



Regional School Unit 5
Durham · Freeport · Pownal

"To inspire and support every learner by challenging minds, building character, sparking creativity, and nurturing passions."

Jean Skorapa, Superintendent of Schools
Peggy Brown, Interim Director of Finance & Human Resources

Cynthia Alexander, Assistant Superintendent of Schools
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TO: Colin Cheney, Candy deCsipkes, Maddy Vertenten
CC: Jennifer Winkler, Emily Guyer
FROM: Cynthia Alexander
DATE: September 26, 2022
RE: Policy Meeting – September 30, 2022

The Policy Committee is scheduled to meet on Friday, September 30, 2022 at 8:45 a.m. via Zoom at the following link: <https://networkmaine.zoom.us/j/88179232220> Meeting ID: 881 7923 2220 or join by telephone at 1-646-876-9923

Agenda

JLCD - Administration of Medication to Students
GCFB - Recruiting and Hiring of Administrative Staff
GCFB-R-Recruiting and Hiring of Administrative Staff - Procedures

ADMINISTRATION OF MEDICATION TO STUDENTS

The Board discourages the administration of medication to students during the school day when other options exist, but recognizes that in some instances it may be necessary for a student to have medication administered to him/her while the student is in attendance at school. The school will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

The intent of this policy is to promote the safe administration of medications to students by school personnel and to provide for authorization of student self-administration of emergency medication for Asthma, Anaphylaxis and Diabetes.

This policy does not apply to medical marijuana, which is addressed in RSU No. 5 Board's policy JLCDA, Medical Marijuana in Schools.

The Board encourages collaboration between parents/guardians and the schools in matters involving student medication.

The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

I. DEFINITIONS

“Administration” means the provision of prescribed medication to a student according to the orders of a health care provider.

“Health care provider” means a medical/health practitioner who has a current license in the State of Maine with a scope of practice that includes prescribing medication.

“Indirect supervision” means the supervision of an unlicensed school staff member when the school nurse or other health care provider is not physically available on site, but immediately available by telephone.

“Individual Health Plan” means a plan developed by the school nurse, student and family to provide care coordination and facilitate the management of the student's health condition in the school setting and to inform school educational plans.

“Medication” means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug Administration and are ordered by a health care provider. It includes over-the-counter medications prescribed through a standing order by the school physician or prescribed by the student's health care provider. For the purpose of this policy, “medication” does not include medical marijuana.

“Parent” means a natural or adoptive parent, a guardian, or a person acting as a parent of a child with legal responsibility for the child's welfare.

“School nurse” means a registered professional nurse with Maine Department of Education certification for school nursing.

“Self-administration” is when the student administers medication independently to him/herself under indirect supervision of the school nurse.

“Unlicensed school personnel” are persons who do not have a professional license that allows them, within the scope of that license, to administer medication.

II. ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

A. Parental Request

In the event that no reasonable alternative exists, the parent/guardian may request in writing that medication be administered to the student during the school day.

The written request must include an acknowledgement and agreement that unlicensed personnel may administer the medication as per the health care provider’s instructions. In addition, the request shall indicate that information regarding the student’s medication may be shared with appropriate school personnel. Parents may provide the reason (diagnosis) requiring the administration of medication.

Requests shall be valid for the current school year only.

B. Health Care Provider’s Order

All parental requests must be accompanied by a written order from the student’s Health Care Provider substantiating the fact that the administration of a particular medication during the school day is necessary for the student’s health and attendance in school. Such order must include the:

1. Student’s name
2. Name of the medication
3. Dose
4. Route of administration (e.g., tablets, liquid, drops)
5. Time intervals for administration (e.g., every four hours, before meals)
6. Special instructions; and
7. Name of the prescribing Health Care Provider

It is the responsibility of the school nurse to clarify any medication order that he/she believes to be inappropriate or ambiguous. In accordance with Department

of Education Rule Chapter 40 § 2(B), the school nurse may decline to administer a medication if he/she believes such administration would jeopardize student safety. In this case, the school nurse must notify the parent, the student's health care provider and the school administrator (i.e., building principal or designated administrator).

If the student's parent or health care provider indicates that he/she does not want a medication administered by unlicensed personnel, a meeting or telephone conference will be held involving the school nurse, the building administrator, the parent(s), and appropriate professionals to discuss alternative options for administration of medication to the student.

C. Renewal of Parent Permission Requests/Forms and Health Care Provider Orders

Written parental permission requests/forms and health care provider orders must be renewed at least annually. Health care provider orders must be renewed whenever there are changes in the order.

D. Delivery and Storage of Medication

The student's parents shall deliver any medication to be administered by school personnel to the school in its original container and properly labeled. In the event that this is not practical, the parent must contact the school to make alternate arrangements. The parent is responsible for the replenishment of medication kept at school.

The school nurse is responsible for accepting all medications, and will determine the amount of medication that will be kept at school to manage the student's health condition.

Scheduled medications (regulated by the Federal Narcotics Act) will not be accepted at school unless it is part of a student's Individual Health Plan agreed upon by the physician, parent, school nurse and administrator.

The parent is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. The parent must remove any medication no longer required or that remains at the end of the school year. Any medication remaining will be appropriately discarded by the school nurse.

The school nurse in conjunction with principal and/or designated school official shall be responsible for developing and implementing procedures for the appropriate and secure storage of medications kept at school, and all medications shall be stored in accordance with this procedure.

E. Recordkeeping

School personnel and the student's parent shall account for all medication brought to school. The number of capsules, pills, tablets, and/or volume of scheduled medications brought to school shall be recorded.

School staff administering medication shall document each instance the medication is administered including the date, time, and dosage given.

The school nurse shall maintain a record including the parent's request, physician's order, details of the specific medications (including dosage and timing of medication), and documentation of each instance the medication is administered.

Records shall be retained according to the current State of Maine schedules pertaining to student health records.

F. Confidentiality

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

G. Administration of Medication

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

The school nurse, under the administrative supervision of the Superintendent, will provide direction and oversight for the administration of medication to students.

All unlicensed personnel (principals, teachers, education technicians, school secretaries, coaches, bus drivers, etc.) who administer medication must receive training before being authorized to do so.

Based upon the documentation of training and competency in the administration of medication, the school nurse will communicate to the Superintendent/designee pertaining to authorization of unlicensed persons to administer medication.

Training that shall be acceptable for the purpose of authorization of unlicensed personnel is addressed under the section of this policy titled "Required Training of Unlicensed Personnel to Administer Medication."

H. Administration of Medication During Off-Campus Field Trips and School-Sponsored Events

The school will accommodate students requiring administration of medication during field trips or school-sponsored events as follows:

The school nurse, principal, and, as appropriate, the school unit's Section 504 Coordinator and/or IEP, will determine whether an individual student's participation is contraindicated due to the unstable/fragile nature of his/her health condition, the distance from emergency care that may be required, and/or other extraordinary circumstances. The student's parent and primary care provider will be consulted in making this determination. The decision will be made in compliance with applicable laws, including the IDEA, § 504 and the Americans with Disabilities Act (ADA).

The parent must provide the appropriate number of doses needed for the duration of the field trip or school-sponsored event.

When there are no contraindications to student participation, an appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication.

All provisions of this policy shall apply to medications to be administered during off-campus field trips and school-sponsored events. As practicable, the DOE's "Procedure for Medication Administration on School Field Trips" will be followed.

I. Student Self-Administration of Emergency Medications for Asthma, Anaphylaxis and Diabetes.

Students with these emergency conditions may be authorized by the building principal, in consultation with the school nurse, to possess and self-administer emergency medication during the school day, field trips, school-sponsored events, or while on a school bus. This authorization will be granted if the following conditions have been met.

1. The parent (or student, if 18 years of age or older) provides a written request for the student to possess and self-administer emergency medication.
2. The student must have the prior written approval from his/her primary health care provider. The written notice from the student's primary care provider must specify the name and dosage of the medication, frequency with which it may be administered, and the circumstances that may warrant its use.
3. The student's parent/guardian must submit written verification to the school from the student's primary care health provider confirming that the student has the knowledge and the skills to safely possess and use an epinephrine auto-injector or asthma inhaler.
4. The school nurse shall evaluate the student's technique to ensure proper

and effective use of an epinephrine auto-injector or asthma inhaler taking into account the maturity and capability of the student and the circumstances under which the student will or may have to self-administer the medication.

5. The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the school unit will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer Emergency Medication for Asthma, Anaphylaxis and Diabetes shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer these medications may be limited or revoked by the building principal after consultation with the school nurse and the student's parents if the student demonstrates inability to responsibly possess and self-administer such medication.

To the extent legally permissible, staff members may be provided with such information regarding the student's medication and the student's self-administration as may be in the best interest of the student.

Sharing, borrowing, or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked and the student may be subject to disciplinary consequences for violation of this policy.

J. Administration of Over-the-Counter Medications

With prior written parent permission, students may receive certain over the counter medications at school, e.g., Tylenol, Ibuprofen, Tums, cough drops, etc. pursuant to a standing order from the school physician/school health advisor.

K. Required Training of Unlicensed Personnel to Administer Medication

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips, or during school-sponsored events) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician and include the components specified in Department of Education Rules Chapter 40 and other applicable Department of Education standards, recommendations, programs, and/or methodologies.

The trainer shall document the training and competency of unlicensed school personnel to administer medication. Based upon a review of the documentation of training and competency in the administration of medication, the school nurse will communicate recommendations to the Superintendent/designee pertaining to authorization of such unlicensed personnel pertaining to authorization to administer medication.

Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

L. Delegation and Implementation

The Superintendent/designee shall be responsible for developing administrative procedures and/or protocols to implement or supplement this policy.

Such procedures/protocols shall include direction regarding:

1. Safe transport of medication to and from school;
2. Administration of medication during field trips and school-sponsored events;
3. Accountability for medications, particularly those regulated by Schedule II of the Controlled Substances Act;
4. Proper storage of medication at school;
5. Training of appropriate staff on administration of emergency medications including the standards for the signs and symptoms of anaphylaxis and the use of epinephrine auto-injectors for students with known anaphylaxis allergies.
6. The procedure to follow in the event of a medication reaction;
7. Access to medications in case of a disaster;
8. The process for documenting medications given and medication errors; and
9. The proper disposal of medications not retrieved by parents.

Legal Reference: 20-A M.R.S.A. §§ 254(5); 4009(4); 4502 (5)(N); 6305
Me. Dept. of Ed. Rule Ch. 40 (2016)
21 USC §801 et.seq. (Controlled Substances Act)
28 C.F.R. Part 35 (Americans with Disabilities Act of 1990)

34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973)
34 C.F.R. Part 300 (Individuals with Disabilities Education Act)

Cross Reference: JLCD-E – Medication Administration on School Field Trips
(Me. DOE)
JLCDA – Medical Marijuana in Schools

Adopted: July 8, 2009
Revised: December 8, 2010
Revised: May 24, 2017

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF

The RSU No. 5 Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race, national origin, religion, sex, age, or disability, and to the principle of affirmative action to obtain wide and representative candidate pools.

In accordance with 20A MRSA, section 1001.13, the Superintendent shall prepare a procedure designed to ensure nondiscriminatory practice in recruitment and hiring for all positions requiring administrator certification, as well as to result in selection of the most qualified candidates. This procedure shall be attached hereto as GCFB-R, and shall be reviewed periodically.

Moreover, upon each occasion of administrative vacancy, the Superintendent shall review the procedure and make appropriate adaptations as may be warranted by special circumstances. In the case of a vacancy in the superintendency, the RSU No. 5 Board shall review the procedure, adapting as appropriate.

In accordance with 20A MRSA, section 4502.4-A, the RSU No. 5's Affirmative Action Plan shall include: a description of the status of RSU No. 5's nondiscriminatory administrator hiring practice, and plans for in-service training programs on gender equity for teachers, administrators and the Board.

Legal Reference: 5 MRSA § 4576
20-A MRSA §§ 6,254 (8-10), 1001(13), 4502(4-A), 13011(6),
13019-B, 13019-C

Cross Reference: AC – Nondiscrimination/Equal Opportunity
GBJC – Retention of Application Materials
GCFB-R – Recruiting and Hiring of Administrative Staff
Administrative Procedure

Adopted: June 24, 2009
Reviewed: March 28, 2012
Revised: November 29, 2017

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF – PROCEDURES

These procedures implement RSU No. 5 Board of Directors policy GCFB and are designed to establish a thorough, efficient and nondiscriminatory practice for the recruiting and hiring of the most qualified candidates for administrative positions.

A. Job Description Development/Review

To ensure that a written role description of the vacant position accurately represents the current functions and needs, the Superintendent/designee (the Board of Directors in a superintendent search) is to:

1. Conduct a review of (if none exists, develop) the job description, with input from persons affected by the position;
2. Include the criteria (skills, knowledge, abilities) required to perform the duties/responsibilities of the position; and
3. List the minimum qualifications (training, education and experience) for the position.

B. Recruitment

To attract a strong pool of qualified candidates, the Superintendent/designee is to advertise (except in the circumstances described in K below) such as in:

1. Posting notice of the vacancy within the unit;
2. Placing a display advertisement in appropriate print media, considering at least one appearance in a major Maine weekend or Sunday newspaper; and
3. Identifying and notifying other possible sources of potential candidates, such as professional associations, educational administration programs and placement offices at colleges and universities in Maine and other states, and the Maine Department of Education.

C. Screening

To ensure that a fair and efficient screening process will occur, the Superintendent/designee is to:

1. Ensure that all applications are reviewed by more than one individual with attention given to an unbiased regard for the criteria and qualifications in the job description;
2. Appoint a screening panel with representation as deemed appropriate to the particular vacancy;

3. Provide orientation on confidentiality and equity issues to screeners;
4. Eliminate all candidates who do not meet the minimum qualifications;
5. Conduct preliminary reference checks, as appropriate;
6. Select candidates for interview based on the degree to which they meet the criteria and demonstrate the skills, knowledge and abilities outlined in the job description; and
7. Notify applicants not selected for interview.

D. Interviewing

To ensure that the interview process will be conducted in a legal and proper manner, the Superintendent/designee is to:

1. Appoint an interview panel (may be the same persons who serve the screening function) with representation as deemed appropriate to the particular vacancy;
2. Provide orientation on the process including the function and extent of responsibility of the panel, the criteria and the nomination/hiring procedure; and
3. Conduct training to ensure that panel members are aware of the legal aspects of interviewing, including confidentiality and equity issues.

The interviewing panel is to:

1. Design interview questions which match the criteria and the duties/responsibilities outlined in the job description; and
2. Provide equal opportunity for the candidates to respond to the same questions/questioners.

E. Selection

The interview panel is to:

1. Individually assess the candidates according to their answers to the job description-related questions, rating and commenting on each; and
2. Submit a report to the Superintendent, including the individual question forms as well as a list (usually 2 to 4) of candidates to be considered further for the position.

The Superintendent/designee is to:

1. Have reference contacts made, as appropriate, to check perceived strengths and weaknesses of the candidates;

2. Review the material on the finalist candidates to determine whether additional information is needed;
3. Conduct final interviews of any or all finalists, as deemed necessary;
4. Select the most qualified candidate who fits the criteria and the duties/responsibilities outlined in the job description, based on his/her own professional judgement along with those of the interview panel (or, reject all finalists, reopen the position and begin the process anew); and
5. Have any further reference checks made, as appropriate.

F. Nomination/Employment

The Superintendent is to:

Notify and obtain agreement of the successful candidate, pending Board approval;

1. Inform the interview panel; and
2. Nominate and employ the successful candidate in accordance with state law and local policies.

G. Notification

The Superintendent/designee may:

1. Notify the nominee of the Board approval and employ the administrator; and
2. Notify the other candidates interviewed.

H. Orientation and Support

To ensure that the new administrator is provided with the proper information about the system and job expectations, the Superintendent/designee is to provide an orientation that

includes expectations of the duties/responsibilities of the position along with the policies and procedures of the local school unit.

I. Record Keeping

To ensure that the confidentiality of employee and applicant records are properly maintained, the Superintendent is to provide for the maintenance in secure files of all applications and documentation of the hiring, screening and interviewing process for a period of three (3) years. Documentation packets should include a copy of the posting and advertisement, a copy of the questions asked, a list of candidates interviewed, confidentiality forms, notes made by team members, and the nomination form for this position.

J. Confidentiality

To ensure that confidentiality is maintained throughout and permanently following the hiring process, Board, all employees involved, and any other participants are to maintain absolute confidentiality about candidates, including names, in accordance with Maine state law (Title 20A-6101). The Board is to assume responsibility through the Superintendent for providing adequate orientation at appropriate stages of the process, including at the completion. Members of the interview committee, after having orientation, will be asked to sign a confidentiality form agreeing to participate in the hiring process and to acknowledge that they have been provided with an orientation on the requirement of confidentiality and that they accept this responsibility.

K. Hiring of Current Employees

The school unit may forego one or more of the steps set forth in sections B-E of this procedure and appoint a person who is currently employed by the unit to fill an administrative position only if the Superintendent, after consultation with the Board, or the Board in a superintendent search, determines that the following circumstances exist:

1. The currently employed candidate is exceptionally well qualified for the position;
and
2. The decision to forego all or part of the recruitment and screening process will not detract from the goals of this policy.

Adopted: June 24, 2009
Reviewed: March 28, 2012
Reviewed: October 25, 2017