

ADMINISTERING MEDICAL MARIJUANA IN SCHOOLS

The Kittery School Committee recognizes that there may be some students in the Kittery School District 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.

A. ADMINISTRATION OF MEDICAL MARIJUANA

The Maine Medical Use of Marijuana Act governs administration of medical marijuana in schools in Maine. The Department of Administration and Financial Services (“DAFS”) is the regulatory agency charged with implementing the Maine Medical Use of Marijuana Act. The Maine Medical Use of Marijuana Program, located within DAFS, is charged with the Administrative duties associated with implementation, such as issuance of registration cards.

The following procedure must be followed for the administration of medical marijuana to students at school.

1. The student’s parent/legal guardian/legal custodian shall obtain a copy of the Kittery School District’s Request to Administer Medical Marijuana in School Form and School Committee Policy JLCD from the school nurse.
2. The parent/legal guardian/legal custodian and the student’s authorized medical provider (physician, certified nurse practitioner or physician assistant) shall complete and sign the Request Form, and attach a copy of the student’s current written certification for the use of medical marijuana. The original certification must be shown to the school employee processing the request. A copy will be retained by the school.
3. The parent/legal guardian/legal custodian must designate the caregiver who will administer medical marijuana to the student in school (including for students over the age of 18). The designated caregiver must be registered with the Maine Medical Marijuana Program. The original registry identification card and caregiver designation form must be shown to the school employee processing the request. Copies will be retained by the school.
4. If the designated caregiver is not a parent/legal guardian/legal custodian of the student, the designated caregiver must also submit verification that he/she is authorized by the State to administer marijuana to the student on school grounds.
5. Arrangements will be made between the school administration and the designated caregiver to schedule the administration of medical marijuana in a manner that will minimize disruption to school operations and the student’s educational program, and that will not impact other students or employees. The designated caregiver must comply with all School Committee policies and school rules while on school premises to administer medical marijuana to a student.
6. Medical marijuana must be brought to school by the caregiver, and may not be held, possessed or administered by anyone other than the caregiver. The student may only possess the medical marijuana during the actual administration process. Medical

marijuana administered in school must be in nonsmokeable form (vaporizers are not permitted).

7. The designated caregiver must check-in at the school office upon arrival for the administration of medical marijuana. Medical marijuana may only be administered in a private, designated area and must be observed by a school designee.
8. The designated caregiver must check-out at the school office following administration of the medical marijuana and transport any remaining medical marijuana with him/her off school premises.

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.

Cross Reference: JLCD - Administration of Medication to Students
JLCDA-E - Administering Medical Marijuana in Schools Form

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

Adopted: March 15, 2016

Revised: March 19, 2019