JLCDA - Medical Marijuana in Schools

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The Board recognizes that there may be some students in the MSAD #35 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.

The administration of medical marijuana in Maine schools is governed by the Maine Medical Use of Marijuana Act (MMUMA). The regulatory agency charged with implementing the MMUMA is the Department of Administration and Financial Services (DAFS). The Maine Medical Use of Marijuana Program, located within DAFS, performs administrative duties associated with implementation of the MMUMA, such as issuing of registration cards to "caregivers."

Administration of medical marijuana should be done in a way that minimizes the interruption of instructional time for the student and with a minimum of disruption of routine school operations.

The following procedure is to be followed for the administration of medical marijuana at school:

A. The student's parent/legal guardian/legal custodian must request the school unit's Board policy JLCDA-E1 "Medical Marijuana Parent/Provider Request Form to Administer at School" form and a copy of the Board's policy JLCDA, Medical Marijuana in Schools from the school nurse.

B. The parent/legal guardian/legal custodian and the student's medical provider (physician, certified nurse practitioner, or physician assistant) must complete and sign the Request form, to be submitted to the school with a copy of the student's current written certification for the use of medical marijuana. The parent/legal guardian/legal custodian must present the original certification to the school employee responsible for processing the request. A copy of the certification will be retained by the school.

C. The parent/legal guardian/legal custodian must designate a caregiver who will administer medical marijuana to the student in school (including a student who is 18 years of age or older). The designated caregiver must be registered with the Maine Medical Marijuana Program. The original registry identification card and caregiver designation form must be presented to the school employee processing the request. Copies will be retained by the school.

D. If the designated caregiver is a person other than the student's parent/legal guardian/legal custodian, the designated caregiver must also provide verification that he/she is authorized by the State of Maine to administer marijuana to the student on school grounds;

E. An arrangement will be made between the school administration and the designated caregiver to schedule the administration of medical marijuana in a manner that will minimize disruption to the student's educational program, other students, school personnel, and the operations of the school.

F. Medical marijuana may be administered only at the school nurse's office. The designated caregiver must sign in at the school office on arrival at school and proceed directly to the location where the medical marijuana will be administered. The designated caregiver must comply with all Board policies and school rules while on school grounds.

G. Medical marijuana administered in school must be in a nonsmokeable form. Vaporizers are not permitted.

H. Only the designated caregiver may bring medical marijuana to school. It may not be held, possessed, or administered by any person other than the caregiver. The student may only hold or possess the medical marijuana during the process of administration and under the supervision of the caregiver.

I. The designated caregiver must sign out at the school office after the administration of the medical marijuana, taking any remaining medical marijuana with him/her.

A student who uses marijuana in accordance with this policy for the medical use of marijuana may not be excluded (suspended or expelled) from school or school activities because they require medical marijuana to attend school.

Legal Reference: Maine Medical Use of Marijuana Act, 2015 P.L. Ch. 369 (2015)

Cross Reference: JLCD – Administration of Medication to Students

JLCD-E1 Administration of Medical to students on School Field Trips

KI – Visitors to the Schools

Policy Adopted: February 28, 2018

Policy Revised: August 18, 2021

Revision #1
Created 2022-10-03 15:03:36 UTC by Elaine Robinson
Updated 2024-12-04 18:18:33 UTC by Elaine Robinson