

## Care of Students with Seizures – FAQ's Document

### General Information

**1. When does this new law (SEA 1089) take effect?**

This law will take effect as of July 1, 2020.

**2. Who does this law apply to?**

This law applies to each school corporation and charter school in Indiana.

**3. What are the main parts of this new law?**

There are two main requirements of this law:

- a. Staff training (IC 20-28-3-9); and
- b. Developing a plan of care for a student with seizures (IC 20-34-3-26).

### Staff Training

**4. Who in the school must be trained?**

All staff who have direct, ongoing contact with children must attend, within 30 days of their employment, training concerning recognition of the signs and symptoms of seizures and the appropriate steps in response to these symptoms.

**5. How often does this training have to occur?**

All school employees who have direct, ongoing contact with children must attend seizure training within 30 days of initial employment and at least once every five years thereafter.

**6. What type of format is required for this training?**

The format for training options is up to the school corporation or charter school to determine and can include any of the following:

- a. An in-person presentation;
- b. An electronic or technology-based medium, including self-review modules available on an online system;
- c. An individual program of study designated materials; or
- d. Any other method approved by the governing body or organizer of a charter school consistent with current professional development standards.



**Dr. Jennifer McCormick**  
Superintendent of Public Instruction

DEPARTMENT OF EDUCATION

*Working Together for Student Success*

**7. Does the Indiana Department of Education (IDOE) have resources to assist schools with implementing this training?**

Yes, IDOE has identified resources to assist schools with completing this seizure training. These resources can be found on the [IDOE – Health webpage](#).

**8. Are schools required to use the resources identified by IDOE?**

No, schools can utilize any resource consistent with the training programs and guidelines developed by the Epilepsy Foundation of America or a successor organization.

**9. When must this training take place?**

The training must take place during the school employee's contracted day or at a time chosen by the employee.

**10. Can an employee receive professional growth points for completing this training?**

Yes, the training must count towards the requirements for professional development required by the governing body of a school corporation or its equivalent for a charter school.

**Individual Health Plan (IHP) for Students with Seizures**

**11. Are there other requirements for this law?**

Yes, if a school corporation or charter school receives a seizure management and treatment plan (medical orders) for a student that was developed by the student's provider, the following requirements must be met:

- a. The school corporation or charter school must maintain the seizure management and treatment plan (medical orders) on file at the school the student attends.
- b. The school nurse (RN) for the school corporation or charter school must develop an IHP for the student that applies to the student during the school day or while the student is participating in a school activity.
- c. The school nurse (RN), or the school nurse's designee, must be available to perform the tasks necessary to implement the student's IHP during the school day or while the student is participating in school-sponsored activities.

**12. Can someone other than a RN develop an IHP for a student with seizures?**

No, the plan must be developed by a RN. The RN creates the IHP and can then either deliver the care necessary to implement the IHP or delegate the care to a designee employed by the school.

**13. Who can be the school nurse's (RN) designee?**

The designee can be a person hired by the school to deliver health care to students such as a licensed practical nurse (LPN), a health assistant, or a certified nurse assistant. The designee can also be a school employee that does not have any health training, who volunteers to be the school nurse's designee, and who has received training by the school nurse.

**14. Does the school need to have at least one trained staff member available at all times to perform the tasks necessary to implement the student's IHP?**

Yes, the law states that the school nurse, or the school nurse's designee, must be available to perform the tasks necessary to implement the student's IHP during the school day or when the student is participating in school-sponsored activities. This does not mean the school nurse needs to be in the building full-time, but at least one trained staff member must be available to perform the tasks necessary to implement the student's IHP during the school day or when the student is participating in school-sponsored activities. For example, the school nurse develops the student's IHP, delegates the care of the student to a health-aide during the school day, and delegates the care of the student to a coach during a school-sponsored activity.

**15. If the student is participating in a before or after school-sponsored activity, does the school need to provide a staff member to implement the student's IHP?**

Yes, a trained staff member must be available to perform the tasks necessary to implement the student's IHP. This does not have to be the school nurse or the same designee that cares for the student during the school day. The necessary tasks and the designated staff member are outlined in the student's IHP.

**16. Does IDOE have resources available to assist a school nurse with developing an IHP for a student with seizures?**

Yes, these resources can be accessed on IDOE's Moodle learning platform in the School Nurse Community. General information regarding delegation and writing IHP's can be found in the Indiana School Nurse Manual and specific information regarding seizure management can be found under the Seizure Folder. Instructions for creating an account for IDOE's Moodle site can be found [here](#).