

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 health care practitioner upon the written request of a student’s
5 parents. In limited circumstances, a student may be authorized to self-administer medications.
6 To minimize disruptions to the school day, students should take medications at home rather than
7 at school whenever feasible. School officials may deny a request to administer any medication
8 that could be taken at home or when, in the opinion of the superintendent or designee in
9 consultation with school nursing personnel, the administration of the medication by school
10 personnel would pose a substantial risk of harm to the student or others.

11
12 For purposes of this policy, all references to “parent” include parents, legal guardians, and legal
13 custodians. In addition, for purposes of this policy, the term “health care practitioner” is limited
14 to licensed medical professionals who are legally authorized to prescribe medications under
15 North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician
16 assistants, and nurse practitioners.

17
18 **A. MEDICATION ADMINISTRATION BY SCHOOL EMPLOYEES**

19
20 **1. Conditions for Administering Medication**

21
22 Authorized school employees may administer medication to students when all of
23 the following conditions are met. These conditions apply to all medications,
24 including those available over-the-counter without a prescription.

- 25
26 a. **Parental Consent:** The student’s parent must make a signed, written
27 request that authorizes school personnel to administer the medication to
28 the student.
- 29
30 b. **Medication Authorization/Order:** A health care practitioner must
31 prescribe the medication for use by the student and provide explicit
32 written instructions for administering the medication.
- 33
34 c. **Certification of Necessity:** The student’s health care practitioner must
35 certify that administration of the medication to the student during the
36 school day is necessary to maintain and support the student’s continued
37 presence in school and must sign the medication authorization form. The
38 health care practitioner’s signature is required for over-the-counter
39 medications as well as for medications available only by a prescription.
- 40
41 d. **Proper Container/Labeling:** If the medication to be administered is
42 available by prescription only, the parent must provide the medication in a
43 pharmacy-labeled container with directions for how and when the
44 medicine is to be given. If the medication is available over-the-counter, it

45 must be provided in the original container or packaging, labeled with the
46 student's name.

47
48 Proper Administration: A trained school employee must administer the
49 medication pursuant to the health care practitioner's written instructions
50 provided to the school by the student's parent and in accordance with
51 professional standards.

52
53 e. All administration of medication shall be documented by a trained school
54 employee on the medication administration record. The signature of the
55 school employee administering the medication must appear on the record.

56
57 The board of education and its employees assume no liability for complications or
58 side effects of medication when administered in accordance with the instructions
59 provided by the parent and health care practitioner.

60
61 **2. Procedures for Administering Medications**

62
63 The superintendent shall develop procedures for the implementation of this
64 policy. The procedures and a copy of this policy must be made available to all
65 students and parents each school year. The superintendent's procedures should be
66 developed according to the guidelines listed below.

67
68 a. The health and welfare of the student must be of paramount concern in all
69 decisions regarding the administration of medication.

70
71 b. Procedures for medication administration must be consistent with
72 recommendations of the School Health Unit of the Children & Youth
73 Branch of the N.C. Division of Public Health, as described in the *North*
74 *Carolina School Health Program Manual*.

75
76 c. Students with special needs are to be afforded all rights provided by
77 federal and state law as enumerated in the *Policies Governing Services for*
78 *Children with Disabilities*. Students with disabilities also are to be
79 afforded all rights provided by anti-discrimination laws, including Section
80 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities
81 Act.

82
83 d. No student may possess, use, or transmit any drug or counterfeit drug
84 prohibited by policy 4325, Drugs and Alcohol.

85
86 e. The board generally encourages school personnel to administer medication
87 from a centralized location. However, in all instances, whether
88 administered from a centralized location or multiple locations, any

89 medications kept at school for a student must be kept in a locked and
90 secure place. An exception to the requirement for locked storage may be
91 made for emergency medications that must be immediately accessible.
92

93 f. All school personnel who will be administering medications must receive
94 appropriate training, including medication safety and administration
95 procedures, from the school nurse.
96

97 g. Only medications clearly prescribed for the student may be administered
98 by school personnel. At the time a parent brings a medication to school for
99 administration, if school personnel have concerns regarding the
100 appropriateness of the medication or dosage for a student, a confirmation
101 should be obtained from the student's health care practitioner or another
102 health care practitioner prior to administering the medication. Self-
103 administration of a medication by a student is allowed only as specified in
104 Section C, below.
105

106 h. Although efforts should be made not to disrupt instructional time, a parent
107 has the right to administer medication to his or her child at any time while
108 the child is on school property.
109

110 i. Written information maintained by school personnel regarding a student's
111 medicinal and health needs is confidential. Parents and students must be
112 accorded all rights provided by the Family Educational Rights and Privacy
113 Act and state confidentiality laws. Any employee who violates the
114 confidentiality of the records may be subject to disciplinary action.
115

116 **B. EMERGENCY MEDICATION**

117
118 Students who are at risk for medical emergencies, such as those with diabetes, asthma, or
119 severe allergies, must have an emergency health care plan developed for them to address
120 emergency administration of medication. Students must meet the requirements of
121 subsection A.1, above, including providing authorization and instructions from the health
122 care practitioner and written consent of the parent, in order for emergency medication to
123 be administered by school personnel while the student is at school, at a school sponsored
124 activity, and/or while in transit to or from school or a school-sponsored event.
125

126 **B. STUDENT SELF-ADMINISTERING MEDICATIONS**

127
128 The board recognizes that students with certain health conditions like diabetes or asthma
129 or an allergy that could result in an anaphylactic reaction, may need to possess and self-
130 administer medication on school property in accordance with their individualized health
131 care plan or emergency health care plan. As used in this section of the policy,
132 "medication" refers to a medicine prescribed for the treatment of diabetes, asthma, or

133 anaphylactic reactions and includes insulin or a source of glucose, a prescribed asthma
134 inhaler, or a prescribed epinephrine auto-injector. The superintendent or designee shall
135 develop procedures for the possession and self-administration of such medication by
136 students on school property, during the school day, at school-sponsored activities, and/or
137 while in transit to or from school or school-sponsored events.

138 **1. Authorization to Self-Administer Medication**

139 Before a student will be allowed to self-administer medication pursuant to this
140 section, the student's parent must provide to the principal or designee all of the
141 documents listed below:
142

- 143
- 144 a. written authorization from the student's parent for the student to possess
145 and self-administer the medication;
146
 - 147 b. a written statement from the student's health care practitioner verifying
148 that:
149
 - 150 1) the student has a medical condition, such as asthma or diabetes or
151 an allergy that could result in anaphylactic reaction, which may
152 require emergency medication;
153
 - 154 2) the health care practitioner prescribed the medication for use on
155 school property during the school day, at school-sponsored
156 activities, or while in transit to or from school or school-sponsored
157 events; and
158
 - 159 3) the student understands, has been instructed in self-administration
160 of the medication, and has demonstrated the skill level necessary to
161 use the medication and any accompanying device;
162
 - 163 c. a written treatment plan and written emergency protocol formulated by the
164 prescribing health care practitioner for managing the student's diabetes,
165 asthma, or anaphylaxis episodes, and for medication use by the student;
166
 - 167 d. a statement provided by the school system and signed by the student's
168 parent acknowledging that the board of education and its **employees and**
169 **agents** are not liable for injury arising from the student's possession and
170 self-administration of the medication; and
171
 - 172 e. any other documents or items necessary to comply with state and federal
173 laws.
174
175

176 Prior to being permitted to self-administer medication at school, the student also
177 must demonstrate to the school nurse, or the nurse's designee, the skill level
178 necessary to use the medication and any accompanying device.
179

180 The student's parent must provide to the school backup medication that school
181 personnel are to keep in a location to which the student has immediate access in
182 the event the student does not have the required medication.
183

184 All information provided to the school by the student's parent must be reviewed
185 by the school nurse and kept on file at the school in an easily accessible location.
186 Any permission granted by the principal or designee for a student to possess and
187 self-administer medication will be effective only for the same school for 365
188 calendar days. Such permission must be renewed each school year.
189

190 2. Responsibilities of the Student

191
192 A student who is authorized in accordance with this policy to carry medication for
193 self-administration must carry the medication in the original labeled container
194 with the student's name on the label.
195

196 3. Consequences for Improper Use

197
198 A student who uses his or her medication in a manner other than as prescribed or
199 who permits another person to use the medication may be subject to disciplinary
200 action pursuant to the school disciplinary policy. However, school officials shall
201 not impose disciplinary action on the student that limits or restricts the student's
202 immediate access to the diabetes, asthma, or anaphylactic medication.
203

204 The board does not assume any responsibility for the administration of medication to a student
205 by the student, the student's parent, or any other person who is not authorized by this policy to
206 administer medications to students.
207

208 Legal References: Americans with Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; Family
209 Educational Rights and Privacy Act, 20 U.S.C. 1232g; Individuals with Disabilities Education
210 Act, 20 U.S.C. 1400 *et seq.*, 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. -705(20), -
211 794, 34 C.F.R. pt. 104; G.S. 115C-36, -307(c), -375.1, -375.2, 0375.2A, -375.3; *Policies*
212 *Governing Services for Children with Disabilities*, State Board of Education Policy EXCP-000
213

214 Cross References: Parental Involvement (policy 1310/4002), Drugs and Alcohol (policy 4325),
215 Emergency Epinephrine Auto-Injector Devices (policy 5024/6127/7266)
216

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

220
221 Adopted: October 17, 2016
222
223 Revised: March 5, 2018; [DATE]

REVISED