Revised: June 17, 2002 *March 7, 2005* *December 2, 2025*
August 18, 2003 *May 15, 2006*
March 1, 2004 *August 11, 2014*
December 3, 2019 *December 8, 2020*
December 6, 2022 *September 5, 2023*

516 STUDENT MEDICATION

I. PURPOSE

To set forth the requirements that must be followed when administering nonemergency prescription and non-prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require drugs or medications during the school day. The school district's Licensed School Nurse, trained health assistant, principal, teacher, or other designated staff will administer medications in accordance with law and school district procedures.

III. MEDICATION REQUIREMENTS

A. Administration of Medicine or Drugs

1. The administration of prescription medication or drugs at school requires a completed signed authorization/consent from the student's parent or guardian, and the licensed health care provider. A verbal request must be reduced to writing within two school days, provided that the school district may rely on a verbal request until a written request is received.

2. Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:

   a. with a licensed nurse, in a district that employs a licensed nurse under Minnesota Statutes, section 148.171;

   b. with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;

   c. with a public or private health-related organization, in a district that contracts with a public or private health or health-related organization, according to Minnesota Statutes, 121A.21; or

   d. with the appropriate party, in a district that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, 121A.21.

3. Exclusions

The provisions on administration of drugs and medicine above do not apply to drugs or medicine that are:

a. purchased without a prescription;

b. used by a pupil who is 18 years old or older;

c. used in connection with services for which a minor may give effective consent;

d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;

e. used off the school grounds;

f. used in connection with athletics or extracurricular activities;

g. used in connection with activities that occur before or after the regular school day;

h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;

i. prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:

(1) the school district has received a written authorization each school year from the pupil's parent permitting the student to self-administer the medication;

(2) the inhaler is properly labeled for that student; and

(3) the parent has not requested school personnel to administer the medication to the student.

In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a

school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

j. epinephrine delivery systems, consistent with Minnesota Statutes, section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that

(1) the pupil may possess the epinephrine or

(2) the pupil is unable to possess the epinephrine and requires immediate access to epinephrine delivery systems that the parent provides properly labeled to the school for the pupil as needed.

k. For the purposes of Minnesota Statutes, 121A.22, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrostomy feedings, do not constitute administration of drugs or medicine.

l. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy.

B. Prescription Medication

1. A "Consent Form for Administration of Medication During the School Day" must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes, section 152.22, subdivision 6.

2. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law and must be administered in a manner consistent with the instructions on the label.

3. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

4. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Paragraph III.A.3(i) above), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).

5. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.

6. The school nurse, or other designated person, shall be responsible for the filing of the Consent Form for Administration of Prescription Medication During the School Day in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

7. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

8. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

C. Nonprescription Medication

A secondary student may possess and use nonprescription medication in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian, and the licensed health care provider permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription medication if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

D. Possession and Use of Epinephrine Delivery Systems

1. Definitions

a. "Administer" means the direct application of an epinephrine delivery system to the body of an individual.

b. "Epinephrine delivery system" means a medication product approved by the United States Food and Drug Administration that automatically delivers a single, premeasured dose of epinephrine to prevent or treat a life-threatening allergic reaction.

c. "School" means a public school under Minnesota Statutes, section 120A.22, subdivision 4, or a nonpublic school, excluding a home

school, under section 120A.22, subdivision 4, that is subject to the federal Americans with Disabilities Act.

2. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine delivery systems that enables the student to:

   a. possess epinephrine delivery systems; or

   b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine delivery systems in close proximity to the student at all times during the instructional day.

For the purposes of this policy, "instructional day" is defined as eight hours for each student contact day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine delivery systems when required, consistent with state law. This health plan may be included in a student's Section 504 plan.

Districts and schools may obtain and possess epinephrine delivery systems to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine delivery system auto-injector. The administration of an epinephrine delivery system in accordance with Minnesota Statutes, section 121A.2207 is not the practice of medicine.

Effective July 1, 2024, Registered nurses may administer epinephrine delivery systems in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine delivery systems in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine delivery system is to be administered, when caring for a patient whose condition falls within the protocol.

A district or school may enter into arrangements with manufacturers of epinephrine delivery systems to obtain epinephrine delivery systems at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine delivery systems.

The Commissioner of the Minnesota Department of Health must provide a district or school with a standing order for distribution of epinephrine delivery systems under Minnesota Statutes, sections 148.235, subdivision 8 and 151.37, subdivision 2.

E. Sunscreen

A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

F. Procedure regarding unclaimed drugs or medications

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.

2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes, section 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.

3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH

A. Beginning October 1, 2024, to the extent space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.

B. The space must provide a student privacy to receive mental health care.

C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.

D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

Legal References:
Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Delivery Systems; Model Policy)
Minn. Stat.§ 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Delivery Systems)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat § 152.22 (Medical Cannabis; Definitions)
Minn. Stat § 152.23 (Medical Cannabis: Limitations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References: District 77 Policy 418 (Drug-Free Workplace/Drug-Free School)

MANKATO AREA PUBLIC SCHOOLS

School Health Service

MEDICATION GUIDELINES

The administration of medication to students shall be done only in exceptional circumstances wherein the student's health may be jeopardized without it. Whenever possible administration of medicine should be done at home. (Medicine prescribed 3 times per day can be given before school, after school and bedtime.) **If a new medication is started, the first dose should be given at home.**

1. Administration of prescription and non-prescription medication by school personnel must only be done according to the written order of a licensed health care provider and written authorization of parent/guardian and Licensed School Nurse, regardless of student's age.
   a. Mixed dosages in a single container will not be accepted for administration at school.
   b. If a half tablet is required for a correct dosage, it is the parent/guardian's responsibility to provide pre-cut tablets for administration at school.
   c. Altered forms of medication will not be accepted or administered at school.
   d. Narcotics/medical cannabis will not be accepted or administered at school.
   e. Aspirin-containing products will not be accepted or administered at school.
   f. Only FDA approved treatments will be provided at school.

2. **All medication (prescription and non-prescription) should be brought to school by a parent/guardian in its original container.** The following information must be on the prescribed container label:
   a. Student's full name
   b. Name and dosage of medication
   c. Time and directions for administration at school
   d. Licensed Health Care Provider's name
   e. Date (must be current).

3. New consent forms with the licensed health care provider and parent/guardian signatures must be received each school year.

4. A new medication consent form is required when the medication dosage or time of administration is changed.

5. **When a long term daily medication is stopped, a physician/licensed prescriber's order is requested.**

6. Prescription Medication will be kept in a locked cabinet in the school health office unless authorized by the Licensed School Nurse and must not be carried by the student.

7. Students with severe allergies who may need their epinephrine auto-injector during the school day will be allowed to self-manage, carry and be responsible for administration of their epinephrine auto-injector with written consent of a physician/licensed prescriber and parent/guardian and in agreement with the Licensed School Nurse.

8. Students with asthma who need to use their inhaler during the school day will be allowed to self-manage, carry, and be responsible for the administration of their inhaler with written consent of their physician/licensed prescriber and parent/guardian and in agreement with the Licensed School Nurse.

9. Secondary students (grades 6 – 12) may carry and administer their own nonprescription medication with written consent of a licensed healthcare provider, parent/guardian and in agreement with the Licensed School Nurse. This applies to all secondary students, regardless of age. The student will be required to sign a student agreement form. The district may revoke a student's privilege to possess and use non-prescription medication if the district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine, aspirin, or medical cannabis.

10. Special arrangements must be made with the Licensed School Nurse concerning administration of medication to students with disabilities through gastrostomy tubes, rectal, injectable or oral routes.

CONSENT FORM FOR ADMINISTRATION OF MEDICATION DURING THE SCHOOL DAY
TO BE RENEWED EACH SCHOOL YEAR
(If you need assistance completing this form, contact the Licensed School Nurse)

Before any medication is administered by school personnel this form must be completed and on file with the school health office.

Student Name____ Birth date_______________

School_______________ Grade__________Teacher_______________ School Year____________

PHYSICIAN/LICENSED PRESCRIBER ORDER

I have prescribed the following medication for this child and request the dosages given during school hours be administered by school personnel.
MEDICATION::____Dosage:______________Route:_______

Time/Instructions to be given at school:____

Possible side effects____

Diagnosis/Medical reason for medication____

Inhalers & EpiPens: has child received instruction and permission for self-administration? ____ Yes ____ No
If Inhaler: With spacer______________ Without spacer________________

PHYSICIAN/LICENSED PRESCRIBER
SIGNATURE:____DATE: ___________

PRINT NAME:____ PHONE #:_______

CLINIC:____ FAX #:___________

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PARENT/GUARDIAN AUTHORIZATION

<u>FOR PRESCRIPTION AND NON-PRESCRIPTION MEDICATION:</u>

1. I request that the above medication be given to my child during school hours as ordered by the physician/licensed prescriber (no after school activities).
2. I give permission for the medication to be given by designated personnel as delegated, trained and supervised by the Licensed School Nurse.
3. **I will provide this medication in the original, properly labeled manufacturer (non-prescription medication) or pharmacy labeled (prescription medication) container.**
4. I authorize the Licensed School Nurse/designee to exchange information with my child's health care provider concerning any questions that arise with regard to the listed medication, medical condition, or side effects of this medication.
5.. I authorize the Licensed School Nurse/Designee to communicate with appropriate school personnel regarding this medication for my child.
6. I release school personnel from any liability in relation to the administration of this medication at school.
7. I have read and understand the Medication Guidelines included with this form.

PARENT/GUARDIAN SIGNATURE: ____DATE:_______

LICENSED SCHOOL NURSE SIGNATURE: ____ DATE:_______