

By: Representative Scott

To: Education

HOUSE BILL NO. 441

1 AN ACT TO AMEND SECTION 37-13-131, MISSISSIPPI CODE OF 1972,
 2 TO REQUIRE THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM TO
 3 INCLUDE COMPONENTS IN HEALTHY LIVING, DRUG AND ALCOHOL EDUCATION
 4 AND CONFLICT RESOLUTION; TO AMEND SECTION 37-13-135, MISSISSIPPI
 5 CODE OF 1972, TO REQUIRE LOCAL SCHOOL BOARDS TO ADOPT PLANS FOR
 6 THE IMPLEMENTATION OF THE COMPREHENSIVE SCHOOL HEALTH EDUCATION
 7 PROGRAM INTO THE LOCAL SCHOOL CURRICULUM; TO AMEND SECTION
 8 37-14-3, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC SCHOOL NURSES
 9 TO PROVIDE INSTRUCTION IN EACH OF THE COMPONENTS OF THE
 10 COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM; TO REQUIRE THE
 11 OFFICE OF HEALTHY SCHOOLS OF THE STATE DEPARTMENT OF EDUCATION TO
 12 SUBMIT RECOMMENDATIONS TO THE STATE BOARD OF EDUCATION FOR THE
 13 ADOPTION OF ANY RULES AND REGULATIONS RELATING TO THE PROGRAM; AND
 14 FOR RELATED PURPOSES.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

16 **SECTION 1.** Section 37-13-131, Mississippi Code of 1972, is
 17 amended as follows:

18 37-13-131. (1) The State Department of Education is
 19 designated as the state agency responsible for the administration
 20 and supervision of the Comprehensive School Health Education
 21 Program as an educational curriculum in the State of Mississippi.
 22 It is the intent of the Legislature that all funds made available
 23 to the State Department of Education for the purpose of



24 comprehensive school health education shall be administered by the
25 State Department of Education.

26 (2) Pursuant to the provisions of subsection (1) of this
27 section, the State Department of Education is authorized to
28 establish an Office of Comprehensive School Health Education
29 within the framework of the State Department of Education for the
30 purpose of developing standards, procedures and criteria for the
31 administration and supervision of a statewide program of health
32 education in Kindergarten through Grade 12. The State Department
33 of Education, through the Office of Comprehensive School Health
34 Education, shall assume the further responsibility for promoting a
35 statewide effort designed to prepare local school faculties and
36 staffs to incorporate the comprehensive health education concept
37 into their local educational programs.

38 (3) The Mississippi Department of Health, in conjunction
39 with the Office of Student Development-Branch of Health-Related
40 Services of the State Department of Education, shall develop a
41 long-range strategic plan for a Comprehensive School Health
42 Education Program in Grades K through 12. The Comprehensive
43 School Health Education Program shall encompass * * * six (6)
44 interdependent components: (a) health education and healthy
45 living; (b) health service; (c) physical education and
46 fitness; * * * (d) a healthful school environment; (e) drug and
47 alcohol education; and (f) conflict resolution. These curriculum
48 components shall be designed to develop decision-making



49 competencies related to health and health behavior. Such
50 curriculum components are intended to motivate health maintenance
51 and promote wellness, not only to prevent disease or
52 disability.

53 * * *

54 **SECTION 2.** Section 37-13-135, Mississippi Code of 1972, is
55 amended as follows:

56 37-13-135. (1) In addition to all other authority, duties
57 and powers the school boards of the school districts of this state
58 may now have, each * * * local school board shall adopt plans for
59 the implementation of the Comprehensive School Health Education
60 Program into the local school curriculum.

61 (2) School boards shall appoint a local health education
62 council to make recommendations regarding a comprehensive health
63 education curriculum.

64 (3) There shall be cooperation between the State Department
65 of Education, Office of Comprehensive School Health Education, and
66 the school boards of the several school districts in implementing
67 this program as it best suits the needs of the individual
68 districts.

69 (4) The Commission on School Accreditation shall encourage
70 the development of plans of comprehensive school health education
71 and the implementation thereof.

72 **SECTION 3.** Section 37-14-3, Mississippi Code of 1972, is
73 amended as follows:



74 37-14-3. (1) The State Department of Education is
75 designated as the state agency responsible for the administration
76 and supervision of the school nurse program as an education and
77 wellness curriculum in the public schools of the State of
78 Mississippi. The public school nurse program administered by the
79 State Department of Education shall be known and may be cited as
80 the "Mary Kirkpatrick Haskell-Mary Sprayberry Public School Nurse
81 Program." It is the intent of the Legislature that all funds made
82 available to the State Department of Education for the purpose of
83 employing school nurses shall be administered by the State
84 Department of Education.

85 (2) The State Department of Education, through the Office of
86 Healthy Schools, shall develop standards, procedures and criteria
87 for the public school nurse programs in Kindergarten through Grade
88 12. The Office of Healthy Schools of the State Department of
89 Education shall assume the responsibility for promoting a
90 statewide school nurse program designed to prepare local school
91 districts to incorporate the school program into their local
92 educational programs.

93 (3) From and after July 1, 2007, the School Nurse
94 Intervention Program administered and funded by the State
95 Department of Health shall be transferred to the Office of Healthy
96 Schools of the State Department of Education. Any administrative
97 personnel employed by the State Department of Health for the
98 administration of school nurses under the School Nurse



99 Intervention Program may be considered for employment by the
100 Office of Healthy Schools of the State Department of Education for
101 the purpose of coordinating the employment of school nurses in the
102 school districts. Any administrative personnel formerly employed
103 by the Partnership for a Healthy Mississippi, Inc., for the
104 administration of school nurses in the public schools may be
105 considered for employment by the Office of Healthy Schools of the
106 State Department of Education for the purpose of coordinating the
107 employment of school nurses in the school districts. All records
108 and unexpended balances of accounts in the School Nurse
109 Intervention Program relating to the employment of school nurses
110 shall be transferred to the Office of Healthy Schools in the State
111 Department of Education in accordance with the transfer of
112 responsibility under this chapter.

113 (4) The nurses in the Mary Kirkpatrick Haskell-Mary
114 Sprayberry Public School Nurse Program shall have the following
115 specific responsibilities:

116 (a) Serve as the coordinator of the health services
117 program and provide nursing care;

118 (b) Provide health education to students, including
119 instruction in each of the components of the Comprehensive School
120 Health Education Program prescribed under Section 37-13-131(3);

121 (c) Implement activities to promote health and prevent
122 tobacco, alcohol and substance use and abuse;



123 (d) Identify health and safety concerns in the school
124 environment and promote a nurturing social environment;

125 (e) Administer medications and help students manage
126 their health problems;

127 (f) Support healthy food services programs;

128 (g) Promote healthy physical education, sports policies
129 and practices;

130 (h) Promote dropout prevention programs; and

131 (i) Participate in allied health programs to introduce
132 students to health careers.

133 (5) The Office of Healthy Schools of the State Department of
134 Education shall provide resources to all public school nurses so
135 that those schools with school nurses will be prepared to provide
136 health education in Mississippi schools and support the
137 Mississippi Comprehensive Health Framework, Mississippi Physical
138 Education Framework, Wellness Policy, coordinated approach to
139 school health, and other resources required by the State Board of
140 Education.

141 (6) In administering the Mary Kirkpatrick Haskell-Mary
142 Sprayberry Public School Nurse Program, the Office of Healthy
143 Schools of the State Department of Education shall perform the
144 following duties:

145 (a) Execute any contracts, agreements or other
146 documents with any governmental agency or any person, corporation,



147 association, partnership or other organization or entity that are
148 necessary to accomplish the purposes of this chapter;

149 (b) Receive grants or any other contributions made to
150 the State Board of Education to be used for specific purposes
151 related to the goals of this chapter;

152 (c) Submit to the State Auditor any financial records
153 that are necessary for the Auditor to perform an annual audit of
154 the * * * department as required by law;

155 (d) * * * Submit recommendations to the State Board of
156 Education for the adoption of any rules or regulations that are
157 necessary to carry out the purposes of this chapter;

158 (e) Develop criteria to measure the effectiveness of a
159 school nurse;

160 (f) Communicate to superintendents and principals how
161 to maximize the effectiveness of a public school nurse;

162 (g) Develop recommended salary structure for school
163 districts to use when hiring a school nurse;

164 (h) Communicate to superintendents, principals and
165 other appropriate school officials regarding the statutes and
166 regulations prohibiting the use of tobacco by school personnel on
167 school property and at school events, and to monitor the
168 effectiveness of this ban;

169 (i) Implement policies to reduce unnecessary paperwork
170 by public school nurses; and



171 (j) Take any other actions that are necessary to carry
172 out the purposes of this chapter.

173 **SECTION 4.** This act shall take effect and be in force from
174 and after July 1, 2018.

