MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Scott

To: Education; Public Health and Human Services

HOUSE BILL NO. 893

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Intervention Program may be considered for employment by the Office of Healthy Schools of the State Department of Education for the purpose of coordinating the employment of school nurses in the school districts. Any administrative personnel formerly employed by the Partnership for a Healthy Mississippi, Inc., for the administration of school nurses in the public schools may be considered for employment by the Office of Healthy Schools of the State Department of Education for the purpose of coordinating the employment of school nurses in the school districts. All records and unexpended balances of accounts in the School Nurse Intervention Program relating to the employment of school nurses shall be transferred to the Office of Healthy Schools in the State Department of Education in accordance with the transfer of responsibility under this chapter.

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

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

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

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

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

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

(f) Support healthy food services programs;

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

(h) Promote dropout prevention programs; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.