

The board recognizes that students may need to take medication (prescription and non-prescription) during school hours. School personnel may administer medication with a properly completed and signed Medication Form. In limited circumstances, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take ~~medicines~~ medications ~~should be taken~~ at home rather than at school whenever feasible. School ~~officials~~ personnel may deny a request to ~~should not agree to~~ administer any medication that could be taken at home or when, in the opinion of the superintendent or designee in consultation with school nursing personnel, the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

For purposes of this policy, all references to “parent” include parents, legal guardians and legal custodians. In addition, for purposes of this policy, the term “health care practitioner” is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants and nurse practitioners.

**A. ~~STANDARDS FOR ADMINISTERING PRESCRIPTION MEDICATION~~ MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES**

1. Conditions for Administering Medication

Authorized ~~S~~school employees ~~are authorized to~~ may administer medication to students when all of the following conditions ~~have been~~ are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

- a. Parental Consent: The student’s parent must submit or legal custodian has provided a properly completed and signed Medication Form that authorizes school personnel to administer with explicit written instructions describing the manner in which the medication to the student is to be administered.
- b. Medication Authorization/Order: A ~~physician~~ health care practitioner must prescribe has prescribed the medication for use by the student as indicated on the Medication Form and provide explicit written instructions for administering the medication.
- c. Certification of Necessity: ~~A~~ The student’s health care practitioner/physician has must certified that administration of the medication to the student during the school day is necessary to maintain and support the student’s continued presence in school.
- d. Proper Container/Labeling: If the medication to be administered is available

by prescription only, the parent must provide the medication in a pharmacy-labeled container with directions for how and when the medicine is to be given. If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student's name.

- ~~e.~~ Proper Administration: The employee must ~~administers~~ the medication pursuant to the health care practitioner's written instructions on the Medication Form and in accordance with professional standards.

The board of education and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

2. Procedures for Administering Medications

The superintendent shall develop procedures for the implementation of this policy. The ~~procedures~~ ~~se rules~~ and a copy of this policy must be made available to all students and parents each school year. The superintendent's procedures should be developed according to the guidelines listed below.

- a. The health and welfare of the student must be of paramount concern in all decisions regarding the administration of ~~medicine~~ medication.

b. Procedures for medication administration must be consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in the North Carolina School Health Program Manual.

~~b.c.~~ Students with special needs are to be afforded all rights provided by federal and state law as enumerated in the *Policies Governing Services for Children with Disabilities*. Students with disabilities also are to be afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

~~e.d.~~ No student may possess, use or transmit any drug or counterfeit drug prohibited by policy 4325, Drugs and Alcohol.

~~e.e.~~ The board generally encourages school personnel to administer ~~medicine~~ medication from a centralized location. However, in all instances, whether administered from a centralized location or multiple locations, any ~~medicines~~ medications kept at school for a student must be kept in a locked and secure place ~~with the exception of emergency medication which is not to be locked but maintained in a secure place.~~ An exception to the requirement for locked storage may be made for emergency medications that must be immediately accessible.

- e.f. All school personnel who will be administering ~~medicines~~ medications must receive appropriate training.
- f.g. Only medications clearly prescribed ~~or intended~~ for the student may be administered by school personnel. School personnel shall request from the student's parent and health care practitioner ~~physician~~ all necessary information including the name of the ~~drug~~ medication, the purpose of the ~~drug~~ medication, the time the medication is to be administered, the dosage, the possible side effects and the date of the last administration.
- g. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication ~~drug~~ or dosage for a student, a confirmation should be obtained from the student's ~~physician~~ health care practitioner or another ~~physician~~ health care practitioner prior to administering the ~~medicine~~ medication or allowing a student to self-administer ~~a the medicine~~ medication.
- ~~i.h. The school, its personnel and the Board of Education shall assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent/guardian and health care provider. The Board of Education further reserves the right for itself and its employees to refuse to administer medications when, in the opinion of the superintendent in consultation with school nursing personnel, there is a substantial risk of harm to the student or others if medication is administered by school personnel. Such situations include but are not limited to non-FDA approved treatments and medications, "off label" prescriptions (i.e., uses of FDA approved treatments and medications which are not FDA approved), treatments that cannot safely be delegated to non-licensed personnel and treatments that require monitoring and/or lifesaving equipment.~~
- j.i. Parents should inform school personnel immediately if it is inappropriate, for any reason, for school personnel to continue to administer the medication as prescribed by the ~~physician~~ health care practitioner.
- k.j. Although efforts should be made not to disrupt instructional time, a parent has the right to administer ~~medicines~~ medication to his or her child at any time while the child is on school property.
- l.k. A written record of all medication administrations to students will be maintained.
- m.l. Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students must be accorded all rights provided by the Family Educational Rights and Privacy

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Act and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

- ~~n.m.~~ After the last administration of a medication to a student, any remaining amounts of the medication will be returned only to the student's parent or legal guardian.

#### ~~C.B.~~ STUDENT SELF-ADMINISTERING NON-PRESCRIPTION MEDICATION

~~Consistent with the above requirements, non-prescription medications will only be given during school hours by school personnel with a properly completed and signed Medication Form. Parents who want school personnel to administer over the counter medication must provide the medication in the original container to school personnel pursuant to the requirements of this policy.~~ High school students may be allowed to self-administer non-prescription medication with a properly completed and signed Medication Form which clearly indicates that the student is allowed to self-administer the non-prescription medication.

#### ~~D.C.~~ EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with diabetes, asthma or severe allergies, must have an Individualized Health Plan developed for them to address emergency administration of ~~medicine~~medication. Students must meet the requirements of subsection A.1, above, including providing a Medication Form with authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

#### ~~E.D.~~ STUDENT SELF-ADMINISTERING ~~EMERGENCY MEDICATIONS~~ FOR STUDENTS WITH CERTAIN HEALTH CONDITIONS

The board recognizes that students ~~at risk of medical emergencies, including those with certain health conditions like diabetes or asthma, and/or an allergy that could result in~~ subject to anaphylactic reactions, may need to possess and self-administer ~~emergency~~medication on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events. As used in this section of the policy, "~~emergency~~medication" ~~means~~ refers to a medicine prescribed for the treatment of diabetes, asthma, anaphylactic reactions, or another medical conditions and includes insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine auto-injector, ~~or other~~ emergency medication. The superintendent shall develop procedures for the possession and self-administration of such ~~emergency~~medication by students on school property; during the school day, at school-sponsored activities, and while in transit to or from school or school-sponsored events.

1. Authorization to Self-Administer Medication

Before a student will be allowed to self-administer ~~medicine~~ medication pursuant to this section, the student's parent ~~or legal guardian~~ must provide to the principal or designee all of the documents listed below:-

- a. Individualized Health Plan with written parental ~~or guardian~~ authorization for the student to possess and self-administer ~~emergency~~ medication which includes an acknowledgment that the local school administrative unit and its employees and agents are not liable for an injury arising from a student's possession and self-administration of ~~emergency~~ medication;
- b. Medication Form for the ~~emergency~~ medication with written statement from the student's health care practitioner including (i) verification that the student has diabetes or asthma, or an allergy that could result on anaphylactic reaction, or another medical condition that requires self-administered emergency medication, (ii) confirmation that the health care practitioner prescribed the medication ~~is~~ for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events, (iii) confirmation that the student understands, has been instructed in self-administration of the ~~emergency~~ medication, and has demonstrated the skill level necessary to use the ~~emergency~~ medication and any device that is necessary to administer the ~~emergency~~ medication, and (iv) a treatment plan and written emergency protocol formulated by the prescribing health care practitioner ~~who prescribed the medicine~~ for managing the student's diabetes, asthma, anaphylactic episodes, or other emergency medical condition, and for medication use by the student.
- c. Student Contract for Self-Carried Medication Form indicating that the student has been instructed in self-administration of the ~~emergency~~ medication, and has demonstrated to the school nurse, or the nurse's designee, the skill level necessary to use the ~~emergency~~ medication and any accompanying device that is necessary to administer the medication.
- d. Any other documents or requirements necessary to comply with state and federal laws.

~~2.~~ The student's parent ~~or legal guardian~~ must provide to the school backup ~~emergency~~ medication that school personnel are to keep at the student's school in a location to which the student has immediate access in the event the student does not have the required medication of a medical emergency.

All information provided to the school by the student's parent ~~or legal guardian~~ must be reviewed by the school nurse and kept on file at the student's school in an easily accessible location in the event of a medical emergency. Any permission granted for

a student to possess and self-administer ~~emergency~~ medication will be effective only for the same school year. Such permission must be ~~renewed resubmitted~~ each school year.

## 2. Responsibilities of the Student

A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student's name on the label.

## 3. Consequences for Improper Use

A student who uses his or her ~~prescribed emergency~~ medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not ~~No one may~~ impose disciplinary action on the student that limits or restricts the student's immediate access to the diabetes or anaphylactic emergency medication.

The board does not assume any responsibility for the administration of medication to a student by the student, the student's parent ~~or legal custodian~~, or any other person who is not authorized by this policy to administer medications to students.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. -705(20), -794, 34 C.F.R. pt. 104; G.S. 115C-36, -307(c), ~~-375.1, -375.2, -375.2A, -375.3~~; *Policies Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000

Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325), Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)

Other References: North Carolina School Health Program Manual (N.C. Dept. of Health and Human Services, Div. of Public Health, School Health Unit, 6<sup>th</sup> ed. 2014), available at <https://www2.ncdhhs.gov/dph/wch/lhd/manuals.htm>

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