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Agora Cyber Charter School

Board of Trustees Policy

ADMINISTRATION OF MEDICATION/ MEDICAL EQUIPMENT OFF-SITE POLICY

The Board of Trustees of the Agora Cyber Charter School ("Charter School") recognizes that field trips, before/after school and summer programs and testing site activities present challenges to the Charter School health program. The Charter School is cognizant of the fact that regardless of setting or time of the year, all federal and state laws and regulations, and clinical standards that govern the practice of safe medication administration continue to apply. For example, taking medication from the original container and placing it in another container or envelope and re-labeling it for administration by Charter School personnel could be considered dispensing. Dispensing medications is not within the scope of nursing practice.

Section 504 of the Rehabilitation Act of 1973 has been interpreted to require that students with disabilities have access to non-academic services such as field trips and cannot be denied access to school programs and activities based on that disability. When participating in school-sponsored programs and activities, students are eligible to receive the same needed service that they receive during the regular school day. This requires planning in advance, especially if the program/activity includes overnight stays or travel out of state. The Charter School may not request that a parent/guardian sign a waiver of liability as a condition to administer medication during these events. In the case of a Charter School trip, the Parent may be asked to accompany the child but the Charter School cannot require the parent to do so. Administration of medications is a support service that must be provided.

Given the significant increase in students with special health care needs, including medication administration, Charter School policy requires that planning for school-sponsored activities is:

- 1) Initiated before school starts or early in the year; and
- 2) The product of collaboration between school administrators, teachers and nurses, as well as families, school medical advisors, and community health care providers, as appropriate.

Schools need to use professional judgment and creativity in finding the proper balance between requirements for safety and the personal risk-taking that is reasonable in order for the student to participate. Some considerations when planning for medication administration during school-sponsored programs and activities include the following:

- Consider assigning school health staff to be available, for example a licensed supplemental staff person (RN, LPN). (If the activity occurs during school hours, plans need to be in place to provide coverage for the staff person's regular duties.)
- Contact the Intermediate Unit for a licensed person from a substitute list.
- Contract with a credible agency that provides temporary nursing services.
- Utilize licensed volunteers (with all current criminal and child abuse clearances) via formal agreement that delineates responsibilities of both the Charter School and the individual volunteer.
- Address with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of dose.
- Arrange for medications to be provided in an original, labeled container and given according to Charter School policy. Have parent/guardian ask the pharmacist to provide a properly labeled, original container with only the amount of medication that will be needed for that specific test site date, field trip, event, etc.
- Ensure security procedures are in place for the handling of all medications.

Students with Diabetes

Act 86 of 2016 added Sections 1414.3 – 1414.8 to the Public School Code and is a voluntary option (not mandated) for schools. If schools choose to opt into Act 86 they must be sure to **read Act 86 at:**

<http://www.health.pa.gov/My%20Health/School%20Health/Documents/Chronic%20Disease/Diabetes/Act%2086%20of%202016-%20PSC.pdf> **and the Diabetes in School Children, Recommendations and for School Personnel Resource Guide at**
http://www.health.pa.gov/My%20Health/School%20Health/Documents/Chronic%20Disease/Diabetes/Final%20Diabetes_In_School_Children.pdf.

Act 86 permits school nurses, in consultation with their chief school administrator or a designee, to identify at least one school employee ("Identified Employee") in each school building attended by a student with diabetes to be designated in a student's service agreement or Individualized Education Program (IEP), to administer diabetes medications, use diabetes monitoring equipment, and provide other diabetes care. If the school building attended by a student with diabetes does not have a school nurse assigned to carry the caseload full-time, the chief school administrator may consult with the school nurse to identify a school employee.

The Identified Employee should not be the school nurse, and does not need to be a licensed health care practitioner. The Identified Employee may decline the responsibility and related directives. An Identified Employee is required to complete annual education in specifically-identified areas through educational modules developed by the Pennsylvania Department of Health (DOH) in consultation with the Pennsylvania Department of Education (PDE), annual education offered by a licensed health care practitioner with expertise in the care and treatment of diabetes that includes information substantially similar to that in the educational modules, or both.

A school employee who is not a licensed health care practitioner and who has successfully completed the education modules or annual education may be designated in a student's service agreement or IEP. School employees who are not licensed health care practitioners shall only be authorized to administer diabetes medications via injection or infusion following annual education by a licensed health care practitioner with expertise in the care and treatment of diabetes and following the school entity's receipt of written authorization from both the student's health care practitioner and parent or guardian that an educated school employee, who is not a licensed health care practitioner, may administer specified medications.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.