

## **ADMINISTRATION OF MEDICATIONS TO STUDENTS**

Although the Board discourages the administration of medication to students during the school day when other options exist, it recognizes that in some instances a student's chronic or short-term illness, injury, or disabling condition may require the administration of medication during the school day. The school will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

The intent of this policy is to promote the safe administration of medications to students by school personnel and to provide for authorization of student emergency self administration of medication from asthma inhalers and epinephrine pens. The Board encourages collaboration between parents/guardians and the schools in these efforts. The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

### **I. DEFINITIONS**

“Administration” means the provision of prescribed medication to a student according to the orders of a health care provider.

“Health care provider” means a medical/health practitioner who has a current license in the State of Maine with a scope of practice that includes prescribing medication.

“Indirect supervision” means the supervision of an unlicensed school staff member when the school nurse or other health care provider is not physically available on site but immediately available by telephone.

“Medication” means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug Administration and are ordered by a health care provider. It includes over-the-counter medications prescribed through a standing order by the school physician or prescribed by the student's health care provider.

“Parent” means a natural or adoptive parent, a guardian, or a person acting as a parent of a child with legal responsibility for the child's welfare.

“School nurse” means a registered professional nurse with Maine Department of Education certification for school nursing.

“Self-administration” is when the student administers medication independently to him/herself under indirect supervision of the school nurse.

“Unlicensed school personnel” are persons who do not have a professional license that allows them to administer medication other than under the instruction, delegation, and oversight of the school nurse.

## **II. ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL**

### **A. Parental Request**

In the event that no reasonable alternative exists, the parent/guardian may request in writing that medication be administered to the student during the school day. The written request must include an acknowledgement and agreement that unlicensed personnel may administer the medication as per the health care provider’s instructions. In addition, the request shall indicate that information regarding the student’s medication may be shared with appropriate school personnel. Parents may provide the reason (diagnosis) requiring the administration of medication.

Requests shall be valid for the current school year only.

### **B. Health Care Provider’s Order**

The parent/legal guardian shall obtain a copy of Regional School Unit #34’s Request/Permission to Administer Medication in School Form from the school nurse, school office or the RSU #34 website. A copy of the Board Policy JLCD is available online or upon request.

The Parent/Legal guardian and the student’s health care provider shall complete and sign the Request/Permission Form. This form must include:

1. The student’s name;
2. The name of the medication;
3. The dose;
4. The route of administration (e.g., tablets, liquid, drops, oral, inhaler, eye drop, etc.); and
5. Time intervals for administration (e.g., every four hours, before meals);
6. Any special instructions; and

7. The name of the prescribing health care provider.
8. Signature of both the parent/guardian and the health care provider.

A Health Care Provider signature is NOT required for medications to be administered for 15 consecutive days or less, such as an antibiotic, but must be brought to school in its original container with a current and clear pharmacy label.

It is the responsibility of the school nurse to clarify any medication order that he/she believes to be inappropriate or ambiguous. In accordance with Department of Education Rule Chapter 40 § 2(B), the school nurse may decline to administer a medication if he/she believes such administration would jeopardize student safety. In this case, the school nurse must notify the parent, the student's health care provider and the school administrator (i.e., building principal or designated administrator).

### **C. Renewal of Parent Permission Requests/Forms and Health Care Provider Orders**

Written parental permission requests/forms and health care provider orders must be renewed at least annually. Health care provider orders must be renewed whenever there are changes in the order.

### **D. Delivery and Storage of Medication**

The student's parents shall deliver any medication to be administered by school personnel to the school in its original container. In the event that this is not practical, the parent must contact the school to make alternate arrangements.

No more than a 20-day (one month) supply of medication shall be kept at school, excluding inhalers and epinephrine pens. The parent is responsible for the replenishment of medication kept at school.

If the health care provider's order/prescription is for a medication regulated by the Federal Narcotics Act, no more than a one week supply shall be kept at school.

The parent is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. The parent must remove any medication no longer required or that remains at the end of the school year. Medications remaining at school seven (7) days after the last student day, will be disposed of.

The school nurse shall be responsible for developing and implementing procedures for the appropriate and secure storage of medications kept at

school, and all medications shall be stored in accordance with this procedure.

### **E. Recordkeeping**

School personnel and the student's parent shall account for all medication brought to school. The number of capsules, pills or tablets, and/or the volume of other medications brought to school shall be recorded.

School staff administering medication shall document each instance the medication is administered including the date, time, and dosage given.

The school nurse shall maintain a record including the parent's request, physician's order, details of the specific medications (including dosage and timing of medication), and documentation of each instance the medication is administered.

Records shall be retained according to the current State schedules pertaining to student health records.

### **F. Confidentiality**

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

### **G. Administration of Medication**

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

The school nurse, under the administrative supervision of the Superintendent, will provide direction and oversight for the administration of medication to students.

All unlicensed personnel (principals, teachers, education technicians, school secretaries, coaches, bus drivers, etc.) who administer medication must receive training before being authorized to do so.

Based upon the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of unlicensed persons to administer medication. Training that shall be acceptable for the purpose of authorization of unlicensed personnel is addressed under the section of this policy titled "Required Training of Unlicensed Personnel to Administer Medication."

## **H. Administration of Medication During Off-Campus Field Trips and School-Sponsored Events**

The school will accommodate students requiring administration of medication during field trips or school-sponsored events as follows: The school nurse, principal, and, as appropriate, the school unit's Section 504 Coordinator and/or PET, will determine whether an individual student's participation is contraindicated due to the unstable/fragile nature of his/her health condition, the distance from emergency care that may be required, and/or other extraordinary circumstances. The student's parent and primary care provider will be consulted in making this determination. The decision will be made in compliance with applicable laws, including the IDEA, § 504 and the Americans with Disabilities Act (ADA).

The parent must provide the appropriate number of doses needed for the duration of the field trip or school-sponsored event.

When there are no contraindications to student participation, an appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication.

All provisions of this policy shall apply to medications to be administered during off-campus field trips and school-sponsored events. As practicable, the DOE's "Policy for Medication Administration on School Trips" will be followed.

## **I. Student Self-Administration of Asthma Inhalers and Epinephrine Pens**

Students with allergies or asthma may be authorized by the building principal, in consultation with the school nurse, to possess and self-administer emergency medication from an epinephrine pen (EpiPen) or asthma inhaler during the school day, during field trips, school-sponsored events, or while on a school bus. The student shall be authorized to possess and self-administer medication from an epinephrine pen or asthma inhaler if the following conditions have been met.

1. The parent (or student, if 18 years of age or older) must request in writing authorization for the student to self-administer medication from an epinephrine pen or asthma inhaler.
2. The student must have the prior written approval of his/her primary health care provider and, if the student is under the age of 18, the prior written approval of his/her parent/guardian. The written notice from the student's primary care provider must specify the name and dosage of the medication, frequency with which it may be administered, and the circumstances that may warrant its use.
3. The student's parent/guardian must submit written verification to the

school from the student's primary care provider confirming that the student has the knowledge and the skills to safely possess and use an epinephrine pen or asthma inhaler.

4. The school nurse shall evaluate the student's technique to ensure proper and effective use of an epinephrine pen or asthma inhaler taking into account the maturity and capability of the student and the circumstances under which the student will or may have to self-administer the medication.

5. The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the school unit will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer medication from an epinephrine pen or asthma inhaler shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication from an epinephrine pen or asthma inhaler may be limited or revoked by the building principal after consultation with the school nurse and the student's parents if the student demonstrates inability to responsibly possess and self-administer such medication.

To the extent legally permissible, staff members may be provided with such information regarding the student's medication and the student's self-administration as may be in the best interest of the student.

Sharing, borrowing, or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked and the student may be subject to disciplinary consequences for violation of this policy.

#### **J. Required Training of Unlicensed Personnel to Administer Medication**

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips, or during school-sponsored events) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician and include the components specified in Department of Education Rules Chapter 40 and other applicable Department of Education standards, recommendations, programs, and/or methodologies.

The trainer shall document the training and competency of unlicensed school personnel to administer medication. Based upon a review of the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of such unlicensed personnel pertaining to authorization to administer medication.

Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

### **K. Delegation and Implementation**

The Superintendent/designee shall be responsible for developing administrative procedures and/or protocols to implement or supplement this policy.

Such procedures/protocols shall include direction regarding:

1. Safe transport of medication to and from school;
2. Administration of medication during field trips and school-sponsored events;
3. Accountability for medications, particularly those regulated by the Federal Narcotics Act;
4. Proper storage of medication at school;
5. Training of appropriate staff on administration of emergency medications;
6. The procedure to follow in the event of a medication reaction;
7. Access to medications in case of a disaster;
8. The process for documenting medications given and medication errors; and
9. The proper disposal of medications not retrieved by parents.

### **III. ADMINISTRATION OF MEDICAL MARIJUANA**

The following procedure must be followed for the administration of medical marijuana to students at school. In the accordance with the applicable law, this section only applies to the

students under that age of 18. Students 18 years of age and older may not possess or use medical marijuana at school.

1. The student's designated primary caregiver (who must be a parent, guardian or legal custodian) shall obtain a copy of Regional School Unit #34's Request/Permission to Administer Medical Marijuana in School Form and Board Policy JLCD from the school nurse, school office or RSU #34 website. The administration reserves the authority to request documentation that the individual is the student's primary caregiver.
2. The primary caregiver and the student's authorized medical provider (physician or certified nurse practitioner) shall complete and sign the Request/Permission Form, and attach a copy of the current written certification for the use of medical marijuana. The original certification must be shown to the school administration representative or school nurse processing the request for the primary caregiver to administer medical marijuana at school.
3. Arrangements will be made between the school administration and the primary caregiver to schedule the administration of medical marijuana in a manner that will minimize disruption to school operations and the student's educational program.
4. Medical marijuana must be brought to school by the primary caregiver, and may not be held, possessed or administered by anyone other than the primary caregiver. The student may only possess the medical marijuana during the actual administration process. Medical marijuana administered in school must be in non-smokeable form.
5. The primary caregiver must check-in at the school office upon arrival for the administration of medical marijuana. Medical marijuana may only be administered in the school office, nurse's office or other supervised area designated by the school administration.
6. The primary caregiver must check-out at the school office following administration of the medical marijuana and transport any remaining medical marijuana with him/her off school premises.

Legal Reference: 20-A M.R.S.A. §§ 254; 4009(4); 4502 (5)(N)  
22-A M.R.S.A §§ 2426 et seq.  
Ch. 40; 125 § 10.01(c) (Me. Dept. of Ed. Rule)  
28 C.F.R. Part 35 (Americans with Disabilities Act of 1990)  
34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973)  
34 C.F.R. Part 300 (Individuals with Disabilities Education Act)

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Appendix A:

**REGIONAL SCHOOL UNIT #34**  
**PERMISSION TO ADMINISTER MEDICATION AT SCHOOL**

**Please Note:** A parent/guardian signature is required for ALL medications to be administered at school. A Health Care Provider's signature is required for all medications, except Tylenol (acetaminophen), Ibuprofen, and tums, however, prescription medications to be administered for 15 consecutive days or less, such as an antibiotic, are not required to have a health care provider signature but must be brought to school in its original container with a current and clear pharmacy label.

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Phone #: \_\_\_\_\_ Fax: \_\_\_\_\_

Health Care Provider: \_\_\_\_\_ Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_

Medication: \_\_\_\_\_ Dose/Amount: \_\_\_\_\_ Route: \_\_\_\_\_

Reason for Medication: \_\_\_\_\_

Time(s) to be Administered at School: \_\_\_\_\_

Side Effects: \_\_\_\_\_

I am aware that Regional School Unit #34 does not have a full-time registered nurse at each school. I authorize trained non-medical personnel to administer this medication to my child if the school nurse is not available. I also given my permission for the school nurse to contact the Health Care Provider prescribing this medication to the event that complications arise or clarifying information is needed. I understand that any medication brought to school must be in its original container.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, the student's Health Care Provider, feel that administration of medication to this student during school hours is absolutely necessary. I am aware that medication may be administered by trained non-medical personnel.

Health Care Provider Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**Medication Removal:** At the end of the school year or the last day of student's enrollment, I choose the following method of medication disposal. I understand that if the medication is still in school seven (7) days after the last student day, the medication will be disposed of.

- Parent will remove medication from school.
- School Nurse may dispose of medication.

Maine State Law permits students to carry and use EpiPens and Inhalers. See school nurse for details. A copy of the RSU #34 medication policy is available at [www.RSU34.org](http://www.RSU34.org) or from the school nurse.

**REGIONAL SCHOOL UNIT #34  
REQUEST TO ADMINISTER MEDICAL MARIJUANA AT SCHOOL**

Student's Name: \_\_\_\_\_

DOB\*: \_\_\_\_\_ **Note: Per Maine State Law, Medical marijuana can only be administered at school to a student under the age of 18 and may only be administered at school in non-smokable form.**

School: \_\_\_\_\_ Grade: \_\_\_\_\_

**A. To be completed and signed by Physician or Certified Nurse Practitioner:**

Reason for use of medical marijuana: \_\_\_\_\_

Form of medical marijuana: \_\_\_\_\_ Dose: \_\_\_\_\_

The medical marijuana must be administered during school hours:

Time(s) to be Administered at School: \_\_\_\_\_

Possible Side Effects (including any restrictions of school activities for safety reasons)

Please describe in detail: \_\_\_\_\_

\_\_\_\_\_

Date Prescribed: \_\_\_\_\_ Date to be Discontinued: \_\_\_\_\_

Any other necessary instructions or information: \_\_\_\_\_

\_\_\_\_\_

**NOTE: THE SCHOOL NURSE MAY CONTACT YOU IF THERE ARE FURTHER QUESTIONS CONCERNING THIS REQUEST.**

Provider Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Office Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

**Any changes to the information above shall require a new request/permission form.**

**B. To be completed by parent/guardian/legal custodian (designated "primary caregiver" under Maine Law for medical use of marijuana purposes):**

*I understand and agree that if the school nurse has questions regarding the provider's order, that the nurse may contact the child's provider and obtain additional information about the request. I consent to the provider releasing that information.*

*I have read Regional School Unit #34 School Board Policy JLCD - Administering Medical Marijuana to Students and understand that I must comply with all the requirements concerning the administration of medical marijuana.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

**NOTE: A COPY OF THE THE CURRENT WRITTEN CERTIFICATE FOR THE USE OF MEDICAL MARIJUANA MUST BE ATTACHED TO THIS FORM.**

**C. To be completed by the school nurse or administrator:**

Date received: \_\_\_\_\_ By whom: \_\_\_\_\_

Date reviewed: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_