

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Request by the Lincoln County Board of Education for a Waiver of 702 KAR 1:160, School Health Services, Section 4, School District Health Personnel

Commissioner's Recommendation:

The Commissioner recommends that the Kentucky Board of Education (KBE) approve the waiver request in accordance with KRS 156.160(2)(a). The waiver shall be effective for one year.

Rationale:

To provide the Lincoln County School District with the required services of a school health coordinator as district leadership continues to search for an individual who meets the standards of the regulation.

Action Question:

Should the KBE approve the request by the Lincoln County Board of Education for a waiver of 702 KAR 1:160, School Health Services, Section 4, School District Health Personnel?

Applicable Statute or Regulation:

KRS 156.160(2)(a); 702 KAR 1:160, Section 4

History/Background:

Existing Policy: Section 4 of 702 KAR 1:160 requires a district superintendent to designate a person to serve as a school health coordinator. The designee must possess minimum qualifications as a registered nurse, a school psychologist, or a school social worker.

Summary: KRS 156.160(2)(a) permits the KBE to waive any administrative regulation when a requesting local school or district demonstrate that an alternative approach will achieve the same result, the administrative regulation will cause hardship on the district, or there is a finding of good cause for the waiver. The Lincoln County School District seeks a one year waiver from the minimum qualifications for a school health coordinator to allow a current employee to fill that position. The position is administrative in nature, and it does not include the delivery of medical services. The district contracts for medical services with the Healthy Kids Clinic.

Lincoln County School District has struggled to find and retain a qualified school health coordinator. The district's former coordinator was employed in this role for only one school year and resigned on July 1, 2017. After an extensive search, the district hired a qualified nurse to fill the position in September 2017. That person resigned after only two days. The district conducted another search and has not, thus far, been unable to find a qualified candidate to fill the position.

The Lincoln County School District is requesting, as an interim measure, that KBE grant a waiver of the regulation for one year. If granted, the district will name an employee who previously served as a school health coordinator in another district, prior to the minimum qualifications being added to the regulation. During the waiver period, the district will continue its efforts to employ an individual meeting the district health coordinator regulatory qualifications.

Budget Impact: There is no budget impact at the state level.

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Commissioner of Education

Date:

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