CHESTER BOARD OF EDUCATION **FILE CODE: 5141.21**
Chester, New Jersey **__X__ Monitored**
__X__ Mandated
Policy **__X__ Other Reasons**

ADMINISTERING MEDICATION

The Chester Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of medication to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, "medication" shall include all medicines prescribed by a physician for the particular student, including emergency medication in the event of bee stings, medication for asthma, diabetes or other medical diagnosis requiring medication during the school day, and all non-prescription "over the counter" medication (see policy 5141 Health).

Before any medication may be administered to or by any student during school hours, the board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the board and its employees of liability for administration of medication. In addition, the board requires the written order of the prescribing physician which shall include:

A. The purpose of the medication;

B. The dosage;

C. The time at which or the special circumstances under which medication shall be administered;

D. The length of time for which medication is prescribed;

E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the school nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

A. All medications, whether prescribed or "over the counter", shall be administered by the medical inspector, school nurse or substitute school nurse, the parent/guardian or the student himself/herself where the parent/guardian so permits and with the school nurse present;

B. Medications shall be securely stored and kept in the original labeled container;

C. The school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;

D. All medications shall be brought to school by the parent/guardian or adult student and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier;

E. A student may self-administer medication without supervision of the school nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that

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requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat a potential anaphylactic reaction.

Nebulizers

Each school in the district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The chief school administrator shall prepare and the board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to the following:

A. Requirement that each school nurse shall be authorized to administer asthma medication through use of a nebulizer;

B. Requirement that each school nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;

C. Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student's physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

Student Self-Administration of Medication

The board shall permit self-administration of medication for asthma, diabetes or other potentially life-threatening illnesses by students who have the capability for self-administration of medication, both on school premises during regular school hours and off-site or after regular school hours when a student is participating in field trips or extracurricular activities. Parents/guardians of the student must meet the following conditions:

A. Provide the board with written authorization for the student's self-administration of medication;

B. Provide written certification from the student's physician that the student has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication;

C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the student.

The board shall:

A. Inform the student and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirements listed above;

B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication;

C. Maintain the right to revoke a student's permission to self-medicate if he/she has failed to comply with

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all conditions of this policy and/or has violated in any way the tenets of the agreement to self-medicate. The chief school administrator shall confer with the school physician and school nurse prior to recommending termination of a student's permission to self-medicate and shall also consult with the student, the student's parents/guardians and the student's physician.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and N.J.S.A. 18A:40-12.15 and board policy 5141 Health for specific rules regarding diabetes management.

Emergency Administration of Epinephrine

The board shall permit the school nurse or medical inspector to administer epinephrine via epi-pen or other pre-filled auto-injector mechanism in emergency situations. In their absence, a designee or designees who are employees of the board may do so.

The designees must be properly trained by the school nurse in the administration of the epi-pen or other pre-filled auto-injector mechanism using the standardized training protocol designated by the State Department of Education. Each designee shall receive individual training for each student for whom he/she is designated.

The board shall inform the student's parents/guardians in writing that if the specified procedures are followed, the district, its employees and agents shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Parents/guardians shall provide the board with the following:

A. Written orders from the physician that the student requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication;

B. Written permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s);

C. A signed statement acknowledging their understanding that if the specified procedures are followed, the district shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s) to the student and that the district, its employees, and agents shall be indemnified and held harmless against any claims arising out of the administration of the epi-pen or other pre-filled auto-injector mechanism to the student.

Permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism shall be granted annually and must be renewed each school year upon the fulfillment of the above requirements.

Placement and Availability of Epinephrine, and Transportation to Hospital Emergency Room

Pursuant to N.J.S.A. 18A:40-12.6, school policy requires:

A. The placement of a student’s prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student’s emergency care plan. Back-up epinephrine shall also be available at the school if needed;

B. The school nurse or designee to be promptly available on site at the school and school-sponsored

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functions in the event of an allergic reaction; and

C. The transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.

Emergency Administration of Epinephrine for First Time Allergic Reactions at School

The school nurse or trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis. This includes students whose parents/guardians have not submitted prior written permission or obtained prescribed medication as indicated in the rules above. Epinephrine may be administer to any student without a known history of anaphylaxis when the nurse or trained designee in good faith believes that the student is having an anaphylactic reaction

The district shall maintain a supply of epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or an advanced practice nurse in a secure but unlocked and easily accessible location. The supply of epinephrine auto-injectors shall be accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

Liability

No school employee, including a school nurse, or any other officer or agent of a board, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine shall be held liable for any good faith act or omission consistent with the provisions of law for the administration of epinephrine (N.J.S.A. 18A:40-12.5 et seq.). No action shall be taken before the New Jersey State Board of Nursing against a school nurse for any such action taken by a person designated in good faith by the school nurse to administer epinephrine according to law (N.J.S.A. 18A:40-12.6). Good faith shall not include willful misconduct, gross negligence or recklessness.

Implementation

The board may adopt additional regulations on all aspects of the administration of medication. When implementing school policy and N.J.S.A. 18A:40-12.6, staff will consult these New Jersey Department of Education guidance documents:

A. Training Protocols for the Emergency Administration of Epinephrine (9/08);

B. Guidelines for the Management of Life-Threatening Food Allergies in Schools (9/08).

Student Sun Protection

The Board of Trustees believes it is important that the students of the school protect themselves against harmful sun-related skin diseases by using protective measures. Pursuant to N.J.S.A. 18A:40-12.39 and notwithstanding any law or regulation to the contrary, the Board adopts this Policy concerning a student's use of sunscreen and sun-protective clothing, such as hats and sunglasses, while outdoors at school and school-sponsored functions. As used in this Policy, "sunscreen" means a topical product used for the purpose of limiting skin damage caused by overexposure to the sun, and which is regulated by the Federal Food and Drug Administration for over-the-counter use, in accordance with N.J.S.A. 18A:40-12.39.a. Students are not required to provide documentation from a physician or other licensed health care professional in order to use sunscreen or sun-protective clothing while outdoors at school or a school-sponsored function.

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Sunscreen can be packaged as aerosol, spray, lotion or cream with fragrances, as such the school prohibits the use of sunscreen that the Principal or designee may deem harmful to students with asthma or other respiratory ailments or a nuisance to students or staff members. Any application of aerosol or spray sunscreen must be applied outdoors.

Any student found to be using sunscreen in an inappropriate manner shall have their permission to use sunscreen revoked and be disciplined in accordance with the student code of conduct. If a student's permission to use sunscreen is revoked, the school shall notify the student's parent in writing of the reasons and duration for the revocation of that permission and of any discipline associated with the incident.

The school shall provide for the transportation and storage of sunscreen to ensure accessibility when students travel off school grounds for school-sponsored functions. No staff members, other than designated individuals, as directed through an agreed-upon plan between the parent/guardian, nurse, and building administration, should apply sunscreen to a student.

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Key Words

Administering Medication, Medication in School, Nebulizer, Epinephrine, Anaphylaxis, Asthma

Legal References:

N.J.S.A. 18A:111	General mandatory powers and duties
N.J.S.A. 18A:401	Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
N.J.S.A. 18A:40-3.2 et seq.	Medical and Nursing Personnel
N.J.S.A. 18A:404	Examination for physical defects and screening of hearing of students
N.J.S.A. 18A:407	Exclusion of students who are ill
N.J.S.A. 18A:40-12.3	Self-administration of medication by student; conditions through -12.4
N.J.S.A. 18A:40-12.39	
N.J.S.A. 18A:40-12.5	Policy for emergency administration of epinephrine to public school students
N.J.S.A. 18A:40-12.6	Administration of epinephrine; primary responsibility; through -12.6d parental consent
N.J.S.A. 18A:40-12.7	Nebulizer
N.J.S.A. 18A:40-12.8	Administration of asthma medication by school nurse through nebulizer; training; student asthma treatment plan
N.J.S.A. 18A:5420	Powers of board (county vocational schools)
N.J.S.A. 45:1123	Definitions
N.J.A.C. 6A:16-1.1et seq.	Programs to Support Student Development
See particularly:	
N.J.A.C. 6A:16-1.3, -2.1, -2.2, -2.3, -2.4	

Bernards Township Education Association v. Bernards Township Board of

ADMINISTERING MEDICATION (continued)

Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A421181T3, 5/18/83)

Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #5291

Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Student, New Jersey State Department of Education, June 5, 1995

Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

Possible Cross References:

*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5141.8	Sports related concussion and head injury
*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.