

## STUDENTS

### **STUDENT WELFARE – Health Services – Administering Medication**

~~Prescription medication may be given during the school day to students during a medically documented temporary condition, in a medical crisis, and/or to students with chronic illness and disability. 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 *Medication Permission 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.~~

~~Schools may permit student self-administration of a prescribed medication by a pupil with asthma or the use of an epinephrine auto-injector by a pupil at risk of anaphylaxis. Parents/guardians must provide the school with written authorization for a student's use of an epinephrine auto-injector along with a written statement from the prescribing physician including the name, purpose and dosage and any special circumstances under which the auto-injector may be used. The District must notify the parents and the parents must sign a statement that they will indemnify and hold harmless the school, its employees and agents against all claims, except any based on willful and wanton conduct, arising from or in connection with the use of the auto-injector by the student.~~

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~~District 186 schools may maintain a supply of epinephrine auto-injectors in a secure location and administer their use in accordance with Section 5/22-30 of the Illinois School Code.~~

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~~After injections, emergency responders and parents shall be notified.~~

~~When an epinephrine auto-injector is administered to a student who the school staff believes in good faith is having an anaphylactic reaction, notwithstanding the lack of notice to the parents or guardians of the pupil or the absence of the parents or guardians signed statement acknowledging no liability, the District, its employees, and agents, shall incur no liability for any injury arising from the use of an epinephrine auto-injector.~~

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~~Non-prescription medication is not to be administered in the school, unless prescribed by a doctor.~~

#### **Self-Administration of Medication**

~~A student may possess and self-administer an epinephrine injector, e.g., EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed a Medication Permission Form. The Superintendent or designee will ensure an Emergency Action Plan is developed for each self-administering student.~~

~~A student may self-administer medication required under a *qualifying plan*, provided the student's parent/guardian has completed and signed an *SMA Form*. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or (5) a plan pursuant to the federal Individuals with Disabilities Education Act.~~

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The 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, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless the 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 injector, asthma medication, and/or a medication required under a qualifying plan.

### **School District Supply of Undesignated Asthma Medication**

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated asthma medication in the name of the District and provide or administer them as necessary according to State law. *Undesignated asthma medication* means an asthma medication prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated asthma medication to a person when they, in good faith, believe a person is having *respiratory distress*. Respiratory distress may be characterized as *mild-to-moderate* or *severe*.<sup>[3]</sup> Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

### **School District Supply of Undesignated Epinephrine Injectors**

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated epinephrine injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine injector* means an epinephrine injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

### **Administration of Medical Cannabis**

The Compassionate Use of Medical Cannabis Program Act<sup>[2]</sup> allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old<sup>[3]</sup> and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
  - a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
  - b. Copies of the registry identification cards are provided to the District;
  - c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
  - d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.
2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.
3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

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*Medical cannabis infused product* (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the District or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The District may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

### **Void Policy**

The *School District Supply of Undesignated Asthma Medication* 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 undesignated asthma medication from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school asthma medication.

The *School District Supply of Undesignated Epinephrine Injectors* 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 undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine injectors.

The *Administration of Medical Cannabis* section of the policy is void and the District reserves the right not to implement it if the District or school is in danger of losing federal funding.

### **Administration of Undesignated Medication**

Upon any administration of an undesignated medication permitted by State law, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

### **Undesignated Medication Disclaimers**

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.  
 105 ILCS 145/, Care of Students with Diabetes Act.  
 410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act, and scheduled to be repealed on July 1, 2020.  
 720 ILCS 550/, Cannabis Control Act.  
 23 Ill.Admin.Code §1.540.

CROSS REF.: 720.032 (Food Allergy Management)ff