

MEDICAL MARIJUANA IN SCHOOLS

The Board recognizes that there may be some students in the RSU 56 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 designated “caregiver” under Maine’s medical marijuana law, 22 MRSA § 2423-A91)(E)) may possess and administer marijuana in a non smokeable form in a school bus or 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.

“Qualifying patient” means a person who has been diagnosed by a medical provider as having a debilitating medical condition and who possesses a valid written certification regarding medical use of marijuana for it in accordance with section 22 MRSA Sec. 2423-B (in other words, is the person who has been “certified” for use of medical marijuana by a health care provider as having one of the health conditions for which use of medical marijuana is deemed therapeutic and so has a medical marijuana card that enables him/her - or in the case of a minor, the parent caregiver - to obtain it). In the policy the “qualifying patient” is the student. NOTE: There is nothing in the law that would permit students who are not minors to possess or self-administer medical marijuana in schools or that would allow any other person to administer it to them.

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 person administering the medical marijuana must provide proof that:
 - 1. He/she is the primary caregiver for the student;
 - 2. The student has a current written certification from a medical provider 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.
- B. The marijuana must be in a non smokeable form;

POLICY: JLCDA

- C. The marijuana must be possessed only by the primary caregiver and only for the purpose of administering it to the student at school;
- D. Medical marijuana may only be possessed by the primary caregiver; it cannot 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. Medical marijuana may be administered only at the designated location/nurse’s office; the primary caregiver must go there directly and, if visitors are required to sign in, to do so;
- G. 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.

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

Adopted: July 11, 2017

First Reading: March 12, 2019

Second Reading: March 26, 2019

Revised: March 26, 2019