

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 888**

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**Introduced by Assembly Member Pan**

February 17, 2011

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~~An act to amend Section 51002 of the Education Code, relating to pupil instruction.~~ *An act to add Section 49414.6 to the Education Code, relating to pupil health.*

LEGISLATIVE COUNSEL'S DIGEST

AB 888, as amended, Pan. ~~Pupil instruction: educational programs.~~ *health: School Medication Authorization Task Force.*

*Existing law requires the governing board of a school district to give diligent care to the health and physical development of pupils, and authorizes a governing board to employ properly certified persons for the work.*

*This bill would establish the School Medication Authorization Task Force, consisting of 10 members who would be appointed by, and serve at the pleasure of, the Superintendent of Public Instruction. The bill would require the task force to provide specified advice regarding the administration of emergency medication to a pupil on a school campus and establish training and supervision standards regarding the administration of medical care in a school setting. The bill would require the task force to follow prescribed procedures relating to its operation.*

~~Existing law recognizes that there is a need to establish a common state curriculum for the public schools, and states the intent of the Legislature to set broad minimum standards and guidelines for educational programs and to encourage local districts to develop~~

programs that will best fit the needs and interests of the pupils, pursuant to stated philosophy, goals, and objectives.

~~This bill would make technical, nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 49414.6 is added to the Education Code,  
 2 to read:

3     49414.6. (a) The School Medication Authorization Task Force  
 4 is hereby established, which shall consist of 10 members appointed  
 5 by the Superintendent as follows:

6     (1) Two members shall be recommended by the department.

7     (2) One member shall be a member of a labor organization that  
 8 represents school employees.

9     (3) One member shall be a school administrator.

10    (4) One member shall be a representative of the California  
 11 School Nurses Organization.

12    (5) One member shall be a representative of the Board of  
 13 Registered Nursing.

14    (6) Two members shall be pediatricians.

15    (7) One member shall be a representative of the California State  
 16 Board of Pharmacy.

17    (8) One member shall be a representative of the American  
 18 Nurses Association California.

19    (b) Representatives from other organizations or agencies with  
 20 expertise relating to the administration of appropriate emergency  
 21 medications may be included in the discussions of the task force,  
 22 but shall not be permitted to vote.

23    (c) The task force shall perform both of the following functions:

24    (1) Provide advice as to whether an emergency medication  
 25 should be administered to a pupil on a school campus by a school  
 26 employee who is either licensed to administer medical care or is  
 27 unlicensed with appropriate medical training.

28    (2) Establish training and supervision standards regarding the  
 29 administration of medical care in a school setting. Training and  
 30 supervision standards for the administration of an emergency  
 31 medication shall be completed within six months after advice

1 regarding who should administer that medication is provided  
2 pursuant to paragraph (1), and shall be reviewed and revised as  
3 necessary every three years thereafter.

4 (d) The task force shall follow all of the following procedures  
5 relating to its operation:

6 (1) Members of the task force shall not be entitled to  
7 compensation or reimbursement and shall serve as volunteers.

8 (2) The task force shall elect one of its members to serve as  
9 chairperson.

10 (3) The task force shall conduct meetings during times and at  
11 places chosen by the chairperson, or by a majority of the members  
12 of the task force if the majority disagrees with the time or place  
13 chosen by the chairperson.

14 (4) The task force may conduct its meetings through electronic  
15 means if agreed to by a majority of the members.

16 (5) The task force shall not conduct business without the  
17 presence of a quorum and a quorum shall consist of a majority of  
18 the members.

19 (6) The approval of a majority of the members of the task force  
20 present at the meeting shall be required to take an official action.

21 (7) The task force may adopt rules necessary for the operation  
22 of the task force.

23 (8) The task force shall keep records of its meetings, and, upon  
24 request, shall report on its actions on a yearly basis to  
25 organizations and agencies participating in the task force pursuant  
26 to subdivision (b).

27 (9) The members of the task force shall serve at the pleasure of  
28 the Superintendent and if there is a vacancy on the task force, the  
29 Superintendent shall make a new appointment that shall be  
30 immediately effective.

31 (e) It is the intent of the Legislature that school districts and  
32 appropriate state agencies assist the task force in the performance  
33 of its duties and, to the extent permitted by applicable laws  
34 regarding confidentiality, furnish information and advice to the  
35 task force that is necessary to perform its duties.

36 ~~SECTION 1. Section 51002 of the Education Code is amended~~  
37 ~~to read:~~

38 ~~51002. The Legislature hereby recognizes that, because of the~~  
39 ~~common needs and interests of the citizens of this state and the~~  
40 ~~nation, there is a need to establish a common state curriculum for~~

1 the public schools, but that, because of economic, geographic,  
2 physical, political, and social diversity, there is a need for the  
3 development of educational programs at the local level, with the  
4 guidance of competent and experienced educators and citizens.  
5 Therefore, it is the intent of the Legislature to set broad minimum  
6 standards and guidelines for educational programs and to encourage  
7 local districts to develop programs that will best fit the needs and  
8 interests of the pupils, pursuant to stated philosophy, goals, and  
9 objectives.

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