

RESOLUTION 26-051- Approval of Amended Board Policy EBBA-Student Health Services (Highly Recommended)

Background: Senate Bill 2948 (2025, now in ORS 342.458) added language regarding nurse delegation. This update reflects the new language.

ORS 342.458 was enacted to clarify the roles and responsibilities related to the supervision of school nurses. The law establishes that administrators and other non-nursing staff may supervise and evaluate school nurses as employees, including matters such as work hours, work locations, workload, and other employment-related responsibilities. However, individuals who are not nurses may not direct a school nurse in the professional practice of nursing.

The law also clarifies that school nurses or registered nurses responsible for coordinating nursing services are responsible for coordinating student care when that care falls within the practice of nursing. It does not require districts to provide clinical supervision for school nurses and does not prevent administrators or other staff from consulting with nurses regarding nursing practice or student safety. The primary purpose of the law is to distinguish administrative supervision from professional nursing judgment and practice.

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee has reviewed and discussed Board Policy EBBA – Student Health Services; and

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee recommends the Board adopt Board Policy EBBA-Student Health Services;

NOW THEREFORE BE IT RESOLVED, that Board Policy EBBA-Student Health Services is approved as written or as further modified.

BE IT FURTHER RESOLVED, that if no further discussion is required, Board Policy -EBBA-Student Health Services is approved as proposed and does not require a second reading.

Multnomah Education Service District

Code: **EBBA**
Adopted: 6/18/24
Revised/Readopted: 9/15/26

Student Health Services*/**

Although the MESD's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The MESD shall maintain a written prevention-oriented health services plan for all students. The health services plan will¹:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;
2. Refer to available communicable disease prevention and management plan that includes school-level protocols²;
3. Outline an MESD-to-school communication plan³;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed⁴;
6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students⁵;
8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school⁶;

¹ For exact language and complete requirement see OAR 581-022-2220(1).

² For specific protocol content requirements see OAR 581-022-2220(1)(b).

³ For requirements of this plan see OAR 581-022-2220(1)(c).

⁴ For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

⁵ For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

⁶ For definitions for this policy see ORS 336.201.

9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids⁷;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law⁸;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities⁹; and
12. Each school shall have, at a minimum, at least one staff member with a current first aid/CPR/AED card for every 60 students enrolled, as set by ORS 339.345 and 342.664 and who are trained annually on the district and building emergency plans. Emergency planning will include the presence of at least one staff member with a current first aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.

Any nurse(s) employed by the MESD and providing services to students and the MESD shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 - 0060.

A nurse employed by the MESD shall follow all applicable requirements of Oregon Revised Statutes (ORS) Chapter 678 and Oregon Administrative Rule (OAR) Chapter 851. This includes, but is not limited, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹⁰

An administrator or other staff who is not a nurse may supervise, evaluate or direct a school nurse or registered nurse for purposes related to the nurse's role as a school employee, including but not limited to assigning the nurse's work hours, locations and workload and other matters addressed through a collective bargaining agreement. An administrator may not direct the school nurse or registered nurse in the practice of nursing.

A nurse employed by the MESD will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

The MESD provides a menstrual product dispenser with a variety of products in every student bathroom¹¹ which meets the requirements of law.

END OF POLICY

⁷ OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

⁸ Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

⁹ For guideline requirements see OAR 581-022-2220(1)(k).

¹⁰ For additional delegation requirements see OAR [851-047-0030](#).

¹¹ ["Student bathroom" means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)]

Legal Reference(s):

[ORS 329.025](#)
[ORS 334.125](#)
[ORS 336.201](#)
[ORS 336.204](#)
[ORS 336.211 - 336.214](#)
[OAR 581-021-0017](#)
[OAR 581-021-0031](#)
[OAR 581-021-0587](#)
[OAR 581-021-0590](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)
[OAR 581-022-2515](#)

Every Student Succeeds Act of 2015, 20 U.S.C. § 8548 (2018).
Family Education Rights and Privacy Act 20 U.S.C. § 1232g (2018).