

POLICYALERT



December, 2012

Forethought Consulting, Inc.

POLICY UPDATE: 2012

FINALLY!

As we approach the end of 2012, we can finally put the policy changes of the 2012 Louisiana Legislature to bed. We appreciate your patience as we plowed our way through this process and now top off the stacks of policy changes with five more.

Included with this newsletter is discussion of revisions regarding sale of surplus computers, naming of non-public streets, class size waivers, homeless children and youth, and administration of medication for anaphylactic reactions and diabetes.

SALE OF SURPLUS EQUIPMENT AND SUPPLIES

The purpose of Act 436, enacting La. Rev. Stat. Ann. §17:87.6(C), is to address the sale of computers no longer needed for school purposes to students or parents of students enrolled in a school in the school system. The sale price shall be reasonable for the value of the device and the sales shall only apply to individual computing devices used for classwork by students, not other computer equipment or related equipment such as routers, switches, or servers. We have revised the policy *Sale of Surplus Equipment and Supplies* to include this new information. For systems which addressed both the sale of equipment and the sale of real estate in a single policy, we have separated the policies into two separate policies. Act 436 became effective May 31, 2012.

Policies In This Issue:

- Sale of Surplus Equipment and Supplies
- Naming of Facilities
- Class Size
- Homeless Children and Youth
- Administration of Medication

NAMING OF FACILITIES

Statutes were revised in 2008 to allow existing athletic facilities to be named in honor of a living person. This year the legislature passed Act 695, effective August 1, 2012, which amends La. Rev. Stat. Ann. §17:85, allowing School Boards to name a street maintained by the School Board which is not a state or federal highway after a living person as well. This addition has been made to the policy *Naming of Facilities*.

CLASS SIZE

School systems are required to have a systemwide pupil-classroom-teacher ratio of twenty to one in grades kindergarten through third grade. Effective June 7, 2012, Act 659 amended La. Rev. Stat. Ann. §17:151(B) to allow Boards to request a limited waiver from the student-teacher ratios, provided that the teacher has demonstrated effectiveness as defined by the Louisiana Board of Elementary and Secondary Education. Although the Act mentions student-teacher *ratios*, the only ratio included in statutes is the systemwide 20-1 for kindergarten through third grade. The policy *Class Size* has been revised to include this new provision.

HOMELESS CHILDREN AND YOUTH

Act 249, effective May 25, 2012, addresses the education of children in foster care, and amends La. Rev. Stat. Ann. §17:283(C) to ensure that a child in foster care can remain in the school in which he/she was enrolled when he/she entered foster care, *for the duration of the child's stay in the custody of the state or until he/she completes the highest grade offered at the school*, if the Department of Children and Family Services determines that it is in the best interest of the child. The policy *Homeless Children and Youth* has been revised to include a new section addressing children in foster care. Many systems are receiving policies which have also been revised to include updated and expanded information defining homeless children and youth and addressing enrollment issues to accommodate applicable regulations from Bulletin 741, *Louisiana Handbook for School Administrators*.

ADMINISTRATION OF MEDICATION

The *Administration of Medication* policy has been revised to reflect provisions of both Act 624 and Act 858. Act 624, effective June 7, 2012, enacted La. Rev. Stat. Ann. §17:436.1(K), requiring Boards to adopt a policy

authorizing a nurse or trained school employee to administer auto-injectable epinephrine to a student who the nurse or trained employee in good faith professionally believes is having an anaphylactic reaction. This provision applies whether a student has a prescription or not. Schools are permitted by the statute to maintain a supply of auto-injectable epinephrine in locked, secure, and easily accessible locations and it requires at least one employee to receive training in the use of auto-injectable epinephrine from a registered nurse or licensed medical physician. Schools are required to include information regarding use of auto-injectable epinephrine in student handbooks and to post the policy on a website, if the school has a website. Any parent who has notified the school that his/her child has an allergy or condition which puts him or her at risk for anaphylaxis shall also be notified of this policy.

The focus of Act 858 is the management and treatment of students with diabetes. Enacting La. Rev. Stat. Ann. §17:436.3, and effective June 14, 2012, the Act requires that parents of students with diabetes shall annually submit a *diabetes management and treatment plan* to the principal within 5 days of the beginning of each school year, or upon enrollment in the school after the beginning of the school year, or upon receipt of a diagnosis of diabetes. A school nurse or unlicensed diabetes care assistant may provide care to a student with diabetes, or assist the student with self-care. Schools **may** adopt a policy that a school nurse or at least one unlicensed diabetes care assistant be present and available to help a student with diabetes with self-care during school or school-related activities. *Unlicensed diabetes care assistant* is defined by the statute as a school employee who volunteers to be trained in accordance with the statutory provisions. An unlicensed diabetes care assistant may only provide diabetes care in accordance with the student's diabetes management and treatment plan, and then **only** if the parent or legal guardian signs an agreement authorizing such care.

MERRY CHRISTMAS

from all the elves here at
Forethought Consulting, Inc.!!

