JLCD Assisting Students With Medicines

Issued 2/17

Purpose: To establish the basic structure for assisting students with medicines.

School personnel will not dispense medications (including aspirin) except as provided below and in administrative procedures developed by the superintendent.

A school’s registered nurse (RN) or his/her designee as selected, trained, and evaluated pursuant to South Carolina law and South Carolina Department of Labor, Licensing, and Regulation guidance may assist students with oral medications during school hours at the written request of the healthcare provider and/or parent/guardian. A witness will be present when the student is being assisted with medication.

Students who bring medication to school to take during the school day must have written parental permission to take the medication. All medication must be properly labeled and in its original container.

Students must keep all medication brought to school in the school office unless they have permission to self-monitor and self-medicate. The school’s registered nurse (RN) or his/her designee will keep the medication secured. Emergency medications may remain unlocked during the school day with the exception of rescue seizure medications that may contain a controlled substance. All other medications will be secured under lock and key with limited access to keys.

Students must keep all medication brought to school in the school office. The school’s registered nurse (RN) or his/her designee will keep the medication in a locked case.

Students will not share any prescription or over the counter medication with another student. Each year, the district will notify students in writing of this prohibition and that violations may result in disciplinary action including, but not limited to, suspension or expulsion.

If a school employs a licensed practical nurse (LPN), a registered nurse (RN) must be available on call (by telecommunications).

The district recognizes the occasional need for students to take medication at school during the school day, enroute to and from school on a district vehicle, or at a school sponsored activity before, during, or after school. Thus in accordance with this policy and administrative rule, eligible students may self-medicate and self-monitor as prescribed by their physician and their individual healthcare plan (IHP) – See JLCDA-
as set forth below, or a registered nurse (RN) or a licensed practical nurse (LPN) may administer medication to students. In the event an RN or LPN is not available, an unlicensed school official trained by an RN may assist students with their medications, consistent with this policy and administrative rule.

The district reserves the right to deny the request of a parent/guardian for student’s participation in this policy and administrative rule for legitimate reasons.

The district recognizes the occasional need for students to take medication at school during the school day, en route to and from school on a district vehicle or at a school-sponsored activity, before, during or after school. Thus, in accordance with this policy and administrative rule, eligible students may either self-monitor and self-administer medication as prescribed in their individual healthcare plan (IHP) as set forth below, or a registered nurse (RN) or a licensed practical nurse (LPN) may administer medication to students. In the event that an RN or LPN is not available, an unlicensed school official trained by an RN may assist students with their medications, consistent with this policy and administrative rule.

The district reserves the right to deny the request of a parent/legal guardian for a student’s participation in this policy and administrative rule for legitimate reasons.

Individual Healthcare Plan (IHP)

The district will provide certain students with special healthcare needs an individual healthcare plan. This plan will meet the needs of the student for health monitoring and care during the school day or at school-sponsored events.

In accordance with this plan, the district will provide the authority for an eligible student to self-monitor and self-administer medication as prescribed by the student’s licensed healthcare practitioner, unless there is sufficient evidence that unsupervised self-monitoring or self-medication would seriously jeopardize the safety of the student or others.

The district will grant permission to self-monitor and self-administer medication based on appropriate written authorization, according to the district’s administrative rule, from the parent/legal guardian and a written statement from the student’s licensed healthcare practitioner who prescribed the medication verifying that the student has a medical condition and has been instructed and demonstrates competency in self-monitoring and/or self-administration of medications.
Authorization for a student to possess on his/her person and administer medication extends to the following settings:

- the classroom and in any area of the school or school grounds
- school-sponsored activities
- in transit to or from school or school-sponsored activities
- during before-school or after-school activities on school-operated property

The parent/legal guardian must sign a statement acknowledging that the district will incur no liability as a result of any injury arising from self-monitoring or self-administering medications or from taking or using medications or self-monitoring devices by the pupil and that the parent/legal guardian will indemnify and hold harmless the district and its employees and agents against any claims arising out of the self-monitoring or self-administration of medication by the pupil.

Adopted 4/25/78; Revised 8/31/82, 12/15/87, 8/11/98, 7/1/03, 6/13/06, 2/14/17,

Legal References:

A. S.C. Code, 1976, as amended:
   1. Section 15-78-60 - Immunity from liability for districts and employees.
   2. Section 44-53-360 - Prescriptions.
   3. Section 40-33-70 - Amends law relating to on-site supervision of a nurse.

B. S.C. Department of Labor, Licensing, and Regulation Advisory Opinions:
   1. South Carolina Board of Nursing, Advisory Opinion #50, Revised March 2016 - Provision of treatment and administration of medications by unlicensed school personnel in the event of a medical emergency.
   2. South Carolina Board of Nursing, Advisory Opinion #51, Revised May 2013 - Unlicensed school personnel performing nursing tasks required for a student to attend school.
   3. South Carolina Board of Nursing, Advisory Opinion #52, Revised May 2013 - Unlicensed school personnel assisting students with medications taken on a routine schedule.
   4. South Carolina Boards of Medical Examiners, Nursing, and Pharmacy, Joint Advisory Opinion Regarding Over the Counter Medications in Schools, Issued September 2013 - Delineating requirements for administration of over the counter medications with and without a prescription.

Legal references:

S.C. Code of Laws, 1976, as amended,
Section 40-33-70—On-site supervision of a nurse.

Sections 59-63-80 and 90—Individual healthcare plans for certain students.