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2 The Transylvania County Board of Education (the “board”) recognizes that students may need to
3 take medication during school hours, enabling students to attend school, to maintain or improve
4 their health, and/or to improve their potential for learning. School personnel may administer
5 medication prescribed by a health care practitioner upon the written request of a student’s parent.
6 In limited circumstances, a student may be authorized to self-administer medications. To minimize
7 disruptions to the school day, students should take medications at home rather than at school
8 whenever feasible. School officials may deny a request to administer any medication that could
9 be taken at home or when, in the opinion of the superintendent or designee in consultation with
10 school nursing personnel, other treatment options exist and the administration of the medication
11 by school personnel would pose a substantial risk of harm to the student or others.

12
13 For purposes of this policy, all references to “parent” include parents, legal guardians, and legal
14 custodians. In addition, for purposes of this policy, the term “health care practitioner” is limited
15 to licensed medical professionals who are legally authorized to prescribe medications under North
16 Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants,
17 and nurse practitioners.

18
19 Unless otherwise indicated, the terms “medication” and “medicine” include any substance
20 intended for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease. The
21 term includes all prescription medications and all such substances available over-the-counter
22 without a prescription, such as drugs, herbs, alternative medicines, and supplements (hereinafter
23 “over-the-counter drugs”). The administration of any prescription or over-the-counter drug to
24 students by school employees is prohibited except when performed in accordance with Section A.
25 The self-administration of any prescription or over-the-counter drug by students at school is
26 prohibited and constitutes a violation of policy 4325, Drugs and Alcohol, except in the limited
27 circumstances described in Section C.

28
29 The administration, including by parents, school employees, or self-administration, of any
30 substance containing cannabidiol (CBD) or tetrahydrocannabinol (THC) at school is prohibited
31 unless the CBD or THC product is available by prescription only and has been approved by the
32 U.S. Food & Drug Administration (FDA) and all requirements of this policy are met.

33
34 **A. MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES**

35
36 1. Conditions for Administering Medication

37
38 Authorized school employees may administer medication to students when all of
39 the following conditions are met. These conditions apply to all medications,
40 including those available over-the-counter without a prescription.

- 41
42 a. Parental Consent: The student’s parent must make a signed, written request
43 that authorizes school personnel to administer the medication to the student.
44

- 45 b. Medication Authorization/Order: A health care practitioner must prescribe
46 the medication for use by the student and provide explicit written
47 instructions for administering the medication.
48
- 49 c. Certification of Necessity: The student's health care practitioner must
50 certify that administration of the medication to the student during the school
51 day is necessary to maintain and support the student's continued presence
52 in school and must sign the medication authorization form. The health care
53 practitioner's signature is required for over-the-counter medications as well
54 as for medications available only by a prescription.
55
- 56 d. Proper Container/Labeling: If the medication to be administered is available
57 by prescription only, the parent must provide the medication in a pharmacy-
58 labeled container with the child's name, the name of the medication, the
59 exact dose to be given, the time/frequency the medication is to be given, the
60 route of administration, the number of doses in the container, and the
61 expiration date of the medication. If the medication is available over-the-
62 counter, it must be provided in the original container or packaging, labeled
63 with the student's name.
64
- 65 e. Proper Administration: A trained school employee must administer the
66 medication pursuant to the health care practitioner's written instructions
67 provided to the school by the student's parent and in accordance with
68 professional standards. All administration of medication shall be
69 documented by a trained school employee on the medication administration
70 record. The signature of the school employee administering the medication
71 must appear on the record.
72

73 The board of education and its employees assume no liability for complications or
74 side effects of medication when administered in accordance with the instructions
75 provided by the parent and health care practitioner.
76

77 2. Procedures for Administering Medications

78

79 The superintendent shall develop procedures for the implementation of this policy.
80 The procedures and a copy of this policy must be made available to all students and
81 parents each school year. The superintendent's procedures should be developed
82 according to the guidelines listed below.
83

- 84 a. The health and welfare of the student must be of paramount concern in all
85 decisions regarding the administration of medication.
86
- 87 b. Procedures for medication administration must be consistent with
88 recommendations of the School, Adolescence and Child Health Unit of the
89 Whole Child Health Section of the Division of Children & Family Well-
90 Being-Youth Branch of the N.C. Department of Health and Human

~~Services Division of Public Health~~, as described in the *North Carolina School Health Program Manual*.

- 91
92
93
94 c. Students with special needs are to be afforded all rights provided by federal
95 and state law as enumerated in the *Policies Governing Services for Children*
96 *with Disabilities*. Students with disabilities also are to be afforded all rights
97 provided by anti-discrimination laws, including Section 504 of the
98 Rehabilitation Act of 1973 and the Americans with Disabilities Act.
99
- 100 d. Except as permitted by this policy, no student may possess, use, sell, deliver,
101 or manufacture any drug or counterfeit drug prohibited by policy 4325,
102 Drugs and Alcohol, nor be under the influence of any drug in violation of
103 that policy.
104
- 105 e. The board generally encourages school personnel to administer medication
106 from a centralized location. However, in all instances, whether
107 administered from a centralized location or multiple locations, any
108 medications kept at school for a student must be kept in a locked and secure
109 place. An exception to the requirement for locked storage may be made for
110 emergency medications that must be immediately accessible. Access to
111 controlled substances should be limited to the school nurse, school staff
112 person authorized to administer medication, and the principal or designee.
113
- 114 f. All school personnel who will be administering medications must receive
115 appropriate training, including medication safety and administration
116 procedures, from the school nurse.
117
- 118 g. Only medications clearly prescribed for the student may be administered by
119 school personnel. At the time a parent brings a medication to school for
120 administration, if school personnel have concerns regarding the
121 appropriateness of the medication or dosage for a student, a confirmation
122 should be obtained from the student's health care practitioner or another
123 health care practitioner prior to administering the medication. Self-
124 administration of a medication by a student is allowed only as specified in
125 Section C, below.
126
- 127 h. Although efforts should be made not to disrupt instructional time, a parent
128 has the right to administer medication to his or her child at any time while
129 the child is on school property, unless otherwise prohibited by this policy.
130
- 131 i. Written information maintained by school personnel regarding a student's
132 medicinal and health needs is confidential. Parents and students must be
133 accorded all rights provided by the Family Educational Rights and Privacy
134 Act and state confidentiality laws. Any employee who violates the
135 confidentiality of the records may be subject to disciplinary action.
136

137 **B. EMERGENCY MEDICATION**

138

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

146

147 **C. STUDENT SELF-ADMINISTERING MEDICATIONS**

148

149 The board recognizes that students with certain health conditions like diabetes or asthma,
150 or an allergy that could result in an anaphylactic reaction, may need to possess and self-
151 administer medication on school property in accordance with their individualized health
152 care plan or emergency health care plan.

153

154 Students are prohibited from self-administering medication at school unless (1) the
155 medicine has been prescribed for the treatment of diabetes, asthma, or anaphylactic
156 reactions, including insulin or a source of glucose, a prescribed asthma inhaler, or a
157 prescribed epinephrine auto-injector; (2) the medicine is administered in accordance with
158 the student's individualized health care plan or emergency health care plan and any relevant
159 administrative regulations; and (3) the requirements of this section are met. The
160 superintendent or designee shall develop procedures for the possession and self-
161 administration of such medication by students on school property during the school day, at
162 school-sponsored activities, and/or while in transit to or from school or school-sponsored
163 events.

164

165 1. Authorization to Self-Administer Medication

166

167 Before a student will be allowed to self-administer medication pursuant to this
168 subsection, the student's parent must provide to the principal or designee all of the
169 documents listed below:

170

171 a. written authorization from the student's parent for the student to possess
172 and self-administer the medication;

173

174 b. a written statement from the student's health care practitioner verifying that:

175

176 1) the student has a medical condition, such as asthma or diabetes or
177 an allergy that could result in anaphylactic reaction, which may
178 require emergency medication;

179

180 2) the health care practitioner prescribed the medication for use on
181 school property during the school day, at school-sponsored
182 activities, or while in transit to or from school or school-sponsored

- 183 events; and
 184
 185 3) the student understands, has been instructed in self-administration
 186 of the medication, has demonstrated the skill level necessary to use
 187 the medication and any accompanying device, and has been
 188 determined to be competent for self-administration;
 189
 190 c. a written treatment plan and written emergency protocol formulated by the
 191 prescribing health care practitioner for managing the student's diabetes,
 192 asthma, or anaphylaxis episodes, and for medication use by the student;
 193
 194 d. a statement provided by the school system and signed by the student's
 195 parent acknowledging that the board of education and its employees and
 196 agents are not liable for injury arising from the student's possession and
 197 self-administration of the medication; and
 198
 199 e. any other documents or items necessary to comply with state and federal
 200 laws.
 201

202 Prior to being permitted to self-administer medication at school, the student also
 203 must demonstrate to the school nurse, or the nurse's designee, (1) the skill level
 204 necessary to use the medication and any device necessary for its administration;
 205 and (2) sufficient knowledge and maturity to be independent in the management of
 206 the medication with no oversight from school staff.
 207

208 The student's parent must provide to the school backup medication that school
 209 personnel are to keep in a location to which the student has immediate access in the
 210 event the student does not have the required medication.
 211

212 All information provided to the school by the student's parent must be reviewed by
 213 the school nurse and kept on file at the school in an easily accessible location. Any
 214 permission granted by the principal or designee for a student to possess and self-
 215 administer medication will be effective only for the same school for 365 calendar
 216 days. Such permission must be renewed each school year.
 217

218 2. Responsibilities of the Student

219
 220 A student who is authorized in accordance with this policy to carry medication for
 221 self-administration must carry the medication in the original labeled container with
 222 the student's name on the label.
 223

224 3. Consequences for Improper Use

225
 226 A student who uses his or her medication in a manner other than as prescribed or
 227 who permits another person to use the medication may be subject to disciplinary
 228 action pursuant to the school disciplinary policy. However, school officials shall

229 not impose disciplinary action on the student that limits or restricts the student's
230 immediate access to the diabetes, asthma, or anaphylactic medication.
231

232 The board does not assume any responsibility for the administration of medication to a student by
233 the student, the student's parent, or any other person who is not authorized by this policy to
234 administer medications to students.
235

236 Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family
237 Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education Act,
238 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
239 C.F.R. pt. 104; G.S. 115C-36, -307(c), -375.1, -375.2, -375.2A, -375.3; *Policies Governing*
240 *Services for Children with Disabilities*, State Board of Education Policy EXCP-000
241

242 Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325),
243 Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)
244

245 Other Resources: *North Carolina School Health Program Manual* (N.C. Dept. of Health and
246 Human Services, Div. of Child and Family Well-Being~~Public Health~~, School, Adolescence and
247 Child Health~~School Health~~ Unit, 2023~~0~~), available at

248 [https://www.ncdhhs.gov/divisions/child-and-family-well-being/whole-child-health-](https://www.ncdhhs.gov/divisions/child-and-family-well-being/whole-child-health-section/school-adolescent-and-child-health/school-nursing-support#SchoolHealthProgramManual-4324)
249 [section/school-adolescent-and-child-health/school-nursing-](https://www.ncdhhs.gov/divisions/child-and-family-well-being/whole-child-health-section/school-adolescent-and-child-health/school-nursing-support#SchoolHealthProgramManual-4324)
250 [support#SchoolHealthProgramManual-4324](https://www.ncdhhs.gov/divisions/child-and-family-well-being/whole-child-health-section/school-adolescent-and-child-health/school-nursing-support#SchoolHealthProgramManual-4324)

251 <https://publichealth.nc.gov/wch/ey/schoolnurses/manual.htm>
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