Sec. 1. STANDARDS FOR ADMINISTERING MEDICATION AT SCHOOL

All medications administered to students shall be FDA-approved pharmaceuticals administered within their approved dosage and within standards of acceptable medical regimen. Research pharmaceuticals may be administered if they are a part of a University Institutional Review Board-approved protocol. Intravenous (IV) medications and treatments shall not be administered by Raul Yzaguirre Schools for Success (RYSS) personnel.

Sec. 2. AUTHORIZED PERSONNEL

RYSS employees shall not give any student prescription medication, nonprescription medication, herbal substances, or dietary supplements of any type, except as provided below. Employees authorized by the Superintendent or designee may administer to students:

a) Administering Prescription Medication

Prescription medication upon written request to administer the medication from the student's parent, guardian, or other person having legal control of the student. When administering prescription medication, the medication must be administered either:

1. From a container that appears to be from the original container and properly labeled; or
2. From a properly labeled unit dosage container filled by a registered nurse from a container that appears to be the original container and to be properly labeled.

All prescription medications shall have been prescribed by a physician licensed to practice medicine in the United States. All medications shall have been manufactured in the United States.

Texas Department of State Health Services Guide to Medication Administration in the School Setting

b) Administering Nonprescription Medication

i. *Nonprescription Medication Administered upon Parent Request*

When properly labeled and in the original container; nonprescription medication may be administered by authorized RYSS personnel upon a parent's written request, or if required by the individualized education program ("IEP") or Section 504 plan of a student with disabilities.

ii. *Nonprescription Medication Administered on Emergency Basis*

Authorized RYSS personnel may administer nonprescription medication on an emergency basis and consistent with protocols established by RYSS's medical adviser, or in accordance with standards discussed in this Policy.

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Parental consent is not required for the administration of nonprescription medication on an emergency basis under this policy, but a parent or guardian may provide written notice to a campus principal or designee if conditions exist in which their child should not receive nonprescription medication at school.

c) Herbal Substances or Dietary Supplements

Herbal substances or dietary supplements may be administered by authorized RYSS personnel **only if** required by the IEP or Section 504 plan of a student with disabilities.

d) Provision of Medication Off-Campus at School-Sponsored Events

For any RYSS student attending a field trip or off-campus school-sponsored event, any prescription medication that RYSS is required to administer under this policy shall be sent with the student's teacher or another staff member trained in the proper administration of medication and who has been authorized to administer medication by the Superintendent or designee, along with instructions on the administration of the medication.

In addition to trained and authorized RYSS teacher(s) and/or nurse(s), a licensed physician in Texas, a registered nurse licensed in Texas, or a vocational nurse licensed in Texas may serve as a RYSS volunteer to administer prescription and non-prescription medication in accordance with this policy when on field trips and/or off-campus or on school-sponsored events. Prior to being allowed to do so, such individuals must meet with the school nurse for instruction and training on administration of medication for applicable students.

Nonprescription medication(s) generally are not administered by RYSS during field trips and/or off-campus or on school-sponsored events.

In the event of an emergency medical situation involving a RYSS student for which no RYSS employee was previously aware and that occurs during a field trip and/or during an off-campus, school-sponsored event when no school nurse is present, emergency medical services shall immediately be notified by any RYSS employee in attendance.

Sec. 3. PSYCHOTROPICS

Except as permitted by Education Code 38.016, a RYSS employee shall not:

1. Recommend to a student, parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

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Education Code 38.016.

Sec. 4. OPIOID ANTAGONIST MEDICATION

a. General Guidelines

The Board authorizes purchase of Opioid Antagonist Medication for use in a manner consistent with this policy and determines that such purchases are necessary in the conduct of the public school.

RYSS's policy concerning the maintenance, administration, and disposal of opioid antagonists will apply to only at campuses of the school serving students in grades 6 through 12. *Education Code 38.222(b)*.

School personnel and school volunteers who are authorized and trained may administer an opioid antagonists to a person who is reasonably believed to be experiencing an opioid-related drug overdose. *Education Code 38.222(c)(1)*.

Such authorized and trained school employees and volunteers may administer the opioid antagonist medication on a school campus or at a school sponsored event in accordance with this policy and applicable administrative regulations.

For purposes of this policy, an "opioid-related drug overdose" means a condition, evidenced by symptoms such as extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid. *Health and Safety Code 483.101*.

b. Prescription for Opioid Antagonists

A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe opioid antagonists in the name of RYSS. A physician or other person who prescribes opioid antagonists shall provide RYSS with a standing order for the administration of an opioid antagonist to a person reasonably believed to be experiencing an opioid-related drug overdose. The standing order is not required to be patient-specific, and the opioid antagonist may be administered to a person without a previously established physician-patient relationship.

A standing order under this policy must contain:

1) The name and signature of the prescribing physician or other person;
2) The name of the school to which the order is issued;
3) The quantity of opioid antagonists to be obtained and maintained under the order; and
4) The date of issue.

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A pharmacists may dispense an opioid antagonist to RYSS without requiring the name or any other identifying information relating to the user.

Education Code 38.225.

c. Maintenance and Availability

Opioid antagonist medication shall be stored in secure locations accessible by designated and trained employees, and in accordance with the drug manufacturer's instructions. Opioid antagonist medication shall be made readily available to designated employees who have completed the required training to administer in the event of suspected drug overdose. All designated and properly trained employees shall be made aware of the exact location of the opioid antagonist medication.

The school nurse or designee shall regularly inventory and verify opioid antagonist medication supply, and maintain records thereof, in accordance with the established internal procedures and manufacturer recommendations. Expired, damaged, or used opioid antagonist medication shall be disposed of in accordance with established medical waste disposal procedures.

RYSS shall require that each school campus subject to Section 4 of this policy have one or more school personnel or volunteers authorized and trained to administer an opioid antagonist present during regular school hours.

Education Code 38.222(b).

d. Training Requirements

Before any school employee or volunteer may have custody of or administer an opioid antagonist medication under this policy, the employee must successfully complete an annual training program provided by RYSS. A list of employees who successfully complete such training shall be maintained, updated, and kept in RYSS's administrative office.

Trainings provided by RYSS must:

1) Include information on:
   a. Recognizing the signs and symptoms of an opioid-related drug overdose;
   b. Administering an opioid antagonist;
   c. Implementing emergency procedures, if necessary, after administering an opioid antagonist; and
   d. Properly disposing of used or expired opioid antagonists;
2) Be provided in a formal training session or through online education; and
3) Be provided in accordance with RYSS's policy on professional development, as applicable.

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Education Code 38.224.

e. Required Reporting

Not later than the 10th business day after the date a school personnel member or school volunteer administers an opioid antagonist in accordance with this policy, RYSS shall report the information described below to:

1) The Board of Directors;
2) The physician or other person who prescribed the opioid antagonist; and
3) The Commissioner of State Health Services.

The report must include the following information:

1) The age of the person who received the administration of the opioid antagonist;
2) Whether the person who received the administration of the opioid antagonist was a student, a school personnel member or school volunteer, or a visitor;
3) The physical location where the opioid antagonist was administered;
4) The number of doses of opioid antagonist administered;
5) The title of the person who administered the opioid antagonist; and
6) Any other information required by the commissioner of education.

Education Code 38.223.

f. Immunity from Liability

A person who in good faith takes, or fails to take, any action under Section 4 of this policy or under Subchapter E-1, Chapter 38 of the Education Code, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act. *Education Code 38.227*.

g. Gifts, Grants, and Donations

RYSS may accept gifts, grants, donations, and federal and local funds to implement Section 4 of this policy. *Tex. Educ. Code 38.226*.

h. Administrative Regulations

The Superintendent or designee shall adopt administrative regulations to assist with implementation of Section 4 of this policy. Such regulations shall establish the number of opioid antagonists that must be available at each campus at any given time, and require that the supply of opioid antagonists at each school campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an opioid

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antagonist. *Education Code 38.222(c)(3), (4)*.

Sec. 5. EPINEPHRINE AUTO-INJECTORS

a. General Guidelines

The Board authorizes purchase of unassigned epinephrine auto-injectors in a manner consistent with this Policy and determines that such purchases are necessary in the conduct of the public school.

For purposes of this policy, the term "epinephrine auto-injector" means a disposable medical drug delivery device that contains a premeasured single dose of epinephrine that is intended to be used to treat anaphylaxis.

RYSS authorizes school personnel and volunteers who are authorized and trained to administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus. School personnel and volunteers who are authorized and trained may also administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event. *Education Code 28.208(b)*.

RYSS must ensure that each campus has one or more personnel or volunteers authorized and trained to administer an epinephrine auto-injector present during all hours a campus is open. *Education Code 38.208(d)*.

The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and volunteers authorized and trained to administer an epinephrine auto-injector. *Education Code 38.208(e)*.

RYSS employees and volunteers may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer epinephrine auto-injectors. *Education Code 38.208(d-2)*.

b. Prescription of Epinephrine Auto-Injectors

A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe epinephrine auto-injectors in the name of RYSS. A physician or other person who prescribes epinephrine auto-injectors shall provide RYSS with a standing order for the administration of, as applicable, an epinephrine auto-injector to a person reasonably believed to be experiencing anaphylaxis.

The standing order is not required to be patient-specific, and the epinephrine auto-injector may be administered to a person without a previously established physician-patient relationship.

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The standing order must contain:

1) The name and signature of the prescribing physician or other person;
2) The name of the school to which the order is issued;
3) As applicable, the quantity of epinephrine auto-injectors to be obtained and maintained under the order; and
4) The date of issue.

A pharmacists may dispense an epinephrine auto-injector without requiring the name of any other identifying information relating to the user.

Education Code 38.211.

c. Required Reporting

Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with Section 5 of this policy, RYSS shall report the information described below to:

1) The Board of Directors;
2) The physician or other person who prescribed the epinephrine auto-injector to RYSS; and
3) The Commissioner of State Health Services.

The report required under this section must include the following information:

1) The age of the person who received the administration of the epinephrine auto-injector;
2) Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3) The physical location where the epinephrine auto-injector was administered;
4) The number of doses of epinephrine auto-injector administered;
5) The title of the person who administered the epinephrine auto-injector; and
6) Any other information required by the Commissioner of Education.

Education Code 38.209.

d. Training Requirements

RYSS is responsible for training school personnel and school volunteers in the administration of an epinephrine auto-injector. The training must include information on:

1) Recognizing the signs and symptoms of anaphylaxis;

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2) Administering an epinephrine auto-injector;
3) Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
4) Properly disposing of used or expired epinephrine auto-injectors.

Training required under this section must be provided:

1) In a formal training session or through online education; and
2) In accordance with RYSS's policy on professional development.

RYSS shall maintain records on the training required under this section.

Education Code 38.210(a), (b), (c).

e. Notice to Parents

RYSS shall provide written notice of the school's policy on the administration of epinephrine auto-injectors to parents of each student enrolled in RYSS. Such notice must be provided before the start of each school year. *Education Code 38.212*.

f. Gifts, Grants, and Donations

RYSS may accept gifts, grants, donations, and federal and local funds to implement Section 5 of this policy. *Tex. Educ. Code 38.226*.

g. Immunity from Liability

A person who in good faith takes, or fails to take, any action under Section 5 of this policy or under Subchapter E, Chapter 38 of the Education Code, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act. *Education Code 38.215*.

Sec. 6. UNASSIGNED MEDICATION FOR RESPIRATORY DISTRESS

a. General Guidelines

The Board authorizes purchase of unassigned medication for respiratory distress in a manner consistent with this Policy and determines that such purchases are necessary in the conduct of the public school.

For purposes of this Policy, "medication for respiratory distress" means albuterol, levalbuterol, or another medication designated by the Health and Human Services Commission for the treatment of respiratory distress. *Education Code 38.201(3-a)*.

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School personnel and school volunteers who are authorized and trained may administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. *Education Code 38.208(b-1)*.

RYSS will ensure that each campus has one or more personnel authorized and trained to administer medication for respiratory distress present during regular school hours. *Education Code 38.208(d-1)*.

The supply of medication for respiratory distress at each campus must be stored in a secure location and be easily accessible to authorized school personnel and school volunteers. *Education Code 38.208(e-1*).

RYSS employees and volunteers may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer medication for respiratory distress. *Education Code 38.208(d-2)*.

RYSS is not required to purchase medication for respiratory distress or require any other expenditure related to the maintenance or administration of medication for respiratory distress that would result in a negative fiscal impact on RYSS. *Education Code 38.208(f)*.

b. Prescription of Medication for Respiratory Distress

A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe medication for respiratory distress in the name of RYSS. A physician or other person who prescribes medication for respiratory distress shall provide RYSS with a standing order for the administration of, as applicable, medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress.

The standing order is not required to be patient-specific, and medication for respiratory distress may be administered to a person without a previously established physician-patient relationship.

The standing order must contain:

1) The name and signature of the prescribing physician or other person;
2) The name of the school to which the order is issued;
3) As applicable, the quantity and types of medications for respiratory distress to be obtained and maintained under the order; and
4) The date of issue.

A pharmacists may dispense medication for respiratory distress without requiring the name of any other identifying information relating to the user.

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Education Code 38.211.

c. Information to Parents

If medication for respiratory distress is administered to a student whose parent has not provided notification to RYSS that the student has been diagnosed with asthma, the school must refer the student to the student's primary care provider on the day the medication for respiratory distress is administered and inform the student's parent regarding the referral. The referral must include:

1. The symptoms of respiratory distress observed;
2. The name of the medication for respiratory distress administered to the student; and
3. Any patient care instructions given to the student.

Education Code 38.208(b-2).

If a student who has received medication for respiratory distress does not have a primary care provider or the parent has not engaged a primary care provider for the student, the student's parent must receive information to assist the parent in selecting a primary care provider for the student. *Education Code 38.208(b-3)*.

d. Required Reporting

Not later than the 10th business day after the date a school personnel member or school volunteer administers medication for respiratory distress to a person experiencing respiratory distress in accordance with this Policy, RYSS shall report the information described below to:

1) The Board of Directors;
2) The physician or other person who prescribed the medication for respiratory distress; and
3) The Commissioner of State Health Services.

The report required under this section must include the following information:

1) The age of the person who received the administration of the medication for respiratory distress;
2) Whether the person who received the administration of the medication for respiratory distress was a student, a school personnel member or school volunteer, or a visitor;
3) The dosage of the medication for respiratory distress administered;
4) The title of the person who administered the medication for respiratory distress; and
5) Any other information required by the commissioner of education.

Education Code 38.2091.

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e. Training Requirements

RYSS is responsible for training school personnel and school volunteers in the administration of medication for respiratory distress. The training must include information on:

1) Recognizing the signs and symptoms of respiratory distress;
2) Administering medication for respiratory distress;
3) Implementing emergency procedures, if necessary, after administering medication for respiratory distress; and
4) Proper sanitization, reuse, and disposal of medication for respiratory distress.

Training required under this section must be provided:

3) In a formal training session or through online education; and
4) In accordance with RYSS's policy on professional development.

Education Code 38.210(a-1), (b).

f. Notice to Parents

RYSS shall provide written notice of the school's policy on the administration of medication for respiratory distress to parents of each student enrolled in RYSS. Such notice must be provided before the start of each school year. *Education Code 38.212*.

g. Gifts, Grants, and Donations

RYSS may accept gifts, grants, donations, and federal and local funds to implement Section 6 of this policy. *Tex. Educ. Code 38.226*.

h. Immunity from Liability

A person who in good faith takes, or fails to take, any action under Section 6 of this policy or under Subchapter E, Chapter 38 of the Education Code, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act. *Education Code 38.215*.

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Sec. 7. ADMINISTRATIVE REGULATIONS REQUIRED

The Superintendent shall develop administrative regulations to manage the implementation of this policy in accordance with law and best practices disseminated by medical professionals, law enforcement, state and federal health agencies, and other credible health organizations. The administrative regulations shall address administering the authorized medication, training requirements for authorized staff, the process for the acquisition or purchase of the authorized medication, and the maintenance, expiration, disposal, and availability of the authorized medication at each campus.

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