

BOARD AGENDA ITEM

May 13, 2025

SUBJECT:

Policy JLCD Assisting Students with Medicines
Administrative Rule JLCD-R Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)
Administrative Rule JLCDA-R 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 revisions to Policy JLCD Assisting Students with Medicines and Administrative Rule JLCD-R Assisting Students with Medicines align the "assisting students with medications" policy to Policy JLCDA Individual Healthcare Plans (IHPs) and Administrative Rule JLCDA-R 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) and Administrative Rule JLCDA-R Individual Healthcare Plans (IHPs) are 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, first reading:
Policy JLCD Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)

Approve the following administrative rules:
Administrative Rule JLCD-R Assisting Students with Medicines
Administrative Rule JLCDA-R Individual Healthcare Plans (IHPs)

ATTACHMENTS:

Policy JLCD Assisting Students with Medicines
Administrative Rule JLCD-R Assisting Students with Medicines
Policy JLCDA Individual Healthcare Plans (IHPs)
Administrative Rule JLCDA-R Individual Healthcare Plans (IHPs)

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ASSISTING STUDENTS WITH MEDICINES

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

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

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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.

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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.

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

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

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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).

ASSISTING STUDENTS WITH MEDICINES

Code **JLCD-R** Issued **5/225/25**

Medications in Schools

Students who require medication during school hours to maintain and support their presence in school will receive the medication in a safe manner. Medication will be administered by a registered nurse (RN) or unlicensed assistive personnel (UAP) who is a school employee trained by the RN, if the RN is not available. All medications will be maintained in the health room except in special circumstances addressed in a student's Individual healthcare Plan (IHP). A student may not carry any medication on his/her person without school district permission ~~to self-administer and self-monitor~~.

Medications delivered to the school must be in the original container with all labels intact. Prior to administering any medication, the school must receive the following.

- the district's "Permission for Medication" form signed by the parent/legal guardian
- a healthcare practitioner's order for all prescription medications ~~and all over the counter medications and herbal/medicinal products if dosages are different from the directions as stated on the original label.~~
- A healthcare practitioner's order for all over the counter medications and herbal/medicinal products if dosages are different from the directions as stated on the original label or if administered at school more than 14 consecutive days

~~Parent/Legal guardian signature will be required for all nonprescription medication.~~

The parent/legal guardian must deliver the medication to the nurse, principal or UAP.

All prescription medication must be in the original prescription container labeled with the following typed information.

- student's name
- name of medication
- time to be administered
- dosage
- strength
- directions for use
- physician's name
- date filled
- pharmacy name, address and phone number

Over the counter (not prescribed) medication may be provided by the parent/legal guardian if it is in the original container, is clearly labeled with the student's name and is accompanied by a "Medication Permission" form signed by the parent/legal guardian.

"Permission for Medication" forms will be updated at the beginning of the school year and/or as required by changes in the prescription.

The parent/legal guardian of the student must assume responsibility for informing the nurse of any change in the student's health or change in medication.

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When the medication has been given according to the prescribed order, neither the district nor its personnel will be held liable in the event of an adverse reaction.

The school will be responsible for the safekeeping of the medication. Except in special circumstances addressed in a student's Individual healthcare Plan (IHP), aAll medication will be kept in a locked cabinet or drawer and will only be accessible to the nurse, principal or designee.

Controlled substances accepted by the school may not exceed a one month supply. Controlled substances will be counted upon receipt and weekly thereafter to assure doses have been administered according to the prescription and school days attended. The school nurse will report any discrepancies to the school principal, who will investigate and take appropriate corrective action. A "Medication Incident Report" will be completed and reported to the district school nurse supervisor. If drug diversion is suspected, pursuant to the Guidelines for Administration and Security of Controlled Substances in School Settings (DHEC 6/96), local law enforcement authorities and the DHEC Bureau of Drug Control should be notified. Discrepancies will be documented in the student's medication record.

The school district retains the discretion to reject requests for assisting students with medication.

Any unused medications should be picked up by the parent/legal guardian within one week of the termination of treatment no later than the end of the last day of school. The school nurse will destroy any medication not picked up after the last day of school. When unused medication is destroyed, the disposition will be documented on the medication record. Documentation should include the prescription number; drug name, strength and quantity; date and method of destruction; reason for destruction; and signature of the nurse and the witness to the destruction of the drug.

Self-Medication and Self-Monitoring

The district may authorize a student to self-medicate and self-monitor emergency lifesaving medications or routine life-sustaining medications prescribed by the healthcare provider in collaboration with the RN and parent/legal guardian.

The student granted permission to self-medicate and self-monitor is considered to have a special healthcare need and will require an Individual Healthcare Plan (IHP) written by the RN with input from the healthcare practitioner who prescribed the medication/treatment. The IHP will provide guidance when the student requires health monitoring and care during the school day or at school sponsored functions.

All medication authorized to be carried by the student must be maintained in the original container labeled, according to state law and district policy and procedures, by the pharmacist who filled the prescription.

Written statements from the healthcare practitioner, the parent/legal guardian and the student will be kept in the office of the school nurse. The permission may be revoked if the student endangers him/herself and if the medication or monitoring device is improperly used. It will remain in effect for the school year in which it is granted and must be renewed and resubmitted each school year thereafter.

~~Permission to self-medicate and self-monitor is only effective for the school year in which it is granted and must be resubmitted each school year thereafter.~~

Emergency Medications (Life Threatening Situations)

Medication will be routinely administered to students by the RN; however, in the event of an emergency, an unlicensed school employee trained by the RN may administer medication to

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students who have a history of serious allergic reaction or a health condition which may require specific medication(s) for certain life threatening circumstances.

Field Trips

Parents/Legal guardians of students who require medical attention must notify the teacher prior to a scheduled field trip. The teacher will consult with the RN to determine how to accommodate the needs of the student on the trip. Only employees of the Consolidated School District of Aiken County will be allowed to administer medications needed on a field trip.

Unlicensed Assistive Personnel (UAP)

The RN may train, determine the competency of and evaluate the UAP for assisting students with medications in situations when the RN is absent or not available. Assisting with medication does not include injectable medications such as insulin or initial doses of medication due to the risk of anaphylaxis and/or other serious reactions.

Following training by the RN, unlicensed school employees may assist students with regularly scheduled medications during school, en route to and from school on district vehicles or at school sponsored functions before, during or after school if the RN is not available. The RN must be made available via a telecommunication device to answer questions that the unlicensed school employee trained by an RN may have when assisting students with medications in the absence of the RN. The UAP must complete training for assisting students with medications annually.

Issued 7/26/76; Revised 10/26/82, 3/22/94, 5/26/94, 2/8/00, 4/23/02, 6/27/06, 8/12/14, 5/24/22,
5/13/25

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.
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56 All students who will be self-administering medication should have an up-to-date IHP on file. The
57 district may revoke a student's permission to self-monitor or self-administer medication if the
58 student endangers himself/herself or others through misuse of the monitoring device or medication
59 or if unsupervised self-monitoring or self-medicating would seriously jeopardize the safety of the
60 student or others.
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62 The parent/legal guardian will sign a statement acknowledging that the district will incur no
63 liability as a result of any injury arising from taking or using medications or self-monitoring
64 devices by the student and that the parent/legal guardian will indemnify and hold harmless the
65 district and its staff members and agents against any claims arising out of the self-monitoring or
66 self-administration of medication by the student.

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).

INDIVIDUAL HEALTHCARE PLANS (IHPS)

Code **JLCDA-R** Issued **5/25**

An individual healthcare plan (IHP) is a plan of care designed specifically for an individual student to address the health monitoring and care of the student during the school day or at school-sponsored functions. An IHP is required for students with special health care needs. Special health care needs are defined as chronic health conditions requiring treatments, procedures, medications, and/or monitoring that must be performed by school staff and that are:

- complicated and/or lengthy
- require several contacts with the nurse or health assistant during the school day
- needed to prevent death or disability on an emergent basis
- needed for students who have medically fragile health conditions
- administered at school > 14 consecutive days

Development of IHPs

The development of an IHP requires an assessment of a student's health condition, identification of potential or existing health problems that need to be addressed at school, the development of goals and the actions that should be taken to meet them, and a method for evaluating the outcomes of care that is provided. IHPs must be developed and coordinated by a registered nurse (RN), however, a licensed practical nurse (LPN) may assist the RN in collection of data for the IHP.

The IHP will be developed with input from, and the approval of, the following individuals:

- student's healthcare provider who prescribed the medication, treatment, procedure, or monitoring
- parent/legal guardian
- student, if appropriate
- school nurse and other designated school staff member(s)

When possible, an IHP should be ready for implementation on the first day the student will attend school or within a reasonable time following the diagnosis requiring an IHP.

Contents of an IHP

The student's IHP will contain components as required by the South Carolina Department of Education, including the:

- student's name and date of birth
- student's medical diagnoses
- summary of the student's health assessment data
- identification of the student's health problems/nursing diagnoses
- goals related to the identified health problems/nursing diagnoses
- actions to be taken during the school day or at school-sponsored functions to address the health problems/diagnoses and either the names or the identifying titles of the individuals who will be responsible for carrying out those actions (when the identifying titles are used, the names of the individuals responsible must be recorded in the student's health record)
- expected outcomes for the student based on the actions outlined in the IHP
- plans for handling emergency situations that may occur as a result of a student's medical diagnosis at school or at school-sponsored functions (if applicable)

- special considerations (equipment, medication, and so forth) for a student's participation in physical activities or sports (if applicable)
- procedures to ensure safety and appropriate health services:
- when the student is in transit to or from school or school-sponsored activities when vehicles owned or leased by the school district are being used
- during before-school or after-school activities conducted by the school on school property
- during school-sponsored field trips and any other school-sponsored activity in which the student is a participant officially representing the school
- date that the plan is to be reviewed
- documentation of approval of the IHP by the student's healthcare provider, parent/legal guardian, school nurse and other designated school staff member(s), and, if appropriate, the student

Adopted 5/13/25