

## CHAPTER 5.00 – STUDENTS

### MEDICAL MARIJUANA

5.622

- I. The purpose of this policy is to comply with F.S. 1006.062(8), to allow a qualified patient/student, as defined in F.S. 381.986(1)(1), to use medical marijuana in accordance with law.
- II. The Board strives to comply with state law to honor families' private medical decisions while ensuring a learning environment free of disruption. To accomplish these goals, as a general rule, prescription medication, including medical marijuana, should be administered at home. Prescription medications, including medical marijuana, should only be administered on District property during school hours when administration cannot reasonably be accomplished outside of school hours. The primary caregiver should administer the medical marijuana/low THC cannabis at home whenever possible to qualified students/patients who require the use of medical marijuana/low THC cannabis for a qualifying medical condition.
  - A. In those limited circumstances when it is medically necessary, administration of medical marijuana to qualified students on District property shall be in accordance with this policy. Administration of all other prescription and nonprescription medications to students on District property during school hours shall be in accordance with applicable law and Board policy concerning the administration of medications to students.
  - B. Medical marijuana/low THC cannabis cannot be administered to a qualifying student/patient while aboard a school bus or at a school-sponsored event.
  - C. This policy conveys no right to any student or to the student's parents/guardians or other caregiver to demand access to any general or particular location on school or district property, a school bus or at a school-sponsored event to administer medical marijuana/low THC cannabis.

## **CHAPTER 5.00 – STUDENTS**

- D. If the federal government indicates that the district's federal funds are jeopardized by this policy, or asks the District to cease and desist the implementation of this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana/low THC cannabis to qualified students on school property shall not be permitted. The District will comply with any federal guidance and/or directives related to this policy. If the Board declares that this policy is suspended, said notice concerning suspension and prohibition shall be publically posted in a conspicuous place on its website.
- E. Definitions - For purposes of this policy, the following definitions shall apply per Florida Statute:
1. "Student" means an individual enrolled in a Washington County Public School, Pre-K through 12<sup>th</sup> grade who are subject to compulsory school attendance, as well as students with disabilities 18 through 21 years of age.
  2. "Qualified student/patient" means a student/patient who is a resident of this state and who meets the definition of a qualified student/patient in F. S. 381.98(1)(1).
  3. "Primary caregiver" or "caregiver" must be 21 years of age or older and a resident of this state who has agreed to assist with a qualified patient's medical use of marijuana, has a caregiver identification card and meets the requirements set forth in F.S. 381.986(6).
  4. "Designated location" means a location identified by the District in its sole discretion on school grounds, such as the nurse's office or a building administrator's office. District or school administration determines, in its sole discretion, the location of administration of a permissible form of medical marijuana/low THC cannabis that does not create risk of disruption to the educational environment or exposure to other students.

## **CHAPTER 5.00 – STUDENTS**

5. “Qualified physician” means an individual who holds an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and is in compliance with the physician education requirements set forth in F.S. 381.986(3).
6. “Permissible form of medical marijuana/low THC/cannabinoid products” means non-smoke able/non-inhalable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time. Due to the potential for misuse, vapors, patches or other forms of administration that continue to deliver medical marijuana to a student while at school are not permitted with this policy.

### **III. Permissible administration of medical marijuana to a qualified student on school district property.**

- A. School nurses or health care personnel or school administration staff are not allowed to administer, store/hold or transport the medical marijuana/low THC cannabis in any form and it will not be stored on any District property, including school grounds, at any time.
- B. A student's parent/guardian or caregiver may administer the permissible form of medical marijuana to the qualified student/patient on District property in the designated location if all of the following criteria are met:
  1. A copy of the student's valid registration form for medical marijuana must be provided to the District. The authorization for medical marijuana/low THC cannabis use for qualified students at school form must be submitted to the principal/designee every school year, and when there are any changes to the medication and the type of preparation (i.e., oils, tablet). The completed form shall include the type, amount, time to be administered, possible side effects and any special instructions regarding the medication.

## **CHAPTER 5.00 – STUDENTS**

2. A written statement signed by the qualified student's parent/guardian must be on file which assumes all responsibility for ensuring the administering individual is qualified to perform the task, assumes all responsibility for the administration, maintenance and use under state and federal law, and releases the District from liability for any injury arising out of the administration of medical marijuana on District property.
  3. The parent/guardian/caregiver shall be responsible for providing the permissible form of medical marijuana to be administered to the qualified student and for removing the medical marijuana from school grounds immediately after the administration is complete.
  4. The District determines, in its sole discretion, that a designated location and method of administration of medical marijuana are available that do not create a risk of disruption to the educational environment or exposure to other students.
  5. In accordance with this policy, district or school administration shall prepare, with input from the qualified student's parent/guardian/caregiver, a written medical marijuana/low THC cannabis implementation plan that identifies the registration number for the medical marijuana registration, permissible form of the medical marijuana/low THC cannabis, designated location(s), and which shall be on file with the school.
  6. The written plan shall be signed by the school nurse, school administrator, and the qualified student's parent/guardian/caregiver.
- C. Any parent/guardian seeking access to District property for purposes of this policy must comply with District policy and/or procedures concerning visitors

## CHAPTER 5.00 – STUDENTS

to schools, including checking in through the District's Raptor\*Check-in System.

- D. Student possession, use, distribution, sale or being under the influence of medical marijuana inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol use by students or other Board policy and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.
- E. Permission to administer medical marijuana/low THC cannabis to a qualified student/patient may be limited or revoked if the qualified student/patient or the student's caregiver violate this policy or demonstrate an inability to responsibly follow this policy's parameters.
- F. At no time shall the qualifying student/patient have the medical marijuana/low THC cannabis in their possession except during the administration process, through dispensation by the designated primary caregiver, per the District's implementation plan.

### STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

### LAW(S) IMPLEMENTED:

381.88, 381.885, 768.13, 1000.21, 1001.43,  
1002.20, 1002.22, 1006.062, F.S.

### HISTORY:

ADOPTED: 11/19/2019  
REVISION DATE(S):  
FORMERLY: NEW