

ASTHMA MEDICATION AND EPINEPHRINE AUTO INJECTORS

Asthma Medication

A student attending any school in the School District may possess and use at school or at any activity, event, or program sponsored by or in which his/her school is a participant, a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms or to prevent the onset of asthmatic symptoms before exercise, if both of the following conditions are satisfied:

- A. The student has the written approval of his/her physician and, if the student is a minor, the written approval of his/her parent, guardian or other person having care or charge of the student. This physician's written approval shall contain the following information.
 - 1. The student's name and address;
 - 2. The names and dose of the medication contained in the inhaler;
 - 3. The date the administration of the medication is to begin;
 - 4. The date, if known, that the administration of the medication is to cease;
 - 5. Written instructions that outline procedures school personnel should follow in the event the asthma medication does not produce the expected relief from the student's asthma attack;
 - 6. Any severe adverse reactions that may occur to the child using the inhaler and that should be reported to the physician;
 - 7. Any severe adverse reactions that may occur to another child, for whom the inhaler is not prescribed, should such a child receive a dose of the medication;
 - 8. At least one emergency telephone number for contacting the physician in an emergency;
 - 9. At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
 - 10. Any other special instructions from the physician.
- B. The school principal or other employee designated by the Superintendent has received copies of the written approvals required by division A. of this policy.

Immunity from Tort Liability

The School District, a member of the Board of Education, or a School District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's prohibiting a student from using an inhaler because of the employee's good faith belief that the conditions of divisions A. and B. of this policy had not been satisfied.

The School District, a member of the Board, or a School District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's permitting a student to use an inhaler because of the employee's good faith belief that the conditions of divisions A. and B. of this policy had been satisfied.

When the School District is required to permit a student to possess and use an inhaler because the conditions of divisions A. and B. of this policy have been satisfied, the School District, any member of the Board, or any School District employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

Nothing in this policy eliminates, limits, or reduces any other immunity or defense that the School District, any member of the Board, or any School District employee may be entitled to under O.R.C. Chapter 2744, any other provision of the Revised Code, or the common law of the state.

Epinephrine Auto Injectors

A student attending any school in the School District may possess and use at school or at any activity, event, or program sponsored by or in which his/her school is a participant, an epinephrine auto injector to treat anaphylaxis if both of the following conditions are satisfied:

- A. The student has the written approval of the prescriber of the auto injector and, if the student is a minor, the written approval of his/her parent, guardian or other person having care or charge of the student. This prescriber's written approval on the appropriate form shall contain at least the following information.
 - 1. The student's name and address;
 - 2. The names and doses of the medication contained in the auto injector;
 - 3. The date the administration of the medication is to begin;
 - 4. The date, if known, that the administration of the medication is to cease;

5. Acknowledgment that the prescriber has determined that the student is capable of possessing and using the auto injector appropriately and has provided the student with training in the proper use of the auto injector;
 6. Circumstances in which the auto injector should be used;
 7. Written instructions that outline procedures school personnel should follow in the event the student is unable to administer the anaphylaxis medication or the medication does not produce the expected relief from the student's anaphylaxis;
 8. Any severe adverse reactions that may occur to the child using the auto injector and that should be reported to the prescriber;
 9. Any severe adverse reactions that may occur to another child, for whom the auto injector is not prescribed, should such a child receive a dose of the medication;
 10. At least one emergency telephone number for contacting the prescriber in an emergency;
 11. At least one emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
 12. Any other special instructions from the prescriber.
- B. The school principal or other employee designated by the Superintendent has received copies of the written approvals required by division A. of this section of the policy.
- C. The school principal or other employee designated by the Superintendent has received a back-up dose of the anaphylaxis medication from the parent, guardian, or other person having care or charge of the student, or, if the student is not a minor, from the student.
- D. Whenever a student possesses an auto injector at school or at any activity, event, or program sponsored by or in which the student's school is a participant, or whenever a school employee administers anaphylaxis medication to a student at such times, a school employee shall immediately request assistance from an emergency medical service provider.

Immunity from Tort Liability

The School District, a member of the Board, or a School District employee shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a District employee's prohibiting a student from using an auto injector because of the employee's good faith belief that the conditions of divisions A. and B. of this section had not been satisfied.

The School District, a member of the Board, or a School District employee shall not be liable in damages in a civil action or injury, death, or loss to person or property allegedly arising from a district employee's permitting a student to use an auto injector because of the employee's good faith belief that the conditions of divisions A. and B. of this section had been satisfied.

When the School District is required to permit a student to possess and use an auto injector because the conditions of divisions A. and B. of this section have been satisfied, the School District, any member of the Board, or any School District employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the auto injector by a student for whom it was not prescribed.

Nothing in this policy eliminates, limits, or reduces any other immunity or defense that the School District, any member of the Board, or any School District employee may be entitled to under O.R.C. Chapter 2744, any other provision of the Revised Code, or the common law of the state.

LEGAL REFS: O.R.C. §3313.716
O.R.C. §3313.718

Adopted: January 25, 2010