

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) *Form of Consent*

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) *Minor’s Consent to Treatment*

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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6. Is unmarried, is the parent of a child, and has actual custody of his or her child and consents to medical, dental, psychological, or surgical treatment for the child.

Family Code 32.003.

c) *Purchasing Medication*

IDEA Public Schools shall not purchase medication to administer to a student except as permitted under Board Policy 3.306 relating to the purchase of Epinephrine Auto-Injectors and Opioid Antagonist Medication for administration on an emergency basis.

Sec. 2. SUNSCREEN PRODUCTS

A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. *Education Code 38.021.*

Sec. 3. SELF-ADMINISTRATION OF ASTHMA OR ANAPHYLAXIS MEDICINE

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The prescription medicine has been prescribed for that student as indicated by the prescription label on the medicine;
2. The student has demonstrated to the student's physician or other licensed health care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
4. A parent of the student provides to IDEA:
 - a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
 - b. A written statement, signed by the student's physician or other licensed health care provider, that states:
 - (1) That the student has asthma or anaphylaxis and is capable of self-administering the prescription medicine;
 - (2) The name and purpose of the medicine;
 - (3) The prescribed dosage for the medicine;
 - (4) The times at which or circumstances under which the medicine may be administered; and
 - (5) The period for which the medicine is prescribed.

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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. DIETARY SUPPLEMENTS

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 6.1 Seizure Management and Treatment Plan.

The legal guardian of a student with a seizure disorder may seek care for the student's seizures while the student is at school or participating in a school activity by submitting to IDEA a copy of a seizure management and treatment plan developed by the legal guardian and the physician responsible for the student's seizure treatment. The plan must be submitted to and reviewed by IDEA:

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1. Before or at the beginning of the school year;
2. On enrollment of the student, if the student enrolls in IDEA after the start of the school year; or
3. As soon as practicable following a diagnosis of a seizure disorder for the student.

A seizure management and treatment plan must:

1. Identify the health care services the student may receive at school or while participating in a school activity;
2. Evaluate the student's level of understanding and ability to manage the student's seizures; and
3. Be signed by the student's legal guardian and the physician for the student's seizure treatment.

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.

Sec 7.1. Student Toileting & Extra Clothing.

Toilet training is a process that varies from age to age and ability to ability. Children are typically toilet trained between the ages of 2 and 3 years old. Therefore, most children entering IDEA's kindergarten program are able to toilet themselves with minimal supervision, including proper wiping.

IDEA strongly advises that all parents provide a change of clothing in case of an accident. The clothing will be kept in the child's backpack until needed.

If a child soils his/herself during the school day, staff will call the child's parent/guardian to inform them of the incident. If the child has no change of clothes, staff will ask the parent/guardian to bring a change of clothes to the school.

Sec. 8. EMERGENCY TREATMENT

If a student has a serious or life-threatening injury or illness, the parent/guardian will be contacted, and emergency medical services (EMS) may be dispatched regardless of parent/guardian consent. The school will make every effort to contact the parent/legal guardian. If the school is unable to contact the parent/legal guardian, every effort will be made to notify other persons listed on the emergency card.

Sec 8.1 Emergency Medical Treatment Cost Responsibility.

IDEA Public Schools and IDEA staff will not be responsible for any cost involved if the student needs emergency medical care. The health services team may share the student's healthcare

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information in the case of accident, serious illness, or emergency. Parents are asked each year to provide updated emergency contacts and health history. It is the parent/guardian's responsibility to notify the campus of any changes during the year.

Sec 8.2 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.

SEC. 10 MEDICAL EVALUATIONS AND SCREENINGS.

Sec. 10.1 Fitness Testing.

According to requirements under state law, IDEA will annually assess the physical fitness of students. IDEA is not required to assess a student for whom, as a result of disability or other condition identified by rule or law, the assessment exam is inappropriate.

Sec. 10.1.1 Excuses from Physical Education

Any child who is to be excused, for reasons of health, from physical education or other normal school activities must bring a note from home to IDEA stating the reason why and the duration of the excuse.

Sec 10.2 Spinal Screening.

School-based spinal screening helps identify adolescents with abnormal spinal curvature and refer them for appropriate follow-up by their physician. Screening can detect scoliosis at an early stage when the curve is mild and may go unnoticed. Early detection is key to controlling spinal deformities.

Certain students must be screened for abnormal spinal curvature before the end of the school year. The screening requirement for students entering grade six or nine may be met if the child has been screened for spinal deformities during the previous year. Spinal screening is non-invasive and conducted following the most recent, nationally accepted, and peer-reviewed standards for spinal screening.

A legal guardian who declines participation in the spinal screening provided by IDEA must submit to the principal or designee documentation of a professional examination which includes the results of a forward bend test. This documentation must be submitted to IDEA during the year the student is scheduled for screening or, if the professional exam is obtained during the summer, at the beginning of the following school year.

Sec 10.2.1. Exemption.

A student is exempt from screening if the screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or member. To qualify for the exemption, the student's legal guardian, managing conservator, or guardian must submit to the principal or designee on or before the day of the screening procedure an affidavit stating the objections to screening.

Sec 10.3 Vision and Hearing Screenings.

All children enrolled in Texas schools must be screened for possible vision and hearing problems, in accordance with regulations issued by the TDSHS. Students in certain grade levels identified by state regulations shall be screened for vision and hearing problems annually. A student may be screened using photo screening to detect vision disorders.

Screening records for individual students may be inspected by the TDSHS or a local health department and may be transferred to another school without a legal guardian's consent.

Sec 10.3.1. Exemption.

A student is exempt from screening requirements if screening conflicts with the tenets and practices of a recognized church or religious denomination of which the individual is an adherent or a member. To qualify for the exemption, the individual or, if the individual is a minor, the minor's legal guardian, managing conservator, or guardian, must submit to the principal or designee on or before the day of admission an affidavit stating the objections to screening.

SEC. 11. IMMUNIZATIONS.

The law requires that students be fully vaccinated against specified diseases in accordance with an immunization schedule set by the State of Texas. To determine the specific number of doses that are required for your student, please read the "Kindergarten Through 12th Grade Requirements" available on the Texas Department of State Health Services website at: <https://www.dshs.texas.gov/immunizations/school/requirements>

Proof of immunization must be personal health records from a licensed physician or public health clinic with a signature or rubber-stamp validation.

Provisional Enrollment: A student may be provisionally admitted to or enrolled in IDEA if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate vaccine required by law. A student who is overdue for the next dose in a vaccine series will not be enrolled provisionally. To remain enrolled, the student must continue to receive the necessary immunizations as rapidly as medically feasible and complete the required subsequent doses in each vaccine series on schedule and as rapidly as medically feasible. The student and/or legal guardian must also provide acceptable evidence of vaccination to IDEA.

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A health aide/nurse or school administrator will review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, then the student is not in compliance and IDEA shall exclude the student from school attendance until the required dose is administered.

Students Experiencing Homelessness: A student who is homeless, as defined by 42 USC §11302, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. IDEA shall promptly refer the student to appropriate public health programs to obtain the required vaccinations.

Children in Foster Care: A student who is a “child in foster care” as defined by 45 C.F.R. §1355.20 shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. IDEA shall promptly refer the student to an appropriate health provider to obtain the required vaccinations.

Transfer Students: A student can be enrolled provisionally for no more than 30 days if the student transfers from one Texas school to another and is awaiting the transfer of the immunization record. Students transferring from another state or country do not qualify for provisional enrollment. Students must be compliant with Texas requirements to attend school.

Military Dependents: A dependent of a person who is on active duty with the armed forces of the United States can be enrolled provisionally for no more than 30 days if the student transfers from one school to another and is awaiting the transfer of the immunization record. RULE §97.69.

Sec 11.1. Exemptions from Immunization Requirements.

Exclusions from immunization requirements are allowable on an individual basis for medical reasons, reasons of conscience (including a religious belief), and active duty with the armed forces of the United States.

To claim exclusion for medical reasons, the student must present a statement signed by the student’s physician (M.D. or D.O.), duly registered and licensed to practice medicine in the United States who has examined the student, in which it is stated that, in the physician’s opinion, the vaccine required is medically contraindicated or poses a significant risk to the health and well-being of the student or any member of the student’s household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

To claim an exclusion for reasons of conscience, including a religious belief, a signed Texas Department of State Health Services affidavit must be presented by the student’s parent, stating that the student’s parent declines vaccinations for reasons of conscience, including because of the person’s religious beliefs. The affidavit will be valid for a period of two years. The form affidavit

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may be obtained by writing the Texas Department of State Health Services Immunization Branch (MC 1946), P.O. Box 149347, Austin, Texas 787149347, or online at Affidavit Request for Exemption from Immunization. The form must be submitted to the Superintendent or designee within 90 days from the date it is notarized. If the parent is seeking an exemption for more than one student in the family, a separate form must be provided for each student. Students who have not received the required immunizations for reasons of conscience, including religious beliefs, may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

To claim exclusion for armed forces, the student must prove that he or she is serving on active duty with the armed forces of the United States.
If a parent seeks an exemption for more than one student, a separate form must be provided for each student.

Sec 11.2. Immunization Records Reporting and Management.

IDEA's record of a student's immunization history, while private in most instances, may be inspected by the Texas Education Agency, local health departments, and TDSHS. Records may also be shared with other schools upon request, associated with a student transfer.

Sec.12. TELEMEDICINE SERVICES.

IDEA has partnered with a telemedicine provider to bring additional healthcare services to IDEA campuses. All students are eligible to participate in the services. The cost of services varies on health insurance status, and all billing is managed through the third-party provider. The school is not responsible for any cost families may incur by participating. For campuses utilizing telehealth services, parents can register their child for telehealth services at any time. The health aide and/or Licensed Practical Nurse will determine if the student's need warrants a telehealth appointment and will contact the student's parent before requesting a telehealth appointment. Parents can choose to join the telehealth appointment virtually. Health aides and/or Licensed Practical Nurses will follow delegated orders from the telehealth provider.

Sec.12. DATE ADOPTED AND EFFECTIVE.

As set forth in the pertinent minutes to the meeting of the Board, the Board adopted this policy on November 22, 2024, and it became effective on November 22, 2024.

Sec.13. RETENTION.

This policy shall be retained until superseded, expired, or discontinued and for five (5) years thereafter in accordance with state law.

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Sec.14. CERTIFICATION.

The Undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of the Board Policy relating to Medical Treatment, as originally adopted by the Board on September 29, 2023, revised on May 31, 2024, and revised on November 22, 2024, is in full force and effect and has not been revoked or amended.

Signed by:

Eduardo Rivera

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Board Secretary

1/17/2025

Date Certified

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