

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, medicines should be taken 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 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. 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. 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 employee administers the drug or medication pursuant to the written instructions provided by the student's parent or legal guardian and healthcare provider.
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.
 - 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 4325, Drugs and Alcohol.
- d. The board generally encourages school personnel to administer medicine from a centralized location. However, in all instances, whether from a centralized location or multiple locations, any medicines kept at school for a student must be kept in a locked and secure place.
- e. All school personnel who will be administering medicines 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 or guardian 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 if they are authorized by a physician and parent/guardian, complete with instructions. Parents/Guardians 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.

D. STUDENT SELF-ADMINISTERING EMERGENCY MEDICATIONS

The board recognizes that students with asthma, diabetes, and/or subject to anaphylactic

reactions may need to possess and self-administer emergency medication on school property. The superintendent shall develop procedures for the possession and self-administration of emergency medication by students on school property, during the school day, at school-sponsored activities, and/or while in transit to or from school or school-sponsored events.

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 from the student's parent or guardian for the student to possess and self-administer asthma medication;
 - b. a written statement from the student's health care practitioner verifying:
 - 1) that the student has asthma, diabetes, and/or an allergy that could result in anaphylactic reaction;
 - 2) that he or she prescribed 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 emergency medication, and has demonstrated the skill level necessary to use the medication and any accompanying device;
 - c. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student's asthma, diabetes, or anaphylaxis episodes and for medication use by the student;
 - d. a statement provided by the school system and signed by the student's parent or guardian 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; and
 - e. 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 emergency medication and any accompanying device.
3. Finally, the student's parent or guardian shall provide to the school backup emergency medication that school personnel are to keep in a location to which the student has immediate access in the event of an emergency.

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 emergency medication will be effective only for the same school for 365 calendar days. Such permission must be reviewed annually.

A student who uses his or her prescribed emergency 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 emergency medication.

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.

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), - 375.2; *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)

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