

## **STUDENTS**

## **Board Policy 5141.21 (a)**

### **Administering Medication and Monitoring Health Conditions**

The Humboldt County Board of Education (Board) believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the Humboldt County Superintendent of Schools (Superintendent) or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request HCOE's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The Superintendent, designee, or any trained Humboldt County Office of Education (HCOE) staff members shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Board authorizes the Superintendent or designee to make available naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

### **Administration of Medication by School Personnel**

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

Subdivision (b) of Section 1799.102 of the Health and Safety Code: No person who in good faith, and not for compensation, renders emergency medical or nonmedical care at the scene of an emergency shall be liable for any civil damages resulting from any act or omission. "Good Samaritan" provisions, encourage bystanders to administer naloxone and to summon emergency responders in a timely manner, without fear of arrest or other negative legal consequences.

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

## **STUDENTS**

**Board Policy 5141.21 (b)**

### **Legal Reference:**

#### EDUCATION CODE

- 48980 Notification at beginning of term
- 49407 Liability for treatment
- 49408 Emergency information
- 49414 Emergency epinephrine auto-injectors
- 49414.3 Emergency medical assistance; administration of medication for opioid overdose
- 49414.5 Providing school personnel with voluntary emergency training
- 49422-49427 Employment of medical personnel, especially:
- 49423 Administration of prescribed medication for student
- 49423.1 Inhaled asthma medication
- 49480 Continuing medication regimen; notice

#### BUSINESS AND PROFESSIONS CODE

- 2700-2837 Nursing, especially:
- 2726 Authority not conferred
- 2727 Exceptions in general
- 3501 Definitions
- 4119.2 Acquisition of epinephrine auto-injectors
- 4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

#### CODE OF REGULATIONS, TITLE 5

- 600-611 Administering medication to students

#### UNITED STATES CODE, TITLE 20

- 1232g Family Educational Rights and Privacy Act of 1974
- 1400-1482 Individuals with Disabilities Education Act

#### UNITED STATES CODE, TITLE 29

- 794 Rehabilitation Act of 1973, Section 504

#### COURT DECISIONS

- American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

### **Management Resources:**

#### AMERICAN DIABETES ASSOCIATION PUBLICATIONS

- Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015
- Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006
- Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
- Program Advisory on Medication Administration, 2005

#### NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

**STUDENTS****Board Policy 5141.21 (c)**

- Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

## WEB SITES

- CSBA: <http://www.csba.org>
- American Diabetes Association: <http://www.diabetes.org>
- California Department of Education: <http://www.cde.ca.gov/ls/he/hn>
- National Diabetes Education Program: <http://www.ndep.nih.gov>
- U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

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