

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS

The Board of Education is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

TOXIC HAZARDS

These hazards exist in chemicals, pesticides, and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

- A. conduct a training program for all District employees that consists of the "Right to Know" training offered by the Illinois Department of Labor and includes such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling, etc. (23 Ill. Admin. Code 1.330);
- B. ensure that any staff member who applies pesticides on District property meets the requirements established by the State;
- C. maintain a registry of parents and employees who have registered to receive written notification prior to the application of pesticide(s);
- D. provide written notification, except as authorized by State law, at least two (2) days before any pesticide is applied, which identifies the date of the application, the name and telephone number of the school personnel responsible for the pesticide application;
- E. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with Material Safety Data Sheets (MSDSs);
- F. maintain a current file of MSDS for all hazardous materials present on District property.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

In accordance with Federal law, the District will designate a Chemical Hygiene Officer (CHO) to maintain safety standards regarding chemical usage within classrooms and other instructional areas. The CHO, who is qualified by training or experience, will provide technical guidance in the development and implementation of the Chemical Hygiene Plan.

ASBESTOS

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Illinois Occupational Safety and Health Act (IOSHA), the Board recognizes its responsibility to:

- A. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials

The Superintendent ***or designee*** shall appoint a person to develop and implement the District's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Superintendent ***or designee*** shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Illinois Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

The District may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The District reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

105 ILCS 5/10-20.17a

105 ILCS 105/1 et seq.

15 U.S.C. 2601

~~20 U.S.C. 4022~~

~~20 U.S.C. 4014~~

~~20 U.S.C. 4011~~

20 U.S.C. 4011 et seq.

29 C.F.R. 1910.1450(b)

Asbestos Hazard Emergency Response Act of 1986 (AHERA)

Asbestos School Hazard Abatement Act of 1984

Asbestos School Hazard Abatement Reauthorization Act of 1990

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To Policy 1/25/16