



516 STUDENT MEDICATION AND TELEHEALTH

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering any medication (prescription, non-prescription, and complementary, holistic) to all students at school during regular school hours.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require medication or telehealth for chronic or short-term illness or health conditions during school hours. This medication enables students to remain in school and participate in their education. Although the school believes that medication should be given outside of school hours whenever possible; the district will provide administration of medication for any student if the parent/legal guardian is willing to comply with requests for authorization and provision of information for prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health personnel, principal, unlicensed assistive personnel, or teacher will administer all prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures. Self-administration of medication may be allowed if certain conditions are met.

III. DRUG AND MEDICATION REQUIREMENTS

- A. The administration of prescription, complementary, and holistic medication or drugs at school requires a completed signed request from the student's parent *and* the student's physician or licensed prescriber before the medication will be given.

Licensed prescribers include; physicians, advanced practice nurses (CNS, NP, CRNA, nurse midwives), Physician's Assistant under the direction of a physician, Dentist, Podiatrist, Osteopath, Psychiatrist.

- B. All medication must be brought to school by an adult in the original container. Prescription medication must be labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label. If the medication dosage requires that pills be cut in half, the medication must be brought to school already cut (by the parent or pharmacist). Parents or guardians are responsible for their child's supply of medication.
- C. The administration of non-prescription medication requires a completed, signed request from the student's parent. If the dosing requested by the parent exceeds package recommendations, then a signed request is also required from the student's physician or licensed prescriber.



Non-prescription medications must be presented in their original container, with student's name written on it. Baggies or other containers will not be accepted. The school district does not provide any medication for student or staff use.

Products containing cannabidiol (CBD) or other cannabinoid derived from industrial hemp, including prescribed and non-prescribed medications, are prohibited, except that such products may be allowed if the product is FDA-approved and is prescribed by a licensed prescriber.

- D. A "Medication Authorization form" must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs, this includes discontinuation of a prescription medication. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes section 152.22, Subd. 6.
- E. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- F. All student medications, prescription and nonprescription, are to be kept and administered within the health office unless self-administered by the student, assigned to other district staff for administration, subject to exceptions listed in paragraph L 1-7, medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan). All medications, with the exception of approved self-administered, will be stored securely in the Health Office of each building.

Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).

- G. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- H. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan, or IHP.
- I. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications forms in the health records



section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

- J. Planning for students with conditions that require medication of field trips during the school day will be done prior to the day of the field trip. It is the teacher's and parent/guardian's responsibility to inform the office in advance of a field trip. The teacher or trained school employee can carry and administer the medication
- K. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- L. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.
- M. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine, are not subject to this policy;
 - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease medications or emergency non-syringe epinephrine auto-injector pens can be self-administered by a student with an asthma inhaler if;



- a. The school district has received a written authorization from the student's parent and physician permitting the student to self-administer the medication;
- b. the inhaler medication is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student, except in emergency situations when the student is unable to self-administer.
- d. the prescribing professional and licensed school nurse has met with the student and assessed their knowledge and skills to safely possess and use an asthma inhaler or Epi-pen in a school setting.

The parent must submit written authorization for the student to self-administer the medication each school year. The parent or guardian is responsible for maintaining the supply of asthma or reactive airway or Epi-pen medications. The school district does not provide any medications. The school district may revoke a student's privilege to possess and self-administer these medications if the school district determines that the student is abusing the privilege. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities;
 - or
 - c. that are used in connection with activities that occur before or after the regular school day are not governed by this policy.
7. Nonprescription Medication-secondary student. A secondary (grades 7-12) student may possess and use non-prescription pain relief medication in a manner consistent with the labeling if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its



active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an Emergency Action Plan individualized written health plan for a student who is prescribed epinephrine delivery systems that enables the student to:
 - a. possess epinephrine delivery systems; or
 - b. have immediate access to epinephrine delivery systems in close proximity to the student at all times during the instructional day, if the parent and prescribing medical professional determine the student is unable to possess the epinephrine.

The plan must designate the school staff responsible for implementing the student's emergency action health plan, including recognizing anaphylaxis and administering epinephrine delivery systems when required, consistent with state law. This health plan may be included in a student's § 504 plan.

- N. "Parent" for students 18 years old or older is the student.
- O. Districts and schools may obtain and possess epinephrine delivery systems to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

The school district does not supply ANY medication, including Epi-pens.

A district or school may enter into arrangements with manufacturers of epinephrine delivery systems to obtain epinephrine delivery systems at fair-market, free, or reduced prices.

A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine delivery systems.

- P. Procedure regarding unclaimed drugs or medications.
 1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused



prescription drugs or medication will occur at least annually, but may occur more frequently at the discretion of the school district.

2. If unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes § 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes § 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH

- A. Beginning October 1, 2024, to the extent the space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.
- B. The space must provide a student privacy to receive mental health care.
- C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
- D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.



Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.21 (School Health Services)
Minn. Stat. § 121A.216 (Access to Space for Mental Health Care through Telehealth)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine delivery systems; Model Policy)
Minn. Stat. § 121A.207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine delivery systems)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 148.171 (Definitions; Title)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.22 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Rule 8710.6100 (School Nurse)
20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Act)
29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

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