



ADMINISTRATIVE MEMORANDUM

POSSESSION AND SELF-ADMINISTRATION BY STUDENTS OF RESCUE INHALERS AND EPIPENS | 8012.1

The purpose of this administrative memorandum is to provide administrative guidelines, including an official form of release to be used District-wide, to ensure compliance with 14 DE Admin Code 612 § 3.11. All employees are expected to adhere to the regulation and to the guidelines listed below.

All District policies relating to the possession or use of drugs shall permit a student's discretionary use and possession of an asthmatic quick relief inhaler ("inhaler") or autoinjectable epinephrine with individual prescription label as follows:

1. The student must use the inhaler or autoinjectable epinephrine pursuant to prescription or written direction from a state licensed health care practitioner, a copy of which must be provided to the District. ⁽¹⁾_(SEF)
2. The parent(s) or legal guardian(s) of such student must provide the District with written authorization for the student to possess and use the inhaler or autoinjectable epinephrine at such student's discretion, together with a form of release satisfactory to the District releasing the District and its employees from any and all liability resulting or arising from the student's discretionary use and possession of the inhaler or autoinjectable epinephrine. ⁽¹⁾_(SEF)
3. The school nurse may impose reasonable limitations or restrictions upon the student's use and possession of the inhaler or autoinjectable epinephrine based upon the student's age, level of maturity, behavior, or other relevant considerations. ⁽¹⁾_(SEF)
4. Parents or legal guardians shall not be required to provide or sign a form of release where the student's use and possession of an asthmatic quick relief inhaler or autoinjectable epinephrine is determined by the student's IEP or Section 504 Team to be necessary for the student's educational placement. ⁽¹⁾_(SEF)
5. Except as provided for in a student's Section 504 Plan or IEP, the school nurse may not unilaterally impose limitations or restrictions on a student's use and possession of an asthmatic quick relief inhaler or autoinjectable epinephrine if a Section 504 or IEP Team has determined the use of the medication is necessary for the student's educational placement. ⁽¹⁾_(SEF)

The attached form must be completed and signed by the healthcare provider, parent, student, and school nurse, and kept on file by the school nurse. This form is intended to provide the necessary written direction, authorization, and form of release described above.

For students who use prescribed asthmatic quick relief inhalers or autoinjectable epinephrine, see 14 DE Admin Code 817 and related administrative memoranda.

Questions about the information contained in this administrative memorandum should be directed to the Deputy Superintendent.