

Descriptor Term:
ADMINISTERING MEDICINES TO STUDENTS

Descriptor Code:
4.4340/6.1250

Legal Reference: 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, 4.7000 Student Records

The board recognizes that students may need to take medication during school hours. School personnel may administer drugs or medication prescribed by a doctor upon the written request of the parents. To minimize disruptions to the school day, parents should arrange for a student to take medication at home rather than at school whenever feasible. School personnel should not agree to administer any medication that could be taken at home.

A. STANDARDS FOR ADMINISTERING MEDICINES

1. School employees are authorized to administer drugs or medication when all of the following conditions have been met:
 - a. The student's parent, legal guardian or legal custodian has made a written request that school personnel administer the drug or medication to the student and has given explicit written instructions describing the manner in which the drug or medication is to be administered.
 - b. The parent provides written proof to school personnel that a physician has prescribed the drug or medication for use by the student for over-the-counter medications, as well as, medications available only by a physician's prescription.
 - c. The parent provides written proof to school personnel that a physician has certified that administration of the drug or medication to the student during the school day is necessary for over-the-counter medications, as well as, medications available only by a physician's prescription.
 - d. The school employee administers the drug or medication pursuant to the written instructions provided by the student's parent, legal guardian or legal custodian.
2. The superintendent shall develop procedures for the implementation of this policy. These 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 or drugs to students.
- 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 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. 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 the student's doctor or another doctor prior to administering the medicine or allowing a student to self-administer a medicine.
- g. 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.
- h. 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.

B. OVER-THE-COUNTER MEDICATION

Consistent with the above requirements, over-the-counter medications will only be given during school hours by school personnel pursuant to the requirements of this policy. Parents who want school personnel to administer over-the counter medication must provide the medication to school personnel pursuant to the requirements of this policy.

C. EMERGENCY MEDICATION

Students who are at risk for medical emergencies, such as those with asthma or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medicine to them.

D. STUDENT SELF-ADMINISTERING ASTHMA MEDICATIONS AND DIABETES TREATMENT

Per North Carolina General Statutes, a student with asthma and/or subject to anaphylactic reactions

or 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.

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.

1. Before a student will be allowed to self-administer medicine pursuant to this section, the student’s parent or guardian must provide to the principal or designee all of the documents listed below.
 - a. written authorization signed by the student’s parent, legal guardian or legal custodian stating that the student is allowed to possess and self-administer asthma medication or diabetes treatment;
 - b. a written statement signed by the student’s parent, legal guardian or legal custodian stating that the medication for use by the student on school property during the school day, at school-sponsored events or while in transit to and from school or school-sponsored events shall be provided by the parent, legal guardian or legal custodian; and
 - c. a written statement from the student’s health care physician verifying:
 - 1) that the student has asthma and/or an allergy that could result in anaphylactic reaction or that the student has diabetes and requires diabetes treatment;
 - 2) that the physician prescribed the medication 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; and,
 - 3) that the student understands, 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;
 - d. a written treatment plan and written emergency protocol formulated by the prescribing health care physician for managing the student’s asthma or anaphylaxis episodes or diabetes and for medication use by the student;
 - e. a statement provided by the school system and signed by the student’s parent, legal guardian or legal custodian acknowledging that the board of education and its agents are not liable for injury arising from the student’s possession and self-administration of asthma medication or diabetes treatment; and
 - f. any other documents or items necessary to comply with state and federal laws.
2. Prior to being permitted to self-administer medicine at school, the student also must demonstrate to the school nurse, or the nurse’s designee, the skill level necessary to use the asthma medication, diabetes treatment and any accompanying device.

3. The student's parent or guardian must provide to the school backup asthma medication or diabetes treatment that school personnel are to keep in a location to which the student has immediate access in the event of an emergency.
4. All information provided to the school by the student's parent or guardian 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 asthma medication will be effective only for the same school for 365 calendar days. Such permission must be reviewed annually.
5. A student who uses his or her prescribed asthma medication in a manner other than as prescribed may be subject to disciplinary action pursuant to the school disciplinary policy. No one may impose disciplinary action on the student that limits or restricts the student's immediate access to the asthma medication.
6. The board does not assume any responsibility for the administration of drugs or 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.

E. STUDENT SELF-ADMINISTERING OTHER MEDICATIONS

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

In addition to the provisions of subparagraph D. herein, students in ninth through twelfth grade may be allowed to self-administer medicine if the student and parent/legal guardian/legal custodian comply with the following:

- a. the parent/legal guardian/legal custodian must provide to the principal or his/her designee a written authorization signed by the student's parent/legal guardian/legal custodian stating that the student is allowed to possess and self-administer medication identified in the written authorization, the reason student needs to take such medication and further outlining the times and circumstances under which the student may self-administer the medication;
- b. 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 dose;
- c. 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;
- d. the student must take the medication in the presence of the principal or his/her designee;

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

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