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## Agora Cyber Charter School

### Board of Trustees Policy

### EMERGENCY/FIRST AID CARE POLICY

The Board of Trustees of the Agora Cyber Charter School ("Charter School") recognizes that schools should develop and have policies in place that address student health emergencies. These policies should incorporate applicable laws pertaining to emergency response. State law on point states under 42 Pa. C.S. § 8337.1, that an officer or employee of a school who in good faith believes that a student needs emergency care, first aid or rescue and who provides such emergency care, first aid or rescue...or who removes the student...shall be immune from civil liability as a result of any acts or omissions by the officer or employee, except any acts or omissions intentionally designed to seriously harm or any grossly negligent acts or omissions which result in serious bodily harm. The law defines officer or employee of a school as a school director, principal, superintendent, teacher, guidance counselor, support staff member or other educational or medical employee employed in a day or residential school which provides preschool, kindergarten, elementary or secondary education in this Commonwealth at either a public or nonpublic school.

#### Definition

Emergency Care: For purposes of this policy, this means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such procedures or intervention, faces a risk of imminent death.

First Aid: For purposes of this policy, Nurses may administer first aid, including administration of an epinephrine auto-injector, to a student without the express written permission of a parent/guardian, where deemed necessary by a nurse pursuant to professional judgment.

## Guidelines

In order to be prepared for health emergencies that can be reasonably anticipated in the student population, the Charter School should have written first aid policies and emergency management practices in place. These policies and procedures should reflect staff responsibilities and Charter School administrative expectations for staff actions in an emergency situation, including identifying specially trained and designated individuals who, in addition to the School Nurse, will render first aid. Training for emergency first aid providers in the Charter School shall be in accordance with applicable state law and PA Department of Health guidelines. For students who are identified with a potential to experience a health emergency, the following should be developed on an individual basis:

- **Individual Health Plan:** It is the position of the National Association of School Nurses that the school nurse, in collaboration with the student, family and healthcare providers, shall meet nursing regulatory requirements and professional standards by developing an Individualized Healthcare Plan (IHP) for students whose healthcare needs affect or have the potential to affect safe and optimal school attendance and academic performance. Development of IHPs is a nursing responsibility, based on standards of care regulated by state nurse practice acts and cannot be delegated to unlicensed individuals.

The term IHP refers to all care plans developed by the school nurse, especially those for students who require complex health services on a daily basis or have an illness that could result in a health crisis. These students may also have an Individualized Education Plan (IEP), a 504 Student Accommodation Plan to ensure school nursing services and access to the learning environment, or an Emergency Care Plan (ECP) for staff caring for these students. It is the responsibility of the school nurse to implement and evaluate the IHP at least yearly and as changes in health status occur to determine the need for revision and evidence of desired student outcomes.

- **Emergency Care Plan ("ECP"):** The student Emergency Care Plan (ECP) is an emergency plan developed by the registered professional school nurse and is based on the IHP or is sometimes used instead of an IHP. The ECP is required by professional standards of practice and provides steps for school personnel in dealing with a life threatening or seriously harmful health situation for an individual student. The ECP is written in clear action steps using succinct terminology that can be understood by school faculty and staff who are charged with recognizing a health crisis and intervening appropriately. The ECP is distributed to these individuals with the expectation that the information will be treated with confidentiality. The names of the individuals who have a copy of the ECP should be listed at the bottom of the Plan.

Staff should be cognizant of those students whose health conditions may warrant emergency care and should be educated as to the role in caring for these students in the event of an emergency. The CEO or designee shall provide instructions in obtaining emergency medical assistance for addressing emergency circumstances including obtaining medical assistance to cover the unavailability of the certified school nurse.

The Charter School will provide liability insurance coverage to protect Charter School employees who, in pursuit of their assigned duties, may have to administer first aid.

### **Students with Diabetes**

Such emergency/first aid care shall include that which is required for students diagnosed with diabetes. Act 86 of 2016 added Sections 1414.3 – 1414.8 to the Public School Code and is a voluntary option (not mandated) for schools. If schools choose to opt into Act 86 they must be sure to **read Act 86 guidelines and the Diabetes in School Children, Recommendations and for School Personnel Resource Guide from the PA Department of Health at [health.pa.gov](http://health.pa.gov)**. Act 86 permits school nurses, in consultation with their chief school administrator or a designee, to identify at least one school employee (“Identified Employee”) in each school building attended by a student with diabetes to be designated in a student’s service agreement or Individualized Education Program (IEP), to administer diabetes medications, use diabetes monitoring equipment, and provide other diabetes care. If the school building attended by a student with diabetes does not have a school nurse assigned to carry the caseload full-time, the chief school administrator may consult with the school nurse to identify a school employee.

The Identified Employee should not be the school nurse, and does not need to be a licensed health care practitioner. The Identified Employee may decline the responsibility and related directives. An Identified Employee is required to complete annual education in specifically-identified areas through educational modules developed by the Pennsylvania Department of Health (DOH) in consultation with the Pennsylvania Department of Education (PDE), annual education offered by a licensed health care practitioner with expertise in the care and treatment of diabetes that includes information substantially similar to that in the educational modules, or both.

A school employee who is not a licensed health care practitioner and who has successfully completed the education modules or annual education may be designated in a student's service agreement or IEP. School employees who are not licensed health care practitioners shall only be authorized to administer diabetes medications via injection or infusion following annual education by a licensed health care practitioner with expertise in the care and treatment of diabetes and following the school entity's receipt of written authorization from both the student's health care practitioner and parent or guardian that an educated school employee, who is not a licensed health care practitioner, may administer specified medications.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL’S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**