

# REFERENCE COPY

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## EXPLANATION: ADMINISTRATION OF MEDICATIONS TO STUDENTS

House Bill 2238 permits the use of a medication derived from hemp oil to treat seizures. Because of the growing popularity of medicinal marijuana, hemp and their derivatives, MSBA has added a statement to this policy clarifying that the district will not administer, or allow students to administer, any drug that is illegal under federal law, even if it is legal pursuant to state law. The purpose of this statement is to keep districts from being caught between conflicting state and federal enforcement activities.

In addition, MSBA has made changes to this policy to clarify that the district may administer the first dose of a medication if the medication is to be used only in emergency situations. Further, as long as protocols are followed, written parental permission is not required to administer epinephrine or asthma-related rescue medications if the district stocks these medications, as allowed under state law, to use on any student in distress.

MSBA also made clarifications to the section titled “Possession and Self-Administration of Medications.”

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary		Business Office	X	Coaches/Sponsors
	Facility Maintenance	X	Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
X	Health Services		Counselor	X	Special Education
	Transportation		Public Info/Communications		Technology

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## ADMINISTRATION OF MEDICATIONS TO STUDENTS

### Definitions

*Authorized Prescriber* – Includes a healthcare provider licensed or otherwise authorized by state law to prescribe medication.

*Diabetes Medical Management Plan* – A document developed by the student's personal healthcare team that sets out the health services needed by the student at school and that is signed by the student's personal healthcare team and parent/guardian.

*Medications* – For the purposes of this policy, medications include prescription drugs and over-the-counter drugs, including herbal preparations and vitamins. Medications also include substances that claim or purport to be medicinal or performance enhancing.

### General

The Camdenton R-III School District is not legally obligated to administer medication to students unless specifically included in a Section 504 plan or an individualized education program (IEP). However, the Board recognizes that some students may require medication for chronic or short-term illnesses to enable them to remain in school and participate in the district's educational services. Parents/Guardians are encouraged to submit any relevant information regarding the medications their student needs, including a diabetes medical management plan or other information the district may use to develop an IEP, Section 504 Plan or individualized health plan (IHP). The district will review all information submitted by the parents/guardians and work with them to create a plan to meet the student's medical needs while at school or school activities.–

The district prohibits students from possessing or self-administering medications while on district grounds, on district transportation or during district activities unless explicitly authorized in accordance with this policy. The superintendent, in collaboration with the district nursing staff, will establish administrative procedures for storing and administering medications in compliance with this policy and pursuant to state and federal law. Medications will only be administered at school when it is not possible or effective for the student to receive the medication at home.

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse. A registered professional nurse may delegate the administration of medication to a licensed practical nurse or unlicensed personnel who are trained by the nurse to administer medications. The registered professional nurse is responsible for developing written procedures for training unlicensed personnel in the administration of medications and for supervising the administration of medication by others. In accordance with law, any trained or qualified employee will be held harmless and immune from civil liability for administering

medication in good faith and according to standard medical practices. A qualified employee is one who has been trained to administer medication according to standard medical practices.

The nurse or designee must maintain thorough documentation of all medications administered to students.

Nurses must use reasonable and prudent judgment to determine whether to administer particular medications to students while also working in collaboration with parents/guardians and the school administration. In carrying out their legal duty to protect the health, welfare and safety of students, nurses will, when necessary, clarify authorized prescriber orders and respond in accordance with such clarifications.

The district shall not knowingly administer medications in an amount exceeding the recommended daily dosage listed in the *Physician's Desk Reference (PDR)* or other recognized medical or pharmaceutical text. Except for the **medications that are only used in an emergency use of a prefilled epinephrine auto syringe or asthma-related rescue medication situation**, the district will not **knowingly** administer the first dose of any medication. Parents/Guardians are encouraged to arrange to administer prescription medications themselves when possible.

Students are not to carry any medication (prescription or over-the-counter) on their person except as specified below for those students self-administering medications. Controlled substances are not allowed on school transportation. A parent/guardian must deliver medications to school unless they are self-administered as specified below.

**Staff, students and all other individuals are prohibited from possessing or administering any medication, while on district grounds, on district transportation or during district activities, that is illegal pursuant to state or federal law.**

### **Over-the-Counter Medications**

The district may administer over-the-counter medication to a student upon receipt of a written request and permission to do so by the parent/guardian. All over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will only be administered in accordance with the manufacturer's label.

### **Prescription Medications**

**Unless otherwise authorized in this policy,** the parent/guardian must provide the district with written permission to administer the medication before the district will administer the prescription medication to the student. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

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## Possession and Self-Administration of Medications

The district will permit a student to possess and self-administer medications as required by law, except for substances that are illegal under state or federal law, and as allowed in this section. Permission to possess and self-administer medications may be revisited if there is evidence that the student is not handling or administering the medication appropriately or that the student's actions may be harming his or her own health or the health and safety of other persons. Such permission is required for students to possess and self-administer medications while at school, at a district-sponsored activity and on district-sponsored transportation. Such permission shall be effective only for the same school and school year for which it is granted.

A student with an IEP or Section 504 plan may possess and self-administer medications in accordance with the IEP or Section 504 plan. Students who do not have an IEP or Section 504 plan may possess and self-administer medications in accordance with 1) or 2) below:

### *Students with Diabetes*

1. **Students with Diabetes:** Upon written request of the parent/guardian and upon authorization by a student's diabetes medical management plan, the district will permit a student with diabetes to perform blood glucose checks, administer insulin through the student's insulin delivery systems, treat hypoglycemia and hyperglycemia, and otherwise attend to the care and management of the student's diabetes. The district will permit the student to possess on his or her person at all times all necessary supplies and equipment to perform these monitoring and treatment functions. The student shall have access to a private area for performing diabetes care tasks should the parent/guardian or student request such access. **Students with diabetes who wish to possess and self-administer medications are subject to the same requirements (below) as students with other health conditions.**

### *Students with IEPs or Section 504 Plans*

~~Students may possess and self-administer medications in accordance with the student's IEP or Section 504 plan.~~

### *Students with Other Chronic Health Conditions*

2. **Students with Other Chronic Health Conditions:** Students may possess and self-administer medications for the treatment of asthma, anaphylaxis and other chronic health conditions in accordance with this policy and law. The district will not permit students to possess and self-administer medications unless **all of the following requirements are met:**

- ▶ 1. —The medication was prescribed or ordered by the student's physician.

- ▶ 2.——The physician has provided a written treatment plan for the condition for which the medication was prescribed or authorized that includes a certification that the student is capable of and has been instructed in the correct and responsible use of the medication and has demonstrated to the physician or the physician’s designee the skill level necessary to use the medication.
- ▶ 3.——The student has demonstrated proper self-administration technique to the school nurse.
- ▶ 4.——The student’s parent/guardian has signed a statement authorizing self-administration and acknowledging that the district and its employees or agents will incur no liability as a result of any injury arising from the self-administration of such medication unless such injury is a result of negligence on the part of the district or its employees or agents.

### Emergency Medications

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes and asthma-related rescue medications. The school nurse or another employee trained and supervised by the school nurse may administer these medications when they believe, based on training, that a student is having a life-threatening anaphylactic reaction or life-threatening asthma episode. A prescription or written permission from a parent/guardian is not necessary to administer this medication in an emergency situation.

Epinephrine and asthma-related rescue medications will only be administered in accordance with written protocols provided by an authorized prescriber. The Board will purchase an adequate number of prefilled epinephrine auto syringes and asthma-related rescue medications based on the recommendation of the school nurse, who will be responsible for maintaining adequate supplies and replacing expired syringes and medications.

### Consequences

Students who possess or consume medications in violation of this policy while on district grounds, on district transportation or during a district activity may be disciplined up to and including suspension or expulsion. Employees who violate this policy may be disciplined up to and including termination. District administrators will notify law enforcement when they believe a crime has occurred.

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**Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.**

Adopted: 08/08/1994

Revised: 12/13/1999; 07/10/2006; 01/08/2007; 05/09/2011; 04/08/2013; 06/09/2014;

Cross Refs: AH, Use of Tobacco Products and Imitation Tobacco Products  
EBB, Communicable Diseases  
EBBA, Illness and Injury Response and Prevention

Legal Refs: §§ 167.621 - .635, .800 - .824, 335.016, .066, 338.059, 577.625, .628, RSMo.  
*Davis v. Francis Howell Sch. Dist.*, 138 F.3d 754 (8th Cir. 1998)  
*DeBord v. Board of Educ. of Ferguson-Florissant Sch. Dist.*, 126 F.3d 1102 (8th Cir. 1997)

Camdenton R-III School District, Camdenton, Missouri