

**DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD**

Statutory Authority: 14 Delaware Code, Section 1205(b) (14 **Del.C.** §1205(b))
14 **DE Admin. Code** 1582

FINAL

REGULATORY IMPLEMENTING ORDER

1582 School Nurse

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

The Professional Standards Board, acting in cooperation and consultation with the Department of Education, seeks the approval of the State Board of Education to amend 14 **DE Admin. Code** 1582 School Nurse. The proposed regulation amends the additional training requirement under subsection 4.1.4.

Notice of the proposed regulation was published in the *Register of Regulations* on May 1, 2016 in the form attached hereto as Exhibit "A". Persons who wished to present their views regarding the proposed regulation were invited to do so in writing by May 31, 2016. The Professional Standards Board received written comments from the Governor's Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities, asking the Professional Standards Board to reconsider subsection 6.2, which requires a district or charter school to verify that a School Nurse continues to meet the requirements of subsections 4.1.1 through 4.1.3. The Professional Standards Board considered the written comments and decided not to make any changes to the proposed regulation at this time. The Professional Standards Board believes that the proposed amendments are designed to improve the quality of the Delaware educator workforce and benefit the student population of the state.

II. FINDINGS OF FACTS

The Professional Standards Board finds that it is appropriate to amend 14 **DE Admin. Code** 1582 School Nurse to amend the additional training requirement under subsection 4.1.4.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Professional Standards Board concludes that it is appropriate to amend 14 **DE Admin. Code** 1582 School Nurse.

Therefore, pursuant to 14 **Del.C.** §1203, the regulation attached hereto as Exhibit "A" is hereby proposed subject to the approval of the State Board of Education. If approved by the State Board of Education, the proposed regulation will have the force and effect of law.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 1582 School Nurse amended hereby shall be in the form attached hereto as Exhibit "A" and said regulation shall be cited as 14 **DE Admin. Code** 1582 School Nurse in the *Administrative Code*.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Professional Standards Board pursuant to 14 **Del.C.** §1203 on June 2, 2016. The effective date of this Order shall be ten (10) days from the date this Order is published in its final form in the *Register of Regulations*.

IT IS SO ORDERED the 2nd day of June, 2016 by the Professional Standards Board.

Bryon Murphy, Chairman
Diane Albanese
Amber Augustus
Jennifer Burton
Nelia Dolan

David Kohan, Vice Chairman
Gerald Allen (absent)
Linda Brown (absent)
Stephanie DeWitt
Laura Glass

Darren Guido
Darlene O'Neill
Stephanie Smith

Rosaria Macera
Mary Pinkston
Sue Smith

IT IS SO ORDERED the 16th day of June, 2016.

Department of Education

Steven H. Godowsky, Secretary of Education

Approved this 16th day of June, 2016 by the State Board of Education.

Teri Quinn Gray, Ph.D., President	Gregory B. Coverdale, Jr. (not present)
Jorge L. Melendez, Vice President	Terry M. Whittaker, Ed.D.
G. Patrick Heffernan	Nina L. Bunting
Barbara B. Rutt	

1582 School Nurse

1.0 Content

- 1.1 This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 **Del.C.** §1220(a), for School Nurse. This certification is required for all School Nurses providing services to children within the Delaware public school system.
- 1.2 Except as otherwise provided, the requirements set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

14 DE Reg. 1228 (05/01/11)

2.0 Definitions

The definitions set forth in 14 **DE Admin. Code** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

14 DE Reg. 1228 (05/01/11)

3.0 Standard Certificate

- 3.1 In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as a School Nurse to an educator who has met the following:
 - 3.1.1 Holds a valid Delaware Initial, Continuing, or Advanced License; or a Limited Standard, Standard or Professional Status Certificate issued by the Department prior to August 31, 2003; and,
 - 3.1.2 Has met the requirements as set forth in 14 **DE Admin. Code** 1505, Standard Certificate including any subsequent amendment or revision thereto: and
 - 3.1.3 Has satisfied the additional requirements in this regulation.

14 DE Reg. 1228 (05/01/11)

4.0 Additional Requirements

- 4.1 An educator must also have met the following additional education and licensure requirements:
 - 4.1.1 Holds a Bachelor's degree in Nursing (BSN) from a regionally accredited college or university; and,
 - 4.1.2 Holds and maintains a current Registered Nurse license, recognized by the Delaware Board of Nursing; and,
 - 4.1.3 Holds and maintains a valid and current certification in cardiopulmonary resuscitation (CPR) and in the use of an automatic external defibrillator (AED); and,
 - 4.1.4 Completes ~~within eighteen (18) months by the end of the second school year after date~~ of hire, ninety (90) clock hours of training approved by the Department consisting of ~~school nursing, health education, testing and screening, counseling and guidance, and introduction to exceptional children standards of practice, care coordination, leadership, quality improvement, and community/public health based off of the Framework for 21st Century School Nursing Practice.~~
- 4.2 An educator must also have met the following experience requirement:
 - 4.2.1 Has completed a minimum of three (3) years of supervised clinical nursing experience.

14 DE Reg. 1228 (05/01/11)

5.0 Expiration

- 5.1 A Standard Certificate shall expire if the educator:
 - 5.1.1 Fails to maintain a current Registered Nurse license, recognized by the Delaware Board of Nursing; or
 - 5.1.2 Fails to maintain valid and current certification in cardiopulmonary resuscitation (CPR) and in the use of an automatic external defibrillator (AED), or
 - 5.1.3 Fails to complete ~~within eighteen (18) months by the end of the second school year after date of hire,~~ ninety (90) clock hours of training consisting of ~~school nursing, health education, testing and screening, counseling and guidance, and introduction to exceptional children standards of practice, care coordination,~~ leadership, quality improvement, and community/public health based off of the Framework for 21st Century School Nursing Practice.

14 DE Reg. 1228 (05/01/11)

6.0 Verification of Eligibility and Reporting

- 6.1 Educators holding a School Nurse certificate shall do the following:
 - 6.1.1 Notify the Department immediately if they fail to meet the qualifications as a School Nurse.
 - 6.1.2 Annually notify the Department and affirm their continued eligibility for certification and if requested, provide documentation verifying their continued eligibility.
 - 6.1.3 If employed in the public school system, provide documentation to their employer of their current credentials including a valid nursing license, and CPR and AED certification.
 - 6.1.4 If not employed in the public school system, provide documentation to the Department of their current credentials including a valid nursing license, and CPR and AED certification.
- 6.2 Upon employment of a School Nurse, a district or charter school is responsible for verifying that the School Nurse continues to meet the requirements in subsections 4.1.1 through 4.1.3.
 - 6.2.1 The district or charter school must maintain documentation of the verification of initial credentials and maintain documentation of current credentials including a valid nursing license, and CPR and AED certification.
- 6.3 Districts and charter schools shall report information to the Department when they receive information that would result in the expiration of a School Nurse Standard Certificate.

Renumbered effective 6/1/07 - see Conversion Table

7 DE Reg. 633 (11/1/03)

14 DE Reg. 1228 (05/01/11)

20 DE Reg. 49 (07/01/16) (Final)