

**7011 - STUDENT USE OF MEDICATIONS** *(Policy adapted from Brevard Public Schools)*

1. The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or if the child is disabled and requires medication to benefit from his/her educational program.
2. For purposes of this policy, the following definitions apply:
  - a) "Medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies.
  - b) "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.
  - c) A "duly licensed practitioner" refers to a licensed physician - M.D., D.O. (Doctor of Osteopathy), or a licensed Podiatric physician; a licensed ARNP, Advanced Registered Nurse Practitioner; or a licensed dentist.
  - d) "Psychotropic medication" means a prescription medication that is used for the treatment of mental disorders and includes, without limitation, anti-hypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.
3. Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent/legal guardian. Before any nonprescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent/legal guardian along with a waiver of any liability of the Board and its schools for the administration of the medication. These documents shall be kept on file in the school clinic and made available to the persons designated by this policy as authorized to administer medication or treatment. A parent/legal guardian may administer medication or treatment. The child's physician and the parent/legal guardian must also authorize in writing any self-medication by the student. Medication shall not be carried on a student's person in the school except as approved by the Site Administrator. No student is allowed to provide or sell any type of over-the-counter or prescribed medication to another student. Violations of this rule will be considered violations of Brevard County School District's Code of Student Conduct (*adopted and made part of the Odyssey Charter School, Inc. Student Code of Conduct – OCS, Inc. Board Policy 7003*).
4. Only medication in its original container, labeled with the date, if a prescription, the student's name, exact dosage, time, and/or other special circumstances under which the medication is to be administered will be accepted. The Site Administrator will designate person(s) to be responsible for accepting, counting, and administering the medication. The designated person(s) will complete a medication log for each student when medication is administered. Medication will be counted and stored properly in the original container under lock and key. Proper disposal of unused medication shall be the responsibility of the Site Administrator.
5. The Board shall permit the administration by a licensed nurse of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training.
6. Students who may require administration of an emergency medication may have such medication, identified as aforementioned, stored under lock and key in the clinic/school office and administered in accordance with this policy.

7. Inservice programs directed by the school Site Administrator, designee, and the Department of Health Nurse(s) will be conducted for those authorized to administer medication.
8. Misuse or abuse of any medically necessary emergency medications or devices that may cause a threat to the safety of others or cause a disruption while on school property or in attendance at a school function may result in suspension, expulsion, and/or referral to the proper law enforcement agencies, in accordance with the Brevard County School District's Code of Student Conduct (*adopted and made part of the Odyssey Charter School, Inc. Student Code of Conduct – OCS, Inc. Board Policy 7003*).
9. A school teacher and the Site Administrator may share school-based observations of a student's academic, functional, and behavioral performance with the student's parent/legal guardian and offer program options and other assistance that is available to the parent/legal guardian and the student based on the observations. A school teacher, and the Site Administrator may not, however, compel or attempt to compel any specific actions by the parent/legal guardian or require that a student take psychotropic medication. Any medical decision made to address a student's needs is a matter between the student, the student's parent/legal guardian, and a competent health care professional chosen by the parent/legal guardian.
10. The OCS, Inc. Board of Directors and its employees are not liable for damages as a result of any injury arising from a student's self-administration of prescribed medications or supplements and/or the use of medical devices associated with these medications.
11. Medical Marijuana.
  - a) For purposes of this section of this policy, the following definitions and provisions shall apply:
    - 1) "Student" means an individual enrolled in an OCS, Inc. governed school, Pre-K, K through Grade 12, who is subject to compulsory school attendance, as well as students with disabilities who are eighteen (18) through twenty-one (21) years of age.
    - 2) "Qualified patient" means a student who holds a valid qualified patient identification card, designating the student as a "qualified patient," issued by the State of Florida for the use of medical marijuana and for whom the administration of medical marijuana cannot be accomplished outside of school hours. For the purpose of this policy, "qualified patient" applies only to students and does not apply to employees.
    - 3) "Registered caregiver" means the qualified patient's registered caregiver that is identified by his/her medical marijuana use registry identification card issued by the State of Florida. Any registered caregiver seeking access to school or district property for purposes of the policy must comply with the Board's policy and/or procedures concerning visitors to schools and all other applicable policies. The schools' administrative staff and employees are not permitted to handle, administer, or store medical marijuana.
    - 4) "Designated location" means a location identified in writing by the school administration in its sole discretion. The location of administration of a permissible form of medical marijuana to a qualified patient by the registered caregiver may not create risk of disruption to the educational environment or exposure to other students.
    - 5) "Qualified physician" means an individual who holds an active, unrestricted license as an allopathic physician under FS Chapter 458 or as an osteopathic physician under FS Chapter 459 and is in compliance with the physician education requirements set forth in FS 381.986(3).
    - 6) "Permissible forms of medical marijuana" means non-smokable products such as oils, tinctures, edible products, or lotions that can be administered and fully ingested or absorbed in a short period of time.

- 7) "Marijuana" means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified student/ patient.
  - 8) "Prohibited forms of medical marijuana/cannabinoid products" means smokable vapors, patches, and any other forms of administration that provide continuous delivery of medical marijuana to a qualified patient while at school shall not be permissible.
- b) In light of an amendment to the Florida Constitution, as well as the implementation of Section 1006.062, Florida Statutes, the Board will permit the administration of permissible forms of medical marijuana to qualified patients when administration cannot be reasonably accomplished outside of school hours and on property owned or operated by the Board and will not present a disruption to school operations.
  - c) If the federal government indicates that the School's federal funds are jeopardized by this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana to qualified patients on property owned or operated by the Board shall not be permitted. The Schools shall post a notice of such policy suspension and prohibition in a conspicuous place on its website.
  - d) Administration of medical marijuana products by a registered caregiver to a qualified patient shall be in accordance with this policy and its administrative procedures.
  - e) Medical marijuana shall not be administered to a qualified patient while aboard a school bus.
  - f) This policy conveys no right to any student or to the student's parent/legal guardian, a registered caregiver, or other caregiver to demand access to any general or particular location on school property, a school bus, or at a school-sponsored event to administer medical marijuana.
12. The Site Administrators shall prepare administrative procedures to ensure the proper implementation of this policy.

## Medical Marijuana Procedure

1. The **Registered Caregiver** signs into the front desk with appropriate identification and is directed to wait in the **Designated Location**.
2. The front desk will notify the school administration that the **Registered Caregiver** is at the school and is waiting in the **Designated Location**.
3. The **Registered Caregiver** should only bring the **permissible form of medical marijuana** in a closed container that is inconspicuous.
4. Once the administration is notified, the front office staff will call the specific student/**Qualified Patient** identified by the **Qualified Physician** to the **Designated Location** to meet with the **Registered Caregiver**.
5. The **Registered Caregiver** will then provide the **Qualified Patient** with the **permissible form of medical marijuana** in the **Designated Location** with no other students and staff members present.
6. Once the **permissible form of medical marijuana** is administered by the **Registered Caregiver** to the student/**Qualified Patient**, the student is returned to class and the **Registered Caregiver**.
7. The **Registered Caregiver** will then sign out at the front desk with and leave, making sure to take any remaining **permissible form of medical marijuana** home.

### Subsection of the Medication Policy

For purposes of this section of this policy, the following definitions and provisions shall apply:

- 1) "Student" means an individual enrolled in an OCS, Inc. governed school, Pre-K, K through Grade 12, who is subject to compulsory school attendance, as well as students with disabilities who are eighteen (18) through twenty-one (21) years of age.
- 2) "Qualified patient" means a student who holds a valid qualified patient identification card, designating the student as a "qualified patient," issued by the State of Florida for the use of medical marijuana and for whom the administration of medical marijuana cannot be accomplished outside of school hours. For the purpose of this policy, "qualified patient" applies only to students and does not apply to employees.
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- 6) "Permissible forms of medical marijuana" means non-smokable products such as oils, tinctures, edible products, or lotions that can be administered and fully ingested or absorbed in a short period of time.
- 7) "Marijuana" means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified student/ patient.
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