

# The Catamount School Policy 6125

## ADMINISTERING MEDICINE TO STUDENTS

*Policy Code: 6125*

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### I. General Policy

The Catamount School recognizes that students may need to take medication during school hours. School personnel may administer medication prescribed by a health care practitioner upon the written request of a student's parent. In limited circumstances, a student may be authorized to self-administer medications. To minimize disruptions to the school day, students should take medications at home rather than at school whenever feasible. School officials may deny a request to administer any medication that could be taken at home or when, in the opinion of the principal or designee in consultation with school nursing personnel, the administration of the medication by school personnel would pose a substantial risk of harm to the student or others.

### II. Definitions

“Parent” include parents, legal guardians, and legal custodians.

“Health care practitioner” is limited to licensed medical professionals who are legally authorized to prescribe medications under North Carolina law, such as doctors of medicine, doctors of osteopathic medicine, physician assistants, and nurse practitioners.

Unless otherwise indicated, the terms “medication” and “medicine” include any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of any disease. The term includes all prescription medications and all such substances available over-the-counter without a prescription, such as drugs, herbs, alternative medicines, and supplements (hereinafter “over-the-counter drugs”).

### III. Medication Administration by School Employees

The administration of any prescription or over-the-counter drug to students by school employees is prohibited except when performed in accordance with this Section.

#### A. Conditions for Administering Medication

Authorized school employees may administer medication to students when all of the following conditions are met. These conditions apply to all medications, including those available over-the-counter without a prescription.

- i. Parental Consent: The student's parent must make a signed, written request that authorizes school personnel to administer the medication to the student.

- ii. Medication Authorization/Order: A health care practitioner must prescribe the medication for use by the student and provide explicit written instructions for administering the medication.
- iii. Certification of Necessity: The student's health care practitioner must certify that administration of the medication to the student during the school day is necessary to maintain and support the student's continued presence in school.
- iv. Proper Container/Labeling: If the medication to be administered is available by prescription only, the parent must provide the medication in a pharmacy-labeled container with directions for how and when the medicine is to be given. If the medication is available over-the-counter, it must be provided in the original container or packaging, labeled with the student's name.
- v. Proper Administration: The employee must administer the medication pursuant to the health care practitioner's written instructions provided to the school by the student's parent, and in accordance with professional standards.

The Catamount School and its employees assume no liability for complications or side effects of medication when administered in accordance with the instructions provided by the parent and health care practitioner.

#### B. Procedures for Administering Medications

- i. The health and welfare of the student is of paramount concern in all decisions regarding the administration of medication.
- ii. Procedures for medication administration are consistent with recommendations of the School Health Unit of the Children & Youth Branch of the N.C. Division of Public Health, as described in Chapter 5 of the North Carolina School Health Program Manual.
- iii. Students with special needs are afforded all rights provided by federal and state law as enumerated in the Policies Governing Services for Children with Disabilities. Students with disabilities also are afforded all rights provided by anti-discrimination laws, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.
- iv. No student may possess, use, or transmit any drug or counterfeit drug prohibited by school policy concerning drugs and alcohol.
- v. School personnel will administer medication from a centralized location. Any medications kept at school for a student must be kept in a locked and secure place, except for emergency medications that must be immediately accessible.
- vi. All school personnel who will be administering medications receive appropriate training.
- vii. Only medications clearly prescribed for the student may be administered by school personnel. Each prescription medication should be provided in a

separate pharmacy-labeled container that includes the child's name, the name of the medication, the exact dose to be given, time/frequency the medication is to be given, route of administration, the number of doses in the container, and the expiration date of the medication. Prescribed over-the-counter medications administered at school should be provided in their original packaging, labeled with the student's name. At the time a parent brings a medication to school for administration, if school personnel have concerns regarding the appropriateness of the medication or dosage for a student, a confirmation should be obtained from the student's health care practitioner or another health care practitioner prior to administering the medication or allowing a student to self-administer the medication.

- viii. Although efforts should be made not to disrupt instructional time, a parent has the right to administer medication to his or her child at any time while the child is on school property.
- ix. A daily medication/procedure log shall be maintained by the designated individual for each student receiving medication and/or procedure. The individual shall record on the log the name of the medication, date, dosage, and time of each administration or date and time of a procedure. The log also shall reflect whether or not the medication/procedure was prescribed and whether it was "as scheduled" or "as needed."
- x. The school nurse will review the medication/procedure log and forms authorizing the administration of medications/procedures at school periodically and will serve as a consultant to the school. The medication/procedure log, parental authorization and health provider orders for medication/procedure will be filed in the student's cumulative folder at the end of each school year or upon transfer of the student from the school.
- xi. Written information maintained by school personnel regarding a student's medicinal and health needs is confidential. Parents and students are accorded all rights provided by the Family Educational Rights and Privacy Act (FERPA) and state confidentiality laws. Any employee who violates the confidentiality of the records may be subject to disciplinary action.

#### **IV. Emergency Medication**

Students who are at risk for medical emergencies, such as those with diabetes, asthma, or severe allergies, must have an emergency health care plan developed for them to address emergency administration of medication. Students must meet the requirements of Section III.A, above, including providing authorization and instructions from the health care practitioner and written consent of the parent, in order for emergency medication to be administered by school personnel while the student is at school, at a school sponsored activity, and/or while in transit to or from school or a school-sponsored event.

## V. Student Self-Administering Medications

School personnel recognizes that students with certain health conditions like diabetes or asthma, or an allergy that could result in an anaphylactic reaction, may need to possess and self-administer medication on school property in accordance with their individualized health care plan or emergency health care plan. As used in this section of the policy, “medication” refers to a medicine prescribed for the treatment of diabetes, asthma, or anaphylactic reactions and includes insulin or a source of glucose, a prescribed asthma inhaler, or a prescribed epinephrine auto-injector.

### A. Responsibilities of the Parent

Before a student will be allowed to self-administer medication pursuant to this section, the student’s parent must provide to the principal or designee all of the documents listed below:

- i. written authorization from the student’s parent for the student to possess and self-administer the medication;
- ii. a written statement from the student’s health care practitioner verifying that:
  1. the student has diabetes or asthma, or an allergy that could result in anaphylactic reaction;
  2. the health care practitioner prescribed the medication for use on school property during the school day, at school-sponsored activities, or while in transit to or from school or school-sponsored events; and
  3. the student understands, has been instructed in self-administration of the medication, and has demonstrated the skill level necessary to use the medication and any accompanying device;
- iii. a written treatment plan and written emergency protocol formulated by the prescribing health care practitioner for managing the student’s diabetes, asthma, or anaphylaxis episodes and for medication use by the student;
- iv. a statement provided by the school system and signed by the student’s parent acknowledging that the Catamount School and its employees and agents are not liable for injury arising from the student’s possession and self-administration of the medication; and
- v. any other documents or items necessary to comply with state and federal laws.

Prior to being permitted to self-administer medication at school, the student also must demonstrate to the school nurse, or the nurse’s designee, the skill level necessary to use the medication and any accompanying device.

The student’s parent must provide to the school backup medication that school personnel are to keep in a location to which the student has immediate access in the event the student does not have the required medication.

All information provided to the school by the student’s parent must be reviewed by the school

nurse and kept on file at the school in an easily accessible location. Any permission granted by the principal or designee for a student to possess and self-administer medication will be effective only for 365 calendar days and must be renewed annually.

#### B. Responsibilities of the Student

A student who is authorized in accordance with this policy to carry medication for self-administration must carry the medication in the original labeled container with the student's name on the label.

#### C. Consequences for Improper Use

A student who uses his or her medication in a manner other than as prescribed or who permits another person to use the medication may be subject to disciplinary action pursuant to the school disciplinary policy. However, school officials shall not impose disciplinary action on the student that limits or restricts the student's immediate access to the diabetes, asthma, or anaphylactic medication.

#### D. Diabetes Care Plans

Pursuant to N.C.G.S. § 115C-375.3, TCS shall ensure the guidelines adopted by the State Board of Education pursuant to N.C.G.S. § 115C-12(31) for assisting students with diabetes are implemented for TCS students with diabetes. In particular, TCS shall develop and implement individual diabetes care plans. TCS also shall make available necessary information and staff development to teachers and school personnel in order to appropriately support and assist students with diabetes in accordance with their individual diabetes care plans.

#### E. Liability of School Personnel

The school does not assume any responsibility for the administration of medication to a student by the student, the student's parent, or any other person who is not authorized by this policy to administer medications to students.

Any TCS employee authorized to provide medical care to students in accordance with N.C.G.S. § 115C-375.1 shall not be liable in civil damages for any authorized act unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Any person serving as a volunteer who has been authorized to act pursuant to N.C.G.S. § 115C-375.1 shall not be liable in civil damages for any authorized act unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

To the extent provided under the Defense of State Employees Act, N.C.G.S. § 143-300.2 et. seq., the State will provide a legal defense and liability coverage for TCS employees who, in the course and scope of their employment, in good faith and without malice or the reckless disregard for the welfare of a student, administer medication, provided first aid and/or provide emergency medical care for TCS students.

Legal References: Americans with Disabilities Act, [42 U.S.C. 12134](#), [28 C.F.R. pt. 35](#); Family Educational Rights and Privacy Act, [20 U.S.C. 1232g](#); Individuals with Disabilities Education Act, [20 U.S.C. 1400](#)*et seq.*, [34 C.F.R. pt. 300](#); Rehabilitation Act of 1973, [29 U.S.C. 705\(20\)](#), [794](#), [34 C.F.R. pt. 104](#); [G.S. 115C-36](#), [-307\(c\)](#), [-375.1](#), [-375.2](#), [-375.2A](#), [-375.3](#); [N.C.G.S. § 115C-375.1](#); [N.C.G.S. § 115C-375.2](#); [N.C.G.S. § 115C-375.3](#); *Policies Governing Services for Children with Disabilities*, State Board of Education Policy [EXCP-000](#)

Cross References: Parental Involvement (policy 1310), Emergency Epinephrine Auto-Injector Devices (policy 5024)

Other References: *North Carolina School Health Program Manual*, available at <https://www.dph.ncdhhs.gov/wch/cy/schoolnurses/manual.htm>.

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