

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Amendment to 702 KAR 1:160, Seizure Action Plan Regulation Review (First Reading)

Date: December 5, 2018

Action Requested: ☒ Review ☐ Action/Consent ☐ Action/Discussion

SUMMARY OF ISSUE BEFORE THE BOARD:

To review 702 KAR 1:160 (First Reading).

APPLICABLE STATUTE OR REGULATION:

KRS 156.070, 156.160(1), and 158.838

BACKGROUND:

Existing Policy: 702 KAR 1:160 pertains to school health services and covers a variety of topics including medical examinations of school employees; medical, dental and vision examinations of students; administration of certain medications; required student health records; and required district health personnel. The regulation currently requires that at all times when students are present in a school building there is a trained school employee present that can administer seizure rescue medications. This is consistent with the law prior to the passage of HB 147 (2018). During the last session of the General Assembly, it enacted HB 147 which requires schools to adopt policies related to student seizure action plans.

Summary: HB 147 passed during the 2018 General Assembly and codified at KRS 158.838 requires the Kentucky Board of Education to promulgate regulations establishing procedures for the implementation of seizure action plans. A “seizure action plan” is a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder that is prepared by the student’s treating physician. (KRS 158.832(5)). This amendment to 702 KAR 1:160 requires local boards of education to adopt policies for the implementation of individualized seizure action plans. It requires school personnel trained in the implementation of a student’s individualized seizure action plans be present during school hours or when students are participating in school-related activities.

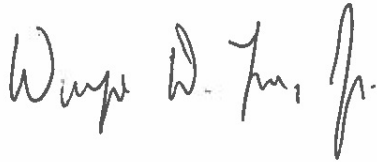
Budget Impact: There is no budget impact to the Kentucky Department of Education (KDE). Pursuant to the HB 147, Districts are required to provide one hour of self-study review of seizure disorder materials for all principals, guidance counselors, and teachers. Districts will incur some unknown cost related to this training.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

KDE staff will seek feedback for this regulation amendment from the Local Superintendent’s Advisory Council at the November 27, 2018 meeting. KDE staff will provide an update to the Kentucky Board of Education at the December 5, 2018 meeting.

CONTACT PERSON(S):

Robin Fields Kinney, Associate Commissioner
Office of Finance and Operations
Robin.Kinney@education.ky.gov
(502) 564-1976



Commissioner of Education

Category:	<input type="checkbox"/> District Innovation	<input type="checkbox"/> Strengthening Educators	<input type="checkbox"/> Family/Community Involvement
	<input type="checkbox"/> Student/Family Supports	<input type="checkbox"/> Student Interventions	<input type="checkbox"/> Coursework Completion
			<input checked="" type="checkbox"/> Accountability Reporting