

1 The Transylvania County Board of Education (the “board”) recognizes that students may need to  
2 take medication during school hours, enabling students to attend school, to maintain or improve  
3 their health, and/or to improve their potential for learning. School personnel may administer  
4 medication prescribed by a ~~physician or other~~ health care practitioner upon the written request of  
5 ~~the a student’s~~ parents. **In limited circumstances, a student may be authorized to self-administer**  
6 **medications.** To minimize disruptions to the school day, **students should take medicines**  
7 **medications** ~~should be taken~~ at home rather than at school whenever feasible. School ~~personnel~~  
8 ~~officials may deny a request to~~ ~~should not agree to~~ administer any medication that could be taken  
9 at home **or when, in the opinion of the superintendent or designee in consultation with school**  
10 **nursing personnel, the administration of the medication by school personnel would pose a**  
11 **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  
16 North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician  
17 assistants, and nurse practitioners.

18  
19 **A. ~~STANDARDS FOR ADMINISTERING MEDICINES~~ MEDICATION ADMINISTRATION BY**  
20 **SCHOOL EMPLOYEES**

21  
22 **1. Conditions for Administering Medication**

23  
24 **Authorized S**school employees ~~are authorized to~~ **may** administer medication to  
25 **students** when all of the following conditions ~~have been~~ **are** met. **These**  
26 **conditions apply to all medications, including those available over-the-counter**  
27 **without a prescription.**

- 28  
29 a. **Parental Consent:** The student’s parent ~~must make~~ **or legal custodian has**  
30 ~~made a signed,~~ written request that **authorizes** school personnel **to**  
31 administer the medication to the student. ~~and has given explicit written~~  
32 ~~instructions describing the manner in which the medication is to be~~  
33 ~~administered.~~
- 34  
35 b. **Medication Authorization/Order:** A ~~physician or other~~ health care  
36 practitioner **must prescribe** ~~has prescribed~~ the medication for use by the  
37 student **and provide explicit written instructions for administering the**  
38 **medication.** ~~or has authorized the use of over the counter medication(s).~~  
39 ~~Prescription medications must be properly labeled with the name of the~~  
40 ~~student and must be in the original prescription bottle or other packaging.~~  
41 ~~Non-prescription, over the counter medication also must be in the original~~  
42 ~~container or other packaging.~~
- 43  
44 c. **Certification of Necessity:** **The student’s** A ~~physician or other~~ health care

45 practitioner ~~has certified~~ **must certify** that administration of the medication  
46 to the student during the school day is necessary **to maintain and support**  
47 **the student's continued presence in school** and ~~has signed~~ **must sign** the  
48 medication authorization form. ~~A physician's or other~~ **The** health care  
49 practitioner's signature is required for over-the-counter medications as  
50 well as **for** medications available only by a prescription.

- 51  
52 d. **Proper Container/Labeling:** If the medication to be administered is  
53 available by prescription only, the parent must provide the medication in a  
54 pharmacy-labeled container with directions for how and when the  
55 medicine is to be given. If the medication is available over-the-counter, it  
56 must be provided in the original container or packaging, labeled with the  
57 student's name.

58  
59 **Proper Administration:** A trained school employee **must** administers the  
60 medication pursuant to the **health care practitioner's** written instructions  
61 provided **to the school** by the student's parent ~~or legal custodian and the~~  
62 ~~student's physician or other healthcare practitioner~~ **and in accordance with**  
63 **professional standards.**

- 64  
65 e. All administration of medication shall be documented by a trained school  
66 employee on the medication administration record. The signature of the  
67 school employee administering the medication must appear on the record.

68  
69 **The board of education and its employees assume no liability for complications or**  
70 **side effects of medication when administered in accordance with the instructions**  
71 **provided by the parent and health care practitioner.**

## 72 73 **2. Procedures for Administering Medications**

74  
75 The superintendent shall develop procedures for the implementation of this  
76 policy. ~~These rules~~ **The procedures** and a copy of this policy must be made  
77 available to all students and parents each school year. The superintendent's  
78 procedures should be developed according to the guidelines listed below.

- 79  
80 a. The health and welfare of the student must be of paramount concern in all  
81 decisions regarding the administration of ~~medicine~~ **medication.**
- 82  
83 b. **Procedures for medication administration must be consistent with**  
84 **recommendations of the School Health Unit of the Children & Youth**  
85 **Branch of the N.C. Division of Public Health, as described in the *North***  
86 ***Carolina School Health Program Manual.***
- 87  
88 c. Students with special needs are to be afforded all rights provided by

89 federal and state law as enumerated in the *Policies Governing Services for*  
90 *Children with Disabilities*. Students with disabilities also are to be  
91 afforded all rights provided by anti-discrimination laws, including Section  
92 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities  
93 Act.

- 94
- 95 d. No student may possess, use, or transmit any drug or counterfeit drug  
96 prohibited by policy 4325, Drugs and Alcohol.
- 97
- 98 e. The board generally encourages school personnel to administer ~~medicine~~  
99 **medication** from a centralized location. However, in all instances,  
100 whether **administered** from a centralized location or multiple locations,  
101 any ~~medicines~~ **medications** kept at school for a student must be kept in a  
102 locked and secure place. **An exception to the requirement for locked**  
103 **storage may be made for emergency medications that must be immediately**  
104 **accessible.**
- 105
- 106 f. All school personnel who will be administering ~~medicines~~ **medications**  
107 must receive appropriate training, including medication safety and  
108 administration procedures, from the school nurse.
- 109
- 110 g. Only medications clearly prescribed ~~or intended~~ for the student may be  
111 administered by school personnel. At the time a parent brings a medication  
112 to school for administration, if school personnel have concerns regarding  
113 the appropriateness of **a the** medication or dosage for a student, a  
114 confirmation should be obtained from the student's ~~doctor~~ **health care**  
115 **practitioner** or another ~~doctor~~ **health care practitioner** prior to  
116 administering the ~~medicine~~ **medication**. Self-administration of a  
117 medication by a student is allowed only as specified in Section ~~DC~~, below.  
118
- 119 h. Although efforts should be made not to disrupt instructional time, a parent  
120 has the right to administer ~~medicines~~ **medication** to his or her child at any  
121 time while the child is on school property.
- 122
- 123 i. Written information maintained by school personnel regarding a student's  
124 medicinal and health needs is confidential. Parents and students must be  
125 accorded all rights provided by the Family Educational Rights and Privacy  
126 Act and state confidentiality laws. Any employee who violates the  
127 confidentiality of the records may be subject to disciplinary action.  
128

129 ~~**B. OVER-THE-COUNTER MEDICATION**~~

130

131 ~~Consistent with the above requirements, over-the-counter medications will only be given~~  
132 ~~during school hours by school personnel if they are in the original container or other~~

133 ~~packaging and accompanied by a completed medication authorization form. Parents who~~  
134 ~~want school personnel to administer over the counter medication must provide the~~  
135 ~~medication to school personnel pursuant to the requirements of this policy.~~  
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, or diabetes~~, must have an emergency health care plan developed for  
141 them to address emergency administration of **medicine medication**. ~~Only a student who~~  
142 ~~is at risk for a medical emergency will be permitted to self-carry emergency medication~~  
143 ~~while in transit to and from school or school-sponsored events.~~ **Students must meet the**  
144 **requirements of subsection A.1, above, including providing authorization and instructions**  
145 **from the health care practitioner and written consent of the parent, in order for emergency**  
146 **medication to be administered by school personnel while the student is at school, at a**  
147 **school sponsored activity, and/or while in transit to or from school or a school-sponsored**  
148 **event.**  
149

## 150 **C. STUDENT SELF-ADMINISTERING ~~ASTHMA AND DIABETES~~ MEDICATIONS**

151  
152 The board recognizes that students with **certain health conditions like diabetes** or asthma  
153 ~~and/or an allergy that could result in~~ **subject to an** anaphylactic reactions, may need to  
154 possess and self-administer ~~asthma~~ **medication on school property in accordance with**  
155 **their individualized health care plan or emergency health care plan.** ~~The board also~~  
156 ~~recognizes that students with diabetes may need to possess and self-administer certain~~  
157 ~~medication on school property.~~ As used in this **section of the** policy, “**asthma**  
158 **medication” means refers to a medicine prescribed for the treatment of diabetes**, asthma,  
159 or anaphylactic reactions and includes **insulin or a source of glucose**, a prescribed asthma  
160 inhaler, or a prescribed epinephrine auto-injector, ~~and “diabetes medication” means a~~  
161 ~~medicine prescribed for the treatment of diabetes and includes insulin, glucose, or~~  
162 ~~Glucagon.~~ The superintendent or designee shall develop procedures for the possession  
163 and self-administration of ~~asthma and diabetes~~ **such** medication by students on school  
164 property, during the school day, at school-sponsored activities, and/or while in transit to  
165 or from school or school-sponsored events.  
166

### 167 **1. Authorization to Self-Administer Medication**

168  
169 Before a student will be allowed to self-administer ~~medicine~~ **medication** pursuant  
170 to this section, the student’s parent ~~or guardian~~ must provide to the principal or  
171 designee all of the documents listed below:  
172

- 173 a. written authorization from the student’s parent ~~or guardian~~ for the student  
174 to possess and self-administer ~~the asthma or diabetes~~ **the** medication;
- 175

- 176 b. a written statement from the student's health care practitioner verifying  
 177 ~~that:~~  
 178  
 179 1) ~~that~~ the student has a medical condition, such as asthma or diabetes  
 180 ~~or an allergy that could result in anaphylactic reaction~~, which may  
 181 require emergency medication;  
 182  
 183 2) ~~that he or she~~ ~~the health care practitioner~~ prescribed ~~the~~ medication  
 184 for use on school property during the school day, at school-  
 185 sponsored activities, or while in transit to or from school or school-  
 186 sponsored events; and  
 187  
 188 3) ~~that~~ the student understands, has been instructed in self-  
 189 administration of the ~~asthma or diabetes~~ medication, and has  
 190 demonstrated the skill level necessary to use the medication and  
 191 any accompanying device;  
 192  
 193 c. a written treatment plan and written emergency protocol formulated by the  
 194 prescribing health care practitioner for managing the student's ~~diabetes,~~  
 195 ~~asthma, diabetes,~~ or anaphylaxis episodes, and for medication use by the  
 196 student;  
 197  
 198 d. a statement provided by the school system and signed by the student's  
 199 parent ~~or guardian~~ acknowledging that the board of education and its  
 200 agents are not liable for injury arising from the student's possession and  
 201 self-administration of ~~asthma or diabetes~~ ~~the~~ medication; and  
 202  
 203 e. any other documents or items necessary to comply with state and federal  
 204 laws.  
 205  
 206 ~~2.~~ Prior to being permitted to self-administer ~~medicine~~ ~~medication~~ at school, the  
 207 student also must demonstrate to the school nurse, or the nurse's designee, the  
 208 skill level necessary to use the ~~asthma or diabetes~~ medication and any  
 209 accompanying device.  
 210  
 211 ~~3.~~ Finally, ~~the~~ The student's parent ~~or guardian~~ must provide to the school backup  
 212 ~~asthma or diabetes~~ medication that school personnel are to keep in a location to  
 213 which the student has immediate access in the event ~~the student does not have the~~  
 214 ~~required medication of an emergency.~~  
 215  
 216 All information provided to the school by the student's parent ~~or guardian~~ must be  
 217 ~~reviewed by the school nurse and~~ kept on file at the school in an easily accessible  
 218 location. Any permission granted by the principal ~~or designee~~ for a student to  
 219 possess and self-administer ~~asthma or diabetes~~ medication will be effective only

220 for the same school for 365 calendar days. Such permission must be reviewed  
221 ~~annually~~ renewed each school year.

## 223 2. Responsibilities of the Student

224  
225 A student who is authorized in accordance with this policy to carry medication for  
226 self-administration must carry the medication in the original labeled container  
227 with the student's name on the label.

## 228 3. Consequences for Improper Use

229  
230  
231 A student who uses his or her ~~prescribed asthma or diabetes~~ medication in a  
232 manner other than as prescribed or who permits another person to use the  
233 medication may be subject to disciplinary action pursuant to the school  
234 disciplinary policy. However, school officials shall not ~~No one may~~ impose  
235 disciplinary action on the student that limits or restricts the student's immediate  
236 access to the diabetes, asthma, or ~~diabetes~~ anaphylactic medication.

237  
238 The board does not assume any responsibility for the administration of medication to a student  
239 by the student, the student's parent, ~~or legal custodian~~, or any other person who is not authorized  
240 by this policy to administer medications to students.

241  
242 Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family  
243 Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education  
244 Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. -705(20), -  
245 794, 34 C.F.R. pt. 104; G.S. 115C-36, -307(c), ~~-375.1, -375.2, 0375.2A, -375.3~~; *Policies*  
246 *Governing Services for Children with Disabilities*, State Board of Education Policy ~~GCS-~~  
247 ~~DEXCP-000~~

248  
249 Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325),  
250 Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)

251  
252 Other References: *North Carolina School Health Program Manual* (N.C. Dept. of Health and  
253 Human Services, Div. of Public Health, School Health Unit, 6<sup>th</sup> ed. 2014), available at  
254 <https://www2.ncdhhs.gov/dph/wch/lhd/manuals.htm>

255  
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