



Book	Board Policies and ARRs
Section	5000 Students
Title	Authorization to Administer Medication and for Parent Administration of Medicinal Cannabis
Code	5142 BP
Status	First Reading
Adopted	November 13, 1990
Last Revised	April 14, 2020
Last Reviewed	April 14, 2020
Prior Revised Dates	04/10/90 Draft, 10/16/90 First Reading, 11/13/90 Second Reading, 11/13/90 Approved, 03/04/14 Reviewed by Policy Committee, 04/04/14 First Reading, 05/06/14 Second Reading and Adoption, 05/19/14 Distribution, 02/18/20 Reviewed by Policy Committee, 03/17/20 First Reading, 04/14/20 Second Reading and Adoption, 04/27/20 Distribution, 11/15/22, Reviewed by Policy Committee, 12/13/22 First Reading

The Sacramento County Board of Education (Board) realizes that during the school day some pupils may need to timely take medication prescribed or ordered by an authorized health care provider to be able to fully participate in the educational program.

~~A school nurse or other designated personnel may assist a pupil with the administration of medication if:~~

- ~~1. The pupil's authorized health care provider executes a written statement specifying the medication, dosage, and period of time during which the medication is to be taken, as well as (if necessary) the method, amount, and time schedule; and~~
- ~~2. The pupil's parent or guardian provides a written request to school personnel that the school assist in the administration of the medication.~~

~~School personnel will receive appropriate training prior to the administration of prescribed medication.~~

**The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction.**

**The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose.**

**The Superintendent or designee shall develop protocols which shall include options for allowing parents or guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the pupil's authorized health care provider's approval, request permission for the pupil to self-administer a medication or self-monitor and/or self-test for a medical condition.**

Any medication prescribed for a pupil with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the pupil's individualized education program or Section 504 plan as applicable.

**When allowed by law, medication prescribed to a pupil by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular pupil, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to pupils in accordance with the law, Board Policy, the protocols established by the Superintendent, and, as applicable, the written statement provided by the pupil's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.**

**The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training in accordance with legal requirements. Documentation of such training shall be maintained as required by law.**

A parent or guardian may administer medicinal cannabis to a pupil who is a qualified patient with a physician's recommendation for its use (pursuant to California Health and Safety Code section 11362.7 et. seq.). Medicinal cannabis excludes cannabis or cannabis products in a smokeable or vapeable form.

Before administering medicinal cannabis at a school site, the parent or guardian shall provide to the principal or designee a valid written medical recommendation for the pupil to be given medicinal cannabis, which shall be kept on file at the school. The parent or guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other pupils. The parent or guardian shall remove any remaining medicinal cannabis from the school site after administering the medication. The records related to the administration of the medical cannabis will be treated as medical records.

School personnel are not authorized to administer medicinal cannabis to a pupil.

---

#### Legal References:

##### BUSINESS AND PROFESSIONS CODE

2727 Nursing Practice Act exceptions

##### EDUCATION CODE

49407 Liability for treatment

49414 Emergency epinephrine auto-injectors

49414.1 Medical cannabis policy

##### **49414.3 Opioid antagonist**

49414.5 Providing school personnel with voluntary emergency training

49414.7 Emergency medical assistance: administration of epilepsy medication

49423 Administration of prescribed medication for pupil

49423.1 Inhaled asthma medication

49480 Continuing medication regimen: notice

##### HEALTH AND SAFETY CODE

11362.7-11362.85 Medical marijuana program

##### TITLE 20, UNITED STATES CODE

1400-1482 Individuals with Disabilities Education Act

##### TITLE 29, UNITED STATES CODE

794 Rehabilitation Act of 1973, section 504

##### TITLE 5, CALIFORNIA CODE OF REGULATIONS

600-611 Administering medication to pupils

## COURT DECISIONS

*American Nurses Association v. Torlakson*, 57 Cal.4th 570 (2013)