

## Students

### Administering Medicines to Students <sup>1</sup>

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed "School Medication Authorization Form" is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students. <sup>2</sup>

### Self-Administration of Medication <sup>3</sup>

A student may possess an epinephrine auto-injector (EpiPen®) and/or medication prescribed for asthma for immediate use at the student's discretion, provided the student's parent/guardian has completed and signed a "School Medication Authorization Form." The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector or the storage of any medication by school personnel. <sup>4</sup> A student's parent/guardian must indemnify and hold harmless the School District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine auto-injector and/or medication, or the storage of any medication by school personnel. <sup>5</sup>

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<sup>1</sup> All districts must have a policy for administering medication (105 ILCS 5/10-20.14b). State law prohibits school boards from requiring that teachers and other non-administrative school employees administer medication to students; exceptions are certificated school nurses and non-certificated registered professional nurses (105 ILCS 5/10-22.21b).

<sup>2</sup> Each district must inform students (e.g., through homeroom discussion or loudspeaker announcement) about, and distribute to their parents/guardians, the district's policy, guidelines, and forms on administering medicines within 15 days after the beginning of each school year, or within 15 days after starting classes for a student who transfers into the district (105 ILCS 5/10-20.14b). A comprehensive Student Handbook can provide notice to parents and students of the school's rules, extracurricular and athletic participation requirements, and other important information. The Handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

<sup>3</sup> 105 ILCS 5/22-30, as amended by P.A. 96-1460, requires school districts to allow students to *self-administer* their prescribed asthma medication and an epinephrine auto-injector as described. *Self-administer* and *self-administration* mean that a student may carry and use these two medications at his or her discretion: (1) while in school, (2) while at a school sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property.

<sup>4</sup> 105 ILCS 5/22-30(c) requires this information to be in a notification to parents.

<sup>5</sup> 105 ILCS 5/22-30(c) requires parents/guardians to sign a statement: (1) acknowledging the statement from f/n 4 above, and (2) that they must indemnify and hold harmless the school district and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the self-administration of medication by the student or the storage of the medication by school personnel. There are several methods to obtain a parent/guardian's signature for this purpose, e.g., receipt of handbook signature, or see 7:270 E, *School Medication Authorization Form*. Discuss with the board attorney the method that works best for the district.

School District Supply of Epinephrine Auto-Injectors <sup>6</sup>

The Superintendent or designee shall implement Section 22-30(f) of the School Code and maintain a supply of epinephrine auto-injectors in the name of the District and provide or administer them as necessary according to State law. This section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for school epinephrine auto-injectors and a standing protocol from a physician licensed to practice medicine in all its branches, or (2) fill the District's prescription for school epinephrine auto-injectors. <sup>7</sup>

Upon implementation of this subsection and Section 22-30(f) of the School Code, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parents/guardians of students, should rely on the District for the availability of an epinephrine auto-injector. This policy does not guarantee the availability of an epinephrine auto-injector; students and their parents/guardians should consult their own physician regarding this medication.

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

CROSS REF.: 7:285 (Food Allergy Management)

ADMIN. PROC.: 7:270-AP (Dispensing Medication), 7:270-AP2 (Checklist for District Supply of Epinephrine Auto-Injectors), 7:270-E (School Medication Authorization Form)

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<sup>6</sup> Optional. A school board must ensure that it does not adopt this section into the policy unless it is prepared to implement 105 ILCS 5/22-30(f), amended by P.A. 97-361. The law permits a district to maintain a supply of epinephrine auto-injectors in a locked, secure location and use them when necessary. However, obtaining this prescription may be difficult or impossible. The consequences of informing the community that the district will obtain a prescription for a supply of epinephrine auto-injectors and implement a plan for their use, and then not doing it are fraught with legal liabilities and issues.

The superintendent is given broad authority to implement this section; however, several preliminary steps should occur with the assistance of the board attorney. They include, but are not limited to: (1) investigating the feasibility of obtaining a prescription for a supply of epinephrine auto-injectors in the name of the district, and (2) outlining the advantages and disadvantages of implementing this plan based upon each district's individual resources and circumstances, and student population's needs.

<sup>7</sup> Discuss with the board attorney whether the board should remove this sentence when the district reaches full implementation of this section.

## Students

### Administrative Procedure - Checklist for District Supply of Epinephrine Auto-Injectors

- The Superintendent, school nurse, and/or other necessary school officials should consult the Board Attorney to develop a plan to implement Section 22-30)(f) of the School Code.
- Obtain a prescription in the District's name and a standing protocol for a supply of epinephrine auto-injectors pursuant to 105 ILCS 5/22-30(f).
- Designate a locked, secure location(s) for the supply of epinephrine auto-injectors ("supply") pursuant to 105 ILCS 5/22-30(f).
- Develop a method for maintaining an inventory of the supply.  
The inventory should list the expiration dates.
- Identify procedures for a log or other recordkeeping of the provision, or administration of epinephrine auto-injectors from the supply.
- Develop procedures to implement the prescribing physician's standing protocol for the provision, or administration of the supply, including calling 911 and noting any instructions given by Emergency Management Services.
- Determine how the District will identify the student populations whose parents/guardians:
  1. Have not completed and signed a "School Medication Authorization Form," or
  2. Have not provided an epinephrine auto-injector to a student for use at school, even though they have completed the School Medication Authorization Form.
- Determine when the school nurse will provide or administer the supply to students.  
The School Code allows the school nurse to:
  1. Provide an epinephrine auto-injector that meets the prescription on file in the "School Medication Authorization Form" to:
    - a. Any student whose parent/guardian has not provided an epinephrine auto-injector for him or her to use at school, or
    - b. Any personnel authorized under the student's Individual Health Care Action Plan, Food Allergy Emergency Action Plan and Treatment Authorization Form, or Section 504 Plan to administer an epinephrine auto-injector to the student (105 ILCS 5/22-30(b-5), amended by P.A. 97-361). *Any personnel authorized* under these plans is limited to a school nurse, registered nurse, or a properly trained administrator in accordance with Section 10-22.21b of the School Code.
  2. Administer an epinephrine auto-injector to any student that the school nurse in good faith believes is having an anaphylactic reaction even though the parent/guardian has not completed and signed a *School Medication Authorization Form* or otherwise granted permission to administer the epinephrine auto-injector (105 ILCS 5/22-30(b-10), amended by P.A. 97-361).
- Assess how to manage requests from parents/guardians who wish to *opt-out* of the supply being available to their child.  
The School Code does not provide a mechanism for a student or his or her parent/guardian to "opt-out" of the administration of the District's supply of epinephrine auto-injectors when a nurse in good faith professionally believes a student is having an anaphylactic reaction. While there may be religious, health, or other reasons that a student's parent/guardian may wish to "opt-out" of the administration of an epinephrine auto-injector to their child, the law does not provide a way for parents/guardians to do so. Management of this issue should be discussed

with the Board Attorney. For additional guidance on this issue, see policy 7:275, *Orders to Forego Life-Sustaining Treatment*.

- Determine how to notify all parents/guardians about how the supply may be provided or administered to students.

If the District maintains a supply, it must notify parents/guardians of the protections from liability granted to it and the prescribing physician by 105 ILCS 5/22-30(c). There are two groups of parents/guardians that the District must notify: (1) parents/guardians of students who have previously signed a *School Medication Authorization Form*, and (2) parents/guardians of all students.

For parents/guardians who have previously signed the *School Medication Authorization Form*, 105 ILCS 5/22-30(c) requires the District to provide additional notice that the physician providing the standing protocol and prescription for the District's supply of epinephrine auto-injectors is protected from liability, except for willful or wanton conduct arising from the use of an epinephrine auto-injector regardless of whether authorization was given by the student, parent/guardian, or student's physician. Discuss with the Board Attorney whether to amend the District's form(s) to include this language.

For parents/guardians of all students, 105 ILCS 5/22-30(c) requires parents/guardians to be informed that: (1) the District maintains a supply of epinephrine, and (2) the District and the prescribing physician are protected from liability when the school nurse administers epinephrine from the supply to any student when the school nurse in good faith professionally believes the student is having an anaphylactic reaction. There are several methods to inform parent/guardians of this information, e.g., receipt of handbook signature, or see 7:270 E, *School Medication Authorization Form*. Discuss with the Board Attorney the method that works best for the District.

- Develop a system for notifying the parents/guardians of students who received an injection of epinephrine from the District's supply, either through self-administration or from the school nurse.

105 ILCS 5/22-30 is silent regarding this notification to parents/guardians. However, other existing protocols will already require this important notification. Further, it is a best practice. Notification and proper documentation can provide useful information for examining and evaluating risks as well as defending a lawsuit. The standing protocol from the prescribing physician may require completion of his or her designated forms. Determine the best method for notification of parents/guardians with the Board Attorney.

**Students**

**Exhibit - School Medication Authorization Form (Or Similar)**

*To be completed by the child’s parent(s)/guardian(s). A new form must be completed every school year. Keep in the school nurse’s office or, in the absence of a school nurse, the Building Principal’s office.*

Student’s Name: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

*To be completed by the student’s physician, physician assistant, or advanced practice RN (Note: for asthma inhalers only, use the “Asthma Inhalers” section below):*

Physician’s Printed Name: \_\_\_\_\_

Office Address: \_\_\_\_\_

Office Phone: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

Medication name: \_\_\_\_\_

Purpose: \_\_\_\_\_

Dosage: \_\_\_\_\_ Frequency: \_\_\_\_\_

Time medication is to be administered or under what circumstances: \_\_\_\_\_

Prescription date: \_\_\_\_\_ Order date: \_\_\_\_\_ Discontinuation date: \_\_\_\_\_

Diagnosis requiring medication: \_\_\_\_\_

Is it necessary for this medication to be administered during the school day?  Yes  No

Expected side effects, if any: \_\_\_\_\_

Time interval for re-evaluation: \_\_\_\_\_

Other medications student is receiving: \_\_\_\_\_

\_\_\_\_\_  
Physician’s signature

\_\_\_\_\_  
Date

**Asthma Inhalers**

*Parent(s)/Guardian(s) please attach prescription label here:*

***For only parents/guardians of students who need to carry asthma medication or an epinephrine auto-injector:***

I authorize the School District and its employees and agents, to allow my child or ward to carry and self-administer his or her asthma inhaler and/or use his or her epinephrine auto-injector: (1) while in school, (2) while at a school-sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property. Illinois law requires the School District to inform parent(s)/guardian(s) that it, and its employees and agents, incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector (105 ILCS 5/22-30). ***If you agree please initial:*** \_\_\_\_\_

Parent/Guardian

***For all parents/guardians:***

By signing below, I agree that I am primarily responsible for administering medication to my child. However, in the event that I am unable to do so or in the event of a medical emergency, I hereby authorize the School District and its employees and agents, in my behalf, to administer or to attempt to administer to my child (or to allow my child to *self-administer* pursuant to State law, while under the supervision of the employees and agents of the School District), lawfully prescribed medication in the manner described above. **I acknowledge that it may be necessary for the administration of medications to my child to be performed by an individual other than a school nurse and specifically consent to such practices, and**

I agree to indemnify and hold harmless the School District and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration or the child's self-administration of medication.

\_\_\_\_\_  
Parent/Guardian printed name

Address (if different from Student's above): \_\_\_\_\_

Phone: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

Policy Reviewed December 2006  
Policy Revised January 2007  
Policy Reviewed December 2010  
Policy Revised January 2011  
Policy Reviewed January 2012  
Policy Revised February 2012

*Please refer to the Burr Ridge Middle School Student Handbook and the Anne M. Jeans Elementary School Student Handbook for additional procedures and guidelines regarding students.*

