February 11, 2014

TO: Chief School Administrators  
    Charter School Lead Person

FROM: Susan Martz, Acting Assistant Commissioner  
      Division of Student and Field Services

SUBJECT: School Districts’ Employment of Certified School Nurse Requirements and  
         Parameters Regarding Care for Medically Fragile Students

The purpose of this memo is to alleviate confusion among school district administrators and  
health care providers regarding the appropriate credentials for school health personnel in all  
public school districts.

Each district board of education (BOE) is required to employ and appoint at least one school  
nurse who is under the direction of the BOE or an officer or employee of the BOE and whose  
salary is fixed and paid for by the BOE (N.J.S.A. 18A:40-1 and 3.1). This school nurse must  
hold an educational services certificate with an endorsement as a school nurse issued by the State  
Board of Examiners, commonly referred to as a certified school nurse or CSN, (N.J.S.A. 18A:40-  
3.3a) to provide the school nursing services and health care pursuant to N.J.A.C. 6A:16-2.1  
through 2.3(b). In addition, the school district may hire non-certified nurses to supplement the  
services of the CSN according to N.J.S.A. 18A:40-3.3(a). Districts may not hire other school  
health personnel who do not have a nursing license such as a certified medical assistant (CMA)  
to provide nursing services. However, such individuals may perform clerical tasks as assigned  
by the certified school nurse pursuant to N.J.S.A. 18A:40-3.4.

In accordance with P.L. 2012, c.5, which addresses the unique needs of medically fragile  
students while attending school, the State Board of Education adopted a resolution on October 3,  
2012 in which it:

1. Approved the hiring, by local district boards of education, only providers of clinical  
nursing services who appear on the New Jersey Department of Human Services directory  
of private duty nursing, as approved and enrolled to participate in the State’s Medicaid  
and NJ FamilyCare programs, eligible to be hired to meet the needs of students who are  
diagnosed medically fragile.

2. Allowed the parent or guardian of a medically fragile student to choose a provider as long  
as the cost to the school district remains neutral. Such requests must be submitted to the  
New Jersey Department of Education (NJDOE), with a clarification from the school
District, stating that the cost is neutral.

3. Established that any dispute regarding the neutrality of the cost of a provider chosen by the parent or guardian should be submitted to the NJDOE Bureau of Controversies and Disputes in accordance with the procedures set forth in N.J.A.C. 6A:3-1.1 et seq.

The employment of school nurses and the hiring of clinical nursing services providers for medically fragile students are different and governed by different laws and regulations as described in this memo. Approval of agencies for the provision of clinical nursing services for medically fragile students does not equate to the approval of these agencies to provide nursing services to the general student population as required by N.J.A.C. 6A:16-2. Certified School Nurses and substitute nurses must be hired according to N.J.S.A. 18A:40-1and 3.3(a) and hold the appropriate credentials as required by N.J.S.A. 18A:40-3.2(a) and 3.3(a).

Further information regarding nursing services for medically fragile students and the approved directory of providers may be found at www.state.nj.us/education/students/safety/health. Questions regarding school nurse requirements may be directed to Christene DeWitt-Parker, coordinator, School Health Services, at 609-777-4809.

SM/NC/CDPs:\shss unit\school health\school health personnel broadcast February 11.docx

c. Members, State Board of Education
   Christopher Cerf
   Senior Staff
   Nancy Curry
   Christene DeWitt-Parker
   Executive County School Business Administrators
   Executive County Superintendents
   Executive Directors for Regional Achievement Centers
   Garden State Coalition of Schools
   NJ LEE Group