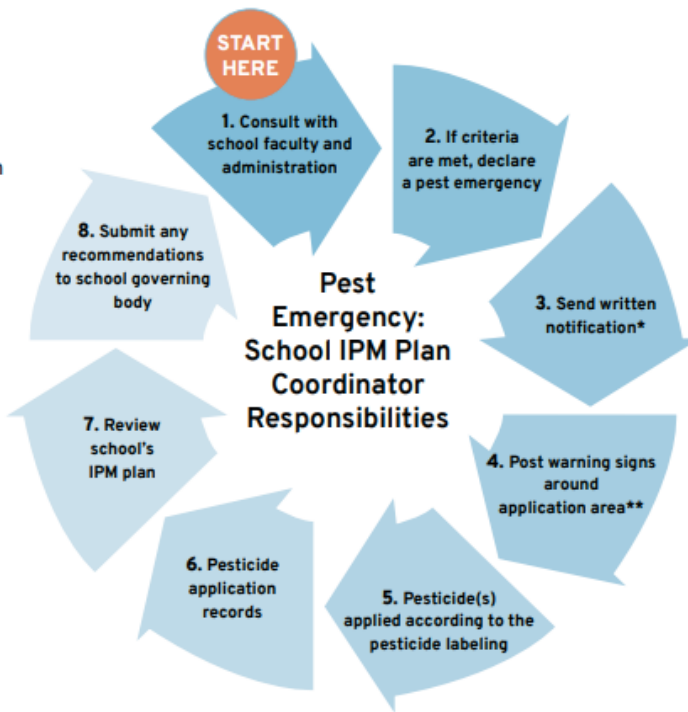
## » What is a Pest Emergency?

ORS 634.700 (6) defines a “Pest Emergency” as: “an urgent need to eliminate or mitigate a pest situation that threatens:

- (a) The health or safety of students, staff, faculty members or members of the public using the campus; or
- (b) The structural integrity of campus facilities.”

## » What steps are required if a potential pest emergency is identified?

A graphic of the overall process is provided at right. More detailed information is provided on the next page.



\* See ORS 634.740(3) for more information.

\*\* See ORS 634.740(4) for more information.



School IPM Program

A five-year review of low-impact pesticide lists is a safeguard against legal liability. Including updates approved by school boards on a 5-year rotation does not create an added cost burden to school districts.

This legislation is a commonsense update that will strengthen protections for children, improve transparency, and ensure that Oregon schools continue to be a leader in safe and sustainable pest management practices.

We urge you to support HB 2684 and help ensure that our schools remain safe environments for learning and growth.

Thank you for your time and consideration.