

Administering Noninjectable Medicines to Students**

Students may, subject to the provisions of this regulation, have noninjectable prescription or nonprescription medication administered by designated, trained staff. Self-medication by students will also be permitted in accordance with this regulation.

1. Definitions

- a. "Prescription medication" means any noninjectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication does not include dietary food supplements.
- b. "Nonprescription medication" means only commercially prepared, non-alcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eye, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.
- c. "Physician" means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, a nurse practitioner with prescriptive authority licensed by the Oregon State Board of Nursing, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon or a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon.
- d. "Student self-medication" means a student must be able to administer medication to himself/herself without requiring a trained staff member to assist in the administration of the medication.
- e. "Age-appropriate guidelines" means the student must be able to demonstrate the ability, developmentally and behaviorally, to self-medicate with permission from parent (guardian), administrator, and in the case of a prescription medication, a physician.
- f. "Training" means yearly instruction, by a qualified trainer, to be provided to designated staff on the administration of prescription and nonprescription medication, based on requirements set out in guidelines approved by the Oregon Department of Education (ODE), including discussion of applicable public charter school policies, procedures and materials.
- g. "Qualified trainer" means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a physician, or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.

2. Designated Staff/Training

- a. The director/administrator will designate trained staff authorized to administer medication to students while participating at public charter school-sponsored activities on or off public charter school property. The director/administrator will ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- b. The director/administrator will ensure the training required by law and Oregon Administrative Rules is provided. Training must be conducted by a qualified trainer.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, public charter school policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects and allergic reactions and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. Training will be provided upon yearly to designated staff authorized to administer medication to students.
- e. A copy of the public charter school policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.

3. Administering Medications to Students

Requests for designated staff to administer medication to students may be approved by the public charter school as follows:

- a. A written request for the public charter school to administer prescription medication must be submitted to the public charter school office to include:
 - (1) The written signed permission of the parent;
 - (2) The written instruction from the physician for the administration of the prescription medication to the student including:
 - (a) Name of the student;
 - (b) Name of the medication;
 - (c) Route;
 - (d) Dosage;
 - (e) Frequency of administration; and
 - (f) Other special instruction, if any.

The prescription label will be considered to meet this requirement if it contains the information listed in (a)-(f) above.

- b. A written request for the public charter school to administer nonprescription medication must be submitted to the public charter school office to include:
 - (1) The written signed permission of the parent;
 - (2) The written instruction from the parent for the administration of the nonprescription medication to the student including:
 - (a) Name of the student;
 - (b) Name of the medication;
 - (c) Route;
 - (d) Dosage;
 - (e) Frequency of administration;
 - (f) Other special instruction, if any.
- c. Medication is to be submitted in its original container;
- d. Medication is to be brought to and returned by the parent;
- e. It is the parent's responsibility to ensure that an adequate amount of medication is on hand for the duration of the student's need to take medication;
- f. It is the parent's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- g. In the event a student refuses medication, the parent will be notified immediately. No attempt will be made to administer medication to a student who refuses staff-administered medication;
- h. Any error in administration of medication will be reported to the parent immediately and documentation made on the public charter school's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, time, route, etc.;
- i. Medication shall not be administered or self-medication allowed until the necessary permission form and written instructions have been submitted as required by the public charter school.

4. Self-medication

- a. Self-medication of prescription and nonprescription medication for K-12 students will be allowed subject to the following:
 - (1) A parent (guardian) permission form must be submitted for self-medication of all prescription and nonprescription medications. In the case of prescription medications, permission from the physician or other licenced health care professional is also required. Such permission may be indicated on the prescription label. A written treatment plan from a licenced health care professional for the managing of student's asthma and/or severe allergy will be required for use of medication by the student during school hours. Director/administrator permission is required for all self-medication requests;
 - (2) Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated staff. A permission form and written instructions will be required as provided in Section 3. a. and b. above;

- (3) All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:
 - (a) Prescription labels must specify the name of the student, name of the medication, dosage, route and frequency or time of administration and any other special instruction including student permission to self-medicate;
 - (b) Nonprescription medication must have the student's name affixed to the original container.
 - (4) The student may have in his/her possession only the amount of medication needed for that school activity, except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to bronchodilators/inhalers;
 - (5) Sharing and/or borrowing of medication with another student is strictly prohibited;
- b. For students who have been prescribed bronchodilators or epinephrine, staff will request from the parent or guardian, that the parent or guardian provide back up medication for emergency use by that student. Backup medication, if provided by the parent or guardian, will be kept in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency.
 - c. Permission to self-medicate may be revoked if the student violates the Board's policy governing Administering Noninjectable Medicines to Students and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

5. Handling, Storage, Monitoring Medication Supplies

- a. Medication administered by designated staff and self administered medication must be delivered by the parent, in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated staff in the presence of another public charter school employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the director/administrator immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated staff will follow the written instructions of the physician and parent and training guidelines as may be recommended by ODE for administering all forms of noninjectable medications.
- d. Medication left on site will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the director/administrator and designated staff.

- e. Designated staff will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated staff will notify the parent immediately.

6. Emergency Response

- a. Designated staff will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from staff-administered medication or from student self-medication. The parent and administrator will be notified immediately.
- b. Minor adverse reactions that result from staff-administered medication or from student self-medication will be reported to the parent immediately.

7. Disposal of Medications

- a. Medication not picked up by the parent at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated staff in a nonrecoverable fashion as follows:
 - (1) Medication in capsule, tablet and liquid form will be removed from their original container (destroy any personal information). Crush solid medications, mix or dissolve in water (this applies to liquid as well) and mix with an undesirable substance such as coffee grounds, kitty litter, flour etc., and place it in impermeable non-descriptive containers such as empty cans or sealable bags, placing these containers in the trash. Flush prescriptions down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so (ONDCP Federal Government Guidelines February 20, 2007);
 - (2) Other medication will be disposed of in accordance with established training procedures including sharps and glass.
- b. All medication will be disposed of by designated staff in the presence of another public charter school employee and documented as described in 8. a. below.

8. Documentation and Record Keeping

- a. A medication log will be maintained for each student administered medication by the public charter school. The medication log will include, but not be limited to:
 - (1) The name, dose and route of medication administered, date, time of administration and name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication¹;
 - (4) Emergency and minor adverse reaction incidents¹;

¹Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.

- (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
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- b. All records relating to administration of medicines, including permission slips and written instructions, will be maintained in a separate medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-100(17) and OAR 166-400-0060(29).
 - c. Student medical files will be kept confidential. Access shall be limited to those designated staff authorized to administer medication to students, the student and his/her parents. Information may be shared with staff with a legitimate educational interest in the student or others as may be authorized by the parent in writing.

A director/administrator, teacher or other public charter school employee designated by the director/administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription and/or nonprescription medication as per ORS 339.870.