

BOARD AGENDA ITEM

May 27, 2025

SUBJECT:

Policy JLCD Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)

BACKGROUND INFORMATION:

Per the South Carolina Code of Laws (Sections 59-63-80 and 59-63-90, “Each school district shall adopt a policy requiring that students with special health care needs have Individual Health Care Plans (IHPs). This policy must address the administration of medication needed for the student’s specific health care needs, address training requirements specific to the student’s health care needs for school personnel with direct student contact when appropriate as determined by the school nurse and provide information to additional school personnel on recognizing signs and symptoms associated with specific medical conditions. Additionally, the plan must provide for the authorization of a student to self-monitor and self-administer medication as prescribed by the student’s health care practitioner unless there is sufficient evidence that unsupervised self-monitoring or self- medicating would seriously jeopardize the safety of the student or others.”

ADMINISTRATIVE CONSIDERATION:

The proposed revision to Policy JLCD Assisting Students with Medicines aligns the “assisting students with medications” policy to Policy JLCDA Individual Healthcare Plans (IHPs) with the addition of requiring a doctor’s authorization for medications administered more than 14 consecutive days since an IHP is indicated in this instance and a healthcare provider must authorize the IHP. Included are the types of medications appropriate for students to self-administer defined in this policy.

Policy JLCDA Individual Healthcare Plans (IHPs) is referenced in the South Carolina Code of Laws 59-63-80 amended July 1, 2025. This legislation requires districts to adopt a policy requiring IHPs for students with special healthcare needs. Currently, our medication policy mentions IHPs for students with permission to self-monitor/self-medicate, but we do not have a comprehensive IHP policy. Adopting this policy will not change our current practice as we already follow the IHP guidelines published by the South Carolina Department of Education.

RECOMMENDATIONS:

Approve the following policies, second reading:
Policy JLCD Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)

ATTACHMENTS:

Policy JLCD Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)

PREPARED BY:

Monica Mazzell
Carl White
Dr. Salvatore Minolfo

ASSISTING STUDENTS WITH MEDICINES

Code **JLCD** Issued 1/24/25

1 Purpose: To establish structure for assisting students with medications in a school setting.

2
3 When possible, medications should be given by parents/legal guardians before or after school
4 hours. Any prescription medication to be given at school or school related activities must be
5 accompanied by written orders from a healthcare practitioner who is recognized by South
6 Carolina's Department of Labor, Licensing, and Regulation as authorized to prescribe medications.
7 Over the counter medications and herbal/alternative medicinal products will require a written order
8 from a healthcare practitioner if doses are different than the directions as stated on the original
9 label or if they will be given at school more than 14 consecutive days.

10
11 The school nurse will train unlicensed school personnel to assist with routine medications. If the
12 nurse is absent, the school does not have a full time nurse assigned or the nurse is not present in
13 the health office because of other duties or assignments the principal or his/her designee is
14 responsible for assisting students with medications.

15
16 Medications must be brought to the school by a responsible adult and delivered to the school nurse,
17 or in the absence of the nurse, to the school employee designated by the principal. The responsible
18 adult delivering medication to the school may be required to count and sign in medication with the
19 nurse or designated employee.

20
21 Eligible students may be allowed to self-monitor and ~~self-medicate~~ self-administer emergency,
22 life-saving medication (such as epinephrine, albuterol, etc.) or routine, life-sustaining medication
23 (such as insulin, pancreatic enzymes, etc.) as prescribed by the student's healthcare provider with
24 written authorization from the parent/legal guardian unless there is sufficient evidence that
25 unsupervised self-monitoring or self-medication self-administering would seriously jeopardize the
26 safety of the student or others. Students are not allowed to self-administer over-the-counter
27 medication, dietary or herbal supplements, or homeopathic treatments. The decision to allow the
28 recommendation of the student's healthcare practitioner will be determined by the school team
29 comprised of the parent/legal guardian, school nurse, physician, and the school administrator. The
30 registered nurse will write an individual healthcare plan which meets the needs of students for
31 health monitoring and care during the school day or at school sponsored events.

32
33 Unlicensed school employees may be trained by the school nurse to provide emergency medication
34 to students with an identified chronic health condition.

35
36 Use of lifesaving medications is addressed in Policy JLCDB Use of Lifesaving Medications.

37
38 Schools will comply with state law regarding prescriptions for controlled substances in Schedules
39 II through IV and administrative rule JLCD-R.

Legal References:

- A. S.C. Code of Laws, 1976, as amended:
 - 1. Section 15-78-60 – Immunity from liability for districts and employees.
 - 2. Section 40-33-44 – On-site supervision of a licensed practical nurses (LPN).
 - 3. Section 40-33-42 – Delegation of nursing tasks to unlicensed assistive personnel.
 - 4. Section 59-63-80, et seq. – Requires board to develop policy for individual healthcare plans for certain students.
 - 5. Section 59-63-95 – Administration of lifesaving medications in schools.
- 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.
- C. Other:
 - 1. South Carolina Department of Education, Office of Nutrition Programs, *Frequently Asked Questions about Students Self-Medicating and Self-Monitoring* (September 2015).

INDIVIDUAL HEALTHCARE PLANS (IHPs)

Code **JLCDA** Issued **5/25**

Definitions

Emergency action plan is a plan for handling emergency situations that may occur due to a student's medical diagnosis during the school day or at school sponsored functions.

Individual healthcare plan is a plan of care designed specifically for an individual student to provide for meeting the health monitoring and care of the student during the school day or at school sponsored functions.

Seizure action plan is an emergency action plan signed by the student's health care provider that supplements the individualized health plan provided by the parent or legal guardian of a student diagnosed with a seizure disorder.

The district will provide certain students with special healthcare needs with an individual healthcare plan (IHP) when a student's healthcare provider deems it appropriate and with written authorization from the parent/legal guardian. The IHP may include an emergency action plan (EAP) and a seizure action plan (SAP) and will meet the student's needs for health monitoring and care during the school day or at school-sponsored events.

The parent/legal guardian will sign a statement acknowledging that the district will incur no liability as a result of any injury arising from the development, coordination, or implementation of the IHP and any associated action plans and that the parent/legal guardian will indemnify and hold harmless the district and its staff members and agents against any claims arising from the development, coordination, or implementation of the IHP.

The IHP and any associated authorizations from the student's parent/legal guardian and healthcare practitioner must be kept on file in the office of the school administrator or school nurse.

At the beginning of the school year, the district will send a notice developed by the South Carolina Department of Education to all parents/legal guardians that notifies them of available services and rights pursuant to Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, and medical homebound regulations. Any of these services for which a student is eligible will be provided in addition to and in conjunction with the IHP and any associated action plans.

Student Self-Administration of Medication

In accordance with an IHP, students may be authorized to self-monitor and self-administer emergency, life-saving medication (such as epinephrine, albuterol, etc.) or routine, life-sustaining medication (such as insulin, pancreatic enzymes, etc.) as prescribed by the student's healthcare provider with written authorization from the parent/legal guardian for the student to self-monitor or self-administer medication. A written statement from the student's healthcare provider verifying that the student has a medical condition and has been instructed and demonstrates competency in self-monitoring or self-administration of medication will also be required. Students are not allowed to self-administer over-the-counter medication, dietary or herbal supplements, or homeopathic treatments.

Receipt of the above will authorize a student to possess and administer medication while in the classroom or on school grounds, at a school-sponsored activity, in transit to and from school or

50 school-sponsored activities, or during, before-, or after-school activities on school-operated
51 property. The authorization will remain in effect for the school year in which it is granted and must
52 be renewed each school year thereafter.

53
54
55 All students who will be self-administering medication should have an up-to-date IHP on file. The
56 district may revoke a student's permission to self-monitor or self-administer medication if the
57 student endangers himself/herself or others through misuse of the monitoring device or medication
58 or if unsupervised self-monitoring or self-medicating would seriously jeopardize the safety of the
59 student or others.

60
61 The parent/legal guardian will sign a statement acknowledging that the district will incur no
62 liability as a result of any injury arising from taking or using medications or self-monitoring
63 devices by the student and that the parent/legal guardian will indemnify and hold harmless the
64 district and its staff members and agents against any claims arising out of the self-monitoring or
65 self-administration of medication by the student.
66

Legal References:

- A. United States Code of Laws, as amended:
 - 1. Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, *et seq.*
 - 2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, *et seq.*
- B. S.C. Code of Laws, 1976, as amended:
 - 1. Section 15-78-60 - Immunity from liability for districts and employees.
 - 2. Section 59-63-80, *et seq.* - Requires board to develop policy for individual healthcare plans for certain students.
- C. Other:
 - 1. South Carolina Department of Education, Office of Nutrition Programs, Frequently Asked Questions about Individual Health Care Plans (March 2019).