

# Position Statement

## The Practice of Nursing in a School Setting

The Board of Nursing of South Carolina has the legal responsibility to regulate the practice of nursing in all settings where nurses are employed to care for clients. An evolving and expanding specialty in nursing practice is school nursing. The Board of Nursing recognizes the issues unique to school nursing that arise from the fact that the practice setting is actually an educational setting and not a health care setting. It is a setting where maintaining the health status of clients or students is incidental, and the education of students is the primary focus.

The Board of Nursing has an obligation to provide guidance to school nurses and school administrators in developing policy related to providing nursing services to students, policy that is in keeping with the mandates of the Nurse Practice Act.

The Board has published this position statement to outline the requirements of the Nurse Practice Act in regard to the delegation of nursing tasks to unlicensed assistant personnel (UAP) and to apply the requirements to the school setting. This position statement can be used in conjunction with the Nurse Practice Act, the Position Statement, [Delegation of Nursing Care Tasks to Unlicensed Assistive Personnel \(UAP\)](#), and the Position Statement, [Assisting With Medications](#), to assist school districts in developing policies and procedures regarding delegation of nursing functions to other school personnel.

### I. Definitions and Descriptions

Delegation is transferring to a competent individual the authority to perform a selected nursing task(s) in a selected situation by an individual authorized by law to perform the task, specifically the registered nurse or the licensed practical nurse.

Regulation 91-1.A.(1-7) states that only a licensed nurse (RN or LPN) is responsible for the supervision and delegation of nursing practice to UAP. In a school setting where there is a licensed nurse employed to provide health services to students, it is the licensed nurse who must choose and supervise the selected UAP to whom a task will be delegated.

Unlicensed assistive personnel (UAP) are individuals who are not licensed by the Board as registered nurses or licensed practical nurses and who perform routine nursing tasks that do not require a specialized knowledge base or the judgment and skill as defined as the "practice of professional nursing" and the "practice of practical nursing" [(91-1.A.(2)]. In the school setting, unlicensed personnel include any person other than the licensed nurse, including school health aides, principals, teachers, secretaries, and/or parent volunteers, who perform any nursing task.

The UAP cannot delegate nursing tasks to other UAP's, and the UAP cannot supervise the performance of nursing tasks. Nursing tasks performed by unlicensed nursing personnel must be performed under the supervision of a licensed nurse (RN or LPN) [(91-1.A.(3)].

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### II. Delegable Nursing Tasks

Nursing tasks may be delegated by the school nurse, however the licensed nurse may never delegate nursing judgment and those core competencies of nursing process to include assessment, planning, and evaluation of nursing care which constitute the practice of nursing, as defined in the Nurse Practice Act (40-33-10(f)). All nursing tasks that may be assigned by the licensed school nurse to unlicensed nursing personnel shall be stated in the employing school district's policies. [91-1.A.(4)]

Tasks that may be delegated by the licensed nurse and performed under the supervision of the licensed nurse may include among others [91-1.A.(5)]:

- a. tasks of meeting students' needs for personal hygiene
- b. tasks of meeting students' needs relating to nutrition
- c. tasks of meeting students' needs relating to ambulation
- d. tasks relating to taking vital signs
- e. tasks relating to maintenance of asepsis
- f. tasks of meeting students' needs relating to elimination
- g. tasks of observing, recording, and reporting any of the above tasks

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### III. Quality of Care

The licensed school nurse is responsible for determining the appropriateness of delegation in each situation and retains accountability for the outcome whenever a task is delegated to UAP. Therefore, for safe delegation, the licensed nurse should refer to the list of factors to consider in determining whether to delegate nursing tasks to the UAP found in the Position Statement, [Delegation of Nursing Care Tasks to Unlicensed Assistive Personnel \(UAP\)](#), page two.

### IV. Competency Assessment

The licensed school nurse has the responsibility to determine the competency of the UAP to perform the task to be delegated, as well as to validate the prior training of the UAP. If a specified course of training is provided to the UAP by the employing school district, the licensed school nurse must be informed of the content and extent of the training provided. Instruction on performing selected delegated nursing tasks should be specific to the needs of each student or staff member receiving care and should be taught by the licensed school nurse. The licensed school nurse's plan of instruction should include:

1. step by step instruction and rationale for the task;
2. observation of the UAP in performing the task to evaluate competency and to assure accuracy and safety;
3. provision of written instructions as a reference;
4. a plan for emergency intervention;
5. a plan for ongoing supervision and evaluation of client outcomes by the licensed nurse;
6. documentation of initial competency of the UAP and periodic re-evaluation of competency;
7. documentation of the instruction provided.

### V. Medications

The Nurse Practice Act defines the administration of medications as one task included in "the practice of nursing," (40-33-10f, S.C. Code of Laws, 1976, as amended). "The administration of medications is defined as: the acts of

preparing and giving drugs in accordance with the orders of a licensed physician or dentist as the drugs, dosage, route and frequency; observing, recording, and reporting undesired effects, untoward reactions, and side effects of drug therapy; intervening when emergency care is required as a result of drug therapy; appropriately instructing the patient regarding his medication; recognizing accepted prescribing limits and reporting deviations to the prescribing physician or dentist," [91-1.A.(6)].

The law further states that, "Subject to the rights of licensed physicians and dentists under their respective medical and dental practice acts, the administration of medications is recognized as the responsibility of a registered nurse or licensed practical nurse as prescribed by the licensed physician or dentist. After June 30, 1985 unlicensed nursing personnel shall not administer medications," [91-1.A(7)]. School nurses cannot delegate the administration of medications to other school personnel who are not licensed nurses.

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## VI. Disciplinary Actions

In school districts where licensed nurses are not employed to provide health services to students, the Board of Nursing has no authority to regulate provision of health services for students. The Board does have the legal authority to regulate nursing in school districts that employ school nurses. Inappropriate delegation by school nurses may lead to disciplinary action by the Board of Nursing directed to the school nurse for misconduct defined in Regulation 91-19c.(3)o., "assigning unqualified persons to perform nursing care functions, tasks or responsibilities and/or failing to effectively supervise persons to whom nursing functions are delegated or assigned."

Further disciplinary action by the Board may be directed to personnel not licensed to practice nursing for violation of Regulation 91-19.c.(3)l., "practicing nursing without a valid, current South Carolina license; aiding, abetting, or assisting another to practice nursing without a valid, current South Carolina license." To practice nursing means that the individual is employed for the purpose of providing services "that assist individuals and groups to obtain or maintain optimal health, [40-33-10.(f)]. School personnel, unlicensed as nurses and employed for purposes other than providing health services to students, are practicing nursing without a license.

The Laws Governing Nursing in South Carolina are not to be construed as prohibiting nursing assistance to students in schools by individuals not licensed to perform nursing tasks in any case of an emergency [Regulation 40-33-50.(3)]. School personnel, whether licensed or not, have an ethical responsibility to render care to students and/or staff in an emergency situation. Disciplinary action of the Board would be inappropriate in such instances.

## VII. Summary

The Position Statement, [Delegation of Nursing Care Tasks to Unlicensed Assistive Personnel \(UAP\)](#), outlines the principles of safe and effective delegation of nursing tasks to UAP. In schools, only licensed school nurses have the responsibility for delegation of nursing practice. School districts are reminded that UAP are to assist, and not replace, the licensed nurse. The Nurse Practice Act holds the licensed school nurse responsible for the competency assessment and supervision of the person to whom nursing tasks are delegated. The licensed nurse cannot legally be required by unlicensed persons to delegate the practice of nursing, nor to delegate nursing tasks to UAP where, in the nurse's judgment, the safety of the student would be endangered. A school principal cannot by law require a school nurse to delegate the practice of nursing in any way that is contrary to the requirements of the Nurse Practice Act, nor can a school principal who is not a licensed nurse legally delegate nursing tasks.

The South Carolina Board of Nursing recognizes that in school districts where the school nurse is responsible for more than one school, or where there is no school nurse employed, it is difficult, at best, to insure the safe and legal administration of medication, provision of quality nursing services, and assessment and planning for the healthcare needs of individual students in order to support their education in the least restrictive environment. The Board is aware that, increasingly, students with chronic health conditions and who may be medically fragile attend school. The Board also recognizes the often complex health care needs of students in regular as well as special education classrooms. It is because of the frequent need for specialized healthcare for students during regular school hours that the Board recommends that school districts in South Carolina make it a priority to employ at least one licensed school nurse for

each school. In view of the ongoing and growing need for provision of preventive, as well as restorative, maintenance, and emergency healthcare to students and staff, assistance to parents in the healthcare of their children, and development of coordinated school health programs, it is increasingly difficult for school districts to adequately support the academic achievement of all students. The presence of a school nurse in each school is a reasonable expectation for the safe provision of quality school health services for students and staff.

Adopted by the Board of Nursing, December 17, 2001