

MEDICAL MARIJUANA IN SCHOOLS

The Board recognizes that there may be some students in the Brunswick schools who rely on the use of medical marijuana to manage or treat 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 who is at least 21 years of age under Maine’s medical marijuana law, 22 MRS § 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, 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 (defined above) for the student;
 2. The caregiver provides the school with a copy of the student’s current written certification from a medical provider for the use of medical marijuana during school hours and/or during school-based activities.
 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 form.
- C. Medical marijuana may only be possessed by the primary caregiver and only for the purpose of administering it to the student at school. It cannot be given to or held by any school employee, student, or other person in school, with the exception of the “qualifying patient”.

- D. 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.
- E. Medical marijuana must be administered at a designated place and time coordinated with the school principal or the principal’s designee.
- F. 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

Adopted: 3/9/2016