

DEPARTMENT OF EDUCATION
PROFESSIONAL STANDARDS BOARD

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

PROPOSED

1582 School Nurse

Educational Impact Analysis Pursuant To 14 Del.C. Section 122(d)

A. Type of Regulatory Action Requested

Amendment to Existing Regulation

B. Synopsis of Subject Matter of Regulation

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation 14 **DE Admin. Code** 1582 School Nurse. This regulation requires some formatting changes to conform to other Standard Certificates, and the updating of certification requirements. This regulation sets forth the requirements for a School Nurse.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on Friday, April 30, 2010 to Mr. Charlie Michels, Executive Director, Delaware Professional Standards Board, The Townsend Building, 401 Federal Street, Dover, Delaware 19901. Copies of this regulation are available from the above address or may be viewed at the Professional Standards Board Business Office.

C. Impact Criteria

1. Will the amended regulation help improve student achievement as measured against state achievement standards? The amended regulation addresses student achievement by establishing standards for the issuance of a standard certificate to educators who have acquired the prescribed knowledge, skill and/or education to practice in a particular area, to teach a particular subject or to instruct a particular category of students to help ensure that students are instructed by educators who are highly qualified.

2. Will the amended regulation help ensure that all students receive an equitable education? The amended regulation helps to ensure that all teachers employed to teach students meet high standards and have acquired the prescribed knowledge, skill and/or education to practice in a particular area, to teach a particular subject or to instruct a particular category of students.

3. Will the amended regulation help to ensure that all students' health and safety are adequately protected? The amended regulation addresses educator certification, not students' health and safety.

4. Will the amended regulation help to ensure that all students' legal rights are respected? The amended regulation addresses educator certification, not students' legal rights.

5. Will the amended regulation preserve the necessary authority and flexibility of decision-makers at the local board and school level? The amended regulation will preserve the necessary authority and flexibility of decision makers at the local board and school level.

6. Will the amended regulation place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels? The amended regulation will not place unnecessary reporting or administrative requirements or mandates upon decision makers at the local board and school levels.

7. Will decision making authority and accountability for addressing the subject to be regulated be placed in the same entity? The decision-making authority and accountability for addressing the subject to be regulated rests with the Professional Standards Board, in collaboration with the Department of Education, and with the consent of the State Board of Education.

8. Will the amended regulation be consistent with and not an impediment to the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language arts and social studies? The amended regulation will be consistent with, and not an impediment to, the implementation of other state educational policies, in particular to state educational policies addressing achievement in the core academic subjects of mathematics, science, language

arts and social studies.

9. Is there a less burdensome method for addressing the purpose of the amended regulation? 14 **Del.C.** requires that we promulgate this regulation.

10. What is the cost to the state and to the local school boards of compliance with the adopted regulation? There is no additional cost to local school boards for compliance with the regulation.

1582 School Nurse

1.0 Content

~~This regulation shall apply to the requirements for a Standard Certificate for School Nurses, pursuant to 14 **Del.C.** §1220(a).~~

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 grades preK to 12.

1.2 Except as otherwise provided, the requirements set forth in 14 **Del.C.** 1505 Standard Certificate, including any subsequent amendment or revision thereto, are incorporated herein by reference.

2.0 Definitions

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

~~"Department" means the Delaware Department of Education.~~

~~"Educator" means a public school employee who holds a license issued under the provisions of 14 **Del.C.** c.12, and includes teachers and administrators, and as otherwise defined by the Standards Board and the State Board pursuant to 14 **Del.C.** §1203, but does not include substitute teachers. For the purposes of this regulation, school nurses are considered educators.~~

~~"License" means a credential which authorizes the holder to engage in the practice for which the license is issued.~~

~~"Standard Certificate" means a credential issued to certify that an educator has the prescribed knowledge, skill or education to practice in a particular area, teach a particular subject, or teach a category of students.~~

~~"Standards Board" means the Professional Standards Board established pursuant to 14 **Del.C.** §1201.~~

~~"State Board" means the State Board of Education of the State pursuant to 14 **Del.C.** §104.~~

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

3.0 Standard Certificate

~~In accordance with 14 **Del.C.** §1220(a), the Department shall issue a Standard Certificate as a School Nurse to a nurse who 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 who meets the following requirements:~~

~~3.1 Bachelor's degree in Nursing or School Nursing from an accredited college or university; and,~~

~~3.2 Current RN license, recognized by the DE Board of Nursing; and,~~

~~3.3 A minimum of three years clinical nursing experience; and~~

~~3.4 Valid and current certification in CPR.~~

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.

4.0 Induction Requirements

4.1 Pursuant to ~~14 Del.C. §1510, 4.2 and 14 Del.C. §1511, 3.0~~, during the term of the Initial License as an educator, a school nurse must complete 90 clock hours of training consisting of school nursing, health education, testing and screening, counseling and guidance, and introduction to exceptional children. Failure to meet this requirement will result in the denial of a Continuing License. (See ~~14 Del.C. §1511, 3.0~~).

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 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.

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.

5.0 Revocation

5.1 ~~A Standard Certificate; or a Limited Standard, Standard or Professional Status Certificate as a School Nurse issued prior to August 31, 2003 may be revoked in accordance with 14 Del.C. §1514 for:~~

~~5.1.1 Making a materially false or misleading statement in a certificate application; or~~

~~5.1.2 Revocation of a license issued under 14 Del.C. c.12; or~~

~~5.1.3 Failure to maintain a current license as a registered nurse in the State of Delaware; or~~

~~5.1.4 Failure to maintain valid and current certification in CPR.~~

5.0 Suspension

5.1 A Standard Certificate shall be suspended 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).

5.1.3 Fails to complete within eighteen (18) months 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.

5.2 The Standard Certificate shall be suspended until the Department receives valid documentation of the attainment of or successful completion of the requirements in Sections 4.1.2, 4.1.3, or 4.1.4.

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

13 DE Reg. 1270 (04/01/10)

Renumbered effective 6/1/07 - see Conversion Table