

REGIONAL SCHOOL UNIT 19
PO BOX 40, 182 MOOSEHEAD TRAIL
NEWPORT, MAINE 04953



TO: RSU 19 Board of Directors
FR: Winn Price / Mike Hammer
DT: November 16, 2016
RE: **POLICY COMMITTEE MEETING AGENDA**

DAY: **TUESDAY**
DATE: **November 22, 2016**
TIME: **6:30 PM**
PLACE: **Central Office**

AGENDA

- I. Public Comment

- II. Policy Review
 - A. Policy from previous meeting:
 - 1. DJ Purchasing
 - DJ Bidding/Purchasing Requirements – MSMA Sample Policy
 - 2. DICA GASB 54 Fund Balance

 - B. Policies
 - 1. GCFA Employee Social Media Privacy (New)
 - 2. JJF Student Activities Funds Management
 - 3. JLCD Administering Medication to Students
 - 1. Medical Marijuana in Schools
 - 2. JLCD Sample Policy that includes Medical Marijuana
 - 4. KBFA Elementary/Middle Level School Title 1 Parent Involvement

- III. Other

- IV. Adjournment

A.D.A. NOTICE: If you have a special need that must be met to allow you to fully participate in this meeting, please contact the Office of the Superintendent at least two (2) days prior to this meeting.

PURCHASING

The RSU 19 Board of Directors is responsible for meeting purchasing needs of the district. Purchasing services will include personnel and equipment necessary to process promptly all approved requisitions, and to deliver goods and services promptly. Purchasing services will have as their criteria for all items and services:

- best possible quality;
- lowest possible cost;
- specifications of the user;
- availability when needed;
- least possible expenditure of time for the person requesting; and
- compliance of suppliers and staff with equal employment opportunity and other Board policies.

In order to avoid committing the district to purchase of items or services that have not been properly authorized, the Office of the Superintendent or staff, as appropriate, will proceed with their buying functions only after making certain that they will have sufficient authority to do so.

Such authority is normally a properly approved purchase request (requisition) containing a clear description of the materials/service desired, accompanied by documentary materials and an approved appropriation or account number.

All purchases of goods and services with district funds must be made on a properly executed district purchase order or contract issued by the Central Office and signed by the Superintendent.

Before issuance, each order/contract will be checked to ensure that an appropriation has been made which will cover it and has not been exhausted. When issued, the order/contract will be registered against the appropriation.

Before issuing a purchase order or bid contract in an amount of more than \$50,000.00, (not to include benefits, utilities, payroll or budget expenditures) the purchasing department will clear the vendor or contractor with the Superintendent who will present the purchase/contract request to the Board Budget Committee for approval.

Emergency purchases of goods and services of more than \$5,000.00, but not exceeding \$50,000.00 are exceptions. These may be approved by the Superintendent and presented to the Budget Committee for later ratification.

BID APPROVAL:

All factors being equal, preference will be given to local firms. The district reserves the right to “reject or accept” any or all bid quotations.

BIDDING/PURCHASING REQUIREMENTS

The School Board expects all purchases made by the school unit to be consistent with applicable laws and sound business practices. The Superintendent shall be responsible for developing and implementing administrative procedures for bidding and purchasing consistent with this policy.

This policy is intended solely as an internal guide to purchasing by the school unit. It does not afford any vendor any property or contractual rights against the school unit. No vendor shall have any enforceable rights against the school unit based upon this policy or alleged violations of this policy. No vendor shall have any rights against the school unit until such time as a written contract between the vendor and the school unit is executed by the vendor and an authorized representative of the school unit.

A. Bidding Required by Law

Maine law requires the Board to competitively bid property and casualty insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$25,000 (except contracts for professional architectural and engineering services); and bond anticipation notes for state-subsidized school construction projects.

B. Competitive Bidding of Other Purchases

Where bidding is not required by law, it shall be the policy of the school unit to competitively bid purchases of equipment, supplies, materials or services over \$_____ provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

If competitive bidding is not utilized, the Superintendent may seek Requests for Proposals (RFP) for purchases over \$_____. An RFP identifies the need the school unit intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

The Superintendent may forego the competitive bid or RFP process only when he/she determines that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding or requesting proposals. In each such case, the Board shall be informed of the

Superintendent's decision and the reasons for it in advance of entering into a contract.

C. Procedures for Bidding and Requesting Proposals

The method of notification that the school unit uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon the circumstances, such notification may include public advertising and/or mailing of notices to potential vendors.

Bid Procedures

- A. The notification shall specify the deadline for submitting bids and the time and place of bid opening. Bid alternates shall be permitted at the discretion of the Superintendent. The notice shall reserve the right of the school unit to reject any or all bids, and to waive technical or immaterial non-conformities in bids if in the best interest of the school unit, and to exercise judgment in evaluating bids.
- B. **Written bids.** Bids shall be in writing, sealed with outside envelope or wrapper plainly marked "Bid, not to be opened until (insert appropriate date)," and mailed or filed with the Superintendent of the unit.
- C. **Time of opening.** A School Board member or employee of the school unit may not open a bid until the appointed time.
- D. **Public opening.** At the time and place stated in the public notice, and open to the public, all bids shall be opened by the Superintendent or, in the Superintendent's absence or disability, by any School Board member designated for the purpose by the Chair of the School Board.
- E. **Reading.** If any citizens who are not School Board members or employees of the school unit or if any representatives of the press are present, bids shall, at that time, either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.
- F. In general, the School Board will award contracts to the lowest bidder which the Superintendent and School Board deem can satisfactorily fulfill the contract.

RFP Procedures

- A. Proposals should be submitted in plain envelopes clearly marked “Proposal, not to be opened until (state time and date).” The RFP shall state the time and date that proposals shall be opened, and no proposals shall be opened before that time. Public opening is not required.

- B. Proposals are to be evaluated based on criteria appropriate for the project in question, and the contract will be awarded to the vendor whom the Superintendent and School Board deem best able to meet the requirements of the school unit.

Legal Reference: 5 MRSA § 1743-A (ALL)
20-A MRSA §§ 1001(14), 5401(13)(D); 5402 (ALL)
20-A MRSA § 1314 (MSAD)
Me. DOE Rules, Ch. 61 (Rules for School Construction Projects)
(ALL)

Adopted: _____

PLEASE NOTE MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board’s policy development on specific topics. Rarely does one board’s policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board’s own legal counsel.

GASB 54 – FUND BALANCE POLICY

Purpose

The following policy has been adopted by the RSU 19 Board of Directors in order to address the implications of Governmental Accounting Standards Boards (“GASB”) Statement No. 54, *Fund Balance Reporting and Governmental Fund Definitions*. The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the District and jeopardize the continuation of necessary public services. This policy will ensure that the District maintains adequate fund balances and reserves in order to:

- a. provide sufficient cash flow for daily financial needs,
- b. secure and maintain investment grade bond ratings,
- c. offset significant economic downturns or revenue shortfalls, and
- d. provide funds for unforeseen expenditures related to emergencies.

Fund Type Definitions

The following definitions will be used in reporting activity in governmental funds across the District. The District may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

The General Fund is used to account for all financial resources not accounted for and reported in another fund.

Special Revenue Funds are used to account and report the proceeds of *specific revenue sources* that are *restricted or committed* to expenditure for *specific purposes* other than debt service or capital projects.

Debt Service Funds are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital Projects Funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Permanent Funds are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the District’s purposes.

Fund Balance Reporting in Governmental Funds

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

1st Reading: 01/25/12

Adopted: 02/28/12; Revised 03/26/13

Nonspendable Fund Balance

Definition – includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

Classification – Non-spendable amounts will be determined before all other classifications and consist of the following items (as applicable in any given fiscal year):

- The District will maintain a fund balance equal to the balance of any long-term outstanding balances due from others (including other funds of the District);
- The District will maintain a fund balance equal to the value of inventory balances and prepaid items (to the extent that such balances are not offset with liabilities and actually result in fund balance)
- The District will maintain a fund balance equal to the corpus (principal) of any permanent funds that are legally or contractually required to be maintained in-tact
- The District will maintain a fund balance equal to the balance of any land or other nonfictional assets held for sale.

Restricted Fund Balance

Definition – includes amounts that can be spent only for the specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.

Committed Fund Balance

Definition – includes amounts that can be used only for the specific purposes determined by a formal action of the District’s highest level of decision-making authority (i.e., the RSU 19 Board of Directors).

Authority to Commit – Commitments will only be used for specific purposes pursuant to a formal action of the Board of Education. A majority vote is required to approve a commitment and a two-thirds majority vote is required to remove a commitment.

Assigned Fund Balance

Definition – includes amounts intended to be used by the District for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed.

Authority to Assign – The RSU 19 Board of Directors delegates to the Superintendent or designee the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

Unassigned Fund Balance

Definition – includes the residual classification for the District’s general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amounts had been restricted, committed, or assigned.

Note: Assignment of any fund balance amounts to “offset” the need to raise additional local funds in support of future approved budgeted expenses, shall only take place upon confirmation that all accrued liabilities will be met. Any amount carried forward must be authorized by majority vote of the RSU 19 Board of Directors, and duly identified and authorized by the public budget validation process.

Operational Guidelines

The following guidelines address the classification and use of fund balance in governmental funds:

Classifying Fund Balance Amounts – Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual governmental fund may include non-spendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Encumbrance Reporting – Encumbering amounts for specific purposes for which resources have already been restricted, committed or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not been previously restricted, committed, or assigned, will be classified as committed or assigned, as appropriate, based on the definitions and criteria set forth in GASB Statement No. 54.

Implementation and Review

Upon adoption of this policy the Board of Directors authorizes the Superintendent to establish any standards and procedures which may be necessary for its implementation. The Superintendent shall review this policy periodically and make any recommendations for changes to the Board of Directors.

1st Reading: 01/25/12

Adopted: 02/28/12; Revised 03/26/13

EMPLOYEE SOCIAL MEDIA PRIVACY

For the purpose of this policy, "social media account" means an account with an electronic medium or service through which users create, share and view user-generated content including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online service accounts and Internet website profiles and locations.

"Social media account" does not include an account opened at the employer's behest or provided by an employer or intended to be used primarily on behalf of the employer.

In compliance with Maine's employee social media privacy law, RSU 19, through its administrators or designees, shall not:

- A. Request, require or coerce an employee or applicant for employment to disclose a password or any other means for accessing a personal social media account;
- B. Request, require or coerce an employee or applicant for employment to access a personal social media account in the presence of administrative or other RSU 19 personnel or agent of the school unit;
- C. Require or coerce an employee or applicant to disclose any personal social media account information;
- D. Require or cause an employee or applicant to add anyone, including administrative or other RSU 19 personnel or agent of the school unit to the employee or applicant's contact list associated with a personal media account; or
- E. Request, require or cause an employee or applicant to alter settings that affect the ability of a third party to view the contents of a personal social media account.

RSU 19 shall not discharge, discipline or otherwise penalize any employee, who refuses to disclose or provide access, add contacts or alter settings as specified above, or to fail to hire an applicant based on his/her refusal to comply with illegal requests, requirements or coercion.

First Reading:
Adopted:

This policy does not prohibit RSU 19 from requiring an employee to disclose personal social media account information when the employer reasonably believes it to be relevant to an investigation of alleged employee misconduct or a workplace- related violation of applicable laws, rules or regulations, provided the information disclosed is accessed and used solely as necessary for the investigation of related proceedings.

This policy does not apply to information publicly available which may be available on an employee or applicant's public social media accounts.

As employer, RSU 19 may maintain policies governing the use of its own electronic equipment, including a requirement that an employee disclose to the RSU the employee's user name, password or other information necessary to access employer-issued electronic devices or to access employer-provided software or email accounts.

Legal Reference: Maine P.L. 2015, Ch. 343

Cross Reference: GCSA — Employee Computer and Internet Use

First Reading:
Adopted:

STUDENT ACTIVITIES FUNDS MANAGEMENT

All funds which are raised by the faculty and/or students of the school for school or class activities shall become part of the general student activity fund for the school and are subject to internal and external audits.

~~Funds raised by groups associated with RSU 19 such as parent/teacher groups, booster's organizations, scholarship organizations, etc., shall remain the responsibility of the group to establish internal and external controls, audit, and reporting responsibilities. RSU 19 will not be held responsible for management of these dollars.~~

The principal shall be the custodian of monies held in the student activity fund for the school and no separate funds shall be established. The principal shall regulate the handling of the monies in the fund subject to such regulations as the superintendent may establish, and no disbursement or expenditure there from shall be made without the principal's approval.

Funds raised by groups associated with RSU 19 such as parent/teacher groups, booster's organizations, scholarship organizations, etc., shall remain the responsibility of the group to establish internal and external controls, audit, and reporting responsibilities. RSU 19 will not be held responsible for management of these dollars.

ADMINISTRATION OF MEDICATION TO STUDENTS

Although the Board discourages the administration of medication to students during the school day when other options exist, it recognizes that in some instances a student's chronic or short-term illness, injury, or disabling condition may require the administration of medication during the school day. The school will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

The intent of this policy is to promote the safe administration of medications to students by school personnel and to provide for authorization of student emergency self-administration of medication from asthma inhalers and epinephrine pens. The Board encourages collaboration between parents/guardians and the schools in these efforts. The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

I. DEFINITIONS

"Administration" means the provision of prescribed medication to a student according to the orders of a health care provider.

"Health care provider" means a medical/health practitioner who has a current license in the State of Maine with a scope of practice that includes prescribing medication.

"Indirect supervision" means the supervision of an unlicensed school staff member when the school nurse or other health care provider is not physically available on site but immediately available by telephone.

"Medication" means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug Administration and are ordered by a health care provider. It includes over-the-counter medications prescribed through a standing order by the school physician or prescribed by the student's health care provider.

"Parent" means a natural or adoptive parent, a guardian, or a person acting as a parent of a child with legal responsibility for the child's welfare.

"School nurse" means a registered professional nurse with Maine Department of Education certification for school nursing.

“Self-administration” is when the student administers medication independently to him/herself under indirect supervision of the school nurse.

“Unlicensed school personnel” are persons who do not have a professional license that allows them, within the scope of that license, to administer medication.

II. ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

A. Parental Request

In the event that no reasonable alternative exists, the parent/guardian may request in writing that medication be administered to the student during the school day. The written request must include an acknowledgement and agreement that unlicensed personnel may administer the medication as per the health care provider’s instructions. In addition, the request shall indicate that information regarding the student’s medication may be shared with appropriate school personnel. Parents may provide the reason (diagnosis) requiring the administration of medication.

Requests shall be valid for the current school year only.

B. Health Care Provider’s Order

All parental requests must be accompanied by a written order from the student’s health care provider substantiating the fact that the administration of a particular medication during the school day is necessary for the student’s health and attendance in school. Such order must include:

1. The student’s name;
2. The name of the medication;
3. The dose;
4. The route of administration (e.g., tablets, liquid, drops); and
5. Time intervals for administration (e.g., every four hours, before meals);
6. Any special instructions; and
7. The name of the prescribing health care provider.

It is the responsibility of the school nurse to clarify any medication order that he/she believes to be inappropriate or ambiguous. In accordance with Department of Education Rule Chapter 40 § 2(B), the school nurse may decline to administer a medication if he/she believes such administration would jeopardize student safety. In this case, the school nurse must notify the parent, the student's health care provider and the school administrator (i.e., building principal or designated administrator).

C. Renewal of Parent Permission Requests/Forms and Health Care Provider Orders

Written parental permission requests/forms and health care provider orders must be renewed at least annually. Health care provider orders must be renewed whenever there are changes in the order.

D. Delivery and Storage of Medication

The student's parents shall deliver any medication to be administered by school personnel to the school in its original container. In the event that this is not practical, the parent must contact the school to make alternate arrangements.

No more than a 20-day (one month) supply of medication shall be kept at school, excluding inhalers and epinephrine pens. The parent is responsible for the replenishment of medication kept at school.

If the health care provider's order/prescription is for a medication regulated by the Federal Narcotics Act, no more than one week supply shall be kept at school. Medication not to be kept at school during extended vacation of one week or more.

The parent is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. The parent must remove any medication no longer required or that remains at the end of the school year.

The designated school official shall be responsible for developing and implementing procedures for the appropriate and secure storage of medications kept at school, and all medications shall be stored in accordance with this procedure.

E. Recordkeeping

School personnel and the student's parent shall account for all medication brought to school. The number of capsules, pills or tablets, and/or the volume of other medications brought to school shall be recorded.

School staff administering medication shall document each instance the medication is administered including the date, time, and dosage given.

The designated school official shall maintain a record including the parent's request, physician's order, details of the specific medications (including dosage and timing of medication), and documentation of each instance the medication is administered.

Records shall be retained according to the current State schedules pertaining to student health records.

F. Confidentiality

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

G. Administration of Medication

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

The school nurse, under the administrative supervision of the Superintendent, will provide direction and oversight for the administration of medication to students.

All unlicensed personnel (principals, teachers, education technicians, school secretaries, coaches, bus drivers, etc.) who administer medication must receive training before being authorized to do so.

Based upon the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of unlicensed persons to administer medication. Training that shall be acceptable for the purpose of authorization of unlicensed personnel is addressed under the section of this policy titled "Required Training of Unlicensed Personnel to Administer Medication."

H. Administration of Medication During Off-Campus Field Trips and School-Sponsored Events

The school will accommodate students requiring administration of medication during field trips or school-sponsored events as follows:

The school nurse, principal, and, as appropriate, the school unit's Section 504 Coordinator and/or PET, will determine whether an individual student's participation is contraindicated due to the unstable/fragile nature of his/her health condition, the distance from emergency care that may be required, and/or other extraordinary circumstances. The student's parent and primary care provider will be consulted in making this determination. The decision will be made in compliance with applicable laws, including the IDEA, § 504 and the Americans with Disabilities Act (ADA).

The parent must provide the appropriate number of doses needed for the duration of the field trip or school-sponsored event.

When there are no contraindications to student participation, an appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication.

All provisions of this policy shall apply to medications to be administered during off-campus field trips and school-sponsored events. As practicable, the DOE's "Policy for Medication Administration on School Trips" will be followed.

I. Student Self-Administration of Asthma Inhalers and Epinephrine Pens

Students with allergies or asthma may be authorized by the building principal, in consultation with the school nurse, to possess and self-administer emergency medication from an epinephrine pen (EpiPen) or asthma inhaler during the school day, during field trips, school-sponsored events, or while on a school bus. The student shall be authorized to possess and self-administer medication from an epinephrine pen or asthma inhaler if the following conditions have been met.

1. The parent (or student, if 18 years of age or older) must request in writing authorization for the student to self-administer medication from an epinephrine pen or asthma inhaler.

2. The student must have the prior written approval of his/her primary health care provider and, if the student is under the age of 18, the prior written approval of his/her parent/guardian. The written notice from the student's primary care provider must specify the name and dosage of the medication, frequency with which it may be administered, and the circumstances that may warrant its use.
3. The student's parent/guardian must submit written verification to the school from the student's primary care provider confirming that the student has the knowledge and the skills to safely possess and use an epinephrine pen or asthma inhaler.
4. The school nurse shall evaluate the student's technique to ensure proper and effective use of an epinephrine pen or asthma inhaler, taking into account the maturity and capability of the student and the circumstances under which the student will or may have to self-administer the medication.
5. The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the school unit will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer medication from an epinephrine pen or asthma inhaler shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication from an epinephrine pen or asthma inhaler may be limited or revoked by the building principal after consultation with the school nurse and the student's parents if the student demonstrates inability to responsibly possess and self-administer such medication.

To the extent legally permissible, staff members may be provided with such information regarding the student's medication and the student's self-administration as may be in the best interest of the student.

Sharing, borrowing, or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked and the student may be subject to disciplinary consequences for violation of this policy.

J. Required Training of Unlicensed Personnel to Administer Medication

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips, or during school-sponsored events) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician and include the components specified in Department of Education Rules Chapter 40 and other applicable Department of Education standards, recommendations, programs, and/or methodologies.

The trainer shall document the training and competency of unlicensed school personnel to administer medication. Based upon a review of the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of such unlicensed personnel pertaining to authorization to administer medication.

NOTE: While it is anticipated that most training will be done by the school nurse, there may be situations in which training is done by the school physician, Department of Education staff or others. Therefore, we have used the phrase “review of the documentation of training and competency.” In order to ensure the competency of an unlicensed person to administer medication when training has been done by someone other than the school nurse, it may be appropriate for the school nurse to confirm the individual’s competency through direct observation before making a recommendation to the superintendent/designee in regard to authorization to administer medication.

Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

K. Delegation and Implementation

The Superintendent/designee shall be responsible for developing administrative procedures and/or protocols to implement or supplement this policy.

Such procedures/protocols shall include direction regarding:

1. Safe transport of medication to and from school;
2. Administration of medication during field trips and school-sponsored events;
3. Accountability for medications, particularly those regulated by the Federal Narcotics Act;
4. Proper storage of medication at school;
5. Training of appropriate staff on administration of emergency medications;
6. The procedure to follow in the event of a medication reaction;
7. Access to medications in case of a disaster;
8. The process for documenting medications given and medication errors; and
9. The proper disposal of medications not retrieved by parents.

Legal Reference: 20-A M.R.S.A. §§ 254; 4009(4); 4502 (5)(N)
Ch. 40; 125 § 10.01(c) (Me. Dept. of Ed. Rule)
28 C.F.R. Part 35 (Americans with Disabilities Act of 1990)
34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973)
34 C.F.R. Part 300 (Individuals with Disabilities Education Act)



RSU 19 Health Services
PO Box 40
Newport, Maine 04953
Corinna, Dixmont, Etna, Hartland, Newport,
Palmyra, Plymouth, St. Albans

MEDICAL MARIJUANA IN SCHOOLS

The Board recognizes that there may be some students in RSU #19 schools who rely on the use of medical marijuana to manage a medical condition and who may be unable to effectively function at school without it.

Maine law provides that a “primary caregiver” (defined as parent, guardian or legal custodian under Maine’s medical marijuana law, 22 MRSA § 2423-A91)(E)) may possess and administer marijuana in a nonsmokeable form on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled, if: a) a medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana and b) possession of medical marijuana is for the purpose of administering it to the minor qualifying patient.

A written certificate is defined as a: **document on tamper-resistant paper, signed by a medical provider that expires within one year and that states that in the medical provider’s professional opinion a patient is likely to receive therapeutic and palliative benefit from medical use of marijuana to treat or alleviate the patient’s debilitating medical condition or symptoms associated with that condition.**

In order to facilitate administration of medical marijuana with a minimum interruption of instructional time for the student and with a minimum of disruption of routine school operations, the Board approves the following guidelines for the administration of medical marijuana

- A. **The written certificate can only be provided by a Medical Provider, Medical Qualified Physician and/or Consulting Physician (MD, DO, NP);**
- B. **All required documentation for Medical Marijuana administration on school campus must be presented to the Principal and/or School nurse 48-72 hours before the first dose is administered at school;**

- C. The person administering the medical marijuana must provide proof that:
1. He/she is the primary caregiver as defined above for the student;
 2. The student has a current written certification from a medical provider as defined above for the use of medical marijuana;
 3. The student needs to have the drug administered during the school day, as opposed to before or after school. (If medical marijuana is prescribed once, twice or three times daily this schedule will be accommodated at home);
- D. The marijuana must be possessed only by the primary caregiver and only for the purpose of administering it to the student at school. Medical Marijuana cannot and will not be given to or held by any school employee, student or other person in school, with the exception of the “qualifying patient;”
- E. Only the primary caregiver may administer medical marijuana – it cannot be done by, or delegated to, a school employee or any other person than the primary caregiver;
- F. The primary caregiver will remain with the “qualifying patient” during the administration and until the administration is complete;
- G. Medical marijuana may be administered only at the principal’s office; the primary caregiver must go there directly and, if visitors are required to sign in, to do so;
- H. The School Nurse or school designee will monitor the administration of Medical Marijuana by the primary caregiver in the designated administration location;
- I. The student may not possess medical marijuana at any time or place except during the time of its consumption, at the designated location, and under the supervision of the caregiver;
- J. In the event of an adverse reaction, Emergency Medical Service (EMS) will be contacted immediately and the School Nurse/Staff are not responsible for care;
- K. When Medical Marijuana is needed prior to or during after-school activities, the primary caregiver will be responsible for picking the “qualifying patient” up and leaving school grounds to administer the Medical Marijuana and then return the student back to school for the activity;

- L. Emancipated Minors and students 18 years of age or older are not allowed to possess or use Medical Marijuana on school campus.

A student who holds written certification for the medical use of marijuana may not be excluded (suspended or expelled) from school because he/she requires medical marijuana to attend school.

Legal Reference: Maine 2015 P.L. Ch. 369

SAMPLE POLICY ADMINISTRATION OF MEDICATION TO STUDENTS

Regional School Unit #50 acknowledges that in some instances a student's chronic or short-term illness, injury, or disabling condition may require the administration of medication during the school day. Although the School Board discourages the administration of medication during the school day when other options exist, it will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

School administrative personnel and school medical personnel will monitor compliance with this policy and administrative procedures. The School Board disclaims any and all responsibility for the diagnosis, prescription of treatment and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

Parental Request and Health Care Provider's Order

In the event that no reasonable alternative exists, the parent/guardian may request in writing that medication be administered to the student during the school day. Prescription medication that is to be administered for more than 15 consecutive days and over-the-counter medication that is not kept in stock in the school health office require a written order (e.g., the school's Medication Authorization Form-JLCD-E) from the student's health care provider substantiating the fact that the administration of a particular medication during the school day is necessary for the student's health and attendance in school. Over-the-counter medication ordered by the student's health care provider must be provided by the student's parent/guardian. In-stock over-the-counter medication will be administered according to the school physician's standing orders. These requests must include an acknowledgment and agreement that unlicensed personnel may administer the medication as per the health care provider's instructions. The health care provider's medication order will include:

- A. The full name of the student receiving the medication;
- B. The name and nature (e.g., tablets, liquid, drops) of the medication;
- C. The individual dosage;
- D. The time that the medication is to be administered;
- E. The length of time for which the medication is prescribed - no longer than for the current school year;
- F. Any possible side effects of the medication; and

G. The name of the prescribing health care provider.

It is the responsibility of the school nurse to clarify any medication order that he/she believes to be inappropriate or ambiguous. The school nurse may decline to administer a medication if he/she believes such administration would jeopardize student safety. In this case, the school nurse will notify the parent, the student's health care provider and the appropriate school administrator.

Renewal of Parent Permission Requests/Forms and Health Care Provider Orders

Written parental permission requests/forms and health care provider orders must be renewed at least annually. Health care provider orders must be renewed whenever there are changes in the order.

Delivery and Storage of Medication

Medication to be administered at school must be delivered to the school in its original container by the student's parent/guardian or adult designee. In the event that this is not practical, the parent/guardian will contact the school in order to make alternate arrangements.

Only a limited, necessary supply of medication will be kept at school. The parent is responsible for the replenishment of medication kept at school.

The parent/guardian is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. Medication no longer required at school (or remaining at the end of the school year) must be removed by the parent/guardian or other designee; if not, this medication will be disposed of by the school nurse.

Record keeping

Medication brought to the school nurse will be appropriately maintained and secured.

If the medication is a controlled substance, the number of capsules, pills, tablets, etc. will be recorded.

The school nurse administering the medication will document each instance the medication is administered, including the date, time and dosage given.

The school nurse will maintain a record including the parent/guardian request, health care provider's order, necessary details of the specific medication, dosage and timing of medication and documentation of each instance the medication is administered.

Confidentiality

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

Administration of Medication

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

Any unlicensed personnel (principals, teachers, educational technicians, coaches, etc.) who administer medication must receive training before being authorized to do so.

QD (once daily), B.I.D. (twice daily) and T.I.D. (three times daily) medication, and medication regulated by the Federal Narcotics Act, will not be administered during the school day, except in extreme cases as determined by the student's health care provider.

Administration of Medical Marijuana

The following procedure must be followed for the administration of medical marijuana to students at school. In accordance with the applicable law, this section only applies to students under the age of 18. Students 18 years of age or older may not possess or use medical marijuana at school.

1. The student's designated primary caregiver (who must be a parent, guardian or legal custodian) shall obtain a copy of the RSU #50 Request/Permission to Administer School Medication Authorization Form and Board Policy JLCD from the school. The administration reserves the authority to request documentation that the individual is the student's primary caregiver.
2. The primary caregiver and the student's authorized medical provider (physician or certified nurse practitioner) shall complete and sign the Request/Permission Form, and attach a copy of the current written certification for the use of medical marijuana. The original certification must be shown to the school employee processing the request for the primary caregiver to administer medical marijuana at school.
3. Arrangements will be made between the school administration and the primary caregiver to schedule the administration of medical marijuana in a manner that will minimize disruption to school operations and the student's educational program.
4. Medical marijuana must be brought to school by the primary caregiver, and may not be held, possessed or administered by anyone other than the primary caregiver. The student may only possess the medical marijuana during the actual administration process. Medical marijuana administered in school must be in non-smokeable form and administered in the presence of a school unit employee.
5. The primary caregiver must check-in at the school office upon arrival for the administration of the medical marijuana. Medical marijuana may only be administered in a location determined by the school unit.

6. The primary caregiver must check-out at the school office following administration of the medical marijuana and transport any remaining medical marijuana with him/her off school premises.

Administration of Medication During Field Trips

The school will accommodate students requiring the administration of medication during field trips. An appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication.

Either a standardized preprinted medication label containing medication administration information (along with the medication, itself) or medication in its original container will be used for student(s) requiring the administration of medication during field trips.

All provisions of this policy will apply to medications to be administered during field trips.

Student Self-Administration of Asthma Inhalers and Epinephrine Pens

Students with allergies or asthma may be authorized by the student's health care provider, in consultation with the parent/guardian and school nurse, to possess and self-administer emergency medication from an epinephrine pen (EpiPen) or asthma inhaler during the school day, during field trips or while on a school bus.

The student must have the prior written approval of his/her primary health care provider and the prior written approval of his/her parent/guardian.

The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the school unit will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer medication from an epinephrine pen or asthma inhaler will be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication from an epinephrine pen or asthma inhaler may be limited or revoked by the student's health care provider/school administrator after consultation with the school nurse and the student's parent/guardian if the student demonstrates 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 and the student may be subject to disciplinary consequences for violation of this policy.

Required Training of Unlicensed Personnel to Administer Medication

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician. The trainer will document the training. Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

First Reading: March 14, 2016
Second Reading/Adoption: April 11, 2016

**ELEMENTARY/MIDDLE LEVEL SCHOOL
TITLE 1 PARENT INVOLVEMENT POLICY**

This school policy has been developed in consultation with the parents/guardians of students participating in Title 1 programs at RSU 19 Elementary/Middle Level Schools. It includes a “School-Parent Compact” that outlines the manner in which parents, school staff, and students will share the responsibility for improved student academic achievement. The building principal/designee will be responsible for distributing this policy to parents/guardians of students participating in the school’s Title 1 program.

1. PARENT INVOLVEMENT MEETINGS

The school shall convene an annual meeting at a convenient time to which all parents/guardians of participating children shall be invited and encouraged to attend to inform them of the school’s participation under Title 1, explain the right of parents to be involved, and to encourage their involvement in the planning, review, and improvement of the school’s Title 1 programs and parent involvement policy.

The school will offer at least 2 other meetings during the school year, held at various times in the morning or evening for parents/guardians of students participating in Title 1 programs.

The building principal/designee will:

- A. Invite parents/guardians of participating children to the annual meeting and to other meetings held during the school year;
- B. Introduce the representatives on the Parent Advisory Committee;
- C. Provide an overview of Title 1 and the programs the school provides under Title 1;
- D. Explain the rights of parents/guardians to be involved in developing and reviewing the school’s parent involvement policy, including the School-Parent Compact;
- E. Provide a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;
- F. Give parents/guardians an opportunity to ask questions and engage in informal discussion about student achievement and school performance;
- G. Respond to requests from parents for opportunities for regular meetings to formulate suggestions and to participate (as appropriate) in decisions relating to the education of their children;
- H. Invite parents/guardians to serve on the Parent Advisory Committee and/or other school or district-level Title 1 committees;
- I. Invite parents/guardians to participate in the planning, review, and improvement of programs under Title 1 and the school-parent involvement policy and establish a schedule for this activity;

- J. With the input of parents/guardians, establish a process by which an adequate representation of parents/guardians can be assured;
- K. Describe the process by which parents/guardians may express concerns if they are dissatisfied with the Title 1 program;
- L. Engage school-based parent organizations in outreach to parents/guardians of students participating in Title 1; and
- M. Arrange for child care so that parents/guardians who would otherwise be unable to attend may do so.

II. SCHOOL-PARENT COMPACT

The School-Parent Compact describes how parents, school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will develop a partnership to help children achieve the State's academic achievement standards.

- A. The school is responsible for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables students served under Title 1 to meet the State's academic achievement standards.
- B. Parents/guardians will be responsible for supporting their children's learning by:
 - 1. Monitoring their children's attendance;
 - 2. Providing assistance and encouraging their children to complete homework assignments;
 - 3. Encouraging their children to ask for help from teachers or classroom aides (ed techs, volunteers) when needed;
 - 4. Talking with their children about the school day;
 - 5. Reading to or with their children;
 - 6. Monitoring and limiting their children's screen time;
 - 7. Volunteering in the classroom and/or school-related activities such as field trips;
 - 8. Participating, as appropriate, in decisions related to the education of their children; and
 - 9. Promote positive use of my child's extracurricular time.
- C. The school will address the importance of communication between parents-teachers on an ongoing basis by:
 - 1. Scheduling one or more parent-teacher meetings annually for parents/guardians of elementary school level students during which the Compact shall be discussed as it relates to the individual child's achievement;
 - 2. Providing frequent reports to parents/guardians on their children's progress;
 - 3. Providing parents/guardians with reasonable access to staff to discuss issues related to their children's learning;
 - 4. Giving parents the opportunity to observe classroom activities;

5. Welcoming parents as volunteers in the classroom; and
6. Providing adequate supervision and feedback for parents/guardians who volunteer.

Legal Reference:

Adpoted: