

116TH CONGRESS
1ST SESSION

S. 1362

To make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2019

Mr. TESTER (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nurses for Under-
5 Resourced Schools Everywhere Act” or the “NURSE
6 Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The National Association of School Nurses
4 identifies schools as primary locations to address
5 student health issues, since a school nurse is the
6 health care provider that many students see on the
7 most regular basis.

8 (2) The American Academy of Pediatrics has
9 recognized the crucial role that school nurses play in
10 children's health and has called for having a full-
11 time school nurse every day and in every school
12 building.

13 (3) The school nurse functions as the leader
14 and coordinator of the school health services team,
15 including by carrying out chronic disease manage-
16 ment and health promotion as well as facilitating ac-
17 cess to a medical home for each child and supporting
18 academic achievement.

19 (4) School nurses promote wellness and disease
20 prevention to improve health outcomes for our Na-
21 tion's children. In addition, school nurses perform
22 early intervention services such as periodic assess-
23 ments for vision, hearing, and dental problems, in an
24 effort to remove barriers to learning.

25 (5) The American Federation of Teachers has
26 called for a nurse in every school, as nurses are

1 front-line workers that address an array of health
2 needs and their presence in a school can help to im-
3 prove student learning.

4 (6) According to 2017 data from the National
5 Association of School Nurses, only 39.3 percent of
6 schools employ a full-time school nurse, while 35.5
7 percent of schools employ a school nurse only part-
8 time, and 25.2 percent do not have a school nurse
9 at all.

10 (7) The National Association of School Nurses
11 has reported that medication administration to stu-
12 dents is one of the most common health-related ac-
13 tivities performed in school. As more chronically ill
14 and medically unstable children enter the school sys-
15 tem each year, the medical factors that promote and
16 support their academic success increase, including
17 the need for medications that enhance overall health
18 or stabilize chronic conditions.

19 (8) National data indicate that between 15 and
20 20 percent of children who spend their day in school
21 have a chronic health condition.

22 (9) According to the American Academy of Pe-
23 diatrics, students today face increased social and
24 emotional issues, which enhance the need for preven-
25 tive services and interventions for acute and chronic

1 health issues. School nurses are actively engaged
2 members of school-based mental health teams and
3 spend nearly 32 percent of their time providing men-
4 tal health services, including universal and targeted
5 interventions, screenings to identify early warning
6 signs and provide referrals to medical providers, and
7 crisis planning.

8 (10) According to the Department of Edu-
9 cation, during the 2013–2014 school year, 1,360,747
10 children enrolled in public schools experienced home-
11 lessness. Homeless children develop increased rates
12 of acute and chronic health conditions, and the
13 stress of their living situation can negatively affect
14 their development and ability to learn. As a result,
15 schools have become the primary access to health
16 care for many children and adolescents. School
17 nurses serve on the front lines as a safety net for
18 the Nation’s most vulnerable children.

19 (11) Communicable and infectious diseases ac-
20 count for millions of school days lost each year.
21 Data illustrate that when students have access to a
22 registered nurse in school, immunization rates in-
23 crease.

24 **SEC. 3. INCREASING THE NUMBER OF SCHOOL NURSES.**

25 (a) DEFINITIONS.—In this section:

1 (1) ESEA TERMS.—The terms “elementary
2 school”, “local educational agency”, “secondary
3 school”, and “State educational agency” have the
4 meanings given to the terms in section 8101 of the
5 Elementary and Secondary Education Act of 1965
6 (20 U.S.C. 7801).

7 (2) ACUITY.—The term “acuity”, when used
8 with respect to a level, means the level of a patient’s
9 sickness, such as a chronic condition, which influ-
10 ences the need for nursing care.

11 (3) ELIGIBLE ENTITY.—The term “eligible enti-
12 ty” means—

13 (A) a local educational agency in which not
14 less than 20 percent of the children are eligible
15 to participate in the school lunch program es-
16 tablished under the Richard B. Russell National
17 School Lunch Act (42 U.S.C. 1751 et seq.);

18 (B) a consortium of local educational agen-
19 cies described in subparagraph (A); or

20 (C) a State educational agency in consor-
21 tium with local educational agencies described
22 in subparagraph (A).

23 (4) HIGH-NEED LOCAL EDUCATIONAL AGEN-
24 CY.—The term “high-need local educational agency”

1 means a local educational agency described in para-
2 graph (3)(A)—

3 (A) that serves not fewer than 15,000 chil-
4 dren who are eligible to participate in the pro-
5 gram described in such paragraph; or

6 (B) for which not less than 40 percent of
7 the children served by the agency are eligible to
8 participate in the program described in such
9 paragraph.

10 (5) NURSE.—The term “nurse” means a reg-
11 istered nurse, as defined under State law.

12 (6) SECRETARY.—The term “Secretary” means
13 the Secretary of Education.

14 (7) WORKLOAD.—The term “workload”, when
15 used with respect to a nurse, means the amount of
16 time the nurse takes to provide care and complete
17 the other tasks for which the nurse is responsible.

18 (b) DEMONSTRATION GRANT PROGRAM AUTHOR-
19 IZED.—

20 (1) IN GENERAL.—From amounts appropriated
21 to carry out this section, the Secretary of Education
22 shall award demonstration grants, on a competitive
23 basis, to eligible entities to pay the Federal share of
24 the costs of increasing the number of school nurses
25 in the public elementary schools and secondary

1 schools served by the eligible entity, which may in-
 2 clude hiring a school nurse to serve schools in mul-
 3 tiple school districts.

4 (2) SEAs.—In the case of an eligible entity de-
 5 scribed in subsection (a)(3)(C) that receives a grant
 6 under paragraph (1), such entity shall use amounts
 7 received under the grant to award subgrants to the
 8 local educational agencies that are members of the
 9 entity, and reserve not more than 10 percent of such
 10 grant funds to support statewide activities to meet
 11 a variety of health needs, which may include hiring
 12 a nurse to provide training and technical assistance
 13 to schools statewide that meet the criteria estab-
 14 lished in subsection (d)(2)(A).

15 (c) APPLICATIONS.—

16 (1) IN GENERAL.—An eligible entity desiring a
 17 grant under this section shall submit to the Sec-
 18 retary an application at such time, in such manner,
 19 and containing such information as the Secretary
 20 may require.

21 (2) CONTENTS.—Each application submitted
 22 under paragraph (1) shall include information with
 23 respect to the current (as of the date of application)
 24 number of school nurses, student health acuity lev-
 25 els, and workload of school nurses in each of the

1 public elementary schools and secondary schools
2 served by the eligible entity.

3 (d) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give priority to each application
5 submitted by an eligible entity that—

6 (1) is a high-need local educational agency, a
7 consortium composed of high-need local educational
8 agencies, or a State educational agency in consor-
9 tium with high-need local educational agencies; and

10 (2) demonstrates—

11 (A) the greatest need for new or additional
12 nursing services among students in the public
13 elementary schools and secondary schools
14 served by the agency or consortium; or

15 (B) that the eligible entity does not have
16 a school nurse in any of the public elementary
17 schools and secondary schools served by the
18 local educational agency or the consortium-
19 member local educational agencies.

20 (e) FEDERAL SHARE; NON-FEDERAL SHARE.—

21 (1) FEDERAL SHARE.—The Federal share of a
22 grant under this section—

23 (A) shall not exceed 75 percent for each
24 year of the grant; and

1 (B) in the case of a multiyear grant, shall
 2 decrease for each succeeding year of the grant,
 3 in order to ensure the continuity of the in-
 4 creased hiring level of school nurses using State
 5 or local sources of funding following the conclu-
 6 sion of the grant.

7 (2) NON-FEDERAL SHARE.—The non-Federal
 8 share of a grant under this section may be in cash
 9 or in kind, and may be provided from State re-
 10 sources, local resources, contributions from private
 11 organizations, or a combination thereof.

12 (3) WAIVER.—The Secretary may waive or re-
 13 duce the non-Federal share of an eligible entity re-
 14 ceiving a grant under this section if the eligible enti-
 15 ty demonstrates an economic hardship.

16 (f) REPORT.—Not later than 2 years after the date
 17 on which a grant is first made to a local educational agen-
 18 cy under this section, the Secretary shall submit to Con-
 19 gress a report on the results of the demonstration grant
 20 program carried out under this section, including an eval-
 21 uation of—

22 (1) the effectiveness of the program in increas-
 23 ing the number of school nurses; and

1 (2) the impact of any resulting enhanced health
2 of students on learning, such as academic achieve-
3 ment, attendance, and classroom time.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 such sums as may be necessary for each of fiscal years
7 2020 through 2024.

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