Information Sheet – 10/09/18 - Board of Trustees Meeting

TO: Board of Trustees Item: 8.2

FR: Celli Coeville

DATE: October 4, 2018

RE: Revised Administrative Regulation, AR 5141, Healthcare and Emergencies, Consider Adoption as Presented

Nondiscrimination/Harassment, Revised AR 5141:

(AR revised) Minor revisions made in regulation regarding gathering and handling student family information. Allows the student to update emergency contact information throughout the school year and to provide an alternative if no parent/guardian is available.

Recommendation Action: Approve the revised Administrative Regulation.

HEALTH CARE AND EMERGENCIES

Emergency Contact Information

***Note: The following section may be revised to reflect district practice. ***

In order to facilitate contact in case of an emergency or accident, the principal or designee shall annually request that parents/guardians ~~shall furnish the schools with the current~~ provide the following information ~~specified below~~:

1. Home address and telephone number

2. Parent/guardian's business address and telephone number

3. Parent/guardian's cell phone number and email address, if applicable

~~3~~ 4. Name, address and telephone number of ~~a relative or friend~~ an alternative contact person to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached

~~4~~ 5. Local physician to call in case of emergency

(cf. 5021 - Noncustodial Parents)
(cf. 5142 - Safety)

In addition, parents/guardians shall be encouraged to notify the school whenever their emergency contact information changes.

Notification/Consent for Medical Treatment

Whenever a student requires emergency or urgent medical treatment while at school or a school-sponsored activity, the principal or designee shall contact the parent/guardian or other person identified on the emergency contact form in order to obtain consent for the medical treatment.

***Note: Pursuant to Education Code 49407, the district may not be held liable for the reasonable treatment of a student during regular school hours if the parent/guardian cannot be reached, unless the parent/guardian has previously filed a written objection to any medical treatment other than first aid. ***

~~Under Education Code 49407, no school district shall be held liable for the reasonable treatment of a student without the consent of the parent/ guardian when the student requires medical treatment and the parent/guardian cannot be reached, unless a written objection to medical treatment has been filed with the school district.~~

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If the student's parent/guardian or other contact person cannot be reached to provide consent, the principal may seek reasonable medical treatment for the student as needed, unless the parent/guardian has previously filed with the district a written objection to any medical treatment other than first aid.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

***Note: Family Code 6550 provides authorization for a caregiver 18 years of age or older who has signed a caregiver's affidavit to enroll a minor in school and to consent to school-related medical care on behalf of the minor when the minor is residing with the caregiver. A sample caregiver's affidavit can be found in Family Code 6552. See also AR 5111.1 - District Residency. ***

***Note: Pursuant to Family Code 6550, any person who provides medical care in good-faith reliance on a caregiver's affidavit is not subject to criminal or civil liability or professional disciplinary action for such reliance unless he/she has actual knowledge of facts contrary to those stated on the affidavit. ***

~~**Consent by Caregiver**~~

~~Persons 18 years of age and older who file~~ A person who has filed with the district a completed caregiver's authorization affidavit pursuant to Family Code 6550-6552 shall have the right to consent to or refuse school-related medical care ~~for a district student~~ on behalf of the minor student. The caregiver's authorization shall be ~~valid for one year after the date on which it is executed. The caregiver's decision shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health or safety.~~ invalid if the district receives notice that the minor student is no longer living with the caregiver or if the Superintendent or designee has actual knowledge of facts contrary to those stated on the affidavit. (Family Code 6550)

(cf. 5111.1 - District Residency)

The caregiver's consent to medical care shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health, or safety. (Family Code 6550)

~~School-related medical care is medical care that is required by state or local governmental authority as a condition for school enrollment, including immunizations, physical examinations, and medical examinations conducted in schools for students. (Family Code 6550)~~

~~*(cf. 5111.11 - Residency of Students with Caregiver)*~~

Automated External Defibrillators

HEALTH CARE AND EMERGENCIES

***Note: The following optional section is for use by districts that choose to place automated external defibrillators (AEDs) in school facilities. ***

***Note: SB 658 (Ch. 264, Statutes of 2015) amended Health and Safety Code 1797.196 to require notification of the local emergency medical services agency regarding the existence, location, and type of AED acquired. Pursuant to Health and Safety Code 1797.200, the local emergency medical services agency is designated by each county and may be the county health department, another agency that the county has established or contracted with, or a joint powers agency. ***

***Note: Education Code 49417 and Health and Safety Code 1797.196 clarify that the district or district employee will not be liable for civil damages resulting from any act or omission in the rendering of emergency care or treatment provided the employee complies with the requirements of Health and Safety Code 1797.196 and does not act with gross negligence or willful or wanton misconduct by using, attempting to use, or maliciously failing to use an AED to render emergency care or treatment. ***

When an automated external defibrillator (AED) is placed in a district school, the Superintendent or designee shall notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired. (Health and Safety Code 1797.196, 1797.200)

The Superintendent or designee shall ensure that any AED placed at a district school is maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer. (Health and Safety Code 1797.196)

The Superintendent or designee shall develop a written plan which describes the procedures to be followed in the event of a medical emergency, including an emergency that may involve the use of an AED. These procedures should include, but not be limited to, requirements for immediate notification of the 911 emergency telephone number in the event of an emergency that may involve the use of an AED.

(cf. 0450 - Comprehensive Safety Plan)

Note: Health and Safety Code 1797.196, as amended by SB 658 (Ch. 264, Statutes of 2015), requires that the principal annually provide school employees the information specified below. It also requires that instructions on how to use the AED be in no less than 14-point type and posted next to every AED.

***Note: As amended, Health and Safety Code 1797.196 repeals a requirement for completion of a training course and no longer requires principals to designate the trained employees who are available to respond to an emergency that may involve the use of an AED. ***

The principal of any district school with an AED shall annually provide information to school employees that describes: (Health and Safety Code 1797.196)

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1. Sudden cardiac arrest

2. The school's emergency response plan

3. The proper use of an AED

Instructions on how to use the AED, in no less than 14-point type, shall be posted next to every AED. In addition, school employees shall be notified annually of the location of all AED units on campus. (Health and Safety Code 1797.196)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

***Note: SB 658 (Ch. 264, Statutes of 2015) amended Health and Safety Code 1797.196 to reduce the inspection requirements from once every 30 days to once every 90 days. ***

Each AED shall be checked for readiness at least biannually and after each use. In addition, the Superintendent or designee shall ensure that an inspection is made of all AEDs at least every 90 days for potential issues related to operability of the device, including a blinking light or other obvious defect that may suggest tampering or that another problem has arisen with the functionality of the AED. The Superintendent or designee shall maintain records of these checks. (Health and Safety Code 1797.196)

(cf. 3580 - District Records)

Salco
Garden Services

155Edward ct. Tracy Ca 95376

Date10/1/2017		
Quote		

Month	Description	Monthly Fee	Total
	Monticello fields Mow ,edge, weed control	700	700

Thank you for your business!Tel (209)834-0594Cell (510)760-38-77

Email salserna@gmail.com

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