

2010 STATUTORY REQUIREMENTS FOR HEALTH SERVICES AND RELATED ACTIVITIES IN SCHOOLS

The following statutes/rules identify health-related requirements for students. These requirements directly support the health, safety and the provision of health services in schools. As appropriate, they are incorporated into the school health services plan. Services and responsibilities outlined in each county plan are jointly implemented with state and local funds by county health departments and school districts.

Laws*	Title	Responsible Entity**	Summary of Health Related Requirements/Statutory Links
39.201	Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death	CHD, District School Board	Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected... shall report such knowledge or suspicion to DCF. Physician, osteopathic physician, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons; school teacher or other school official or personnel; and reporters in other defined occupation categories are required to provide their names to the hotline staff:
154.01	County health department delivery system	DOH, CHD	County health department services shall be established to include three levels of service and funded as follows: (a) "Environmental health services", (b) "Communicable disease control services", (c) "Primary care services". Primary care services are acute care and preventive services supported by available federal, state, and local funds and shall include services mandated on a state or federal level. Examples of primary health care services include, but are not limited to school health and other listed services.
381.001	Legislative intent; public health system	DOH, CHD	The department, in carrying out the public health mission, shall provide preventive and primary health care, including but not limited to, school health.
381.0022	Sharing confidential or exempt information	DOH, CHD	DOH and the DCF may share confidential information or information exempt from disclosure under chapter 119 on any individual who is or has been the subject of a program within the jurisdiction of each agency.
381.003	Communicable disease and AIDS prevention and control	DOH, CHD	The department's communicable disease prevention and control program must include programs to immunize school children as required by s. 1003.22(3)-(11) and the development of an automated, electronic, and centralized database or registry of immunizations.
381.0031	Report of diseases of public health significance to department	DOH	Any practitioner licensed in Florida shall report a disease of public health significance to the department.
381.005	Primary and preventive health services	DOH, CHD	DOH shall conduct a primary and preventive health care program that includes, but is not limited to school health services in accordance with chapters 1003 and 1006.
381.0054	Healthy lifestyles promotion	DOH	DOH shall promote healthy lifestyles to reduce the prevalence of excess weight gain and obesity in Florida by implementing appropriate physical activity and nutrition programs.
381.0056	School health services program; "School Health Services Act"	DOH, DOE, CHD, District School Board	1. Shall be responsible to supervise the administration of the school health services program; perform periodic reviews 2. CHDs shall jointly develop a school health services plan. See 64F-6.002

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			Note: State funding for basic services appropriated to DOH
381.0057	Funding for school health services	DOH, DOE, CHD, District School Board	Provides funding, in addition to that allocated under the School Health Services Act, for promoting the health of students, reducing risk-taking behavior, and reducing teenage pregnancy. Note: State funding for comprehensive services appropriated to DOH
381.0059	Background screening requirements for school health services personnel	DOH, CHD	Any person who provides services under a school health services plan pursuant to 381.0056 must meet level 2 screening requirements per 435.04 .
381.00593	Public school volunteer health care practitioner program	DOH, District School Board	Encourages health care practitioners to provide voluntary services in public schools and provides for incentives.
381.006	Environmental health	DOH, DOE	Detection and disease prevention in public facilities, to include sanitary practices of public and private schools, jointly with DOE. See 64E-13.004 for standards
402.2915	Automated external defibrillators	DOH	Sets standards for public use of automated external defibrillators.
402.3025	Public and nonpublic schools	DOE	Describes public school and childcare programs and associated age requirements.
402.3026	Full-service schools	DOH, DOE, CHD, District School Board	Jointly establish full-service schools to serve high-risk students needing medical and social services. Note: State funding for full-service schools appropriated to DOH
464	Nurse Practice Act	DOH, CHD, RNs, LPNs	Definitions, requirements, and practice standards for registered and licensed practical nurses.
624.91	The Florida Healthy Kids Corporation Act		Increases access to health care for children in under insured or uninsured families. School district and school health staff may refer families requiring assistance to this program.
743.064	Emergency medical care or treatment to minors without parental consent	District School Board	Emergency medical care may be rendered by a physician due to accident, acute illness, disease or condition if a delay in emergency care or treatment would endanger the health or physical well-being. Also applies to paramedics, EMTs or emergency personnel under chapter 401. Other requirements are provided.
743.0645	Other persons who may consent to medical treatment of a minor	District School Board	Provides requirements and a listing of persons who may provide consent: stepparent, grandparent, adult brother or sister, adult aunt or uncle.
1001.43	Supplemental powers and duties of district school board	District School Board	The school board may adopt programs and policies for the provision of first aid and emergency medical care, and the provision of school health care facilities and services.
1002.20	K-12 student and parent rights	District School Board	Section (3) Health Issues includes exemptions upon written parental request for school-entry examinations, immunizations, reproductive health and disease education. Contraceptive services may not be provided without parental consent. Addresses metered dose inhaler use, epinephrine auto-injector use, diabetes management, and use of prescribed pancreatic enzyme supplements.

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1002.22	Student records and reports; rights of parents and students; notification Education records and reports of K-12 students; rights of parents	District School Board	The rights of students and their parents with respect to education records created, maintained, or used by public educational institutions and agencies shall be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g, implementing regulations, and this section.
1002.221	K-12 education records	District School Board	Related to confidentiality and release of student education records, as defined in the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g.
1002.23	Family and School Partnership for Student Achievement Act	District School Board	Provides a parent guide that includes information on the importance of student health and available immunizations, and detailed information on meningococcal disease.
1002.33	Charter schools	DOE	Section (16) provides that a "charter school shall operate in accordance with its charter and shall be exempt from all statutes in chapters 1000-1013". An exception requires that a charter school shall be in compliance with those statutes in Chapters 1000-1013 pertaining to student health, safety, and welfare.
1002.42	Private schools	DOE, Private Schools	School-entry health examinations and a certificate of immunization are required for school entry.
1003.22	School-entry health examinations; immunization against communicable diseases	DOH, DOE, District School Board, Private Schools	Public and private schools shall: require each child to present a school-entry examination performed within 1 year; provide for temporary exemptions; require a certificate of immunization on file; provide scoliosis screening.
1003.25	Procedures for maintenance and transfer of student records	DOE, District School Board, School Principal	A permanent cumulative record is maintained for each student; DOE prescribes rules for transferring and maintaining student records. Student records are defined according to FERPA. See 1002.22
1003.42	Required instruction	DOE, District School Board	Public school instructional staff shall teach comprehensive health education that addresses, among others: benefits of sexual abstinence, consequences of teenage pregnancy, personal health, prevention and control of disease.
1003.453	School wellness and physical education policies; nutritional guidelines	DOE, District School Board	DOE provides links to each district wellness and physical education policies and links that include information on the eight components of the coordinated school health program.
1003.455	Physical education	District School Board	Each school district shall adopt a written physical education (PE) policy and provide 150 minutes of PE each week for grades K-5.
1003.46	Health education; instruction in acquired immune deficiency syndrome	District School Board	School districts may provide instruction in AIDS as a specific area of health education.
1003.54	Teenage parent programs	District School Board	Shall provide pregnant students or students who are parents and the children of these students with a comprehensive teenage parent program; includes provisions for child care, health care, social services, parent education and transportation. See 6A-6.0525

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1003.57	Exceptional students instruction	District School Board	Provides special instruction, classes, and services. A student may not be given special instruction or services as an exceptional student until after he or she has been properly evaluated, classified, and placed. See 6A-6.0331 and 64F-6.006
1006.061	Child abuse, abandonment, and neglect policy	District School Board	Pursuant to Chapter 39, all employees and agents of the district school board have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. See 39.201 and 39.01
1006.062	Administration of medication and provision of medical services by district school board personnel	District School Board	Shall adopt policies governing the administration of prescription medication by district school board personnel and include in its approved school health services plan a procedure to provide training by a licensed health professional to the school personnel. Addresses delegation of health-related tasks by UAPs. See 64B9-14.002
1006.0625	Administration of psychotropic medication	District School Board	School district personnel may not require that a student take psychotropic medication or deny access to programs or services for refusal to place a student on such medication.
1006.165	Automated external defibrillator; user training	District School Board	Each public school that is a member of the Florida High School Athletic Association must have an operational automated external defibrillator on the school grounds; must ensure that all employees or volunteers who are reasonably expected to use the device obtain training, including completion of cardiopulmonary resuscitation or a basic first aid.
1006.20	Athletics in public K-12 schools	District School Board, Parents	The Florida High School Athletic Association is designated as the governing nonprofit organization of athletics in Florida public schools. All participating students must satisfactorily pass a preparticipation physical evaluation each year.
1012.465	Background screening requirements for certain noninstructional school district employees and contractors	District School Board, Contractors	Noninstructional school district employees or contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students must meet level 2 screening requirements as described in s. 1012.32 . Contractual personnel include any vendor, individual, or entity under contract with a school or the school board. See 1012.467 and 1012.468
1012.55	Positions for which certificates required	CHD, District School Board	Each person employed as a school nurse shall hold a license to practice nursing in the state, and each person employed as a school physician shall hold a license to practice medicine in the state.
6A-1.0955	Education Records of Pupils and Adult Students	District School Board	Education records shall mean those records, files, documents and other materials as defined in Section 1002.22(2), Florida Statutes (see 1002.22) which: contain information directly related to a student, maintained by an educational institution, and are accessible to other professional staff. Required health information is classified as a <i>Category B – temporary information</i> record. See 64F-6.005
6A-3.0121	Responsibility of School District and Parents or Guardians for Students	District School Board	The operator and attendant shall be provided training related to students; however, the operator and attendant shall not give medicine and shall limit his or

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	Who Are Transported at Public Expense		her assistance to that which may normally be expected of a reasonable, prudent person or as specified in the student's Individual Educational Plan.
6A-6.024	School Entry Health Examination	District School Board	This rule implements the school entry health examination requirements. See 1003.22
6A-6.0251	Use of Epinephrine Auto Injectors	District School Board	This rule implements requirements for the self administration of epinephrine auto-injectors by students. See 1002.20
6A-6.0331	Identification and Determination of Eligibility of Exceptional Students for Specially Designed Instruction	District School Board, CHD	Screening for hearing and vision for the purpose of ruling out sensory deficits shall be required prior to conducting an evaluation to determine the student's eligibility as a student with a disability. See 64F-6.006
6A-6.0525	Teenage Parent Programs	District School Board	School district TAP programs are designed to provide comprehensive educational and ancillary services to facilitate completion of high school. Districts shall develop and implement ancillary services for child care, social services, health services and transportation for pregnant and parenting students. Health services include health and nutrition education and routine prenatal/postnatal health checkups. See 1003.54
64B9-14	Delegation to Unlicensed Assistive Personnel	DOH	Provides definitions, delegation of tasks or activities, and prohibited tasks. Applies CHD/school district RNs/LPNs providing health services in schools.
64D-3.046	Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, K-12, and Adult Education Classes	District School Board	Provides immunization documentation requirements, specific immunization requirements by grade, and documentation requirements for schools. See 1003.22
64E-13	School Sanitation	District School Board	Prescribes minimum requirements and standards of sanitation and safety for schools. See 381.006
64E-16.004	Biomedical Waste: Storage and Containment	DOH	Provides storage and containment requirements for biomedical waste that may be generated in school health rooms and stored in bags or sharps containers. See 381.0098 and 64E-16 for the full requirements.
64F-6	School Health Services Program	DOH, DOE	Provides definitions, requirements for the school health services plan, screening requirements, emergency health needs, records maintenance, and exceptional student education. See 381.0056
65C-22.006	Child Care Standards	Child Care Facilities	Provides children's health requirements, including Student Health Examination (valid for 2 years from date performed), Certificate of Immunization.
GS7	General Records Schedule GS7 for Public Schools Pre-K-12	DOE, District School Board	Provides records retention and disposal instructions for school records. See GS7 General Records Schedule for all educational records.
SREF 07	State Requirements for Educational Facilities: December 2007.	DOE, District School Board	Provides design and inspection standards for new and existing educational facilities – including health rooms. See http://www.fldoe.org/edfacil/sref.asp for the complete document.

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* Florida Statutes at [Online Sunshine](#) and Florida Administrative Code at [Florida Department of State](#)

** The provision and responsibility for direct school health services will be established according to the School Health Services Plan (s. 381.0056, F.S.) and state/local funding provided for that purpose