

MEDICAL MARIJUANA IN SCHOOLS

The Board recognizes that there may be some students in the RSU No. 5 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-A (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.
- B. The marijuana must be in a nonsmokeable or noninhalable form. It must be administered in a tincture form that is nonsmokeable and noninhalable.
- 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 cannot be administered or held by any school employee, student or other person in school.
- 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 principal’s office or another designated location that is not a significant risk to other students; the primary caregiver must go there directly, after signing-in at the main office. Medical marijuana must not be administered in the health office.
- 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.

If the Federal Government requests that the district cease and desist executions of activities under this policy at the hazard of losing federal funding, the district will comply with the federal guidance immediately.

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

Cross Reference: JLCDA-R – Medical Marijuana in Schools – Administering Marijuana to Students

Adopted: December 14, 2016