



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency: State Board of Education

2. Rule citation & name: 16 NCAC 06C .0110 (Qualifications of School Nurses)

3. Action: ☒ Adoption ☐ Amendment ☐ Repeal

4. Was this an Emergency Rule: ☐ Yes ☒ No Effective date:

5. Provide dates for the following actions as applicable:

a. Proposed Temporary Rule submitted to OAH: 8/7/25

b. Proposed Temporary Rule published on the OAH website: 8/8/25

c. Public Hearing date: 8/28/25

d. Comment Period: 8/14/25 – 9/5/25

e. Notice pursuant to G.S. 150B-21.1(a3)(2): 8/14/25

f. Adoption by agency on: 10/2/25

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:

h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- ☐ A serious and unforeseen threat to the public health, safety or welfare.
- ☒ The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite: S.L. 2025-60, Part V
Effective date:
- ☐ A recent change in federal or state budgetary policy.
Effective date of change:
- ☐ A recent federal regulation.
Cite:
Effective date:
- ☐ A recent court order.
Cite order:
- ☐ State Medical Facilities Plan.
- ☐ Other:

Explain: Session Law 2025-60, Part V, amended G.S. 115C-315 to require the State Board of Education to adopt rules that establish the qualifications and training required to be hired or contracted for as a school nurse. The law as revised prohibits the State Board from requiring a school nurse to obtain a four-year degree, and requires a school nurse to be paid on the state salary schedule established by the State Board if the school nurse meets the following criteria:

1. The school nurse is a registered nurse licensed under Chapter 90, Article 9A of the General Statutes; and
2. The school nurse has at least two years of experience serving in a hospital or health clinic.

The proposed rule is responsive to the new law while continuing to allow school nurse candidates to qualify under the more rigorous existing State Board policy, which requires a bachelor's degree and certification from the National Board for Certification of School Nurses. In addition to these minimum qualifications, the proposed rule also includes certain training requirements that the school nurse must complete within a certain amount of time of being hired.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

S.L. 2025-60, Part V, Section 5.(b) specifically authorizes the State Board of Education to adopt temporary rules until such time as permanent rules can be adopted. This communicates a clear legislative intent for the SBE to move expeditiously to enact these rules. Furthermore, immediate adoption of the rules is in the public interest because it will expand the pool of eligible registered nurses who can serve as school nurses, of which there is a shortage in our public schools. Finally, given the highly prescriptive nature of G.S. 115C-315(d2), as amended by S.L. 2025-60, Part V, this rule closely tracks the statute and thus most of its content has been publicly known since the legislation became effective on 7/3/25.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

9. Rule-making Coordinator: Ryan Collins

Phone: 984-236-2255

E-Mail: ryan.collins@dpi.nc.gov

Agency contact, if any:

Phone:

E-Mail:

10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Eric C. Davis

Title: Chair, State Board of Education

E-Mail: eric.davis@dpi.nc.gov

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

☐ Date returned to agency:

TEMPORARY RULE
REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: State Board of Education

RULE CITATION: 16 NCAC 06C .0110

DEADLINE FOR RECEIPT: Wednesday, October 22, 2025

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 1, what are the specific “changes” to this Rule from what was published?

Line 5, is “At minimum” necessary? If so, why? If not, please delete it.

Line 5, add “(SBE)” after “Education”.

Lines 14 and 16, consider rephrasing (1) and (2) for clarity. i.e., “Within six months of beginning employment, or starting to work as a contractor for a PSU, successfully complete the ...”

Line 14, spell out “PSU” the first time it’s used in a Rule.

Lines 21-23, what is your agency’s authority to allow a PSU “to supersede the qualifications, training, or continuing education requirements for registered nurses under Chapter 90, Article 9A of the General Statutes”?

Please confirm that you have consulted in accordance with G.S. 115C-270.5(b).

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to Agency: October 8, 2025

1 16 NCAC 06C .0110 is adopted with changes under temporary procedures as follows:

2
3 **16 NCAC 06C .0110 QUALIFICATIONS OF SCHOOL NURSES**

4 (a) Any person employed ~~by~~ or contracted to serve as a school nurse in a North Carolina public school shall meet all
5 qualifications established by the State Board of Education. At minimum, the person shall:

6 (1) Be licensed as a registered nurse under Chapter 90, Article 9A of the General Statutes and have at
7 least two years of experience serving as a nurse in a hospital or health clinic; or

8 (2) Be certified by the American Nurses Credentialing Center or the National Board for Certification
9 of School Nurses.

10 A school nurse who meets either of these qualifications shall be paid under the certified school nurse pay scale as
11 established by the SBE.

12 (b) Any person employed or contracted to serve as a school nurse in a North Carolina public school shall complete all
13 training requirements established by the SBE. At minimum, the person shall:

14 (1) Within six months of employment by or contract by a PSU, complete the School Nurse Orientation
15 Modules offered by the North Carolina Department of Health and Human Services (“DHHS”); and

16 (2) Within two years of employment or contract by a PSU, complete the School Nurse Roles and
17 Responsibilities course offered by DHHS.

18 (c) The person shall provide proof of completion of these training requirements to the employing or contracting PSU
19 by the established deadline. If the person completed these requirements prior to employment or contract with the PSU,
20 the person is not required to repeat those requirements so long as proof of completion is provided to the PSU.

21 (d) Nothing in this Rule shall be construed to prevent a PSU from requiring additional qualifications or training for a
22 school nurse under its employment or contract, or to supersede the qualifications, training, or continuing education
23 requirements for registered nurses under Chapter 90, Article 9A of the General Statutes.

24 (e) This Rule applies to school nurses initially hired or contracted for on or after July 1, 2025.
25
26

27 *History Note: Authority G.S. 115C-12(9); 115C-315;*
28 *Temporary Adoption Eff. MM DD YY.*