BULLETIN NO. 067-21 STUDENT ENGAGEMENT & SUPPORT

TO: Educational Service District Superintendents
    School District Superintendents
    School District Business Managers
    Public Charter Schools
    Tribal Compact Schools
    School District Directors
    School Nurse Supervisors

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Substitute House Bill 1085, an Act Relating to Promoting a Safe Learning Environment for Students with Seizure Disorders

CONTACT: Annie Hetzel, School Health Services Consultant
         360-725-6054, annie.hetzel@k12.wa.us

PURPOSE

The 2021 Washington State Legislature enacted substitute house bill (SHB) 1085, an act relating to promoting a safe learning environment for students with seizure disorders. This bill updates RCW 28A.210.260 and 228A.210.350; adds a new section to chapter 28A.210 RCW; and adds a new section to chapter 28A.235 RCW.

Effective July 25, 2021, SHB 1085 amends RCW 28A.210.260 Public and private schools—Administration of medication—Conditions, to clarify administration and delegation of medications, removing language requiring a school nurse to administer nasal spray when on the premises, and summoning emergency medical services when nasal spray is administered by unlicensed school personnel. Additionally, this bill prohibits parent designated adult (PDA) policy that permits a nurse to delegate nursing tasks to PDAs who are not school employees and outlines the function of a PDA as outside the supervision of the school nurse. SHB 1085 further requires the Washington State School Directors’ Association, to create a model policy and procedure, in consultation with the Office of Superintendent of Public Instruction, by December 15, 2021.
Effective for the 2022–23 school year, a new section of RCW 28A.210 requires school districts to adopt policies which address:

- Parent requests and instructions
- Orders from a Licensed Health Care Provider
- Storage of equipment and medications provided by parents
- Policy exceptions necessary to accommodate the needs of students with epilepsy or seizure disorders
- Development and distribution of an individualized health plan and emergency care plan for students with epilepsy and seizure disorders, to be updated annually
- Parent-designated adults: legal documents and training

This section also allows training for school personnel to be provided by a national epilepsy organization that offers seizure training and education for school nurses. Parent Designated Adults must show evidence of comparable training in proper procedures for care of students with epilepsy or other seizure disorders which may also be provided by a national epilepsy organization that offers seizure training and education for school nurses.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Annie Hetzel, School Health Services Consultant at 360-725-6054 or email annie.hetzel@k12.wa.us. The OSPI TTY number is 360-664-3631. This bulletin is also available on the Bulletins page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

Martin Mueller
Assistant Superintendent
Student Engagement & Support

Camille Goldy
Director
Student Support

CR:bc

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us