



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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The Honorable John Carney
Governor

John McNeal
SCPD Director

MEMORANDUM

DATE: March 20, 2017

TO: All Members of the Delaware State Senate
and House of Representatives

FROM: Ms. Jamie Wolfe, Chairperson
State Council for Persons with Disabilities

RE: H.B. 50 (School Nurse Funding)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 50, which ensures that every public school in the State has a school nurse. It provides a mechanism to allow a district or a charter school that currently does not have a school nurse to receive state funds and also permits a district to levy a tax under § 1902(b), Title 14, known as a "match tax", to assist those districts that hire a school nurse as a result of this Act to pay for the local share of that school nurse.

The legislation is similar to H.B. No. 12 (introduced in 2015) and H.B. No. 263 (introduced in 2014). Neither of the predecessor bills received a vote by the full House. The fiscal note for H.B. No. 12 reflected a State share of approximately \$1.5 million. The SCPD endorsed both predecessor bills.

As background, the attached Title 14 Del.C. §1310 currently authorizes school nurse funding for districts based on 1 nurse per 40 state units of pupils. Districts are also required to have "at least 1 school nurse per facility". If the "1-40" funding formula is insufficient to provide for 1 nurse per facility, the districts are directed to use either Division III equalization funds (§1707), academic excellence funds (§1716), or discretionary local operating expense funds to make up the shortfall.

The implication of the synopsis to H.B. No. 50 is that some public schools lack a nurse despite the statutory requirement. Problems associated with the lack of school nurse in each facility are

outlined in the attached News Journal article, "A nurse in every Delaware school" (February 2, 2017). The bill authorizes public schools to apply for supplemental State funds subject to annual appropriations. The bill also authorizes a district which receives the supplemental State funds to increase its local tax to pay for the local share of employment costs without referendum. See lines 25-26 and Title 14 Del.C. §1902(b).

The SCPD is endorsing the proposed legislation. The availability of school nurses has several salutary effects. First, it promotes inclusion of students with disabilities who may require some nursing services to be successful in integrated settings. Second, it facilitates screening of students for health problems. Third, it facilitates quick response in the event of a student injury or emergency (e.g. seizure). However, the sponsors may wish to consider an amendment. The attached §1310(b) only applies the requirement of a nurse in each facility to school districts, not charter schools. Therefore, it is somewhat anomalous for H.B. No. 50 to refer to the requirement that only applies to districts and then authorize supplemental funding for both districts and charter schools. It would be preferable to require both district and charter schools to have a school nurse in each facility.

Thank you for your consideration and please contact SCPD if you have any questions regarding our position or observations on the proposed legislation.

cc: Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

HB 50 school nurse funding 3-20-17

§ 1310 Salary schedules for school nurses.

(a) All nurses who hold appropriate certificates shall be paid in accordance with § 1305 of this title effective July 1, 1979.

(b) A reorganized school district may employ personnel to be paid for 10 months per year from state funds pursuant to this section in a number equal to 1 for each 40 state units of pupils, except that in schools for the physically handicapped within the district the allocation shall be in accordance with the rules and regulations adopted by the Department with the approval of the State Board of Education; provided further, that each reorganized school district shall ensure that it has at least 1 school nurse per facility. To the extent that the funding formula outlined above does not provide for 1 school nurse per facility, each reorganized school district shall meet this requirement out of funding provided under § 1707 or § 1716 of the title, or out of discretionary local current operating expense funds. Districts shall qualify for partial funding at the rate of 30% of the fractional part of 40 state units of pupils.

46 Del. Laws, c. 48, § 3; 47 Del. Laws, c. 195, § 1; 48 Del. Laws, Sp. Sess., c. 489, § 3; 14 Del. C. 1953, § 1310; 50 Del. Laws, c. 261, § 4; 50 Del. Laws, c. 602, § 1; 52 Del. Laws, c. 344, § 8; 54 Del. Laws, c. 43, § 6; 55 Del. Laws, c. 409, § 4; 56 Del. Laws, c. 143, § 3; 56 Del. Laws, c. 292, § 13; 56 Del. Laws, c. 470, § 3; 57 Del. Laws, c. 333, § 8; 58 Del. Laws, c. 189, § 3; 58 Del. Laws, c. 305, §§ 3, 8, 9; 58 Del. Laws, c. 553; 59 Del. Laws, c. 34; 60 Del. Laws, c. 31, § 1; 61 Del. Laws, c. 407, § 3; 61 Del. Laws, c. 409, § 106; 62 Del. Laws, c. 36, § 1; 62 Del. Laws, c. 68, §§ 42(e), 105; 62 Del. Laws, c. 86, § 39; 70 Del. Laws, c. 118, § 317; 70 Del. Laws, c. 210, § 90; 70 Del. Laws, c. 290, §§ 38, 39; 71 Del. Laws, c. 180, § 68; 75 Del. Laws, c. 350, § 382.;

A nurse in every Delaware school

Jessica Bies, The News Journal Published 12:39 p.m. ET Feb. 2, 2017 | Updated 12:53 p.m. ET Feb. 2, 2017



(Photo: Jason Minto/The News Journal)

It was Becky Gravatt's first week as a school nurse, and as she stood watching one of her students get taken away in an ambulance, all she could think was "What have I gotten myself into?"

An even bigger question, perhaps?

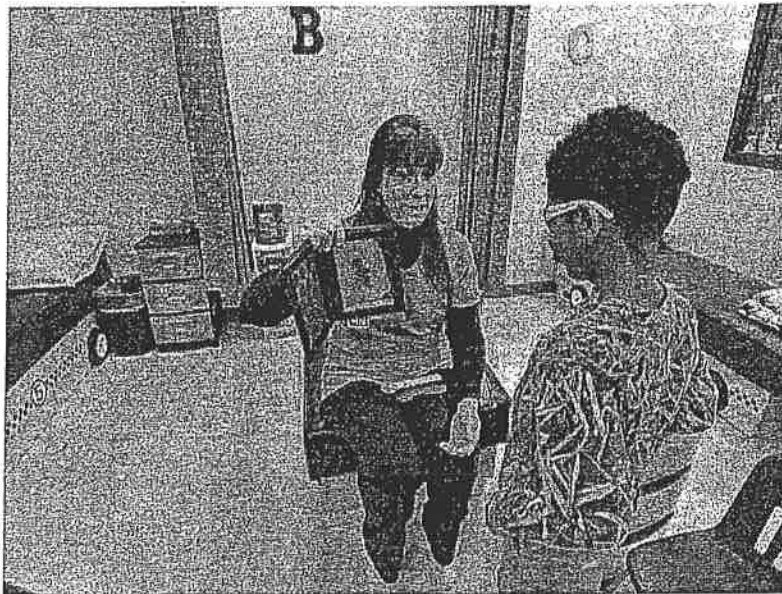
What would have happened if Gravatt hadn't "gotten herself into" it?

A school without a dedicated nurse is something Gravatt doesn't even want to think about, she said Monday.

"It could absolutely be dangerous, and I can hardly think of a school that doesn't have children in it, that can't have a nurse in it," she said. "... If our state became a state like that, it would be absolutely awful."

Funding for school nurses proposed

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Becky Gravatt, school nurse at McIlvaine Early Childhood Center in Magnolia, performs a visual screening on kindergartener NiYaire Scott. (Photo: Jason Minto/The News Journal)

Fortunately for Gravatt and other Delaware school nurses, a local legislator is working to make sure that doesn't happen.

Rep. Earl Jaques, D-Glasgow, recently introduced a bill he says would help ensure every school in Delaware has a school nurse by providing them additional state funding for the position. He said he also wants to make sure buildings don't have to share a nurse.

The bill would also allow districts to levy a "match tax" to help pay for the local share of a school nurse — currently, school districts have to cover the gap between the amount of funding they get from the state and the actual nurse's salary using their discretionary funds.

STORY: [Details emerge from Smyrna prison siege \(/story/news/crime/2017/02/02/delaware-prison-hostage-employee-killed/97388146/\)](http://www.delawareonline.com/story/news/crime/2017/02/02/delaware-prison-hostage-employee-killed/97388146/)

STORY: [Vaughn prison teacher describes ordeal \(/story/news/2017/02/01/prison-teacher-describes-ordeal/97380048/\)](http://www.delawareonline.com/story/news/2017/02/01/prison-teacher-describes-ordeal/97380048/)

"Several years ago a law was passed in Delaware requiring all (reorganized) public schools to have a school nurse on site," said Beth Matthey, lead school nurse at Brandywine School District and president of the National Association of School Nurses.

"... As I understand the law, this would require that charter schools follow the same requirements as public schools and provide a certified school nurse in the schools," she added. "Currently, 70 percent of the funding for school nurses comes from the state and 30 percent comes from local funds."

A nurse in every Delaware school



Caesar Rodney School District nurse Nicole Harper, left, and Becky Gravatt, school nurse at McIlvaine Early Childhood Center in Magnolia, give kindergartner Makayli Arqeta a visual screening exam. (Photo: Jason Minto/The News Journal)

Much of the work school nurses do is planning for and preventing a potential health crisis, Mattey said. It's much more than caring for sick or injured children. School nurses promote health, model healthy behaviors and provide education to students on wellness.

"They may also be involved in 'garden to table' activities that promote healthy eating, sponsor health fairs to help educate the community on resources within the community, or sponsor activities to promote a healthy lifestyle," she said.

STORY: [February declared Teen Dating Violence Awareness month \(/story/news/education/2017/02/01/wil-teen-dating-violence/97282136/\)](#)

STORY: [Hundreds of eighth-graders get free 'Hidden Figures' ticket \(/story/news/education/2017/01/31/hundred-8th-graders-get-free-hidden-figures-tickets/97287750/\)](#)

Their very presence can help transform a school into a healthy community, Mattey believes.

"I believe all students should have a school nurse, all day every day," she said. "... If you think of the wide range of issues children bring to school, it is clear that a knowledgeable licensed professional school nurse must be available to care for the needs of our students. There are more students with chronic conditions such as asthma, life-threatening allergies or epilepsy. Nationally, school nurses report that they spend 32 percent of their time handling mental health issues of students. School nurses prevent emergencies daily by recognizing and seeking early intervention and treatment for potential health emergencies. "

No downtime for school nurses

Gravatt, lead nurse at Caesar Rodney School District, doesn't have a lot of free time.

"I'm sorry, just a second," she said Monday, setting down the phone for the third or fourth time that morning.

"Are you OK honey? Are you going to puke?" she asked a kindergartner at McIlvaine Early Childhood Center.

Just minutes before, Gravatt had administered medicine to another student.

"Here you go, open your mouth. That's right. Go back to class now."

On a typical day, between 80 to 100 kids may stream through her office, Gravatt said. Some have serious illnesses or medical conditions such as diabetes, asthma or cancer. Others just have tummy aches.

Gravatt, one of 16 nurses employed by the district, listens to each child's complaint carefully.

A nurse in every Delaware school



Becky Gravatt, school nurse at McIlvaine Early Childhood Center in Magnolia, gives kindergartner Makayli Arqeta a high five after reading a visual chart during a visual screening. (Photo: Jason Minto/The News Journal)

She knows the consequences of not doing could be incredibly severe. She's heard stories from other states that don't require each school to have a nurse on duty at all times and do not fund the positions even to the extent that Delaware does.

In 2014, a 7-year-old Philadelphia student died in a school with no on-duty nurse, and he was not the first one, it was soon revealed.

The absence of school nurses had become commonplace in a state where multiple districts had been subjected to withering budget cuts, and as a result had to reduce staff hours and positions.

"There is no net for the staff or the children," Ann Smigiel, a part-time nurse at the school, told the Philadelphia "CityPaper" after the incident. "There's no requirement to have any kind of medical team. It's my job as the nurse to make sure there's an emergency plan, and basically, it is 911... The equipment isn't there, nothing is there for them."

Smigiel was only on duty at the school on Thursday and every other Friday. The boy fell ill on a Wednesday.

Even when a school nurse is on duty, there's always a risk of something bad happening Gravatt said.

"Things that look so trivial can be so much more sometimes."

Someone has to be there to catch things and take life-saving measures when needed.

"Granted, every week isn't like that," Gravatt said. "But it could happen.

"I would be really dangerous having unlicensed professionals taking care of these students."

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