

Use of Delegation in the School Setting



Wisconsin Department of Public Instruction
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INTRODUCTION

“Delegation of nursing tasks to unlicensed assistive personnel (i.e., anyone who does not have a license to practice nursing) requires thoughtful decision making in any setting, but especially in schools. The educational focus and lack of healthcare staff in the school setting, combined with increasing number of students with complex health care needs requiring treatment throughout the school day, provides a unique context where delegation of care is often necessary to support the individualized health care plan developed by the school nurse. With the increased need for health services in school, nurses are increasingly using the process of delegation whereby the school nurse can delegate nursing tasks or functions to unlicensed assistive personnel (UAP)”

(National Association of School Nurses [NASN] 2005).

School district boards, administrators, and school nurses must be knowledgeable about the federal and state laws, local policies, and professional standards of nursing practice that impact providing health care in the schools.

School district boards, administrators, and school nurses must be knowledgeable about the federal and state laws, local policies, and professional standards of nursing practice that impact providing health care in the schools. Nursing tasks commonly performed in the home setting by a student, parent, caregiver, or licensed healthcare provider take on a more complex dimension in the school setting. The health, safety, and wellbeing of the individual student and the broader school community must be the primary consideration in any decision to delegate care in the school setting (American Nurses Association & the National Council of State Boards of Nursing [ANA & NCSBN] 2006).

The American Nurses Association defines nursing delegation as “transferring the responsibility of performing a nursing activity to another person while retaining the accountability for the outcome” (ANA & NCSBN 2006). All nurses, regardless of their practice setting, share a common foundation of responsibility and accountability that is outlined by the practice of nursing and the laws governing the profession consistent with their level of licensure (Russell 2017, 22). State-specific guidelines for delegation are defined in the Wisconsin Nurse Practice Act, Wis. Stat. Ch. 441, and its associated rules and regulations in Wis. Admin. Code Ch. N 1-9. Professional organizations also provide guidelines for the delegation of care.

Wis. Stat. Ch. 441 is comprised of two subchapters. Subchapter I, Regulation of Nursing, defines the basic statutory responsibilities, requirements for the examination and licensure of nurses, and authority of the board of nursing for disciplinary action. Subchapter II, Nurse Licensure Compact, governs the practice privileges of nurses licensed in other compact membership states, while practicing out of their original state of licensure.

The scope of practice of nurses is further defined in Wis. Admin. Code Ch. N 6, Standards of Practice of the Registered Nurse and Licensed Practical Nurse. Chapter N 6 defines the minimum practice standards for registered nurses and licensed practical nurses. An individual nurse may obtain additional education, certification, and/or licensure. An example of a nurse that has gained additional skills and knowledge would be the school nurse that has obtained the Wisconsin Department of Public Instruction (DPI) optional school nurse license and/or national certification through the National Board for Certification of School Nurses.

Wis. Admin. Code Ch. N 6 provides further guidance in that it articulates what are “basic” versus “complex” nursing care and situations. Registered nurses use the nursing process including assessment, planning, intervention, and evaluation in providing nursing care. The only part of the nursing process that can be delegated is intervention. The processes of assessment, planning, and evaluation cannot be delegated. Wis. Admin. Code Ch. N 6 also defines supervision. Supervision of delegated nursing tasks provides both ongoing evaluation of the competency of the UAP performing the task, as well as evaluating the student’s health outcomes.

This document has been prepared in a question and answer (Q&A) format to provide a more straightforward explanation of how Wis. Stat. Ch. 441 and Wis. Admin. Code Ch. N 1-9 impact the unique nature of providing nursing care within the school environment in Wisconsin. A particular focus is on the delegation of school health services by school nurses. The term “school nurse” as used throughout this document, other than in question #1, means a registered nurse (RN) who is licensed under Wis. Stat. Ch. 441. The complete versions of the nursing statutes and administrative rules are available online at [Wisconsin Nurse Practice Act](#) and [Standards of Practice of the Registered Nurse and Licensed Practical Nurse](#).

The only part of the nursing process that can be delegated is intervention. The processes of assessment, planning, and evaluation cannot be delegated.



1 What are the legal definition and educational requirements of the school nurse?

“School nurse” as defined in [Wis. Stat. § 115.001\(11\)](#) “means a registered nurse (RN) licensed under Chapter 441 or in a party state, as defined in [Wis. Stat. § 441.50\(2\)\(j\)](#), who submits evidence satisfactory to the DPI that he or she has successfully completed a course, determined to be satisfactory to the DPI, in public health or community health.” An RN licensed under Wis. Stat § 441.06 is authorized to practice professional nursing.

[Section 441.001\(4\)](#) of the Wisconsin statutes, defines professional nursing as “the performance for compensation of any act in the observation or care of the ill, injured, or infirm, or for the maintenance of health or prevention of illness of others that requires substantial nursing skill, knowledge, or training, or application of nursing principles.” Professional nursing includes:

- (a) The observation and recording of symptoms and reactions.
- (b) The execution of procedures and techniques in treating the sick under the general or special supervision of a physician, podiatrist, dentist, or optometrist licensed to practice medicine in Wisconsin or any other state.
- (c) The execution of general nursing procedures and techniques.
- (d) The supervision of a patient and the supervision and direction of a licensed practical nurse and less skilled assistants.

Professional registered nurses have two options for educational preparation including the associate and baccalaureate degree. The associate degree includes a two-year course of study of basic nursing principles. The associate degree does not include a course in public health or community health. The baccalaureate degree includes a four-year course of study of basic nursing principles with public health knowledge and leadership skills.

By law, individuals may not use the title or initials of a registered nurse (RN) unless they are licensed with the Wisconsin Board of Nursing or other states in the nurse licensure compact ([Wis. Stat. § 441.06\[4\]](#)).

Note: Wis. Admin. Code § PI 34.31(2) states that the DPI school nurse license is not required for an RN to be a school nurse.



Professional nursing includes....The supervision of a patient and the supervision and direction of a licensed practical nurse and less skilled assistants.

2 What are the legal definition and educational requirements of a licensed practical nurse?

A licensed practical nurse (LPN) is a nurse licensed under [Wis. Stat. § 441.10](#) or a nurse who has a privilege to practice in Wisconsin under [Wis. Stat. § 441.51\(2\)\(j\)](#). Section [441.001\(3\)](#) of the Wisconsin statutes defines licensed practical nursing as the performance for compensation of any “simple act” in the care of the sick, injured, or convalescing person or more acutely ill or injured person under the specific direction of a nurse, physician, podiatrist, chiropractor, dentist, or optometrist. A simple act is one that “does not require any substantial nursing skill, knowledge, or training or the application of nursing principles based on biological, physical, or social sciences, or the understanding of cause and effect in the act.” In the performance of acts in basic patient situations, an LPN shall, under the general supervision of an RN or the direction of a provider:

- (a) Accept only patient care assignment which the LPN is competent to perform.
- (b) Provide basic nursing care.
- (c) Record nursing care and report changes in patient health care status to appropriate persons.
- (d) Consult with a provider in cases where an LPN knows or should know a delegated act may harm the patient.
- (e) Perform the following other acts when applicable:
 1. Assist with the collection of data.
 2. Assist with the development and revision of a nursing care plan.
 3. Reinforce the teaching provided by an RN provider and provide basic patient instruction.
 4. Participate with other health team members in meeting basic patient needs (Wis. Admin. Code § N 6.04 [1]).



LPNs must practice under the supervision of an RN or medical provider (Wis. Admin. Code § N 6.04[1]).

An LPN's education is a one-year program focused on basic practical nursing skills. LPNs must practice under the supervision of an RN or medical provider (Wis. Admin. Code § N 6.04[1]).

3 What is the difference between a “basic patient care situation” and a “complex patient care situation”?

The differences between “basic patient care situations” and “complex patient care situations” are outlined in Wis. Admin. Code Ch. N 6. [Wis. Admin. Code §§ N 6.02\(2\)-\(3\)](#) state that an RN, physician, podiatrist, dentist, or optometrist is responsible for determining whether a patient (student) situation is either “basic” or “complex.” The following three conditions must prevail at the same time in order for a situation to be considered basic: (1) the student’s clinical condition is predictable; (2) medical or nursing orders are not changing frequently and do not contain complex modifications; and (3) the student’s clinical condition only requires basic nursing care. “Basic nursing care” means care that follows a routine procedure with few changes to the procedure and the student’s response to that care is predictable.

A “complex patient situation” exists if one or more of the following conditions exist in a given situation: (1) the student’s health condition is not predictable; (2) medical or nursing orders are likely to involve frequent changes or complex modifications; or (3) the student’s clinical condition indicates care that is likely to require modification of nursing procedures in which the responses of the student to the nursing care are not predictable ([Wis. Admin. Code § N 6.02\[3\]](#)).

4 How does delegation occur in a school setting?

Delegation of nursing tasks in the school setting can be a valuable tool for the school nurse, when based on the nursing definition of delegation and in compliance with state nursing regulations and guidance. The American Nurses Association defines nursing delegation as “transferring the responsibility of performing a nursing activity to another person while retaining accountability for the outcome” (ANA & NCSBN 2006). Under [Wis. Stat. § 441.001\(4\)\(d\)](#), professional nursing includes the supervision of a patient and the supervision and direction of less skilled assistants. For purposes of delegation in the school setting, less skilled assistants may include designated school employees.

The decision to delegate and the supervision of those delegated to perform nursing tasks in the school setting is the responsibility of the delegating (school) nurse (National Association of School Nurses [NASN] 2014). Decisions about delegation are made by the delegating nurse following proper assessment and planning as required by the nursing process outlined in [Wis. Admin. Code § N 6.03\(1\)](#). The delegating nurse must use the nursing process to determine whether delegation is appropriate in a particular situation. The nurse should adhere to the professional principles of delegation as outlined by professional nursing and professional school nursing organizations.

Not all nursing tasks can be delegated. The school nurse must first determine if the proposed task or procedure can be delegated based upon Wis. Stat. Ch. 441 and an assessment of the unique characteristics of the situation and the individual student requiring services (NASN 2005).

Decisions about delegation are made by the delegating nurse following proper assessment and planning as required by the nursing process outlined in Wis. Admin. Code § N 6.03(1).

The school nurse must first determine if the proposed task or procedure can be delegated based upon Wis. Stat. Ch. 441 and an assessment of the unique characteristics of the situation and the individual student requiring services (NASN 2005).

5 What principles of delegation apply in a school setting?

The principles of nursing delegation apply to all settings. The delegated nursing task must be within the responsibilities of the nursing license. The RN should delegate only in accordance with his/her education, training, and experience. If necessary, the RN should seek consultation from a knowledgeable RN (WNA 2002).

[Wis. Admin. Code § N 6.03\(3\)\(a\)](#) requires delegation “commensurate with the educational preparation and demonstrated abilities of the person supervised.” The school nurse must provide student-specific training and have the delegatee demonstrate competence (National Council of State Boards of Nursing [NCSBN] 2016). School nurses must provide direction and assistance to those supervised, observe and monitor the activities of those supervised, and evaluate the effectiveness of acts performed under supervision ([Wis. Admin. Code § N 6.03\[3\] \[b\]-\[d\]](#)).

The school nurse should use the “Five Rights of Delegation” as a guide for deciding whether nursing tasks can be delegated and when, what, and to whom to delegate. These Five Rights, as outlined by the National Council of State Boards of Nursing, include:

1. **Right task.** The activity falls within the delegatee’s job description or is included as part of the established written policies and procedures of the nursing practice setting.
2. **Right circumstance.** The health condition of the patient must be stable. If the patient’s condition changes, the delegatee must communicate this to the licensed nurse, and the licensed nurse must reassess the situation and the appropriateness of the delegation.
3. **Right person.** The licensed nurse along with the employer and the delegatee is responsible for ensuring that the delegatee possesses the appropriate skills and knowledge to perform the activity.
4. **Right directions and communication.** The licensed nurse is expected to communicate specific instructions for the delegated activity to the delegate; the delegate, as part of two-way communication, should ask any clarifying questions. The delegatee must understand the terms of the delegation and must agree to accept the delegated activity.
5. **Right supervision and evaluation.** The licensed nurse is responsible for monitoring the delegated activity, following up with the delegatee at the completion of the activity, and evaluating patient outcomes. The delegatee is responsible for communicating patient information to the licensed nurse during the delegation situation (NCSBN 2016).



6 What types of nursing acts may be delegated and to whom?

No Wisconsin state statute lists nursing tasks that are appropriate for delegation to school staff without a healthcare license. The decision to delegate the nursing task is based on the school nurse's assessment of the complexity of the nursing task and care, predictability of the health status of the student, the educational preparation and demonstrated abilities of the school staff without a health care license, and the context of other student or situational needs (American Nurses Association [ANA] 2012). The school nurse must also give consideration to the proper training and supervision of the person performing the nursing task and to the ability of the school nurse to assess the response of the student to that care.

Nursing tasks may be categorized as simple or complex. Simple nursing tasks are more likely to be eligible for delegation than complex nursing tasks. Simple nursing tasks can be described as tasks that “do not require substantial nursing skill, knowledge, or training, or the application of nursing principles based on biological, physical, or social sciences or the understanding of cause and effect of the act” ([Wis. Stat. § 441.001\[3\]\[b\]](#)).

Similarly, a distinction exists between basic and complex patient situations. A basic patient situation exists when a student's clinical condition is predictable, frequent or complex modifications of the medical provider's orders or plan of care are not required, and the student requires only basic nursing care ([Wis. Admin. Code § N 6.02 \[2\]](#)). A complex patient situation exists when the student's health condition and response to intervention are not predictable, requiring frequent changes to or modification of the medical provider's orders and nursing plan of care ([Wis. Admin. Code § N 6.02\[3\]](#)).

Complex nursing care tasks cannot be delegated to people without a healthcare license. Nursing tasks may be delegated when the task does not require assessment and evaluation of the student's health and modifications to the plan of care.

7 What are some of the criteria that a school nurse might use in determining if a nursing-related task may be delegated?

The school nurse must determine whether a specific nursing task can be delegated according to the law and the principles noted in Question 5. The decision to delegate is based on the safety and welfare of the student, not on expediency or cost (NASN 2005; ANA & NCSBN 2006).

The student's health condition and the predictability of the outcome of the task must be considered. The school nurse must also consider the context of other students' needs. The school nurse must determine if the delegatee is willing and competent to perform the delegated procedure correctly after appropriate training. Delegation requires supervision and evaluation of the delegatee and the student's response to the procedure/activity. The school nurse must determine how, how often, and when this supervision will occur. The school nurse will need to evaluate if the particular situation allows for this required supervision (WNA 2002).

Complex nursing care tasks cannot be delegated to people without a healthcare license. Nursing tasks may be delegated when the task does not require assessment and evaluation of the student's health and modifications to the plan of care.

The decision to delegate is based on the safety and welfare of the student, not on expediency or cost (NASN 2005; ANA & NCSBN 2006).

8 What are the general steps involved in the process of nursing delegation?

The general steps of the delegation can be performed by one or several nurses working collaboratively. School nurses may find the use of the Wisconsin Nurses Association's delegation guidelines and the American Nurses Association and National Council of State Boards of Nursing Joint Statement on Delegation helpful in this process (WNA 2002; ANA & NCSBN 2006). The following list is adapted from the Wisconsin Nurses Association Guidelines for Registered Nurse Delegation to Unlicensed Assistive Personnel (2002).

1. Determine the appropriateness of the delegation of the nursing task to school personnel without a health care license.
2. Determine if the delegated nursing task is commensurate with the nurse's education, training, and experience.
3. Assess the student's health status, environment, and available resources to determine the predictability of the outcomes of the nursing task.
4. Assess the school personnel's willingness and ability to perform the nursing task.
5. Provide the training of the school personnel. Nurses need to document the competency level of the school personnel's knowledge and skill acquisition.
6. Provide the school personnel with contact information for the nurse and plan for the nurse's back-up as needed.
7. Supervise and evaluate the performance of the school personnel's ability to perform the delegated nursing task.
8. Document the student's health status, delegated task, school personnel performance of the task, and competency and evaluation of the outcomes of the nursing tasks.



9 How are staff chosen to perform delegated nursing tasks?

Often staff are chosen based upon availability to perform the task. Staff chosen to perform delegated nursing tasks must not only demonstrate competence but a willingness to accept responsibility for the assignment and consent to be supervised by the school nurse while performing the task.

While employers and administrators may suggest which nursing acts should be delegated and/or to whom the delegation may be made, it is the school nurse who must make, and is legally responsible for making, the decision whether, and under what circumstances, the delegation occurs. The school nurse remains legally responsible for the actions of the delegated personnel.

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10 What type of training and supervision is required of staff performing delegated nursing tasks in schools?

When the school nurse delegates a nursing task, the process starts by determining what type of training is required. The school nurse is responsible for ensuring that the delegatee receives adequate preparation to perform the task in a safe and appropriate manner. Training typically involves a demonstration of the task and a return demonstration by the delegatee. A skills check list can be used to facilitate this training and to document competency.

After the initial training, the school nurse must provide ongoing observation, monitoring, direction, and assistance to those performing the task (Wis. Admin. Code §§ N 6.03[3][a-d]).

After the initial training, the school nurse must provide ongoing observation, monitoring, direction, and assistance to those performing the task ([Wis. Admin. Code §§ N 6.03\[3\]\[a-d\]](#)). Through this ongoing process, the school nurse can assure safe performance of delegated tasks and evaluate both the effectiveness of the acts and the student's response to the intervention, adjusting the plan of care, if necessary.



Wis. Admin. Code Chapter N 6 defines [direct and general supervision](#). Direct supervision means immediate availability to continually coordinate, direct and inspect at first hand the practice of another. General supervision means to regularly coordinate, direct, and inspect the practice of another. In a school setting supervision is generally categorized as on-site (i.e., the school nurse is physically present or immediately available when the task is performed) or off-site (i.e., the school nurse provides direction through written or verbal communication).

The type of supervision required will depend on the circumstances of the particular task, and the abilities and training of the staff (NASN 2005). There is no set frequency of monitoring assigned to a certain nursing task. The experience and educational preparation of the person assuming the delegation from the nurse will also determine the supervision.

11 What is the difference between training and delegation?

Training is the process of providing general health information to others regarding a health skill, condition, injury, medication, or procedure. It can be done in a group or individual setting. If the training is specific to a certain student's health care needs, medications, and/or procedures, then the training is part of the process of delegation.

12 Is medication administration a delegated nursing act?

Depending on the policies of the school district, medication administration might not be a delegated nursing act. Section 118.29 of the Wisconsin statutes allows for a school bus operator, school district, county children with disabilities education board, and cooperative educational service agency employee or volunteer to perform the nursing activity of medication administration. School administrators and principals have the authority to assign a school bus operator, school district, county children with disabilities education board, and cooperative educational service agency employee, or volunteer to administer prescription and over-the-counter medication per [Wis. Stat. § 118.29](#). This assignment must be authorized by the administrator in writing. If the school administrator or principal authorizes a school employee to administer medication, the school administrator or principal may be held accountable for such authorization.

In delegation, a delegatee is allowed to perform a specific nursing activity, skill, or procedure that is outside the role and basic educational preparation of the delegatee (NBCSN 2016). School nurses may at times choose to assume responsibility and accountability for the administration of medication by oral or other than oral routes, particularly if administration of the medication is part of a student's health care plan. However, according to Wis. Stat. § 118.29, delegation is not required in order for school employees or volunteers to administer medications to students. Please see the DPI guidance [Administration of Medication to Pupils](#) for a full discussion.

This state school medication law requires training for all medications given other than by oral, ear, eye and topical routes. If a school nurse provides this training, the nurse is not necessarily delegating the administration of medication; rather the school personnel are assigned and authorized by the school administrator or principal to carry out a duty allowed by statute.

13 What is the school nurse's professional responsibility regarding delegation to school personnel without a healthcare license?

The delegating school nurse is responsible for directing, supervising, and evaluating school personnel to whom nursing tasks are delegated. The delegation of a nursing task to school personnel without a healthcare license carries legal implications for the delegating school nurse. If the school nurse decides that delegation may not appropriately or safely take place, but nonetheless makes the delegation, he or she may be disciplined by the Board of Nursing for negligent practice [Wis. Stat. § 441.07](#) and [Wis. Admin. Code § N 6.05](#). However, if the delegating school nurse has taken steps to ensure the task is delegated properly and that appropriate training, supervision, monitoring, and evaluation is provided, the liability risk may be minimized.

The school nurse may rescind delegation of the nursing task whenever the school nurse believes that the student's safety is being compromised or for other reasons according to the judgment of the nurse (WNA 2002). The school nurse would then be responsible to initiate and participate in developing an alternative plan to ensure continuity for the provision of the task (WNA 2002).

In delegation, a delegatee is allowed to perform a specific nursing activity, skill, or procedure that is outside the role and basic educational preparation of the delegatee (NBCSN 2016).

The delegation of a nursing task to school personnel without a healthcare license carries legal implications for the delegating school nurse.

14 May a school nurse refuse to administer a prescribed medication or perform a nursing procedure?

Under certain circumstances, a school nurse may refuse to provide certain nursing services. A school nurse can only accept a medical act or task delegated by a medical provider for which the school nurse is competent to perform, based on the nurse's education, training, or experience, and for which the school nurse has a medical order for the health care procedure.

The school nurse must refuse to perform a delegated task if the nurse suspects that the performance of the task may harm the student. If a nurse knows or should know that a medical directive is not safe or not appropriate, the school nurse cannot legally comply with the order ([Wis. Admin. Code § N 6.03\[2\]\[c\]](#)). If the school nurse complies, the school nurse could



face disciplinary action by the Wisconsin Board of Nursing ([Wis. Admin. Code § N 6.05](#)) If a school nurse refuses to administer a medication or perform a procedure, he/she must notify the prescribing medical provider and parent.

Likewise, school nurses may refuse to delegate a nursing procedure for which they have a medical order if the school nurse suspects that delegation of the task to school staff may harm the student or the circumstances do not support delegation.

However, the nurse's inability to perform or delegate the task does not erase the school district's obligation to provide the nursing service for the student as required by a medical order or [Wis. Admin. Code § PI 8.01\(2\)\(g\)](#). The school nurse may have to secure specialized training, or another healthcare provider may need to be employed by the school district to meet the student's health care needs.

15 May school personnel without a healthcare license refuse to accept the delegation of a nursing task?

Absent a contractual requirement, a prospective delegatee is not required to accept the responsibility to perform a health care procedure even if such delegation may be appropriate given the person's education, training, or experience. For example, school staff may refuse to administer medication that cannot be taken orally ([Wis. Stat. § 118.29\[5\]](#)). It is considered best practice that delegates be both willing and able to perform the task (NBCSN 2016).

The prospective delegatee may not transfer the delegation or the responsibility of a nursing task to another staff person without a healthcare license and should immediately inform the school nurse of any refusal to accept the delegation. An employee's responsibility to perform a delegated nursing task may be part of the employee's job description. In such cases, the employee's agreement to perform a nursing task, with appropriate training and supervision, may be a stipulation of their employment.

16 May a parent delegate to a nurse?

No, a parent may not delegate to a nurse. Nurses may only accept delegation from medical providers ([Wis. Admin. Code § N 6.03\[2\]\[a\]](#)). While parents have intimate knowledge regarding their particular child, school nurses must receive medical orders from medical providers. It is highly recommended that school nurses work closely with parents while writing health plans and making the determination of whether or not to delegate health care tasks.

17 May a parent delegate to an unlicensed staff member?

No. When a health care task is performed in school by paid staff, it is considered a nursing procedure. See Question 1. In order for the nursing task to be completed in school by a paid staff member either the task must be performed by a licensed healthcare professional acting within their scope of practice, or the task must be delegated by a healthcare professional adhering to delegation principles.

Because in Wisconsin an exception has been made for medication administration to students, parents could be involved in the training of staff to administer medication. Individuals who are employed in an educational setting and administering medication in the school must receive appropriate instruction ([Wis. Stat. § 118.29\[6\]](#)). The parent could come into a school and instruct school staff regarding medication administration without the assistance of a nurse. Written permission from a medical provider and parent, and written authorization from the school administrator are still required as indicated in [Wis. Stat. § 118.29\(2\)](#). Accordingly, the school administrator is assuming responsibility and accountability. Please see the DPI guidance [Administration of Medication to Pupils](#) for a full discussion.

18 Do Wis. Stat. Ch. 441 and delegation principles apply to the delivery of health services for children attending preschool programs, day care centers, summer programs, residential programs, and camp programs?

Chapter 441 of the Wisconsin statutes applies to all nurses licensed as an RN or LPN in any setting in which they practice, including a volunteer position. Different settings may have policies and procedures that govern activity in that particular setting; however, the state law and administrative rules governing the practice of nursing in Wisconsin apply to all settings ([Wis. Admin. Code § PI 8.01\[2\]\[g\]\[2\]](#)).

In order for the nursing task to be completed in school by a paid staff member either the task must be performed by a licensed healthcare professional acting within their scope of practice, or the task must be delegated by a healthcare professional adhering to delegation principles.

Chapter 441 of the Wisconsin statutes applies to all nurses licensed as an RN or LPN in any setting in which they practice, including a volunteer position.

19 Do Wis. Stat. Ch. 441 and delegation principles apply to the delivery of health services for children attending field trips and other school-sponsored activities?

School districts are required to provide emergency nursing services during the regular school day and at all school-sponsored activities of pupils ([Wis. Admin. Code § PI 8.01\[\(2\)\]\[g\]\[2\]](#)). If the activity in which the students are participating is sponsored by the school district, then the school district must provide nursing services including administration of medication and care of illnesses and injuries. The same principles of delegation would apply to activities beyond the regular school day and in these school-sponsored activities.

Special circumstances may occur if the school-sponsored activity requires students to travel out of state or out of the country. Plans must be in place to meet the nursing license and practice laws of the state or country to which the student requiring nursing services travels. Laws regarding nursing delegation vary among states.

If the school nurse determines that nursing care cannot be safely delegated when the student is away from school, the school nurse may need to accompany that student (Bobo 2014). Parents, guardians, or family members cannot be required to attend field trips or school-sponsored events to provide nursing services for their child.



20 Who is responsible for a nursing task if it is determined it cannot be delegated?

If the nurse decides that the delegation may not appropriately or safely take place, then the nurse should not engage in such delegation (ANA 2012; ANA & NCBSN 2006; NASN 2014; WNA 2002). School nurses are encouraged to work with school district administrators to identify solutions to delegation issues.

When issues of delegation cannot be worked through, it remains the responsibility of the school district to provide the health care services for the student(s) in the district. School districts are encouraged to work with their medical advisors and seek guidance from the district's legal counsel.

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