IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL

POLICY GROUP 3 – STUDENTS MEDICAL TREATMENT

PG-3.14

Sec. 1. Consent to Medical Treatment

IDEA Public Schools ("IDEA") may consent to medical, dental, psychological, and surgical treatment of an enrolled student provided all of the following conditions are met:

- 1. The person having the power to consent as otherwise provided by law cannot be contacted.
- 2. Actual notice to the contrary has not been given by that person.
- 3. Written authorization to consent has been received from that person.

Family Code 32.001(a)(4).

a)

Consent to medical treatment shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

- 1. The name of the student:
- 2. The name of one or both parents or legal guardians, if known, and the name of the managing conservator or guardian of the student, if either has been appointed;
- 3. The name of the person giving consent and the person's relation to the student;
- 4. A statement of the nature of the medical treatment to be given; and
- 5. The date on which the treatment is to begin.

Family Code 32.002.

b)

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

- 1. Is on active duty with the armed services of the United States of America;
- 2. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, managing conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
- 3. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services, including all reportable diseases under Health and Safety Code 81.041;
- 4. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy;
- 5. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use; or

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(5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the Principal of the school the student attends.

Education Code 38.015.

Sec. 4. <u>DIETARY SUPPLEMENTS</u>

An IDEA employee commits a Class C misdemeanor offense if the employee:

- 1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school duties; or
- 2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school duties.

Education Code 38.011(a), (c).

Sec. 5. Prescription Medication and Special Education Students

An IDEA employee is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services. An employee is not prohibited from consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services. 20 U.S.C. 1412(a)(25).

Sec. 6. STUDENT ILLNESS

The Superintendent or designee shall establish procedures to ensure that proper attention is given to a student who becomes ill during the school day.

Sec. 7. ACCIDENTS INVOLVING STUDENTS

The Superintendent or designee shall establish emergency procedures to ensure appropriate attention for a student injured at school. IDEA shall maintain records on all accidents requiring the attention of a medical doctor.

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Sec. 8. EMERGENCY TREATMENT FORMS

Each year, students and parents shall complete and sign a form that provides emergency information and authorizes school officials to obtain emergency medical treatment, as provided by law.

DATE ADOPTED AND EFFECTIVE.

As set forth in the pertinent minutes to the meeting of the Board, the Board adopted this policy on September 29th, 2023, and it became effective on September 29th, 2023.

RETENTION.

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