

The background of the slide is a composite image. The top left portion shows two yellow school buses parked on a street. The bottom left portion shows a classroom with blue walls, decorated with colorful balloons and framed pictures. Several small white tables and chairs are arranged in the room.

Understanding School Health Services Program Requirements

Angie McDonald, ADN, RN, NASSNC

KDE State School Nurse Consultant

Michelle Malicote, BSN, RN, NASSNC

KDPH School Health Branch Manager

2022



Kentucky Department of
E D U C A T I O N

Objectives:

- Understands federal laws as it pertains to clinical services
- Understands Kentucky laws/regulations as it related to school health
- Understands Kentucky education laws/regulations as it related to school health
- Understands Kentucky public health laws/regulations as it relates to school health
- Understands Kentucky nursing laws as it relates to nursing practice



What are the School-Related Federal Laws?

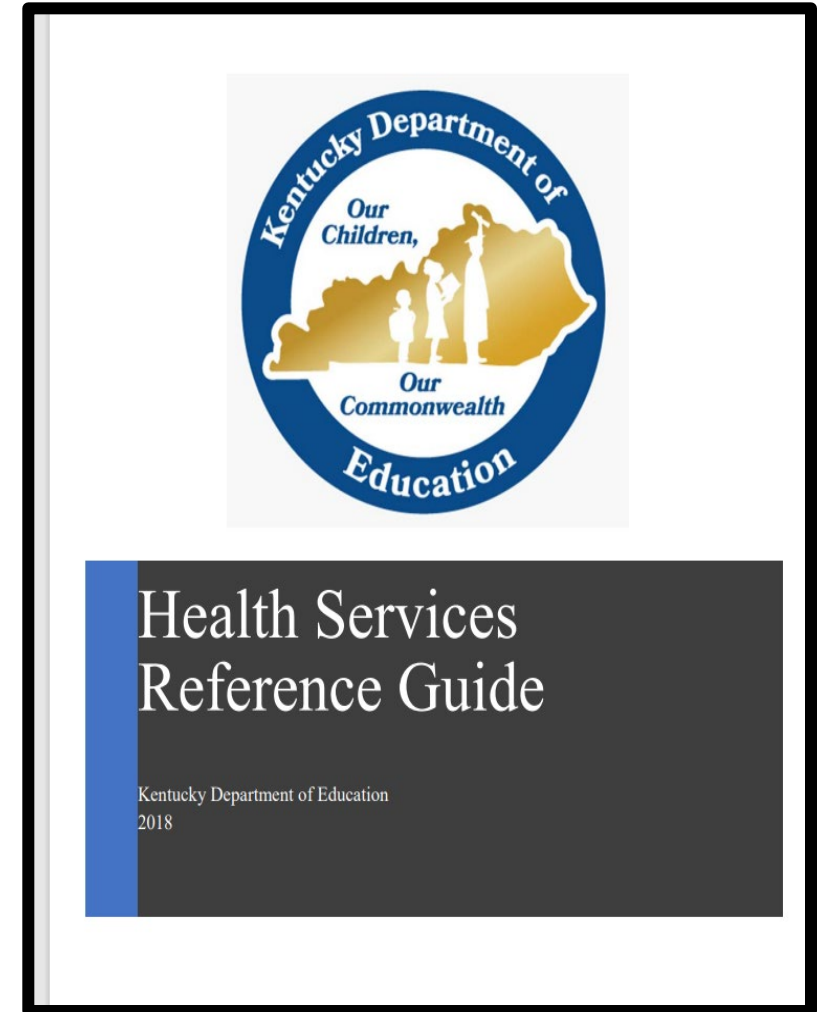
- [Individuals with Disabilities Education Act \(IDEA\)](#) IDEA – 34 CFR 300.34 (13)
- [Section 504, Rehabilitation Act of 1973 | U.S. Department of Labor \(dol.gov\)](#)
- [Health Insurance Portability and Accountability Act of 1996 \(HIPAA\) | CDC](#)
- [Family Educational Rights and Privacy Act \(FERPA\) | CDC](#)

What are the School-Related State Laws?

- KRS 156.502 [156.502 \(ky.gov\)](#)
Health services in school setting – Designated provider – Liability protection.
- KRS 314.021 [Delegation and Supervision - Kentucky Board of Nursing](#)
Kentucky Board of Nursing: Delegation and Supervision
- KRS 158.838 [158.838.pdf \(ky.gov\)](#)
Emergency administration and self-administration of diabetes and seizure disorder medications

Other Resources:

- All other federal (CFR), state laws (KRS) and administrative regulations (KAR) compliment these
- Listing of all laws on health services delivery available in [KDE Health Services Reference Guide \(2018\)](#)



Kentucky Education Laws/Regulations:

- **Statutes** (laws) are written laws passed by a legislative body, that describe role of the local school board, student enrollment requirements, attendance requirements and school health services administration.
- **Regulations** can be defined as the rules that are authorized by the government and approved by the public, in order to comply with law that was passed from the legislature.

Statutes:

- Are laws that mandate a requirement or compliance
 - Example: [KRS 156.160](#) requires written standards for school entrance
 - Physical Exam
 - Vision Exam
 - Dental Exam or Screening

Administrative Regulations:

- Describe the way a statute (law) will be implemented
 - Example: [702 KAR 1:160 School Health Services](#)
 - Describes when student must have the required exams and immunizations
 - Forms to be used
 - How these records will be stored at school

How a Bill Becomes a Law:

1. Bill introduced into House or Senate and assigned to a committee
2. Committee determines whether bill will pass out of committee or not
3. If passed out of committee, voted on by first legislative chamber (House or Senate)
4. If passed, goes to the other chamber (House or Senate)
5. If both chambers vote to pass bill, goes to Governor to be signed into law



KRS 156.502?

- Is a Kentucky Education statute (law)
- Requires school districts to provide any necessary health service to student who needs the health service to attend school or a school sponsored function
- Does not specify how school district is to provide the service, only says they must provide it (gives flexibility to school district)

KRS 156.502 (Continued)

- **Defines school health services:**
 - Administration of medications
 - *Provides exemption from liability for unlicensed school personnel if trained and delegated
 - Operation or maintenance of health care through use of medical equipment
 - Administration of a clinical procedure
- NOTE:** Does **not** include ER meds or first aid



702 KAR 1:160 - School Health Services

- This administrative regulation is necessary or advisable for the protection of the physical welfare and safety of the public-school children.
- It describes health exams and forms necessary for employment or to enroll in school:
 1. School Employee Medical Examinations conducted prior to initial employment
 2. Preventive Student Health Care Examinations:
 - Within one year prior to entry into school
 - Within one year prior to entry into 6th grade
 - Out-of-state transfer shall be required to submit documentation of a preventative health care examination.



702 KAR 1:160 - School Health Services (Cont.)

- Delegation to Perform Medication Administration. A local board of education shall require proof that all unlicensed school personnel who have accepted delegation to perform medication administration in school have completed a training course provided by the department or allowed under [KRS 158.838 \(1\)\(c\)](#)
- The department's course shall be developed in consultation with the KBN to ensure compliance with:
- [201 KAR 20:400](#)
- [KRS 156.502](#)

702 KAR 1:160 - School Health Services (Cont.)

- A school shall have emergency care procedures, which shall include: (a) First aid facilities meeting the requirements of 702 KAR 4:170, including provisions for designated areas for the child to recline;

Facility programming and construction criteria

- A requirement that whenever children are present during school hours, there shall be at least one adult present in the school who is certified in a standard first aid course which includes CPR for infants and children

702 KAR 1:160 - Health Records (part 1)

- Describes what health records should be kept and how they should be stored:
 - Student Cumulative Folder (Paper File) shall be initiated upon enrollment and maintained throughout the student's attendance
 - Can be maintained electronically in Kentucky Student Information System (KSIS), currently Infinite Campus



702 KAR 1:160 - Health Records (part 2)

1. Screening tests related to growth and development, vision, hearing and other health-related components.
2. Proof of a vision examination by an ophthalmologist or optometrist, provided on the [Kentucky Eye Examination Form for School Entry](#) form. This evidence will be submitted to the school no later than Jan. 1 of the first year that a child is enrolled in public school, public preschool or Head Start program.
3. Proof of a dental screening or examination by a dentist, dental hygienist, physician, registered nurse, advanced registered nurse practitioner or physician assistant provided on the [Kentucky Dental Screening/Examination Form for School Entry](#) form. This evidence shall be presented to the school no later than Jan. 1 of the first year that a 5 or 6-year-old is enrolled in public school.

702 KAR 1:160 - Health Records (part 3)

4. Documentation of physical completed and signed by an authorized provider within a one year prior to initial entry into school, as well as one year prior to 6th-grade entry. These exams will be reported on the “Preventative Health Care Examination Form” [School Physical Form 2013](#)



702 KAR 1:160 - Health Records (part 4)

**COMMONWEALTH OF KENTUCKY
CERTIFICATE OF IMMUNIZATION STATUS**

Certificate Issuing Office Name and Address

Name of Child: _____ Birthdate: _____
(Last) (First) (Middle) (Suffix) (MM/DD/YYYY)

Name of Parent: _____
(Last) (First) (Middle) (Suffix)

Address: _____
(Street) (City) (State) (Zip Code)

VACCINE	DOSE 1 MM/DD/YYYY	DOSE 2 MM/DD/YYYY	DOSE 3 MM/DD/YYYY	DOSE 4 MM/DD/YYYY	DOSE 5 MM/DD/YYYY
Hepatitis B	/ /	/ /	/ /	/ /	/ /
Alt. Adult Hepatitis B ¹	/ /	/ /	/ /	/ /	/ /
DTaP/DTP/DT	/ /	/ /	/ /	/ /	/ /
Hib ¹	/ /	/ /	/ /	/ /	/ /
Pneumococcal (PCV13)	/ /	/ /	/ /	/ /	/ /
Polio	/ /	/ /	/ /	/ /	/ /
Influenza	/ /	/ /	/ /	/ /	/ /
MMR	/ /	/ /	/ /	/ /	/ /
Varicella	/ /	/ /	/ /	/ /	/ /
Hepatitis A	/ /	/ /	/ /	/ /	/ /
Meningococcal	/ /	/ /	/ /	/ /	/ /
Td	/ /	/ /	/ /	/ /	/ /
Tdap	/ /	/ /	/ /	/ /	/ /
Rotavirus	/ /	/ /	/ /	/ /	/ /
HPV	/ /	/ /	/ /	/ /	/ /
Men B	/ /	/ /	/ /	/ /	/ /
Pneumococcal (PPSV23)	/ /	/ /	/ /	/ /	/ /

¹Alternative two dose series of approved adult hepatitis B vaccine for adolescents 11 through 15 years of age. ²DTaP, DTP, or DT. ³Hib not required at 5 years of age or more.

☐ This child is current for immunizations until ____/____/____ (14 days after the next shot is due) after which this certificate is no longer valid, and a new certificate must be obtained.

☐ This child is not up-to-date at this time. This certificate is valid until ____/____/____ (14 days after the next shot is due) after which this certificate is no longer valid, and a new certificate must be obtained.

Reason child is not up-to-date:

☐ **Provisional Status** - Child is behind on required immunizations.

☐ **Medical Exemption** - The following immunizations are not medically indicated: _____

If Medical Exemption, can these vaccines be administered at a later date? No: ____ Yes: ____ Date: ____/____/____

☐ **Religious Exemption**

I CERTIFY THAT THE ABOVE NAMED CHILD HAS RECEIVED IMMUNIZATIONS AS STIPULATED ABOVE.

5. All students are required have a valid COMMONWEALTH OF KENTUCKY CERTIFICATE OF IMMUNIZATION STATUS on file at school at all times (refer to 902 KAR 2:060 for details on exceptions and exemptions).



Kentucky Public Health Laws and Regulations:

- Promote health and prevent disease
- Statutes include:
 - Immunization requirements
 - Immunization exemptions
 - Closing of school for epidemic
- [Immunization schedules](#)
- [Immunization reporting](#)
- [School sanitation and first aid requirements](#)

School Nursing Laws:

- KY Board of Nursing (KBN) is the licensing agency and determines the scope of nursing practice, including in the school setting
- Statutes describe the scope of practice for APRN, RN and LPN
- Regulations describe implementation of scope of practice
- **A Nurse's Responsibility and Accountability**
- *Each nurse is individually responsible and accountable for their individual acts based upon the nurse's education and experience. Each nurse must exercise professional and prudent judgment in determining whether the performance of a given act is within the scope of practice for which the nurse is both licensed and clinically competent to perform. See [KRS 314.021](#)*

School Nursing Laws (Cont.)

- Unlicensed school personnel do not have a “scope of practice” and must be supervised.
- School nurses should know for their state:
 - ✓ Nursing laws
 - ✓ Nursing scope of practice
 - ✓ Education laws on providing school health services

Local School Policy and Procedures:

- School Policy- a document that states how the school district will implement a statute and/or regulation
- Provide support and directs protocols or procedures
- Policies may protect schools, employees and/or students
- School districts may subscribe to Kentucky School Board Association (KSBA) policy writing service. Service provides template which district can customize to suit district needs

Procedures and Protocols:

- Protocols/Procedures – step-by-step actions on implementing the related policy; may not require local board approval
- Local school board policy/procedure must comply with the state's stature (KRS) and/or administrative regulation (KAR)
- Local Site-Based Councils must comply with school board policy



Kentucky School Health Forms:

- [Student Exam](#)
- [Vision Form](#)
- [Dental Form](#)
- [Commonwealth of Kentucky Certificate of Immunization Status](#)
- [KHSAA Forms | Kentucky High School Athletic Association](#)

District Forms:

Should include the minimum of the following:

- ✓ Student health history
- ✓ Authorization or Consent for treatment

Should be updated yearly!

Contracted School Health Services:

- Districts have the freedom to determine how to best provide health services and may contract with outside agencies to do so.
 - Local health department
 - Federally qualified health care center
 - Local hospital





Contracts:

- School district policies and procedures that have been established by the local board of education govern **all** activities and staff that operate on all school properties.
- Contract between the school district and contracting agency needs to include language for compliance with school policies, procedures and school forms.

Important People to Know:

- Superintendent – “CEO” for school district
- Assistant Superintendent/Deputy Superintendent – Assists in district operations
- Director of Pupil Personnel (DPP) – Involved with student attendance, truancy, day-to-day operations of district
- District Health Coordinator (DHC) – Responsible for the oversight of all school health services, including necessary services for school sponsored functions

Other Important People:

- School Principal – Building level school administrator
- School Nurse – Assigned to perform daily school nursing services
 - RN – May also be district health coordinator
 - LPN – Must be supervised by RN
 - ✓ LPNs may **not** delegate nursing tasks

Other School Health Staff:

- School Health Technician - (2014) An unlicensed school employee hired for the purpose of assisting the RN in the administration of school health services and has completed all the training requirements per KRS 156.502
- Unlicensed school personnel - School employee who consents to be trained and delegated to provide a health service per KRS 156.502

Key People:

- Family Resource Youth Service Center Director (FRYSC) – Provides assistance to at-risk students and their families
- Community stakeholders
 - ✓ Local health department
 - ✓ Community hospital
 - ✓ Physician offices
 - ✓ Local churches



Resources:

- [KDE Health Services Reference Guide](#)
- [KDE Student Health Services Webpage](#)
- [Kentucky School Board Association](#)
- [Kentucky Board of Nursing](#)
- [National Association of School Nurses](#)
- [Kentucky School Nurse Association](#)

Contact Information:

Angie McDonald, ADN, RN, NASSNC
KDE State School Nurse Consultant
Angela.Mcdonald@education.ky.gov

Michelle Malicote, BSN, RN, NASSNC
KDPH School Health Branch Manager
Michelle.Malicote@ky.gov



EDUCATION