

Regional School Unit 73 Board of Directors	CODE: JLCDA Page 1
SUBJECT: Medical Marijuana in Schools	
DATE OF ORIGINAL POLICY: 2/2016 DATE OF NEXT REVIEW: 2021 CANCELS POLICY CODE: None REVISION DATE:	
JURISDICTION: RSU 73 Schools	

POLICY: Medical Marijuana in Schools

The Board recognizes that there may be some students in RSU #73 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 legal custodian under Maine’s medical marijuana law, 22 MRSA §2423-A91)(E)) may possess and administer marijuana in a nonsmokeable 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.

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.
 - 4. Complete Provider Request form – JLCDA – E.

- B. The marijuana must be in a nonsmokeable form;

- C. The marijuana must be possessed only by the primary caregiver (parent, guardian or legal custodian) and only for the purpose of administering it to the student at school;

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- D. The marijuana may only be possessed by the primary caregiver; it cannot be given to or held by any school employee (including school nurses), 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 in a private location in the main office or school nurse’s office; the primary caregiver must go there directly and follow the established visitor’s policies.
- G. 18 year old students may not possess or administer medical marijuana at any time on school property. It is still illegal to possess marijuana on school property and all school rules and state law still apply

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 unless they are not adhering to the state law on the proper administering of the medical marijuana

Legal Reference: Maine 2015 P.L. Ch. 369

Adopted: February 11, 2016