§ 916-a. Pupils with allergies. 1. (a) The board of education or trustees of each school district and board of cooperative educational services shall allow pupils who have been diagnosed by a physician or other duly authorized health care provider with an allergy to carry and use a prescribed epinephrine device for the emergency treatment of allergic reactions during the school day on school property and at any school function as such terms are defined, respectively, by subdivisions one and two of section eleven of this chapter, with the written permission of a physician or other duly authorized health provider, and written parental consent. The written permission shall include an attestation by the physician or the health care provider confirming the following: (i) the pupil's diagnosis of an allergy for which an epinephrine device is needed; and (ii) that the pupil has demonstrated that such pupil can self-administer the prescribed epinephrine device effectively. The written permission shall also include the circumstances which may warrant the use of the epinephrine device. A record of such consent and permission shall be maintained in the student's cumulative health record. In addition, upon the written request of a parent or person in parental relation, the board of education or trustees of a school district and board of cooperative educational services shall allow such pupils to maintain an extra epinephrine device for the emergency treatment of allergies in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or physician employed by such district or board of cooperative educational services, and shall be readily accessible to such pupil. Nothing in this section shall require a school district or board of cooperative educational services to retain a licensed nurse, nurse practitioner, physician assistant, or physician solely for the purpose of taking custody of a spare epinephrine device for the emergency treatment of allergic reactions, or require that a licensed nurse, nurse practitioner, physician assistant, or physician be available at all times in a school building for taking custody of the epinephrine device. In addition, the epinephrine device provided by the pupil's parents or persons in parental relation will be made available to the pupil as needed in accordance with the school district's or board of cooperative educational services' policy and the orders prescribed in the written permission of the physician or other authorized health care provider.

(b) For the purposes of this subdivision, the term "epinephrine device" shall have the same meaning as set forth in paragraph (b) of subdivision one of section three thousand-c of the public health law.

2. A school district, board of cooperative educational services and/or their agents or employees shall incur no legal or financial liability as a result of any harm or injury sustained by a pupil or other person caused by reasonable and good faith compliance with this section.