

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

The Governing Board recognizes that students may need to take prescribed medication during the school day in order to be able to attend school without jeopardizing their health.

When the district has received written statements from the student's physician and parent/guardian, designated personnel shall assist the student in taking the medication. In addition, upon written request, designated personnel may assist the student in monitoring, testing or other treatment of an existing medical condition. (Education Code 49423)

*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 5141.24 - Specialized Health Care Services)*

Upon written request by the parent/guardian and with the approval of the student's physician, a student with an existing medical condition that requires frequent monitoring, testing or treatment may be allowed to self administer this service. The student shall observe universal precautions in the handling of blood and bodily fluids.

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*  
*(cf. 5141.23 - Infectious Disease Prevention)*

**Anaphylactic Injections**

The Board recognizes that some students have allergies of such severity that they may require an emergency anaphylactic injection during the course of the school day. Parents/guardians who are aware of this foreseeable need may ask the district to provide such injections in accordance with administrative regulations.

School staff who may be required to administer anaphylactic injections shall receive training from qualified medical personnel. They will be authorized to administer the injections in accordance with administrative regulations and will be afforded appropriate liability protection.

*(cf. 5141 - Health Care and Emergencies)*

*Legal Reference: (see next page)*

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

*Legal Reference:*

EDUCATION CODE

49407 *Liability for treatment*

49408 *Emergency information*

49423 *Administration of prescribed medication for student*

49423.5 *Specialized health care services*

49426 *School nurses*

49480 *Continuing medication regimen; notice*

BUSINESS AND PROFESSIONS CODE

2700-2837 *Nursing, especially:*

2726 *Authority not conferred*

2727 *Exceptions in general*

## **Students**

AR 5141.21(a)

### **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

Before a designated employee assists in the administration of any prescribed medication to any student during school hours, the district shall have: (Education Code 49423)

1. A written statement from the student's physician detailing the method, amount and time schedules by which the medication is to be taken
2. A written statement from the student's parent/guardian requesting the district to assist the student in taking the medication as prescribed by the physician

Parents/guardians shall be asked to provide a properly labeled pharmacy bottle containing the name and telephone number of the pharmacy, the student's identification, name of the physician, and dosage of the medication to be given.

The designated employee shall:

1. Be responsible for the medication at school and administer it in accordance with the physician's indicated instructions
2. Maintain a list of students needing medication during school hours, including the type of medication, times, and dosage
3. Maintain a log recording the student's name and the time and date when medications were given
4. Keep all medication in a locked drawer or cabinet

Parents/guardians who request that a student be allowed to self administer, monitor or treat his/her existing medical condition must make this request in writing and provide written approval by the student's physician.

### **Notifications**

The Superintendent or designee shall inform all parents/guardian of the following requirements: (Education Code 49480)

1. The parent/guardian of a student on a continuing medication regimen from a nonepisodic condition shall inform the school nurse or other designated certificated employee of the medication being taken, the current dosage and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the drug on the student's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

**Anaphylactic Injections**

1. Parents/guardians of students who may require emergency anaphylactic injections shall provide written permission for authorized staff to administer these injections.
2. Each year, school employees designated by the principal shall receive training in administering anaphylactic injections. Qualified medical personnel shall provide this training.
3. The principal or designee shall schedule inservice meetings to:
  - a. Familiarize authorized staff with the prescribed medications and their location
  - b. Ensure that authorized staff are competent to administer anaphylactic injections
  - c. Train all school personnel to recognize the symptoms of anaphylactic reactions

Physicians and parents/guardians of students who may require anaphylactic injections may be invited to attend these meetings.

4. The principal or designee shall prepare a list naming the students who may need emergency anaphylactic injections. This list shall be given to all concerned staff and updated annually.
5. All medication for injections shall be labeled with the student's name, type of medicine and expiration date.
6. The parents/guardians of students who carry their own kits for the purpose of anaphylactic injections shall so inform the principal or designee, who shall prepare a list naming these students, give it to concerned staff and update the list annually.
7. The principal or designee shall post in the school health office a list of symptoms usually associated with anaphylactic reactions and a clear, specific procedure for administering injections in case of emergency. If authorized staff are not available at the time of an emergency, this written procedure will be followed by anyone who must administer the injection in order to save a life.

S A M P L E

PHYSICIAN'S RECOMMENDATIONS FOR MEDICATION

This form is to be filled in and signed by a licensed physician. The form should then be signed by the parents/guardians and returned to the school.

Student's Last Name First Middle Age Birth Date Month Day Year

Name of School Name of Principal Name of Teacher Type of Class Grade

The law allows any person to assist in carrying out a physician's recommendation. The school recognizes the desirability of following physician's recommendations as nearly as possible at school, just as does a parent at home or any other person (not necessarily a nurse) if the physician requests his/her assistance. The fact that this is a service or accommodation which the school is not legally required to perform is recognized by all parties signing this form, and in so signing they agree to hold the district, its officers, employees or agents, harmless from all liability, suits, claims of whatever nature or kind which might arise out of these arrangements.

Do you wish this child to receive medication at school? [ ] YES [ ] NO

If yes, please fill in the following blanks:

Name of Medication Form (tablet, pill, capsule, etc.) Number to be Taken Approximate Time of Day Observed or Assisted by Whom (self, teacher, nurse, etc.)

#1. \_\_\_\_\_

#2. \_\_\_\_\_

Precautions, if any \_\_\_\_\_

How is medicine to be brought to school:

By whom (student, parent, etc.)? \_\_\_\_\_

How often (daily, weekly, etc.)? \_\_\_\_\_

In what kind of container (envelope, bottle, plastic container)? \_\_\_\_\_

Does the physician wish to be able to talk briefly by telephone with someone (teacher, nurse, principal, psychologist) at intervals (weekly, monthly, quarterly) to see how this child is faring? If so, indicate:

Person(s) \_\_\_\_\_ and intervals \_\_\_\_\_, and you will be notified as to numbers and times at which the person(s) may usually be reached at school by telephone.

IMPORTANT: Please discontinue this request as of the following date. \_\_\_\_\_  
Month Day Year

After this date, changes or continuance of these arrangements must be secured by filling out a newly dated copy of this form.

Signature	License	Address	Telephone No.	Date
_____	MD. No. _____	_____	_____	Mo/Day/Yr
Parents' or Guardians' Full Name _____				Mo/Day/Yr
Parent's or Guardian's Full Name _____				Mo/Day/Yr

## **Background Information**

### **LEGAL PROVISIONS**

The purpose of allowing medication to be given to students by authorized school personnel is to help provide for their general welfare by following the instructions of their physicians. This position is clarified by the intent seen in the following sections from the Nursing Practice Act (Chapter 6 commencing at Section 2700) Division 2 of the Business and Professions Code):

#### **NURSING OR MINISTRATIONS NOT PROHIBITED BY CHAPTER**

"The performance by any person of such duties as required in the physical care of a patient and/or carrying out medical orders prescribed by a licensed physician: provided, such person shall not in any way assume to practice as a professional, registered, graduate or trained nurse." (Business and Professions Code Section 2727 (e)).

#### **PRACTICES UNAUTHORIZED**

"This chapter confers no authority to practice medicine or surgery." (Business and Professions Code 2726)

### **SUGGESTIONS FOR SCHOOL PROCEDURES**

The procedures covering medication brought to school to be taken by students according to the provisions listed on the preceding form will be expedited if the following procedures are used:

1. Two copies of the form are supplied: one for the school files and one for the person authorized to administer the medication.
2. Only medication prescribed by the student's physician as being necessary to be taken by the student in the manner listed on this form should be brought to school.
3. Such medication should be taken by the student in accordance with instructions from the physician listed on this form.
4. Medication brought to school to be given to the student according to the provisions listed on this form should be in containers which are clearly marked with the name of the student; the name of the prescribing physician; an identification number or name of the medication; the druggist who dispensed the medication or the manufacturer; and the amount of medication to be taken at specified times or in specific situations.
5. All medications should be kept in a secure place. Any special instructions for storage or security measures of any medication should be written by the physician and given to school personnel so that such instructions can be followed.

**INFECTIOUS DISEASES**

The Governing Board recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the right of students to a free and appropriate education. The district requires all staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and prevent the spread of all infectious disease.

*(cf. 4119.42/4219.42/4319.42- Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

*(cf. 5141.23 - Infectious Disease Prevention)*

The admission of a student with a disease that is contagious within the school setting shall be determined by the Superintendent or designee in accordance with standard procedures. The district shall exclude students only in accordance with law.

*(cf. 5112.2 - Exclusions from Attendance)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.3 - Health Examinations)*

**Students with Bloodborne Pathogen Infections**

The Board recognizes that human immunodeficiency virus (HIV) and hepatitis B virus (HBV) are bloodborne pathogens and not casually transmitted. Children with bloodborne pathogen infections are entitled to attend school and receive a free and appropriate public education. The sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

Parents/guardians are encouraged to inform the Superintendent or designee if their child has HIV/AIDS so that school staff may keep the student's parents/guardians informed of any outbreak of disease at school. The district will work cooperatively with the student's parent/guardian and physician to minimize the child's exposure to other diseases in the school setting.

The Board desires to be supportive of students infected with bloodborne pathogens and to help their families cope with difficulties they may face. The Board believes that schools can play an important role in educating the school community about the nature of bloodborne pathogens and alleviating fears about their transmission.

*(cf. 6158 - Independent Study)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6183 - Home/Hospital Instruction)*

*Legal Reference: (see next page)*

## INFECTIOUS DISEASES (continued)

### Legal Reference:

#### EDUCATION CODE

48210-48214 *Persons excluded*

49073-49075 *Privacy of pupil records*

49076 *Access to records by persons without written consent or under judicial order*

49403 *Cooperation in control of communicable disease and immunization of students*

49405 *Smallpox control*

49406 *Examination for tuberculosis (employees)*

49408 *Information of use in emergencies*

49450 *Rules to insure proper care and secrecy*

49451 *Parent's refusal to consent to medical exam*

49602 *Confidentiality of student information*

#### CALIFORNIA CONSTITUTION

Article 1, Section 1 *Right to Privacy*

#### CIVIL CODE

56-56.37 *Confidentiality of Medical Information Act*

1798-1798.76 *Information Practices Act*

#### HEALTH AND SAFETY CODE

120230 *re exclusion for communicable disease*

120325-120380 *Immunization against communicable diseases*

120975 *Prohibition against compelling identification of AIDS test subjects*

120980 *Unauthorized disclosures*

121010 *Disclosure to certain persons without written consent*

121075-121125 *Acquired Immune Deficiency Syndrome Research Confidentiality Act*

121475-121520 *Tuberculosis tests for pupils*

#### UNITED STATES CODE, TITLE 20

1232 *Family Educational and Privacy Rights Act*

1400 *et seq. Education for All Handicapped Children*

#### UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

#### COURT DECISIONS

*Phipps v. Saddleback Valley Unified School District* (1988) 204 Cal. App. 3d 1110

*Thomas v. Atascadero Unified School District*, (1987) 662 F. Supp. 376

*Doe v. Belleville Public School District*, (1987) 672 F. Supp. 342

### Management Resources:

#### CDE PROGRAM ADVISORIES

0509.86 *AIDS Guidelines*

1016.89 *Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings*

**INFECTIOUS DISEASES**

In determining whether to exclude a child with a suspected or diagnosed infectious disease, the Superintendent or designee shall consult the child's parent/guardian and the student's physician and/or the County Health Department, as required by law. The Superintendent or designee also may refer to the State Department of Health Services document Control of Communicable Disease in California for assistance in this determination.

**Confidentiality**

The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian. Such information may be shared only with those persons specifically named in the written permission.

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

**Review Team**

The Superintendent or designee shall convene a review panel to make recommendations regarding appropriate programs and services. The parent/guardian must provide written permission for the disclosure of confidential information to each review panel member.

## INFECTIOUS DISEASE PREVENTION

The Governing Board recognizes its responsibility to consistently take precautions to prevent the spread of infectious diseases. A comprehensive approach to disease prevention requires the cooperation of the home and the community.

*(cf. 1020 - Youth Services)*

All students and employees shall be informed of the universal precautions to be used whenever anyone is exposed to blood or other body fluids through injury or accident. Science laboratory instruction shall be designed to protect students from contact with body fluids and with contaminated needles, sharps and other objects.

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

*(cf. 5141.1 - Accidents)*

*(cf. 5141.31 - Immunizations)*

*(cf. 6142.2 - AIDS Prevention Instruction)*

*(cf. 6145.2 - Athletic Competition)*

### *Legal Reference:*

EDUCATION CODE

49403 Cooperation in control of communicable disease and immunization of pupils

51202 Instruction in personal and public health and safety

CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne Pathogens Standard

CODE OF REGULATIONS, TITLE 17

2500-2508 Communicable disease reporting requirements

### *Management Resources:*

CDE PROGRAM ADVISORIES

0509.86 AIDS Guidelines

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings

## SPECIALIZED HEALTH CARE SERVICES

The Governing Board is aware that some district students may require specialized physical health care services during the school day in order to attend school. In accordance with the student's individualized education program or written accommodation plan, trained and qualified personnel shall perform these services under the supervision of a school nurse, public health nurse or licensed physician.

*(cf. 0430 - Comprehensive Local Plan for Special Education)*  
*(cf. 6164.6 - Identification and Education under Section 504)*

*Legal Reference:*

EDUCATION CODE  
49423.5 *Specialized physical health care services*  
56000-56606 *Special Education Programs*  
CODE OF REGULATIONS, TITLE 5  
3051.12 *Health and Nursing Services*  
UNITED STATES CODE, TITLE 20  
1400-1487 *Individuals with Disabilities Education Act*  
UNITED STATES CODE, TITLE 29  
701-795a. *Rehabilitation Act of 1973*  
794 *Rehabilitation Act of 1973, Section 504*  
CODE OF FEDERAL REGULATIONS, TITLE 34  
300.24 *Related services*

*Management Resources:*

CDE PUBLICATIONS  
*Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils (The Green Book)*

**SPECIALIZED HEALTH CARE SERVICES**

The parent/guardian of students who require specialized physical health care services during the school day shall provide a written request for the needed physical health care service. (5 CCR 3051.12(b)(3)(E)) This request shall include:

1. The student's name, address and phone number
2. The physician's name, address and phone number
3. The needed health care procedure
4. Statement authorizing qualified school personnel to perform the procedure, as approved by the physician (5 CCR 3051.12(b)(3)(E))
5. Statement agreeing to notify the school immediately of any change in the child's regimen or the authorizing physician
6. Statement agreeing to provide all supplies needed for the procedure

The student's physician shall submit a written statement authorizing the administration of the specified physical health care service (5 CCR 3051.12(b)(3)(E)) This statement shall indicate:

1. The student's name and address
2. Condition for which treatment is to be given
3. Specific procedure to be given (5 CCR 3051.12)
4. Time schedules for the procedure (5 CCR 3051.12)
5. Precautions, possible untoward reactions and recommended intervention

*(cf. 5125 - Student Records)*

The program administrator shall name the qualified school personnel who will perform the service in accordance with standardized procedures.

A qualified school nurse, public health nurse or licensed physician and surgeon shall supervise physical health care services in the school setting in accordance with law. (Education Code 49423.5; 5 CCR 3051.12)

