

# Provision of School Health Services to Private/Non-public Schools by School Districts

I. Pennsylvania Statutes; Title 24, Education; Chapter 1, Public School Code of 1949; Article XIV, School Health Services

A. § 14-1401. Definitions

As used in this article--

(1) "CHILDREN OF SCHOOL AGE" or "CHILD OF SCHOOL AGE" means every child attending or who should attend an elementary grade or high school, either public or private, within the Commonwealth and children who are attending a kindergarten which is an integral part of a local school district.

B. § 14-1402 Health Services

(a) Each child of school age shall be given by methods established by the Advisory Health Board, (1) a vision test by a school nurse, medical technician or teacher, (2) a hearing test by a school nurse or medical technician, (3) a measurement of height and weight by a school nurse or teacher, who shall use the measurement to compute a child's weight-for-height ratio, (4) tests for tuberculosis under medical supervision, and (5) such other tests as the Advisory Health Board may deem advisable to protect the health of the child. Vision tests shall be given at least annually and other tests at intervals established by the Advisory Health Board.

(a.1) Every child of school age shall be provided with school nurse services: Provided, however, That the number of pupils under the care of each school nurse shall not exceed one thousand five hundred (1,500).

II. 28 PA Code, Chapter 23 School Health

A. General Provisions

§ 23.51. Children to be provided nursing services.

A child in private, parochial and public schools shall be provided with school nurse services in the school which the child attends.

§ 23.52. Administration.

The school nurse services shall be provided through the public school system and the administration of this service shall be the responsibility of the public school administrator in consultation, as needed, with the private or parochial school administrator.

§ 23.53. Determination of pupils to be served.

The school administrator, in determining the number of pupils to be served by a school nurse, shall consider the number of schools, distance between schools, travel difficulties and special health needs of the area.

The statute and regulation are quite clear that the public school is responsible for the provision of school nurse services to private and parochial schools within its jurisdiction that it serves. School nurse services are all the services that you normally provide to your public school students, and would presumably include, in addition to the services noted in Article 14 above, assessment of students' health care needs, immunization status, medication administration, health counseling, development of Individualized Healthcare Plans and 504s and Emergency Plans, first aid and emergency care, special needs, etc. There is nothing in either the law or regulation that specifies how much time a nurse must be present in a given bldg. - however, it is our opinion that since the public school is responsible for all the students, it can be held liable for omissions or neglect. Neither the statute nor regulation distinguishes a difference in level of service to public vs non-public schools. It can be argued that there should be no difference, as "all children" are to be served. The public school is responsible to provide adequate nursing services to all the students; and as such, you claim the non-public ADMS on your annual school health report and request for reimbursement. Certified School Nurse (CSN) building and caseload assignments are determined by the factors specified in § 23.53 of the regulations noted above. So for example, even a smaller school may need considerable presence of a school nurse, dependent upon the health acuity of the students in that bldg.