

Research paper

The Relationship of Education Law to School Nursing

Name

Institution Affiliation

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School nursing aims to protect and promote children health, facilitate normal development, as well as advance academic success by ensuring “that all children have access to educational opportunities regardless of their health status” (Johnson, 2017, p.2). School nurses have the responsibility of promoting health among the communities where they reside and work in addition to providing direct services to special children, standing at the intersection between health and education. The same nurse practices acts and standards governing nurses within other healthcare settings govern school nurses (Johnson, 2017). It demonstrates the need for all nurses to be knowledgeable about these laws to improve equity and access while protecting them from liability. The research paper explores the relationship of the education law to school nursing with a particular focus on Section 504 for the Rehabilitation Act. Education law represents the federal or state law body which governs schools, students, teachers, as well as school boards. It is the responsibility of states to maintain and to operate public schools in tandem with the states and federal laws. Regarding school nursing, all students are entitled to health services during school days including administration of medications under the education law. Those who violate the education law are risk financial penalties to the school district. The school nurse’s practice license is at significant risk under these parameters. A school nurse who fails to satisfy one regulation while at the same time not breaching the other laws is likely to encounter unresolved conflict.

The Duality of School Nursing Profession

School nurses are a separate and unique group of nursing professionals responsible to care for the hundreds and thousands of scholars with varying medical needs. Savage (2017) reviewed existing literature on the dual context of school nurse role. Evidence suggests that school nurses stay in the two different worlds and levels for education in nursing, which are the nursing and teaching roles. They must be knowledgeable and understand different state and federal laws to define their decision and actions in nursing practice. They should be familiar with the State Nurse Practice Act (NPA) which together with the rules and regulations direct and govern the nursing practice (Savage, 2017). Safe and competent nursing practice is based on the NPA which prohibits nurses from delegation of medication administration to other personnel. The duality causes ethical challenges, and the school nurses also must navigate through the ethical and legal complexities in practice which requires them to understand the legal boundaries which could define an ethical problem.

The Legislative Advocacy Role of School Nurses

School nurses also play a significant role in legislative advocacy which also demands that they be aware of their legal boundaries which are provided through education law. Savage (2017) conducted a study to explore the ethical issues that may emerge in school nursing. The author found that like many healthcare systems, school resources are often constrained. School nurses often see different students in varied situations such as poverty, homelessness, and abuse that put them in a disadvantaged position to learning. Others may experience undiagnosed mental health conditions. School nurses have the professional responsibility to advocate for sufficient resources to satisfy ethical responsibilities as well as ensure adherence to all the relevant regulations. According to Savage (2017), the advocacy can go beyond the individual and school level to district and state legislators responsible for budgetary controls and enact appropriate policies as well as mandates for school systems. Education law prepares nurses to advocate at these varied legislative levels. Endsley (2016) asserts that every school nurse has the responsibility to sustain advocacy and legislative commitment.

Section 504 of the Rehabilitation Act of 1973

The Rehabilitation Act is one of the education laws that govern school nursing. It was one of the first civil rights law for persons with disabilities that the US passed in 1973 to protect their rights. The law was inspired by children with disabilities' need for directed support while at school to succeed (Johnson, 2017). The Rehabilitation Act forbids discrimination against disabled persons in programs financed by the federal government such as public schools. It protects people against discrimination based on handicap which is either physical or mental impairments. The section coupled with the ADA and The Individuals with Disabilities Education Act (IDEA) strive to protect both disabled children as well as adults from exclusion and unequal treatment in learning institutions, employment, and the communities. So, why is the policy so important in school nursing and what their relationship?

School nursing is a government-funded program, which means that it is governed by the federal laws including the Rehabilitation Act. Public programs are at the risk of discrimination in the absence of comprehensive laws and regulations that prohibit them from discriminating individuals based on race, color, origin, or disability. School nurses must ensure that all their decisions and actions are within the legal frameworks as outlined by the federal and state laws. As legislative advocates, they must advocate for policies and practices in the schools that promote equality and modify those which deny equal access to disabled persons (Galemore & Sheetz, 2015). School nurses are actively involved in the Section 504 plans that entail most

students served under the individual health care plans (IHCP). Section 504 plan defines accommodation as well as modifications which allow children to school with their peers. Zazove et al. (2016) explored U.S. medical school's compliance towards the Disabilities Act. Findings, or results from the research show that majority of the schools do not support the Section 504 plans with only 33 percent supporting accommodation for disabled students. It demonstrates the need for school nursing to understand the significant relationship between the education law and school nursing.

School nurses have a broad range of responsibilities in implementing the Rehabilitation ACT in schools, demonstrating the vital relationship between these two elements. They are responsible for interpreting the state of health of various students and explaining the impairment based on the major life functioning impacted, level of limitation (mild, moderate, or severe), as well as the period whether known, or projected. School nursing also involves observing and explaining the effect of the health condition of a student on their participation at school including articulating interference with one or more life activities and student's functioning like exercise requirements (Galemore & Sheetz, 2015). Additionally, it involves recommending accommodations or supports associated with health to ensure equal access to education.

Conclusion

Education law has a significantly close relationship with school nursing. The laws which incorporate a mix of state and federal policies guide and govern how schools, nurses, students, and teachers operate. School nurses are put in a prime position of advocacy and implementation of these laws to promote equal opportunities of education regardless of a student's age, race, origin, as well as mental or physical state. They should be knowledgeable and aware of every state, or the federal law for example, the Rehabilitation Act that prohibits, or prevents discrimination against persons, or individuals with disability. It would help to prevent any potential litigation and facilitate the provision of safe and competent nursing practice.

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