



Office of  
**INDIANA STATE CHEMIST AND SEED COMMISSIONER**

*Protecting Indiana's Agriculture and Environment - Feed, Fertilizer, Hemp, Pesticide and Seed*

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### **Pesticide Use at Schools**

Effective July 1, 2024, the Indiana General Assembly adopted Senate Enrolled Act No. 216 to amend and clarify requirements for pesticide use (both Restricted Use Pesticides and General Use Pesticides) at schools. Most of these requirements existed previously in a state pesticide rule (357 IAC 1-16). Following is a summary of these requirements.

#### **Definitions**

**IC 15-16-5-27.5.** As used in this chapter, "**pesticide notification registry**" means the registry created and maintained by a school listing the names and contact information of (1) parents and guardians of children at the school and (2) school staff who have requested to be notified of the details of pesticide applications on the school's property.

**IC 15-16-5-34.5.** As used in this chapter, "**school**" means (1) a public school (as defined in IC 20-18-2-15(1)), including a charter school; (2) a nonpublic school (as defined in IC 20-18-2-12) with more than one (1) employee; (3) the Indiana School for the Blind and Visually Impaired established by IC 20-21-2-1; or (4) the Indiana School for the Deaf established by IC 20-22-2-1.

**IC 15-16-5-34.7.** As used in this chapter, "**school property**" means (1) a building or other structure owned or rented by a school; (2) the grounds adjacent to and owned or rented in common with a building or other structure owned or rented by a school.

#### **Pesticide Application Prohibition Periods**

**IC 15-16-5-64.5.** (a) Except as provided in subsections (b) and (d), a pesticide may not be applied on school property during (1) regular school hours; or (2) a before school or after school program that is located on school property.

(b) A pesticide may be applied on school property during periods specified in subsection (a) if applied to (1) control an observed pest that poses an immediate health threat situation to the students present; or (2) an area outside of and not immediately adjacent to student occupied buildings.

#### **Pesticide Application Reentry Restrictions**

(c) Except as provided in subsection (d), a school may not allow students to enter an area of school property that has been subject to a pesticide application until the longer of the following time periods has elapsed: (1) the minimum reentry time specified on the pesticide label; or (2) four hours.

(d) A rodenticide bait may be applied in areas that are inaccessible to students.

#### **Pesticide Storage in Schools**

(e) A pesticide stored on school property must be in (1) the original pesticide container or a clearly labeled service container; (2) a locked area or cabinet clearly marked as pesticide storage; and (3) an area separated by a solid wall from areas where (A) food is stored; (B) food is served; or (C) students have access.

### **Pesticide Notification Registry**

**IC 15-16-5-Sec. 64.7.** (a) A school must send a notification to the parents and guardians of a student and the staff at the school that they may be added to a pesticide notification registry (1) at the start of each school year; or (2) during the school year when a student (A) enrolls in or (B) transfers to the school.

(b) An individual may request to be added to the registry at any time during the school year.

(c) Except as provided in subsection (e), a school must, by whatever means the school determines to be appropriate, provide individuals on the registry with a pesticide notice.

(d) The pesticide notice must include (1) the name or address of the school; (2) the licensed commercial applicator responsible for the application, including the applicator's (A) name, (B) license number; and

(C) telephone number; (3) the designee for information about the pesticide application if different than the applicator; (4) the anticipated date and time of the application; (5) the principal target pest; (6) a description of the application area; (7) each pesticide to be applied, including (A) the name of the manufacturer, (B) the United States Environmental Protection Agency registration number, and (C) the brand name; (8) if forty-eight (48) hours advance notice is not provided, an explanation of why it was not provided.

### **Advance Notification of Application**

(e) The pesticide notice must be provided at least forty-eight (48) hours in advance of a pesticide application on school property. However, a pesticide notice is not required for a pesticide application (1) made more than forty-eight (48) hours before a scheduled school day; or (2) described in section 64.5(b) of this chapter.