

Policy JHCD: ADMINISTRATION OF MEDICATIONS TO STUDENTS **Status:** ADOPTED

Original Adopted Date: | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 2/22/2024

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, including essential oils, cannabidiol (CBD) products, and CBD derivatives.

General

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. 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 education services. The board directs the superintendent or designee to employ, contract with, and train the necessary personnel to administer medications to students. Medications will be administered at school only when it is not possible or effective for the student to receive the medication at home.

Parents/Guardians are encouraged to submit any relevant information regarding the medications their student needs and other information the district may use to develop an individualized education program (IEP), Section 504 Plan, or individualized health plan (IHP). The district will review all information parents/guardians submit and work with them to create a plan to meet their student's medical needs while at school or school activities.

The superintendent, in collaboration with the district nursing staff, will establish administrative procedures for implementing this policy.

Nurses and Other Personnel

The administration of medications is a nursing activity that must be performed by or under the supervision of a registered professional nurse (RN). Other district personnel may be required to administer medications to a student as long as they have been appropriately trained and are supervised by an RN.

District employees who administer medications must maintain documentation of all medications provided to students and stored on district property.

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.

Over-the-Counter Medications

The district may administer over-the-counter medication to a student if the district has received permission to do so from the parent/guardian. Over-the-counter medications must be delivered to the school principal or designee in the manufacturer's original packaging and will be administered only in accordance with the manufacturer's label.

Prescription Medications

The district may administer prescription medication to a student if the district has received permission to do so from the parent/guardian and appropriate direction on how the medication is to be administered. The prescription label will be considered the equivalent of a prescriber's written direction, and a separate document is not needed.

Medications District Personnel Will Not Administer

Unless required by law to administer a medication to accommodate a disability, nurses who question the necessity of administering a particular medication during the school day may, after consultation with the superintendent or designee, require a written directive by the student's healthcare provider that states why the medication must be administered at school. The district may also refuse to administer any medication for other reasons listed in this policy. The district will not administer any medication that is not regulated by the U.S. Food and Drug Administration.

The district may refuse to 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 unless the district has verified the dosage with the prescriber. Except for the medications that are used only in an emergency situation, the district will not knowingly administer the first dose of any medication. The district expects parents/guardians to administer medications at home. The principal or designee may arrange for the parent/guardian to administer medications to their child at school.

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

transportation, or during district activities. The superintendent or designee is authorized to obtain a legal opinion from the district's attorney when there is a question regarding the legality of administering any medication.

Medical Marijuana

The district does not permit the possession, use, or administration of marijuana or marijuana-infused products for medicinal or other purposes on district property or at district events since these products are prohibited under federal law. This prohibition applies even if the student has a valid, Missouri-issued, medical marijuana card.

Student Possession and Self-Administration of Medications

The district prohibits students from possessing or self-administering medications unless the student is allowed by law to do so and has been given permission in accordance with district procedures. Students with an IEP or Section 504 plan may possess and self-administer medications in accordance with their plan.

Permission to possess and self-administer medications may be revisited if there is evidence that a student is not handling or administering medication appropriately or that the student's actions may be harming the student's health or the health and safety of others.

Emergency Medications

All student-occupied buildings in this district are equipped with prefilled epinephrine auto syringes, asthma-related rescue medications, and naloxone. 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 serious or life-threatening reaction or episode. A prescription or written permission from a parent/guardian is not necessary to administer these medications in an emergency situation.

Epinephrine, naloxone, and asthma-related rescue medications will be administered only in accordance with written protocols provided by an authorized prescriber. Naloxone (brand name Narcan) will be administered by nurses and other trained employees to students suspected of having an opioid-related drug overdose. The board will purchase an adequate supply of prefilled epinephrine auto syringes, asthma-related rescue medications, and naloxone based on the recommendation of the school nurse, who will be responsible for maintaining adequate supplies based on previous use levels and replacing expired syringes and medications.

The school principal or designee will maintain a list of students who cannot, according to their parents/guardians, receive epinephrine, naloxone, or asthma-related rescue medications. A current copy of the list will be kept with the medications at all times.

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.

© 2023, Missouri School Boards' Association
Version JHCD-C.1N (11/23)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
§§ 167.621-.635, RSMo	State Statute
§§ 167.800-.824, RSMo	State Statute
§192.945, RSMo.	State Statute
§192.947, RSMo.	State Statute
§335.016, RSMo.	State Statute
§335.066, RSMo.	State Statute
§338.059, RSMo.	State Statute
§577.625, RSMo.	State Statute
Mo. Const. art. XIV §§ 1-2	State Statute
Mo. Const. art. XIV §§ 21	State Statute
Mo. Const., art.XVI § 1	State Constitution
Federal	Description
21 U.S.C. §§ 841, 844, 860	Federal Statute
FEDERAL COURT	Davis v. Francis Howell Sch. Dist., 138 F.3d 754 (8th Cir. 1998)
FEDERAL COURT	DeBord v. Board of Educ. of Ferguson-Florissant Sch. Dist., 126 F.3d 1102 (8th Cir. 1997)

Cross References

Code	Description
AH	<u>USE OF TOBACCO AND VAPING PRODUCTS</u>
EBB	<u>COMMUNICABLE DISEASES</u>
EBB-AP(1)	<u>COMMUNICABLE DISEASES - (Infection Control)</u>
EBBA	<u>ILLNESS AND INJURY RESPONSE AND PREVENTION</u>
EBBA-AP(1)	<u>ILLNESS AND INJURY RESPONSE AND PREVENTION - (First Aid Guidelines)</u>
GBEBA	<u>DRUG-FREE WORKPLACE</u>
KK	<u>VISITORS TO DISTRICT PROPERTY AND EVENTS</u>
KK-AP(1)	<u>VISITORS TO DISTRICT PROPERTY AND EVENTS - (Public Conduct on District Property)</u>