

Kriha Law LLC is an education law firm representing boards of education, public school districts, special education cooperatives, charter schools, and private schools. This is attorney advertising and should not be considered legal advice. Please contact an attorney for advice on specific legal issues.

# School Nurses and Medical Reviews

Hiring a school nurse? If he/she will be completing medical reviews, as defined on page 2, special qualifications are necessary and hiring practices/documentation take on heightened importance.

Effective July 1, 2016, the Illinois State Board of Education (ISBE) requires that a medical review conducted for the purpose of determining special education eligibility (including any resulting recommendations) must be completed by an individual who holds a professional educator license (PEL) endorsed as a school nurse (commonly referred to as a certified school nurse).

Understanding that certified school nurses are in high demand, ISBE generally allows an alternative certification if the nurse meets all of the following criteria:

- Employed by the district as of 6/30/16
- Licensed as a registered professional nurse
- Bachelor's degree in nursing, education, or a related field
- Successful completion of an ISBEapproved training course or test

# Hiring Requirements \*It's Complicated

The landscape changed for hiring school nurses after the law went into effect on July 1, 2016. If a school district does not employ a nurse who meets these criteria and the position is open for hire, the school district must demonstrate that it attempted to hire a certified school nurse, evidenced by written documentation such as job postings.

The posting for a certified school nurse position must meet certain requirements set forth in the *Illinois School Code*: "the holder of such an endorsement is entitled to all of the rights and privileges granted holders of any other Professional Educator License, including teacher benefits, compensation, and working conditions."

The school district must retain all job posting documents with the date of publication or notice for the entire duration of employment of the practitioner recruited, if they are not a certified school nurse.



If a certified school nurse is not ultimately hired, a school district may hire a licensed registered professional nurse who holds a bachelor's degree in nursing, education, or a related field. This individual must obtain a special designation to complete medical review by either 1) successfully completing the online course offered by ISBE - RN's in School—Expanding Your Special Education Rule within 12 months from the date of hire or 2) passing the School Nurse Content Test #182 offered by the Illinois Licensure Testing System.

One final option, in the event the school district is unable to hire a certified school nurse, the district may hire an individual who already holds the Designation for Medical Review, which can be verified on the Educator Licensure Information System (ELIS). The school district must also submit a completed Form 34-46A, in addition to maintaining documentation verifying the recruitment of a certified school nurse. Once ISBE has reviewed and approved the required documents, the district may utilize that individual to complete medical reviews.

## **More Information**

For more information, including more specific information about the documentation that must be provided to ISBE in the event a school district is unable to hire a certified school nurse, please visit ISBE's website at:

https://www.isbe.net/Pages/School-Health-Issues.aspx.

# What Constitutes a 'Medical Review'?

A medical review consists of five components, defined at 23 III. Adm. Code 226.160:

- 1) Subjective information such as a health history and a description of the perceptions of parents and student regarding the student's health and the perceptions of teachers regarding how the student's health may be affecting the student's academic performance and access to the curriculum.
- 2) Objective information such as a summary of the student's health record or other relevant health related information provided by or requested from the student's parent(s) or health care providers.
- 3) Nursing services, including the identification of the school health or nursing services needed for the student to receive a Free Appropriate Public Education (FAPE) as described in the student's Individualized Education Program (IEP) or Section 504 Plan.
- 4) Educationally relevant medical findings including the identification of any medical conditions or health-related issues that likely adversely affect the student's educational performance.
- 5) Recommendations based on the information gathered to determine the medical or school health or nursing services to be provided during the school day and a proposed plan that includes goals and objectives, ongoing evaluation, and accommodations, modifications, and interventions to be provided.

To provide all five functions of a medical review, an individual must hold a PEL with the school nurse endorsement or hold the Designation for Medical Review. The following individuals may perform a partial medical review that includes the first four components, but are unable to make recommendations: 1) an individual licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987; 2) an individual licensed as a registered professional nurse pursuant to Article 60 of the Nurse Practice Act and who holds a bachelor's degree in nursing, education or a related field; 3) or an individual licensed as an advanced practice nurse pursuant to Article 65 of the Nurse Practice Act.

#### Thank You

To the Illinois Association of School Nurses for information regarding health-related job descriptions: <a href="https://iasn.org/wp-content/uploads/WhoisintheSchoolHealthOffice.docx.pdf">https://iasn.org/wp-content/uploads/WhoisintheSchoolHealthOffice.docx.pdf</a>.

To ISBE for detailed information about school health issues and training opportunities: <a href="https://www.isbe.net/Pages/School-Health-Issues.aspx">https://www.isbe.net/Pages/School-Health-Issues.aspx</a>

To Cassie Black, our Loyola Law School extern and Assistant Superintendent of Curriculum and Instruction at Mount Prospect School District 57, who researched and authored this bulletin. She is amazing!



2 TransAm Plaza Dr., Suite 450 Oakbrook Terrace, IL 60181 (630) 394-3790 www.krihalaw.com



## **Certified School Nurse (PEL-CSN):**

A individual who holds a professional educator license (PEL) and is endorsed as a school nurse. To obtain the endorsement for school nursing, the individual must hold a bachelor's degree or higher and be licensed as a registered professional nurse in Illinois. Additionally, the individual must have completed an approved school nurse certification program and an internship under the supervision of a fully qualified school nurse, and pass the content area test and test of basic skills. In addition to the activities described for RNs, a certified school nurse can perform all components of the medical review.

#### **Registered Professional Nurse (RN):**

An individual who is licensed as a registered professional nurse in Illinois and has completed one of the following: a two-year program at a Community College (Associate's Degree), a 2-3 year Hospital Program (Diploma), a four-year program at the Baccalaureate Level (BSN/BAN), or a Master Level preparation program (MSN/MS). Examples of activities an RN may perform include administering daily emergency medications. management for student with chronic medical conditions, and implementation of Emergency Action Plans and/or Health Care Plans, RNs are unable to complete the medical review and educational impact statement on IEPs unless they have received the Medical Review Designation from ISBE.

#### **Licensed Practical Nurse (LPN):**

An individual who has generally completed 2-3 semesters of college, including classroom and clinical experience, and has passed a certification exam. An LPN can perform basic health assessments and administer medication under the supervision of an RN. LPNs are also able to provide first aid/CPR, complete health data entry with training, and provide 1:1 care for medically fragile students. LPNs are unable to practice independently and must be under the direct supervision of an RN. They are also unable to complete any components of a Section 504 Plan or IEP, or coordinate plans of care for students with chronic health conditions.