

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 **C. 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, 6<sup>th</sup> ed. 2014), available at  
219 <https://www2.ncdhhs.gov/dph/wch/lhd/manuals.htm>

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