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**Policy 516**

## **516 STUDENT MEDICATION**

### **I. PURPOSE**

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency medication to students at school.

### **II. GENERAL STATEMENT OF POLICY**

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

### **III. REQUIREMENTS**

- A. The administration of prescription and nonprescription medication or drugs at school requires a completed "Administration of Medication in School" order signed by the student's physician and parent. The school district may rely on an oral parent request for up to two school days, after which a written authorization is required.
- B. The "Administration of Medication in School" order must be completed annually (once each school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label. The label will include the name, address, and telephone number of the pharmacy; the student's name; the name of the medication and the directions for its use; the date of issue; and the name of the physician.

- D. Nonprescription medications to be administered by the school district must come in the original container and will be administered in a manner consistent with the label.
- E. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- F. Prescription medications are not to be carried by the student but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part N.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program) or IHP (individual health plan).
- G. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. Any remaining medication will be returned to the parent. A new Administration of Medication in School form and container label with new pharmacy instructions shall be required. The board reserves the right to refuse to administer medication to any child whose parent(s) or legal guardian(s) have not fully completed the approved "Administration of Medication in School" form.
- H. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan, or IHP.
- I. An appropriate person will be designated by the principal and school nurse to administer the medication to the student. If a student must take medication on a field trip, the teacher accompanying the students will be informed of the need for medication and be instructed in administration of the medication, if he/she is not already familiar with the student and medication. The "Administration of Medication in School" form will be required if it is not already in the student's health file.
- J. In the case where the parent, principal, and school nurse deem appropriate, the student will be allowed to self-medicate, provided all requirements are met.
- K. If self-administration without notification of school personnel is desired by the parent, the school assumes no responsibility for the medication or assuring that it is taken as prescribed.
- L. Procedures for the administration of drugs and medicine:
  - 1. The designated person to dispense the medication will:
    - a. have knowledge about the use of the medication and its side effects;

- b. have knowledge of the condition for which the medication is being prescribed;
  - c. have the ability to properly administer the medications as prescribed; and
  - d. have the ability to observe, evaluate, and report the student's reaction to the medication in school, including expected or adverse reactions.
2. To properly administer the medication, the designated person will:
- a. check the prescription bottle to assure the correct medication is given to the right student;
  - b. check the prescription to assure the proper dosage is given in the prescribed way and at the right time;
  - c. record the medication given on the medication record available in all building offices; and
  - d. store medication in a safe, appropriate place, keep it locked, and make sure only designated school personnel have access to the medications.
- M. The school nurse, or other designated person, shall be responsible for the filing of the "Administration of Medication in School" form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- N. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.
- O. Specific Exceptions:
- 1. Special health treatments and health functions such as catheterization, tracheotomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine.
  - 2. Emergency health procedures, including emergency administration of drugs and medicine, are not subject to this policy.

3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy.
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy.
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
  - a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
  - b. the inhaler is properly labeled for that student; and
  - c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications that are used off school grounds that are used in connection with athletics or extracurricular activities, or that are used in connection with activities that occur before or after the regular school day are not governed by this policy.
7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received a written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to

self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

8. At the start of each school year or at the time a student enrolls in school, which is first, a student's parent, school staff, including those responsible for student health care and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
  - a. possess epinephrine auto-injectors; or
  - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.
9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

P. "Parent" for students 18 years old or older is the student.

Q. Districts and schools may obtain and possess epinephrine auto-injectors to be Maintained and administered by school personnel to a student or other Individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

R. Procedures regarding unclaimed drugs or medications

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medication remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medication will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes § 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes § 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

**Replaces:**

JGCD (Medication Policy)

**Legal References:**

Minn. Stat. § 1332 (Student Health Data)

Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)

Minn. Stat. § 121A.21 (Hiring of Health Personnel)

Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)

Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)

Minn. Stat. § 121A.2205 (Possession and Use of Nonsyringe Injectors of Epinephrine; Model Policy)

Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)

Minn. Stat. § 152.01 (Definitions)

Minn. Stat. § 151.212 (Label of Prescription Drug Containers)

Minn. Stat. § 152.22 (Medical Cannabis; Definitions)

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Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
20 U.S.C. 1400, *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. 794, *et seq.* (Rehabilitation Act of 1973 § 504)

**Cross References:** Policy 418 (Drug-Free Workplace/Drug-Free School)