

Ministry of Education

Deputy Minister

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Sous-ministre

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Memorandum To: Directors of Education
Supervisory Officers and Secretary-Treasurers of School
Authorities

From: George Zegarac
Deputy Minister

Date: April 30, 2015

Subject: *Ryan's Law (Ensuring Asthma Friendly Schools)* -
Implementation and Next Steps

On April 30, 2015, *Ryan's Law, 2015* was passed by the Ontario Legislature. The purpose of this memo is to provide you with information about the supports that we have put into place to assist you with implementing the legislative requirements set out in *Ryan's Law, 2015*. It will also provide you with an update about the ministry's ongoing broader work around prevalent medical conditions.

Our schools have made tremendous progress working together with parents, students, teachers, school staff and community members to contribute to a learning environment that promotes and supports child and student well-being, one of the four goals in Ontario's renewed vision for education.

While this legislation is an important step to support the well-being of students with asthma, our broader vision remains to support the well-being of all children and students. That is why the ministry remains committed to moving forward with a comprehensive approach to address prevalent medical conditions including asthma, diabetes, anaphylaxis and epilepsy in Ontario schools. This work will include the development of a Policy/Program Memorandum.

School boards already demonstrate a strong commitment to ensure the health, safety and well-being of students with prevalent medical conditions. Some school boards may already be addressing certain legislative requirements around asthma found in *Ryan's Law, 2015*, as they are similar to requirements already in place for anaphylaxis found in *Sabrina's Law, 2005*. However, specific to asthma, when *Ryan's Law, 2015* comes into force, every school principal must permit a student to carry his or her asthma medication if the student has his or her parent's or guardian's permission. If the student is 16 years or older, the student is not required to have his or her parent's or guardian's permission to carry his or her asthma medication.

There are several requirements from *Ryan's Law, 2015* that may require school boards to adjust their existing policies and procedures, or more substantially, create new policies and procedures. The ministry appreciates that some of these obligations will take time to put in place.

To support the implementation of this new legislation, we have worked with the Ontario Education Services Corporation, in consultation with education stakeholders, Ministry of Health and Long-Term Care, as well as the Ontario Lung Association, Ontario Physical and Health Education Association (Ophea) to develop a sample/model policy (attached), that may assist with the preparation or revision of your board policy.

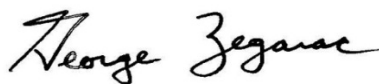
We have also assembled some key resources and videos to help principals and teachers recognize and respond to asthma attacks. The resources are available [online](#) on the ministry's website, or free of charge from the Ontario Lung Association. The ministry will also offer Adobe Connect Sessions, to be scheduled in May, to further support boards. Registration details for these sessions will be sent out next week.

In addition, a sample parent letter is included to assist your school board in communicating this information with all parents/guardians.

As part of this work, we commissioned Ophea to complete a report on the *Management of and Response to Prevalent Student Medical Conditions in publicly-funded Ontario Schools*. A summary of the report is attached. We will use the report to help inform a comprehensive strategy and policy around prevalent medical conditions in consultation with our partners in all four publicly funded systems of education, as well as disease-based charities and the Ministry of Health and Long-Term Care. Throughout this process, we will actively engage with the Council of Ontario Directors of Education.

The ministry will continue to work with and support school boards in implementing this legislation.

I appreciate all the work that school boards have undertaken to support and promote the well-being of all students, including those with prevalent medical conditions, and look forward to working with you in the months ahead. If you have any questions, please contact your Regional Education Officer Lead.



George Zegarac
Deputy Minister

Attachments

c: Regional Managers

Partnership Table Members

Dr. David Mowat, Chief Medical Officer of Health (A)

Ministry of Health and Long-Term Care

Dr. Bob Bell, Deputy Minister

Ministry of Health and Long-Term Care

Council of Ontario Directors of Education

RYAN'S LAW, 2015 (ENSURING ASTHMA FRIENDLY SCHOOLS)

SUMMARY OF LEGISLATIVE REQUIREMENTS

Ryan's Law, 2015 (Ensuring Asthma Friendly Schools) comes into force on the date of Royal Assent.

School boards may already be addressing some of the legislative requirements found in *Ryan's Law, 2015*. Several requirements from *Ryan's Law, 2015* may require boards to make adjustments to their procedures or policies or more substantially, create new procedures or policies as well as provide training to staff.

To support implementation of these requirements, we have set out the ministry's expectations regarding implementation timelines below. In addition, a number of resources have been made available on the ministry's website including a sample/model policy document. Please visit <http://www.edu.gov.on.ca/eng/healthyschools/anaphylaxis.html> for access to these resources.

The following is a summary of some of the legislative requirements arising from *Ryan's Law, 2015* that should be in place immediately upon Royal Assent:

- 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. Section 3.(1)
- 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. Section 3.(2)

Ryan's Law, 2015 has a number of legislative requirements that may require that school boards develop new policies and procedures or make more substantive changes to existing procedures in addition to providing more extensive training to staff. These include:

- 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. Section 4.(3)
- 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 student is taking. Section 4.(2)

The Ministry will provide more information at an upcoming Adobe Connect session, to be scheduled in May.