

Board Policy 5141.21

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. [5113](#) - Absences and Excuses)

(cf. [5113.1](#) - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. [6159](#) - Individualized Education Program)

(cf. [6164.6](#) - Identification and Education under Section 504)

For the administration of medication to students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on ~~his/her~~ **their** behalf, and, with the child's authorized health care provider's approval, request the district's permission for ~~his/her child~~ **the student** to self-administer a medication or self-monitor and/or self-test for a medical condition. Students may carry and self-administer other types of medication beyond those specifically authorized by the Education Code 494.23.1; 5 CCR [605](#). Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. [1250](#) - Visitors/Outsiders)

(cf. [5141](#) - Health Care and Emergencies)

(cf. [5141.22](#) - Infectious Diseases)

(cf. [5141.23](#) - Asthma management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. [6116](#) - Classroom Interruptions)

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

~~Only a school nurse or other school employee with an appropriate medical license may administer an insulin injection to a student. In the event such licensed school personnel are unavailable, the district may~~

~~contract with a licensed nurse from a public or private agency to administer insulin to the student. However, in an emergency situation such as a public disaster or epidemic, a trained, unlicensed district employee may administer an insulin injection to a student.~~

~~(cf. 5141.24—Specialized Health Care Services)~~

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

Administration of Medication by School Personnel

~~When allowed by law, any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49423, 49414; 5 CCR 600) or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training.~~

School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. and shall be afforded appropriate liability protection.

~~Certain medication-specific statutes that authorize unlicensed district employees to administer medication to students require that such employees be trained. For example, Education Code 49414.7 requires training by qualified medical personnel for unlicensed district employees who volunteer to administer emergency antiseizure medications to students who suffer epileptic seizures. Guidelines for the training and supervision of such unlicensed school employees have been adopted as 5 CCR 620 627 and are specified in the accompanying administrative regulations.~~

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment,

emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

Legal Reference:

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

EDUCATION CODE

48980 Notification at beginning of term
49407 Liability for treatment
49408 Emergency information
49414 Emergency epinephrine auto-injectors
49414.5 Providing school personnel with voluntary emergency training
49414.7 Emergency medical assistance: administration of epilepsy medication
49422-49427 Employment of medical personnel, especially:
49423 Administration of prescribed medication for student
49423.1 Inhaled asthma medication
49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

Bus. Code 2700-2837 Nursing
~~Bux. Code 3500-3546 Physician assistants~~
Bus. Code 4119.2 Acquisition of epinephrine auto injectors
~~Bux Code 4119.8 Acquisition of naloxone hydrochloride or other opioid antagonist~~

(cf. [3530](#) - Risk Management Insurance)

(cf. [4119.42/4219.42/4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

~~2726 Authority not conferred~~

~~2727 Exceptions in general~~

~~3501 Definitions~~

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students
620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

Management Resources:

CSBA PUBLICATIONS

Pandemic Influenza, Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Pandemic Influenza, Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

[Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007](#)

[Program Advisory on Medication Administration, 2005](#)

[Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015](#)

[Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003](#)

COURT DECISIONS

[American Nurses Association v. Torlakson, \(2013\) 57 Cal.4th 570](#)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, August 2014

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, 2010

WEBSITES

CSBA: <http://www.csba.org>

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing: <http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

Cross References

3513.4 Drug and Alcohol Free Schools

4119.43	Universal Precautions
4131	Staff Development
4219.43	Universal Precautions
4231	Staff Development
4319.43	Universal Precautions
5022	Student and Family Privacy Rights
5113	Absences and Excuses
5113.1	Chronic Absence and Truancy
5125	Student Records
5131.62	Tobacco
5141	Health Care and Emergencies
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.24	Specialized Health Care Services
5141.27	Food Allergies/ Special Dietary Needs
5141.6	School Health Services
5145.6	Parental Notification
5148.2	Before/After School Programs
5142.8	Comprehensive Health Education
5145.2	Athletic Competition
6163.2	Animals in School
6164.6	Identification and Education Under Section 504