



STATE OF ALABAMA
DEPARTMENT OF EDUCATION



Juliana T. Dean, LL.M.
Proxy for Alabama State Board
of Education and General Counsel

April 11, 2016

MEMORANDUM

TO: City and County Superintendents of Education

FROM: Sherrill W. Parris
Senior Deputy State Superintendent of Education

RE: School Nurse Legislation (Act 2009-280)

Several questions have arisen related to school nurse legislation and career and technical education (CTE) health science teachers. In response to these questions, the Alabama State Department of Education, Prevention and Support Services and Career and Technical Education/Workforce Development Sections, have provided the following direction and guidance to lead nurses and administrators:

1. Must each school system employ a school nurse in the system?
Yes. The *School Nurse Act* (Act 2009-280) states that “The State Department of Education and the Alabama Institute for Deaf and Blind shall require the employment of school nurses in each local school system.”
2. Must each school system employ a designated (lead or supervising) registered nurse?
Yes. The law (Act 2009-280) states “Each local school superintendent shall designate one registered nurse for the entire school system whose responsibilities shall include annually providing a full and comprehensive assessment of all student health needs within that system.” Based upon the assessment findings, the designated nurse shall make a recommendation to the local school superintendent concerning the implementation and coordination of student health needs.
3. Can the school nurse staffing of the school system be changed annually?
Yes. The school nurse staffing should be reflective of the designated registered nurses assessment of all student health needs and acuity of care within the system, as stated in Question #2.
4. Can a nurse be employed in a teaching position and function in the capacity of a school nurse?
No. Licensed nurses who are employed in teaching positions may not perform **routine** duties of a licensed nurse in a school nurse position. The nurse employed is restricted to

Alabama
State Board
of Education

Governor
Robert Bentley
President

Matthew S. Brown, J.D.
District I

Betty Peters
District II

Stephanie Bell
District III

Yvette M.
Richardson, Ed.D.
District IV
President Pro Tem

Ella B. Bell
District V

Cynthia McCarty, Ph.D.
District VI

Jeff Newman
District VII
Vice President

Mary Scott Hunter, J.D.
District VIII

Juliana T. Dean, LL.M.
Proxy for Alabama
State Board of
Education and
General Counsel

City and County Superintendents of Education
Page2
April 11, 2016

the activities described in the job description of that specific position. In an emergency, all licensed nurses shall respond and provide care to the highest level of licensure held. Therefore, coverage of emergency drugs may be acceptable in some incidences when determined by the lead nurse and administrator to be safe and appropriate.

I hope this provides clarity to the questions posed. If you have any further questions, please contact Ms. Jennifer Ventress, Nurse Administrator, at 334-242-8174 or e-mail at jventress@alsde.edu, or Mrs. Collie Wells, Education Administrator, at 334-242-9113 or e-mail at cwells@alsde.edu.

SWP/JV/SF

cc: City and County Career and Technical Education Directors
Lead Nurses
Health Care Supervisors
High School Principals
Dr. Philip C. Cleveland
Mrs. Collie Wells

FY16-2055