

4.4340-6.1250 ADMINISTERING MEDICINES TO STUDENTS

Legal References: Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., 34 C.F.R. pt. 300
Americans with Disabilities Act, 42 U.S.C. 1213, 28 C.F.R. pt. 35;
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 705(20),-794,34 C.F.R. pt. 104
G.S. 115C-36, -307(c)
G.S. 115C-375.2; *Policies Governing Services for Children with Disabilities*
State Board of Education Policy GCS-D-000

Cross References: 1.3100/4.3100 Parental Involvement
4.4300/6.1200 Student Health Services
4.4320 Communicable Diseases
4.3600 Student Code of Conduct
4.8000 Student Records

I. GENERAL PRINCIPLES

Because of genuine concern for each student, every effort will be made to address and meet the medical needs of students as defined by parents and/or medical officials in a private, confidential, and caring manner.

To minimize disruptions to the school day, parents should arrange for a student to take medication at home rather than at school whenever feasible. However, the Board recognizes that students may need to take medication during school hours. Upon authorization of a student's parents, and in accordance with the provisions of this policy, designated school personnel may administer:

- drugs or medication prescribed by a physician or by a licensed physician's assistant or nurse practitioner operating under the supervision of a physician; and/or
- over-the-counter ("OTC") medications, remedies, and supplements which do not require a prescription.

II. STANDARDS FOR ADMINISTERING DRUGS / MEDICINES

A. The health and welfare of the student in question must be of paramount concern in all decisions regarding the administration of medicines or drugs.

B. 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.

C. No student may possess, use, or transmit any drug or counterfeit drug prohibited by Board policy #4.3600, STUDENT CODE OF CONDUCT.

D. The Board generally encourages school personnel to administer medicine or drugs from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines or drugs kept at school for a student must be kept in a locked and secure place.

E. All school personnel who will be administering medicines or drugs to students must receive appropriate training.

F. Only drugs clearly prescribed or intended for the student may be administered by school personnel.

G. At the time a parent brings a drug to school for administration, if school personnel have concerns regarding the appropriateness of a drug or dosage for a student, a confirmation should be obtained from a physician prior to administering or allowing a student to self-administer that medicine.

H. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medicines to his or her child at any time while the child is on school property.

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

III. ADMINISTRATION OF DRUGS / MEDICINES AT SCHOOL BY FLA EMPLOYEES

A. School employees are authorized to administer drugs or medications under the following conditions:

1. The student's parent, legal guardian, or legal custodian has authorized school personnel to administer one or more specific drugs or medications to the student via the school's official Medications Authorization document, and has provided explicit instructions describing the manner in which the drugs or medications are to be administered.

2. The parents provide authorization via the school's official Medications Authorization for over-the-counter medications to be administered to their child.

3. The school employee administers the drugs or medications pursuant to the instructions provided by the student's parent, legal guardian, or legal custodian.

B. Parents/guardians must provide the school with all drugs and medicines – both prescription and OTC – intended for administration to their children. All such drugs and medicines provided to the school must be in sealed, unopened containers (exception: Rx bottles), clearly labeled with the student's name.

C. Students who are at risk for medical emergencies, such as those with asthma or severe allergies, must have emergency health care plans developed for them which shall include the emergency administration of drugs and medicines. Such emergency health care plans shall be developed by the School Nurse, who shall also train the other school personnel designated by the Principal to administer drugs and medicines and closely monitor the implementation of all such plans.

IV. SELF-ADMINISTRATION OF PRESCRIPTION DRUGS / MEDICINES BY STUDENTS

A. Per North Carolina General Statutes, a student with asthma and/or who is subject to anaphylactic reactions or who has diabetes, may possess and self-administer medication for the treatment of the same on school property during the school day, at school-sponsored activities, or while in transit to and from school or school sponsored events.

B. As used in this policy, "asthma medication" means a medicine prescribed for the treatment of asthma or anaphylactic reactions and includes a prescribed asthma inhaler or epinephrine auto-injector. "Diabetes treatment" means a medicine or procedure prescribed for the treatment or assessment of

blood sugar levels: i.e., insulin, oral agents, or blood sugar checks.

C. Before a student will be allowed to self-administer medicine pursuant to this section, the student's parent or guardian must provide an FLA Medications Authorization form signed by the student's parent, legal guardian or legal custodian and the student's physician or his/her licensed designee indicating that the student is allowed to possess and self-administer asthma medication or diabetes treatment.

D. Before a student will be allowed to self-administer medicine pursuant to this section, the student will also demonstrate to the School Nurse that he/she understands and has been instructed in self-administration of the asthma medication or diabetes treatment, and has demonstrated the skill level necessary to use the medication and any accompanying device.

E. The parents or guardians of students authorized to self-administer drugs and/or medicines must provide to the school backup medications and/or treatments, as applicable, that school personnel are to keep in a location to which the student has immediate access in the event of an emergency.

F. All information provided to the school by a self-administering student's parents or guardians must be kept on file at the school in an easily accessible location. Any permission granted by the Principal for a student to possess and self-administer drugs and/or medications pursuant to this policy will be effective for only the school year in which the permission was granted. Such permission must be reviewed annually.

G. A self-administering student who uses his or her prescribed drugs and/or medications in a manner other than as prescribed may be subject to disciplinary action pursuant to the school's disciplinary policy. No one may impose disciplinary action on the student that limits or restricts the student's immediate access to authorized drugs and/or medications.

H. The Board does not assume any responsibility for the administration of drugs or medications 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.

V. SELF-ADMINISTRATION OF NON-PRESCRIPTION DRUGS / MEDICINES BY STUDENTS

Except as otherwise specifically set forth in this policy, students in Kindergarten through eighth grade shall not be allowed to possess, carry, or self-administer any drugs or medications on school grounds, in any vehicle owned, operated, leased, or used by the Board, at any school sponsored activity, or at any time during school hours.

Except as otherwise specifically set forth in this policy, students in ninth through twelfth grades shall be allowed to possess, carry, and/or self-administer certain medications on school grounds, in any vehicle owned, operated, leased or used by the Board, at any school sponsored activity, or at any time during school hours if the students and their parents or legal guardians or legal custodians comply with the following:

1. the parent/legal guardian/legal custodian must provide to the Principal signed authorization via the FLA Medications Authorization indicating that the student is allowed to possess and self-administer medications identified in the written authorization, the reason student needs to take such medications, and further outlining the times and circumstances under which the student may self-administer those medications;

2. the student may only bring onto school grounds, on any vehicle owned, operated, leased, or used by the Board or at any school sponsored activity an amount of medication equal to only one (1) day's dosage;

3. the student shall, immediately upon entering school grounds or arriving at any school-sponsored activity, deliver the medication to the Principal or his/her designee to be stored in a locked cabinet;

4. the student must take the medication in the presence of the Principal or his/her designee;

5. the medication shall be stored in a locked cabinet and student may not carry such medication on his/her person except to deliver the same to the Principal or his/her designee; and

6. the medication shall be properly labeled in the bottle or container in which it was purchased, or, if prescription, shall contain all current information and instructions per any such prescription.