

**MILLINOCKET SCHOOL DEPARTMENT  
MEDICAL MARIJUANA IN SCHOOLS**

The Board recognizes that there may be some students in the Millinocket School Department 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. In accordance with 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.**

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 (field trips, etc.) 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.

If a primary caregiver and/or qualifying patient are found to be in violation of this policy, administration will contact law enforcement.

- A. The person administering the medical marijuana must provide proof that
1. He/she is the primary caregiver for the student as defined by law;
  2. The student has a current written certification on tamper-free paper from a medical provider for the use of medical marijuana as defined by law;
  3. The student needs to have the drug administered during the school day, as opposed to before or after school.
  4. The student’s primary caregiver shall obtain a copy of the Millinocket School Department’s Request/Permission to Administer Medical Marijuana in School Form and Board Policy JLCDA from the Principal’s Office. The administration reserves the authority to request documentation that the individual is the student’s primary caregiver.

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NEPN/NSBA Code: JLCDA

5. The primary caregiver and the student's authorized medical provider, as defined by law, shall complete the Request/Permission to Administer Medical Marijuana in School Form, and attach a copy of the current written certification for the use of medical marijuana. The original certification must be shown to the School Nurse or designee.
- B. The marijuana must be in a nonsmokeable 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, 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 Nurse's Office; the primary caregiver must go there directly and, if visitors are required to sign in, to do so;
- G. The School Nurse or designee must witness the consumption of the medical marijuana, and the caretaker must stay until the consumption is complete;
- 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.

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

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