



SPONSOR: Rep. Jaques & Sen. Poore
Sen. McDowell

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 19

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL NURSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 1310, Title 14 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 1310. Salary schedules for school nurses.

4 (a) All nurses who hold appropriate certificates shall be paid in accordance with § 1305 of this title effective July
5 1, 1979.

6 (b) A reorganized school district may employ personnel to be paid for 10 months per year from state funds
7 pursuant to this section in a number equal to 1 for each 40 state units of pupils, except that in schools for the physically
8 handicapped within the district the allocation shall be in accordance with the rules and regulations adopted by the
9 Department with the approval of the State Board of Education; provided further, that each reorganized school district shall
10 ensure that it has at least 1 school nurse per facility. To the extent that the funding formula outlined above does not provide
11 for 1 school nurse per facility, each reorganized school district shall meet this requirement out of funding provided under §
12 1707 or § 1716 of the title, or out of discretionary local current operating expense funds. Districts shall qualify for partial
13 funding at the rate of 30% of the fractional part of 40 state units of pupils.

14 (c) If the funding formula outlined in subsection (b) of this section does not provide for 1 school nurse per facility,
15 a district or a charter school established under Chapter 5 of this title may receive state funds for a nurse to be employed for
16 10 months to meet the requirement of 1 school nurse per facility.

17 (1) The Department of Education shall establish an application process for a district or charter school
18 established under Chapter 5 of this title to receive funding under this subsection.

19 (2) The Department of Education may provide funding under this section only in a fiscal year in which funds
20 are appropriated to fulfill the purpose of this subsection.

21 (3) If the funds appropriated are not sufficient to meet the requests of all districts and all charter schools
22 established under Chapter 5 of this title, the Secretary of the Department of Education, upon the approval of the Office

23 of Management and Budget and the Controller General, shall make a determination as to which districts and charter
24 schools receive funding under this section.

25 (4) A district that receives funds under this subsection may, under § 1902(b) of this title, levy a tax to provide
26 for the local portion of funding needed to pay for a school nurse.

27 (5) A school nurse hired under this subsection must meet the licensure and certification requirements of
28 Chapter 12 of this title.

SYNOPSIS

This Act seeks to ensure that every public school in the State has a school nurse. This Act provides a mechanism to allow a district or a charter school that currently does not have a school nurse to receive State funds. This Act 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.