



The American Nurses Association, American Nurses Association/California, California School Nurses Organization, and the American Diabetes Association

Joint Statement on Provision of Care to Students with Diabetes in the School Setting

December 1, 2014

California and federal law provide that students with disabilities, including diabetes, must have equal access to educational opportunities and must be afforded the free, appropriate public education to which they are entitled. In 2007, in an effort to ensure that students with diabetes have access to the care they need to take advantage of their educational opportunities, the California Department of Education issued a Legal Advisory on Rights of Students with Diabetes in California K-12 Public Schools (Legal Advisory) covering various issues including permitting trained, unlicensed school personnel to administer insulin.

Following extensive litigation, a 2013 decision issued by the California Supreme Court clarified that California law allows trained unlicensed school personnel to administer insulin to students with diabetes pursuant to the orders of the student's treating physician and with the written consent of the student's parent or guardian.

In subsequent proceedings, a lower court also found that the portion of the Legal Advisory involving unlicensed school personnel administering insulin was void because it was not issued in compliance with the state's rule-making requirements. However, this ruling did not affect the 2013 Supreme Court decision and, accordingly, school personnel are permitted to administer medications as provided in that opinion.

The California Supreme Court's ruling, clarifying that trained, unlicensed school personnel may administer insulin in accordance with the written statement of individual students' treating physician and with parent or guardian consent, is important because all too often students with diabetes attending California's schools have no one available to assist them with insulin administration, thereby jeopardizing their health and ability to learn.

Our organizations agree schools must ensure students with diabetes have a healthy school environment and full opportunity to learn. This includes timely access to insulin, glucagon, and other diabetes care at school and school-sponsored activities. We recognize that districts do not currently employ enough school nurses to meet that need. We support the training of unlicensed school personnel who volunteer to administer insulin and other diabetes medications as a safe and effective way to provide care for a student with diabetes when school nurses or other health care professionals are not available and when such care is permitted by a physician's order.

It is the schools' responsibility to ensure there are trained staff members available to provide diabetes care, including administering insulin to students who cannot self-administer insulin when school nurses or other licensed healthcare providers are not available. Training should be provided by a health care professional such as a school nurse or a certified diabetes educator.

Our organizations join together in encouraging schools to conduct comprehensive training of school employees who perform diabetes care tasks, and to meet the requirements of federal and state disability laws to ensure that all students with diabetes are medically safe and have the same educational opportunities as other children.