

Life-Threatening Conditions

Students who are known to have a life-threatening condition and who do not have a medication or treatment order in place at school shall be excluded from school until such time as the deficits in health care preparations and precautions are in place or until an appeal to the superintendent reinstates the student. An Individual Health Care Plan (IHCP) must be developed to implement the order.

The parent(s)/guardian(s) is required to provide medication or equipment necessary to carry out the medication or treatment order, unless the district is required to provide it as a related service under federal law.

Prior to attendance at school, or continuing attendance, each child with a life-threatening health condition shall present a medication and/or treatment order addressing the condition in order that an individual health care plan (IHCP) may be created.

1. Definitions

Life-Threatening Condition is defined as a health condition that will put the student in danger of death during the school day if a medication or treatment order and an individual health care plan are not in place.

Medication or Treatment Order is defined as the authority a registered nurse obtains under RCW 18.79.260(2), the registered nurse practice act. Registered nurse with Educational Staff Associates (ESA) certification is the minimum certification level of Yakima School District school nurses.

Individual Health Care Plan (IHCP); see exhibit 3418.1X, means a care plan developed by the school nurse and the parents, and others as necessary, to ensure the student's continued health and safety while at school. The IHCP will be distributed to appropriate staff members and necessary training will be provided; see procedure 3419P, section 5.

2. Plan Development

On or before the first day of school attendance, the parent(s)/guardian(s) of a student with a life-threatening condition must provide to the school nurse a copy of the medication and/or treatment order. If the district is aware that a student has a life-threatening condition, the district will attempt to send notice of this policy and procedure to the family before school begins; see exhibit 3418.2Xa and 3418.2Xb. Failure to receive written notice before school starts does not mean the parent need not comply with this policy and procedure, but it may delay the exclusion of the student from school.

Upon presentation of the medication or treatment order, an IHCP shall be developed by the school nurse to implement the order.

3. Exclusion

Students who have a life-threatening health condition and no medication or treatment order presented to the school shall be excluded from school; see exhibit 3418.3X. This will be done consistent with federal requirements for students with disabilities under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, and pursuant to the following due process requirements:

- 3.1 Written notice to the parent(s)/guardian(s) in person or by certified mail and in the parent's language, if feasible; see exhibit 3418.3X.
- 3.2 Notice of the applicable laws, including a copy of the laws and rules.
- 3.3 The order that the student shall be excluded from school immediately upon receipt of notice and until a medication or treatment order is presented.
- 3.4 Description of the rights of the parent(s)/guardian(s) and student to a hearing, the hearing process, and an explanation that the exclusion continues until the medication or treatment plan is presented or the hearing officer determines that the student should no longer be excluded from school.

4. Hearing

If the parent requests a hearing, the parent(s)/guardian(s) and school principal shall be notified of the time and place for the hearing scheduled within three (3) school days of receiving the request unless the parent(s)/guardian(s) requests more time. They shall present the case to a hearing officer appointed by the superintendent.

- 4.1 The hearing shall be consistent with the hearings for disciplinary procedures under WAC 392-400.
- 4.2 The student shall be excluded until the hearing officer makes a decision or until a medication or treatment order is provided.

5. Reinstatement

The student shall immediately be allowed to return to school upon the receipt of either a medication or treatment order and any medication or equipment identified in the order as necessary to carry out the order; or upon a decision by a hearing officer that the student should no longer be excluded from school.

Cross Reference:

(cf.: 3413 – Immunizations)

(cf.: 3417 – Catheretization)

(cf.: 3419 – Diabetic Services)

(cf.: 2161 – Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973)

Legal Reference:

RCW 28A.210 Health Measures

RCW 28A.210.320 Children with life-threatening health conditions, medication or treatment orders—
Rules.

WAC 180-38-040-065 Immunization and Life-Threatening Health Conditions

WAC 246-100-166 Immunization of child care and school children against certain vaccine-
preventable diseases

WAC 392-182 Health Records

20 U.S.C. § 1232g Family Education Rights and Privacy Act
CFR 45, Part 99 Family Education Rights and Privacy Act Regulations
Public Law 104-191 Health Insurance Portability and Accountability Act (HIPAA) of 1996

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