

## **Administering Medications to Students**

School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours.

Medication, other than medical marijuana, may be administered to students by school personnel whom a district school nurse has trained and delegated the task of administering such medication. For purposes of this policy, the term “medication” includes both prescription medication and nonprescription medication, but does not include medical marijuana. The administration of medical marijuana shall be in accordance with the Board’s policy on administration of medical marijuana to qualified students.

The term “nonprescription medication” includes but is not limited to over-the-counter medications, homeopathic and herbal medications, vitamins and nutritional supplements. Medication, other than medical marijuana, may be administered to students only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medication, the student’s name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner shall be printed on the container.
2. The school shall have received written permission from the student’s parent/guardian to administer the medication to the student and either:
  - a. written permission to administer the medication from the student’s health care practitioner with prescriptive authority under Colorado law; or
  - b. a standing medical order, if the medication is an over-the-counter medication such as Advil or Tylenol.
3. The parent/guardian shall be responsible for providing all medication to be administered to the student.
4. The nonprescription medication is a product that has been approved by the federal Food and Drug Administration (FDA).

### **Self-administration of medication for asthma, allergies or anaphylaxis**

A student with asthma, a food allergy, other severe allergies, diabetes, or related, life-threatening conditions may possess and self-administer medication, other than medical marijuana, to treat such conditions. Self-administration of such medication may occur during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity. Student possession and self-administration of such medication shall be in accordance with the regulation that accompanies this policy.

Authorization for a student to possess and self-administer medication to treat the student’s asthma, food or other severe allergies, anaphylaxis, diabetes or other related, life-threatening condition may be limited or revoked by the school principal after consultation with a district school nurse, the school health clerk and the student’s parent/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

Sharing, borrowing or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked by the school principal after consultation with a district school nurse, the school health clerk and the student's parent/guardian and the student may be subject to disciplinary consequences, including suspension and/or expulsion, for violation of this policy.

### **Medical marijuana**

The Board recognizes the Colorado General Assembly passed HB 16-1373 mandating school districts allow the administration of medical marijuana to students on school grounds under certain circumstances, so long as the school districts do not lose or will not have its federal funds reasonably jeopardized. The Board further recognizes that such state law, whether or not school districts have a corresponding policy, is contrary to federal law, which continues to categorize all forms of marijuana as a Schedule I controlled substance.

The Board strives to honor families' private medical decisions while maintaining a learning environment free of disruption and upholding its commitments to be a drug and alcohol-free environment. To accomplish these goals, the district permits the administration of medical marijuana to qualified students in accordance with state law during school hours if the administration cannot reasonably be accomplished outside of school hours, so long as the district will not lose federal funding as set forth below.

#### Definitions:

"Designated location" means a location identified in writing by the school district and may only include a location on the grounds of the school in which the student is enrolled, upon a school bus in Colorado, or at a school-sponsored event in Colorado;

"Medical marijuana" means a cannabis product with a delta-9 tetrahydrocannabinol (THC) concentration greater than 0.3 percent.

"Permissible form of medical marijuana" means nonsmokeable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time;

"Primary caregiver" means the qualified student's parent, legal guardian or licensed medical professional; and

"Qualified student" means a student who holds a valid registration from the state of Colorado (license issued by the Colorado Department of Public Health and Environment) for the use of medical marijuana and for whom the administration of medical marijuana cannot reasonably be accomplished outside of school hours.

### **Permissible administration of medical marijuana to a qualified student**

Any primary caregiver seeking access to school or district property, a school bus or school-sponsored event for purposes of this policy must comply with the district's policy and/or procedures concerning visitors to schools and all other applicable policies.

The primary caregiver shall be responsible for providing the permissible form of medical marijuana to be administered to the qualified student and only administer the medical marijuana in accordance with this policy and the approved Written Plan (Board Exhibit

JLCD-E). After administering the permissible form of medical marijuana to the qualified student, the student's primary caregiver shall remove any remaining medical marijuana from the grounds of the school, district, school bus or school-sponsored event. A qualified student's primary caregiver may administer a permissible form of medical marijuana to a qualified student in a designated location only if all of the following parameters have been met:

1. The qualified student's parent/guardian provided the school with a copy of the student's valid, current registration from the state of Colorado authorizing the student to receive medical marijuana.
2. The primary caregiver creates a Written Plan (Board Exhibit JLCD-E), which receives approval by the district in its sole discretion that identifies the form, designated location(s), and any protocols regarding administration of a permissible form of medical marijuana to the qualified student.
3. Forms of medical marijuana not included in the definition of permissible form of medical marijuana may be proposed by the qualified student's primary parent/guardian to the superintendent, or his/her designee, who may authorize such a request after consultation with appropriate personnel chosen by the district. Patches and other forms of administration that continue to deliver medical marijuana to a qualified student while at school may only be appropriate for students who receive ongoing adult assistance, or on a case-by-case basis, as determined by the district, when adequate protections against misuse may be made.
4. The district director of student services, or his/her designee, shall maintain a copy of each Written Plan (Board Exhibit JLCD-E).
5. The primary caregiver shall not administer the permissible form of medical marijuana in a manner that creates disruption to the educational environment or causes exposure to other students.

### **Additional parameters**

School district personnel shall not administer, give advice related to, or possess medical marijuana in any form; nor shall they be responsible for verifying information related to the medical marijuana such as potency, dosage, and how often it should be administered.

This policy conveys no right to any student or to the student's parents/guardians or other primary caregiver to demand access to any general or particular location on school or district property, a school bus or at a school-sponsored event to administer medical marijuana.

This policy shall not apply to school grounds, school buses, or school-sponsored events located on federal property or any other location that prohibits marijuana on its property.

Qualified students shall not possess or self-administer medical marijuana.

Permission to administer medical marijuana to a qualified student on school grounds, school buses, or school-sponsored events may be limited or revoked if the qualified student and/or the student's primary caregiver violates this policy or demonstrates an inability to responsibly follow the parameters as outlined in this policy, the student is no longer an eligible student, or the district is no longer required by state law to permit a

primary caregiver to possess and administer medical marijuana on school grounds, school buses, or at school-sponsored events.

Any student possession, use, distribution, sale or intoxication of marijuana inconsistent with this policy may be considered a violation of district policy concerning drug and alcohol involvement by students or other district policy and may subject the student to disciplinary consequences up to and including expulsion.

If the federal government indicates that the district's federal funds are jeopardized by this policy, the district declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana to qualified students shall not be permitted on school grounds, upon a school bus or at a school-sponsored event. The district shall post notice of a policy suspension and prohibition in a conspicuous place on its website.

The parent or guardian shall provide a written statement that specifically describes the product and method of administration, and releases the district, its employees, agents, and assigns from any and all legal liability and financial responsibility to the eligible student and any third-party related to the possession and administration of medical marijuana to the eligible student on school property, school buses, or at school-sponsored events.

Adopted: February 8, 1984  
Revised: June 25, 1986  
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LEGAL REFS.: C.R.S. 12-38-132 (delegation of nursing tasks)  
C.R.S. 12-38-132.3 (school nurses – over-the-counter medication)  
C.R.S. 22-1-119 (no liability for adverse drug reactions/side effects)  
C.R.S. 22-1-119.1 (board may adopt policy to acquire a stock supply of opiate antagonists)  
C.R.S. 22-1-119.3 (3)(c), (d) (no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event)  
C.R.S. 22-1-119.5 (Colorado Schoolchildren's Asthma, Food Allergy, and Anaphylaxis Health Management Act)  
C.R.S. 22-2-135 (Colorado School Children's Food Allergy and Anaphylaxis Management Act)  
C.R.S. 24-10-101 *et seq.* (Colorado Governmental Immunity Act)  
1 CCR 301-68 (State Board of Education rules regarding student possession and administration of asthma, allergy and anaphylaxis management medications or other prescription medications)  
6 CCR 1010-6, Rule 6.13 (requirements for health services in schools)

CROSS REFS.: JICH, Drug and Alcohol Involvement by Students

JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)  
JLCDA\*, Students with Food Allergies  
JLCE, First Aid and Emergency Medical Care