

5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. However, in order for many pupils with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents and legal guardians are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of pupils. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to pupils in school by a registered nurse, a certified or noncertified school nurse, a substitute school nurse employed by the district, the pupil's parent(s) or legal guardian(s), a pupil who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a pupil for asthma, diabetes or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent(s) or legal guardian(s).

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the Department of Education in consultation with the Department of Health when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse, or any other officer or agent of the Board of Education, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine to the pupil.

The parent(s) or legal guardian(s) of the pupil must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the pupil and the parent(s) or legal guardian(s) shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the pupil.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to pupils for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

The school nurse or trained designee, including a volunteer licensed athletic trainer, shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis when the nurse, or trained designee, or volunteer licensed athletic trainer, in good faith, believes that the student is having an anaphylactic reaction. This includes students whose parents/guardians have not submitted prior written permission or obtained prescribed medication.

The district shall maintain a supply of epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or an advanced practice nurse in a secure but unlocked and easily accessible location. The supply of epinephrine auto-injectors shall be accessible to the school nurse and trained designees for administration to a student having anaphylactic reaction.

Each school in the district shall have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with State Department of Education regulations. Every pupil that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the pupil's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All pupil medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by pupils. In those instances the medication may be retained by the pupil with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with such information about the medication and its administration as may be in the pupil's best educational interests. The school nurse may report to the school physician any pupil who appears to be affected adversely by the administration of medication and may recommend to the Principal the pupil's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a pupil. Pupils self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the pupil during the school activity when the pupil self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the pupil's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;
18A:40-12.8

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

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A. Definitions

1. “Medication” means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. “Administration” means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. “Self-administration” means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to pupils with asthma, other potentially life-threatening illnesses or life-threatening allergic reaction.
4. “Life-threatening illness” means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life, i.e. the use of adrenaline injection in anaphylaxis.
5. “A pre-filled auto-injector mechanism containing epinephrine” is a medical device used for the emergency administration of epinephrine to a pupil for anaphylaxis.
6. “Epinephrine” (adrenaline) is a drug that can be successfully utilized to counteract anaphylaxis.
7. “Asthma” is a chronic lung condition caused by narrowing or blockage of airways in the lungs.
8. “Noncertified school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the Department of Education.
9. “Substitute school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9B-7.6.

10. “School physician” means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the district medical inspector in N.J.S.A. 18A:40-4.1.
 11. “Advanced practice nurse” means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
 12. “Certified school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Certificate with a school nurse endorsement, school nurse, or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9B-14.3 and 14.4.
- B. Permission for Administration by a School Nurse or Registered Nurse
1. Permission for the administration of medication in school or at school-related events will be given only when it is necessary for the health and safety of the pupil.
 2. Medication will not be administered to a pupil who is physically unfit to attend school or has a contagious disease. Any such pupil should not be permitted to attend school and may be excluded in accordance with Policy 8451.
 3. Parent(s) or legal guardian(s) requests for the administration of medication in school must be made in writing and signed by the parents or legal guardian.
 4. The parent(s) or legal guardian(s) must submit a certified statement written and signed by the pupil's physician. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,
 - e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,

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- d. The parent(s) or legal guardian(s) must sign a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the pupil and the parent(s) or legal guardian(s) shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism.
- e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above.
- f. The school nurse shall be responsible for the placement of the pupil's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school function. The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed.
- g. The school nurse or trained designee shall be promptly available on site at the school and school sponsored functions in the event of an allergic reaction.
- h. The school nurse or trained designee shall arrange for the transportation of the pupil to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.
- i. In accordance with the provisions of N.J.S.A. 18A:40-12.5.f, the school nurse or a designated employee trained to administer epinephrine via a pre-filled auto-injector mechanism is permitted to administer epinephrine via a pre-filled auto-injector mechanism to any pupil without a known history of anaphylaxis or to any pupil whose parent has not met the requirements outlined above when the school nurse or trained designee in good faith believes the pupil is having an anaphylactic reaction.
- j. Each school in the district will maintain in a secure, but unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician, and that is accessible to the school nurse and trained designees for administration to a pupil having an anaphylactic reaction.

D. Permission for Self-Administration of Medication

Permission for self-administration of medication of a pupil with asthma or other potentially life-threatening illnesses or a life-threatening allergic reaction may be granted under the following conditions:

1. Parent(s) or legal guardian(s) of the pupil must provide the school nurse written authorization for the self-administration of medication.
2. The parent(s) or legal guardian(s) of the pupil must also provide the school nurse with a signed written certification from the physician of the pupil that the pupil has asthma or another potentially life threatening illness or is subject to a life-threatening allergic reaction and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The pupil's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the pupil for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the pupil would not be able to attend school.
3. The parent(s) or legal guardian(s) of the pupil have signed a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parent(s) or legal guardian(s) shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the pupil;
4. The parent's and/or legal guardian's written authorization and the physician's written certification shall be reviewed by the school nurse. The school nurse must agree the pupil is capable of self-administration of medication. If it is determined the pupil may self-administer medication:

- a. The request for the administration of medication must be made to the school nurse prior to any self-administration of medication.
 - b. The parent(s) or legal guardian(s) will be informed of the reason for a denied request; a denied request may be appealed to the district medical inspector.
5. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
 6. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in 1. through 4. above.

E. Custodianship of Medication

1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent(s) or legal guardian(s).
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of pupils' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the pupil's parent(s) or legal guardian(s).
 - e. After reasonable efforts to have the parent(s) or legal guardian(s) retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or six (6) school weeks after the pupil stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a pupil:
 - a. Time being of the essence in cases of asthma, other potentially life threatening illness, or a life-threatening allergic reaction, all medications to be self-administered by a pupil must be kept in the pupil's possession.
 - b. No pupil may possess medication for self-administration unless the proper permission has been granted by the school nurse and a record of the medication is on file in the office of the school nurse.

- c. Pupils who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other pupils. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the pupil, shall not cause severe illness or death.
- d. Pupils who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the pupil's school day.
- e. Notwithstanding any other law or regulation, a pupil who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, at all times, provided the pupil does not endanger himself or other persons through misuse.

F. Administration of Medication

- 1. No medication shall be administered to or taken by a pupil in school or at a school-sponsored event except as permitted by Board policy and this regulation.
- 2. Medication will only be administered to pupils in school by a registered nurse, a certified or noncertified school nurse, a substitute school nurse employed by the district, a pupil who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.
- 3. When practicable, self-administration of medication should be observed by the school nurse.
- 4. Pupils self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the pupil during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.
- 5. When a pupil attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the pupil's parent(s) or legal guardian(s) will be invited to attend. If neither the school nurse nor the parent(s) or legal guardian(s) can attend and the pupil does not have permission to self-administer medication and there is a risk that the pupil may suffer injury from lack of medication, the pupil may be excused from the event.

G. Emergencies

1. Any medical emergency requiring medication of pupils will be handled in accordance with Policy No. 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a pupil to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3).
2. Nothing in N.J.S.A. 18A:40-12.6 prohibits the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis by the school nurse or other trained designated employees pursuant to N.J.S.A. 18A:40-12.6 when the pupil is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medicine, or when the epinephrine is administered pursuant to N.J.A.C. 18A:40-12.5.

H. Records

The school nurse shall include the following in a pupil's health record:

1. The approved written request for the administration or self-administration of medication;
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report pupil self-administration of medication;
4. Any side effects that resulted from the administration of medication; and
5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent(s) or legal guardian(s) removed the medication or, if the parent(s) or legal guardian(s) failed to remove the medication, the medication was destroyed and the date on which that occurred.

I. Notification

1. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with information about the medication and administration when such release of information is in the pupil's best educational interest.
2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of pupils who have been given permission to self-administer medication.
3. The school nurse will inform the pupil's parent(s) or legal guardian(s) of any difficulty in the administration of medication or any side effects.
4. The school nurse will report to the school physician any pupil who appears to be adversely affected by the medication.

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