

Ryan's Law (Ensuring Asthma Friendly Schools), 2015

S.O. 2015, CHAPTER 3

Consolidation Period: From May 5, 2015 to the [e-Laws currency date](#).

No amendments.

Definitions

1. (1) In this Act,

“board” means a district school board or a school authority; (“conseil”)

“consent” means consent given by an individual with the capacity to provide consent to treatment for the purposes of the *Health Care Consent Act, 1996*; (“consentement”)

“employee” means an employee of a board who regularly works at the school, in the case of a school operated by the board. (“employé”)

Health care provider

(2) A reference in this Act to a health care provider means a member of a College under the *Regulated Health Professions Act, 1991*, provided that the member is acting within the scope of his or her practice at the relevant time.

Expressions related to education

(3) Expressions in this Act related to education have the same meaning as in the *Education Act*, unless the context requires otherwise.

Establishment of policy

2. (1) Every board shall establish and maintain an asthma policy in accordance with this section.

Contents of asthma policy

(2) The asthma policy shall include the following:

1. Strategies that reduce the risk of exposure to asthma triggers in classrooms and common school areas.
2. A communication plan for the dissemination of information on asthma to parents, pupils and employees.
3. Regular training on recognizing asthma symptoms and managing asthma exacerbations for all employees and others who are in direct contact with pupils on a regular basis.
4. A requirement that every school principal develop an individual plan for each pupil who has asthma. In developing an individual plan, the principal shall take into consideration any recommendations made by the pupil's health care provider.
5. A requirement that every school principal inform employees and others who are in direct contact on a regular basis with a pupil who has asthma about the contents of the pupil's individual plan.
6. A requirement that every school principal ensure that, upon registration, parents, guardians and pupils shall be asked to supply information about asthma.
7. A requirement that every school principal maintain a file of current treatment and other information for each pupil with asthma, including a copy of any notes and instructions from the pupil's health care provider and a current emergency contact list.

Contents of individual plan

(3) An individual plan for a pupil with asthma shall be consistent with the board's policy and shall include:

1. Details informing employees and others who are in direct contact with the pupil on a regular basis of the monitoring and avoidance strategies and appropriate treatment.
2. A readily accessible emergency procedure for the pupil, including emergency contact information.
3. Details relating to the storage of the pupil's asthma medication, including,
 - i. if the pupil is under 16 years old, whether the pupil has his or her parent's or guardian's permission to carry his or her asthma medication, and

ii. whether any spare medication is kept in the school and, if so, where it is stored.

Pupils permitted to carry asthma medication

3. (1) Every school principal shall permit a pupil to carry his or her asthma medication if the pupil has his or her parent's or guardian's permission.

Same

(2) If the pupil is 16 years or older, the pupil is not required to have his or her parent's or guardian's permission to carry his or her asthma medication.

Administration of asthma medication

4. (1) Employees may be preauthorized to administer medication or supervise a pupil while he or she takes medication in response to an asthma exacerbation, if the school has the consent of the parent, guardian or pupil, as applicable.

Obligation to keep school informed

(2) It is the obligation of the pupil's parent or guardian and the pupil to ensure that the information in the pupil's file is kept up-to-date with the medication that the pupil is taking.

Emergency administration of medication

(3) If an employee has reason to believe that a pupil is experiencing an asthma exacerbation, the employee may administer asthma medication to the pupil for the treatment of the exacerbation, even if there is no preauthorization to do so under subsection (1).

Immunity

(4) No action or other proceeding for damages shall be commenced against an employee for an act or omission done or omitted by the employee in good faith in the execution or intended execution of any duty or power under this Act.

Common law preserved

(5) This section does not affect or in any way interfere with the duties any person may have under common law.

5. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS ACT).

6. OMITTED (ENACTS SHORT TITLE OF THIS ACT).

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Back to top