

# *Board of Education*

## *Mesa County Valley School District 51*

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*Board Work Session Minutes*

*October 5, 2021*

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### **Board Work Session Minutes**

A - Doug Levinson  
 B -  
 C - Trish Mahre  
 D - Tom Parrish  
 E - Amy Davis

**Board of Education**  
**Mesa County Valley School District 51**  
**Board Work Session: October 5, 2021**  
**Adopted: November 9, 2021**

	A	B	C	D	E		ACTION
						<b>AGENDA ITEMS</b>	
Present Absent	x		x	x	x	<b>BOARD WORK SESSION</b> ➤ Mr. Parrish attended the meeting virtually.  A. Strategic Plan Update ➤ Mr. Alex Carter, Colorado Education Initiative Vice President of Implementation, updated the Board on the progress and process to develop a strategic plan for the District. Mr. Carter noted a Steering Committee has been formed and has been working on creating aspirations to drive the focus areas in the D51 Strategic Plan. Aspirations developed were: <ul style="list-style-type: none"> <li>• Students in D51 thrive mentally, emotionally and academically in a culture of inclusion, belonging, and high expectations, while enrolled in the District.</li> <li>• Teachers in D51 thrive professionally because they have the supports, expectations, and resources that support their growth.</li> <li>• Students in D51 graduate with college credit, workforce and life skills, and a plan for their future that will prepare them for success in their lives.</li> <li>• The community in Mesa Valley supports and partners with D51 deeply to achieve the goals of the District.</li> </ul> Mr. Carter reviewed emerging themes coming from listening sessions such as academics, social and emotional learning, mental health, career-connected learning, transitioning from elementary school to middle school and middle school to high school and high school to post-secondary or life, community engagement, communication, staff career advancement and better compensation for staff. Mr. Carter engaged the Board and audience members in a brainstorming session to list things the participants would want students to have and strengths to expand on and/or improvements needed in the District. The feedback received from the participants along with feedback received from numerous community listening sessions will be shared with the Steering Committee and used in developing the D51 Strategic Plan.	6:00 p.m.
						B. Audience Comments ➤ Mr. Tom Keenan, Palisade 81526 Mr. Keenan has 30 years of experience in education. He feels many high school students are not fully engaged because of the classes they are required to take during their freshman and sophomore years, which causes grades to drop. He believes there needs to be a change in the counseling concept and counselors need adequate time to work with students, regarding schedules and plans for the future, rather than scheduling testing. He requested information regarding District curriculum but was given information on state standards. He feels students need to be able to identify their strengths and weakness and he believes bringing in mentors and/or having professionals give presentations would help enlighten students on career opportunities.	
						C. Review of Applicants for Director District B ➤ Mr. Levinson reported applications to fill the vacancy in Director District B were due on September 28. The District received applications from ten qualified	

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						<p>candidates. Copies of application documents were sent to Board members who reviewed the documents along with community feedback to determine four finalist to interview.</p> <ul style="list-style-type: none"> <li>➤ Board members individually announced the name of the applicants they would like to interview. Board members unanimously selected Mr. Garrett Carrica, Mrs. Cindy Enos Martinez, Ms. Kari Sholtes and Mr. Daniel Worth. Interviews will be held on Tuesday, October 12.</li> </ul> <p><u><b>BUSINESS MEETING</b></u></p>	
Present	x		x	x	x	1. Call to Order/Roll Call	8:34 p.m.
Absent							
Motion			x			2. Agenda Approval	Approved
Second					x		
Aye	x		x	x	x		
No							
Motion			x			3. Policy Third Reading/Adoption	
Second					x	3.a. JLCD, Administering Medicines to Students	
Aye	x		x	x	x	3.b. JLCDB, Administration of Medical Marijuana to Qualified Students	
No						<ul style="list-style-type: none"> <li>➤ Mr. John Williams, General Counsel, reminded the Board that these policies were brought forward for adoption at the last meeting. At that time, the Board requested additional restrictions, similar to those in policy JLCD, be added to Policy JLCDB regarding staff volunteering to administer medical marijuana. Mr. Williams noted additional requirements were added so staff volunteering would be required to receive training, a staff member could only volunteer for one student at any given time, parents would have to provide no more than a daily dosage with such dosage being stored in a locked container provided by the parents.</li> <li>➤ Motion to approve the policies with additional language being added to policy JLCDB, Administration of Medical Marijuana to Qualified Students, to clarify the type of lock box, being provided by parents, would have to be one approved by the school principal.</li> </ul>	Adopted
Motion			x			4. Adjournment 8:37 p.m.	
Second					x		
Aye	x		x	x	x		
No							
						<hr/> Bridget Story, Secretary Board of Education	

**Mesa County Valley School District 51**  
**JLCD**  
**ADMINISTERING MEDICINES TO STUDENTS**

Related: JLCD-R, JLCD-E

Adopted: June 13, 1972

Revised: April 16, 1991

Presented for Adoption: December 16, 2014

ReAdoption: October 25, 2016

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School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours and the student's parent/guardian is not available to administer the medication during the school day.

Medication may be administered to students by school personnel whom a registered nurse has trained and delegated the task of administering such medication. For purposes of this policy, the term "medication" includes both prescription medication and nonprescription medication, but does not include medical marijuana. The term "nonprescription medication" includes but is not limited to over-the-counter medications, homeopathic and herbal medications, vitamins and nutritional supplements.

For preschool students any routine medication, prescription or non-prescription (over-the-counter) must be administered only with a current written order of a health care provider with prescriptive authority and with written parental consent. Home remedies, including homeopathic medications, shall never be given to a preschool student.

Student possession, use, distribution, sale or being under the influence of medication inconsistent with this policy shall be considered a violation of Board Policy concerning drug and alcohol involvement by students and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.

The administration of medical marijuana shall be in accordance with the Board's policy on administration of medical marijuana to qualified students.

Medication may be administered to students by the school nurse or other school designee only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medication, the student's name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner shall be printed on the container.
2. The school shall have received written permission to administer the medication from the student's health care practitioner with prescriptive authority under Colorado law.
3. The school shall have received written permission from the student's parent/guardian to administer the medication to the student.
4. The parent/guardian shall be responsible for providing all medication to be administered to the student.

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5. The nonprescription medication is a product that has been approved by the federal Food and Drug Administration (FDA).

### **Self-administration of Prescription Medication for asthma, allergies or anaphylaxis or other prescription medication**

A student with asthma, a food allergy, other severe allergies, or a related, life-threatening condition or who is prescribed medication by a licensed health care practitioner may possess and self-administer medication to treat the student's asthma, food or other allergy, anaphylaxis or related, life-threatening condition, or other condition for which the medication is prescribed pursuant to a written treatment plan approved by the school principal. Such plan may provide for self-administration of such medication during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity. A treatment plan for student possession and self-administration of medication to treat asthma, a food allergy, other severe allergies, or a related, life-threatening condition shall be approved in accordance with the regulation accompanying this policy, and shall be effective only for the school year in which it is approved.

Authorization for a student to possess and self-administer medication to treat the student's asthma, food or other allergy, anaphylaxis or other related, life-threatening condition, or other condition for which the medication is prescribed may be limited or revoked by the school principal after consultation with the school nurse and the student's parent/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

### **Use of stock epinephrine auto-injectors in emergency situations**

The District shall have a stock supply of epinephrine auto-injectors for use in emergency anaphylaxis events that occur on school grounds. Such injectors shall be available for use at schools only after the District has first completed the following:

1. Find a medical provider to write a script for each school for annual standing orders. Each script must be complete with medication, route, time, dose, and refills.
2. Emergency procedures to be written and posted at each school and a care plan and forms published on the District website.
3. Food handling procedures established to insure prevention of cross contamination.
4. Development of an emergency plan for use of the injectors which includes communication, storage and accessibility in emergencies and identification of staff for training and delegation needs.
5. Development of comprehensive training procedures for each level of needed training, which training shall include: CPR and first aid, the definitions of anaphylaxis, identification of common

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triggers/allergens (nuts, bees); content about how a child or adult might explain a reaction including what symptoms a person may have; the a technique for injector use; requirements for calling EMS; and procedures for reporting the use of epinephrine and reordering of stock, if stock was used.

6. Identification of at least two staff members at each school to be extensively trained and delegated to.

Any administration of a stock epinephrine auto-injector to a student by a District employee shall be in accordance with applicable state law, including applicable State Board of Education rules.

The District's stock supply of epinephrine auto-injectors is not intended to replace student-specific orders or medication provided by the student's parent/guardian to treat the student's asthma, food or other allergy, anaphylaxis or related, life-threatening condition.

### **Self-administration of Medication**

#### **Prescribed by a Licensed Health Care Provider**

A student enrolled in a District school may be allowed to possess and self-administer on school grounds, upon a school bus or at any school-sponsored event or activity any medication, including medication to treat the student's asthma, food or other allergy, anaphylaxis or related, life-threatening condition, that is prescribed by a licensed health care provider or other condition for which the medication is prescribed to be used by the student, subject to the following requirements and restrictions:

1. A student shall not be allowed to possess or self-administer a medication unless the parent first notifies the school's administration of the student's medical needs and receives written authorization from the school administrator for the student to possess and self-administer such medication in accordance with the program.

2. The school administrator may, in consultation with the school nurse and after reviewing information provided by the parent(s) or guardian(s) and by the licensed health care provider prescribing the medication, authorize or restrict a student's possession and/or self-administration of medication. The factors to be considered in making such determination include the age and/or maturity of the student, the degree of responsibility of the student, the type of medication prescribed, and whether the student's possession or self-administration poses a significant risk of harm to the student or to the other students.

3. If the school administrator determines to authorize the student to possess and self-administer a prescribed medication, the school nurse shall give written notice of the authorization to

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the student's teachers and other school staff having regular contact with the student. The notification may include a copy of the contract or health care plan established for the student, if applicable.

4. Authorization for a student to possess and self-administer a prescribed medication may be limited or revoked by the school administrator after consultation with the school nurse and the student's parent/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

5. If a prescription medication is carried for a life-threatening condition, the parent or guardian shall be required to provide a sufficient supply to be kept at the school to be administered to the student in the event of an emergency.

6. No student shall be allowed to possess medication in an amount or quantity that exceeds the dosage that is prescribed to treat the student's condition for a single day or for the duration of a school event or activity, whichever is appropriate. This restriction shall not apply to medication that is contained in a multi-dose device approved by the school administrator or school nurse, including, but not limited to, an asthma inhaler or insulin pump.

7. A student shall not be permitted to possess medical marijuana, on school grounds, on a school bus, or at any school sponsored event or activity.

8. The Superintendent shall adopt such regulations as are necessary and appropriate to carry out this policy. Any student who possesses or self-administers any prescribed medication in violation of this policy or its implementing regulation, or in violation of any restrictions or rules established by the school administrator for such possession or self-administration, may be considered a violation of the District's policy against alcohol/drug abuse by students, and shall subject the student to discipline, including suspension or expulsion. Any student who sells, shares or distributes to another person any prescribed medication possessed pursuant to this policy shall be subject to expulsion pursuant to Board policy and state law.

LEGAL REFS.: C.R.S. [12-38-132](#) (delegation of nursing tasks)  
C.R.S. 12-38-132.3 (school nurses – over-the-counter medication)  
C.R.S. [22-1-119](#) (no liability for adverse drug reactions/side effects)  
C.R.S. 22-1-119-1 (board may adopt policy to acquire a stock supply of opiate antagonists)  
C.R.S. 22-1-119.3 (3)(c), (d) (no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a

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school bus or at a school-sponsored event)

C.R.S. [22-1-119.5](#) (Colorado Schoolchildren's Asthma, Food Allergy, and Anaphylaxis Health Management Act)

C.R.S. [22-2-135](#) (Colorado School Children's Food Allergy and Anaphylaxis Management Act)

C.R.S. [24-10-101](#) et seq. (Colorado Governmental Immunity Act)

1 CCR [301-68](#) (State Board of Education rules regarding student possession and administration of asthma, allergy and anaphylaxis management medications or other prescription medications)

6 CCR [1010-6](#), Rule 9-105 (regulations)

CROSS REFS.: [JICH](#), Drug and Alcohol Involvement by Students

[JKD/JKE](#), Suspension/Expulsion of Students

[JLCDA](#), Students with Food Allergies

[JLCE](#), First Aid and Emergency Medical Care



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The Board strives to honor families' private medical decisions while ensuring a learning environment free of disruption. To accomplish these goals, the District restricts the administration of medications, including medical marijuana, during school hours unless administration cannot reasonably be accomplished outside of school hours.

Administration of medical marijuana to qualified students on District property shall be in accordance with this policy. Administration of all other prescription and nonprescription medications to students shall be in accordance with applicable law and Board Policy JLCD concerning the administration of medications to students.

### **Definitions**

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

1. "Designated location" means a specific location identified in writing by the District in its sole discretion and which location may be on the grounds of the school in which the qualified student is enrolled, such as a school nurse's office or a building administrator's office upon a school bus in Colorado, or at a school-sponsored event in Colorado.
2. "Medical marijuana" means a cannabis product with a delta-9 tetrahydrocannabinol (THC) concentration greater than 0.3 percent.
3. "Permissible form of medical marijuana" means non-smokeable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested and absorbed in a short period of time. Patches and other forms of administration that continue to deliver medical marijuana to a qualified student while at school may be appropriate for students who receive ongoing adult assistance or on a case-by-case as determined by the District when adequate protections against misuse may be made. Forms of medical marijuana not included in this definition may be proposed by the qualified student's primary caregiver to the Nursing Coordinator, who may authorize such a request after consultation with the appropriate medical professionals chosen by the District.
4. "Primary caregiver" means the qualified student's parent, guardian or other responsible adult over eighteen years of age who is identified by the student's parent/guardian as the qualified student's primary caregiver. In no event shall another student or staff member be recognized as a primary caregiver, unless the staff member is the student's parent/guardian. Any primary caregiver seeking access to school or District property, a school bus or school-sponsored event for purpose of this policy must comply with the Board's

policy and/or procedures concerning visitors to schools and all other applicable policies.

5. "Qualified student" means a student who holds a valid recommendation for medical marijuana from a licensed physician and is registered with the Colorado Department of Public Health and Environment for the use of medical marijuana and for whom the administration of medical marijuana cannot reasonably be accomplished outside of school hours.

### **Permissible administration of medical marijuana to a qualified student**

A qualified student's primary caregiver may administer a permissible form of medical marijuana to a qualified student in a designated location if all of the following parameters are met:

1. The qualified student's parent/guardian provides the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's parent/guardian signs a written acknowledgement assuming all responsibility for the provision, administration, maintenance and use of medical marijuana under state law, and releases the District from liability for any injury that occurs pursuant to this policy;
3. The qualified student's parent/guardian or primary caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The District determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other students;
5. After administering the permissible form of medical marijuana to the qualified student, the student's primary caregiver shall remove any remaining medical marijuana from the grounds of the school, District, school bus or school-sponsored event; and
6. The District prepares, with the input of the qualified student's parent/guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school nurse, the school administrator, the qualified student (if capable) and the qualified student's parent/guardian.

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**Permissible administration of medical marijuana to a qualified student by school personnel**

School personnel may volunteer to store, administer, or assist in the administration of medical marijuana to a qualified student in a designated location if the following parameters are met:

1. The qualified student's parent/guardian has provided the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's parent/guardian signs a written acknowledgment granting permission for the school personnel who volunteer to store, administer, or assist in the administration of medical marijuana under state law, and releases the District from liability for any injury that occurs pursuant to this policy;
3. The qualified student's parent/guardian or primary caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The qualified student's parent/guardian or primary caregiver shall deliver to the school personnel a one-day dosage of the permissible form of medical marijuana to be administered that day, it being understood that no medical marijuana shall be stored on the school premises over night;
5. The assigned school personnel shall administer permissible medical marijuana to only one qualified student on any given day;
6. School personnel shall be required to take the annual training course required of District health assistants for the administration of medicines to students;
7. Each voluntary school personnel shall keep an accurate log of all medical marijuana administered in a format that is identical to the log required for the administration of other medicines to students at school.
8. The District determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other students;
9. The parent/legal guardian or primary caregiver shall provide a suitable locked storage container to store the medical marijuana and the District determines, in its sole discretion, a suitable location to place the locked storage container so that administration of medical marijuana is not significantly delayed in the event of a medical emergency; and

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10. The District prepares, with the input of the qualified student's parent/guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school administrator, the school personnel who volunteers to store, administer, or assist in the administration of the medical marijuana, the qualified student (if capable), and the qualified student's parent/guardian.

The administration of medical marijuana by a school personnel is purely a voluntary act by the school personnel. Nothing contained in this Policy requires school personnel to administer medical marijuana.

### **Additional Parameters**

Any parent/guardian or other primary caregiver seeking access to District property for purpose of this policy must comply with the District policy and/or procedures concerning visitors to schools, including reporting to the school office when entering, showing proper identification and stating the reason for being at the school.

This policy conveys no right to any student or to the student's parents/guardians or other primary caregiver to demand access to any general or particular location on school or District property, a school bus or at a school sponsored event to administer medical marijuana.

This policy does not apply to school grounds, school buses or school-sponsored events located on federal property or any location that prohibits marijuana on its property.

Any plan developed in accordance with this policy shall be included in any other accommodation plan or individualized education plan developed or in place regarding the qualified student.

Permission to administer medical marijuana to a qualified student may be limited or revoked if the qualified student and/or the student's primary caregiver violates this policy or demonstrates an inability to responsibly follow this policy's parameters.

Student possession, use, distribution, sale or being under the influence of marijuana inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol involvement by students or other Board policy and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.

If the federal government indicates that the District's federal funds are jeopardized by this policy, the Board declares that this policy must be suspended immediately and that the administration of any form of medical marijuana to qualified students on school property, on a school bus or at a school-sponsored event must not be

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permitted. The District must post notice of such policy suspension and prohibition in a conspicuous place on its website.

Legal Refs.: Colo. Const. Art. XVIII, Section 14 (*establishing qualifications for use of medical marijuana*)  
C.R.S. 22-1-119.3(a) (*Board must adopt and implement a policy including processes for the storage, possession, and administration of medical*)  
C.R.S. 22-1-119.3 (3)(d)(*no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or a school-sponsored event*)  
C.R.S. 22-1-119.3 (3)(d)(I) (*school personnel may volunteer to possess, administer, or assist in the administration of medical marijuana*)  
C.R.S. 22-1-119.3 (3)(d)(III) (*Board may adopt policies regarding who may act as a primary caregiver and to establish reasonable parameters on the administration and use of medical marijuana on school grounds, on a school bus or at a school-sponsored event*)

Cross Refs.: JICH, Drug and Alcohol Involvement by Students  
JKD/JKE, Suspension/Expulsion of Students  
JLCD, Administering Medications to Students  
JLCD-R, Administering Medications to Students  
JLCE, First Aid and Emergency Medical Care  
KI, Visitors to the Schools  
KI-R, visitors to Schools