

**ADMINISTERING MEDICAL MARIJUANA TO STUDENTS IN SCHOOLS**

The Board recognizes that there may be some students in the M.S.A.D.49 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 accordance with the applicable law, this section only applies to students under the age of 18. Students 18 years of age and older may not possess or use medical marijuana at school.

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:
  - 1. Proof that he/she is the primary caregiver for the student; and
  - 2. The student has a current written certification from a medical provider for the use of medical marijuana; and
  - 3. The Parent Medical Provider Request to Administer Medical Marijuana at School form signed by the student’s authorized medical provider and the student’s primary caregiver.
- B. The marijuana must be in a nonsmokeable form (vaping is considered a smokeable form.);
- 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;

- 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 school’s health office or other private area designated by the school in the presence of a school employee; the primary caregiver must go there directly and, if visitors are required to sign-in / sign-out, to do so;
- G. The caregiver must transport any remaining medical marijuana with him or her off school premises;
- H. 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.

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

Approved: April 7, 2016