

**35th Legislature of the Virgin Islands
Committee on Health, Hospitals and Human Services**

The Honorable Ray Fonseca, Chairman

Testimony on an Act amending Title 17 Virgin Islands Code, Chapter 10,
Section 111 (a), requiring the Commissioner of Education to hire a School
Health Technician for every public school in the Territory

Dionne Wells-Hedrington, Ed.D.
Commissioner of Education
December 6, 2023



THE VIRGIN ISLANDS DEPARTMENT OF
EDUCATION



Good-day and greetings to the Honorable Ray Fonseca, Chairman of the Committee on Health, Hospitals and Human Services, other Committee Members, other Senators present, and my fellow Virgin Islanders. I am Victor Somme III, Assistant Commissioner of Education, appearing before you on behalf of the Honorable Dionne Wells-Hedrington, Ed.D., Commissioner of Education. My presence today is to provide testimony on an Act amending Title 17 Virgin Islands Code, Chapter 10, Section 111 (a), requiring the Commissioner of Education to hire a School Health Technician for every public school in the Territory. Present with me today are:

- Ms. Rena Francis, Coordinator of Pupil Personnel, St. Croix District
- Mrs. Rhona Pinney-Simon, District Director of Student Services, St. Thomas-St. John District

The Virgin Islands Department of Education (VIDE/the department) strongly supports the proposed legislation. It is greatly needed given the shortages of nurses in both school districts combined with the fact that the Department is not able to compete with nursing salaries offered by both hospitals and private medical practices. As a part of the AFT Professionals Collective Bargaining Agreement (CBA), school nurses are on the same pay scale as teachers with a starting salary of \$49,013.53. This has not been attractive or sufficient to recruit nor retain school nurses.

On May 25, 2023, the Office of Senator Kenneth L. Gittens, the bill sponsor, wrote to the Department for an opinion on BR 23-0034. The bill draft was circulated to the Commissioner of Health, the honorable Justa Encarnacion, both Insular Superintendents, the Director of Student Services for the St. Thomas-St. John District, the Coordinator of Pupil Personnel for the St. Croix District, the then acting human resources director, Mrs. Melene Cooper-Shelford, and both VIDE legal counsels for review and opinion. Having consulted with the Director of Student Services and the Coordinator of



Pupil Personnel (as they provide direct oversight and support to school nurses) and others, the Department recommends the following language be added to or adjusted in the proposed legislation:

Section 1, Title 17 Virgin Islands Code, Chapter 10, Section 111, subsection (a) be amended by designating the existing language as paragraph (1) and inserting paragraphs two (2) and three (3) which shall read as follows:

(2) The Commissioner of Education shall employ a school nurse supervisor in both districts.

Said persons shall be licensed registered nurses or physician assistants empowered to hire and directly supervise school health technicians who shall work under the licenses of the school nurse supervisors.

(3) The Commissioner of Education shall develop a job description and standard operating procedures, to include telehealth options, for the school nurse supervisors and school health technicians. The Commissioner of Health shall review and approve said job descriptions and standard operating procedures.

The Department further recommends that a School Health Technician may include a licensed practical nurse (LPN), a Certified Nursing Assistant (CAN) and/or an Emergency Medical Technician (EMT) who is trained and certified to provide basic first aid, basic life support and cardiopulmonary resuscitation (CPR). This must be an annual requirement for these positions. We hold firmly that the recommended changes will address the threshold issue concerning the Nurse Practice Act, Subchapter 4, Section 91(c) which is interpreted that LPNs, CNAs, etc., must work under the supervision of a registered nurse, physician's assistant, etc. who must be in the same physical location as them. The AFT CBA, Article IV, Section L, Subsection 4, is also in accord with the Nurse Practice Act, Subchapter 4, Section 91(c) on this matter as it does not allow an LPN to work independently of a registered nurse.

The telehealth or telemedicine option is tremendously important as it will allow the school nurse



supervisors to use electronic information and telecommunication technologies to support long-distance clinical health care, patient and professional health-related education, health administration, and public health overall. The Department envisions telehealth methods to include cell phone use, email, virtual consultations, etc.

Currently, there are eight (8) school nurses in the St. Thomas-St. John District, of which two (2) are substitute nurses at the Julius E. Sprauve School and the Ivanna Eudora Kean High School. Three (3) nurses resigned and/or retired in the St. Thomas-St. John District last school year at the Bertha C. Boschulte Middle School, Jane E. Tuitt Elementary School, and the Lockhart K-8 School. One (1) nurse is needed at the Edith Williams Alternative Academy. Only one application was received for school nurse vacancies in that district. An interview was recently conducted and we expect that this vacancy will be filled before the end of December 2023. In the St. Croix District, where the school nurse shortage is very acute, there are five (5) school nurses and six (6) vacancies. The Juanita Gardine School, Lew Muckle Elementary School, Ricardo Richards Elementary School, Alfredo Andrews Elementary School, the St. Croix Alternative Education Program, and the John H. Junior High School are without full time school nurses. The St. Croix District just conducted interviews for school nurses of which one (1) applicant rejected an offer of employment and the other is pending. The District has made school nurses itinerant to address the shortage, however, this is not an ideal situation. Clearly, this amendment will certainly assist in addressing the nurse shortage.



In closing, the Virgin Islands Department of Education is pleased to have partnered with the Office of Senator Kenneth L. Gittens and the Department of Health to work on a solution to this grave issue. As previously mentioned, the VIDE stands in strong support of the proposed legislation, and this opportunity must be actualized now as our students can no longer thrive without sufficient medical attention and personnel on all school campuses. Health care is tantamount to student achievement.

Thank you for the opportunity to share this information with you and our fellow Virgin Islanders. We are prepared to answer any questions you may have.