

## **JLCDB Compassionate Administration of Therapeutic Cannabinoid Products on District Property**

The Board strives to honor families' private medical decisions while ensuring a learning environment free of significant disruption. To accomplish these goals, the district restricts the administration of prescription medications, including cannabinoid products, during school hours unless administration cannot reasonably be accomplished outside of the school day.

Administration of cannabinoid products to qualified students on district property shall be in accordance with this policy. This policy does not apply to administration of any other prescription or nonprescription medications; administration of all other prescription and nonprescription medications to students on district property during school hours shall be in accordance with existing Board policies and all other applicable laws.

### **Definitions**

For purposes of this policy, the following definitions shall apply:

1. "Qualified student" means a student who holds a valid registration from the state of Colorado for use of cannabinoid products and for whom the administration of cannabinoid products cannot reasonably be accomplished outside of school hours.
2. "Designated location" means a location identified in writing by the school district in its sole discretion and may include a location on school grounds, upon a school bus, or at any school-sponsored event on school or district property.
3. "Medical professional" means an individual licensed under article 36 or article 38 of title 12, C.R.S.
4. "Permissible form of cannabinoid products" means non-inhalable (smoke or vapor) products such as

oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time that are not otherwise intended for recreational use. Patches or other forms of administration that continue to deliver cannabinoid products to a student while at school are not permitted. Forms of cannabinoid products not included in this definition may be proposed by the qualified student's parent/guardian to the chief education officer, or designee, who may authorize such a request after consultation with appropriate medical personnel chosen by the district.

### **Permissible administration of cannabinoid products to a qualified student**

A student's parent, guardian, or a medical professional may administer a permissible form of cannabinoid products to a qualified student on district property if all of the following criteria are met:

1. The administering parent or guardian shall be the qualified student's primary caregiver or the administering medical professional must be employed specifically to assist the qualified student in the administration of cannabinoid products.
2. A written statement signed by the qualified student's parent/guardian must be on file which assumes all responsibility for ensuring the individual administering the permissible form of cannabinoid product 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 cannabinoid products on district property;
3. The parent/guardian shall be responsible for providing the permissible form of cannabinoid products to be administered to the qualified student; and
4. The school district determines, in its sole discretion, that a location and method of administration of cannabinoid products are available that do not create significant risk to other students.
5. A written plan that identifies the form, location(s), and any protocol regarding the administration of a permissible form of cannabinoid products to a qualified student shall be on file with the school.
6. The written plan for cannabinoid product administration is signed by the school nurse, school administrator, the qualified student (if capable), and the qualified student's parent/guardian.

School personnel shall not administer, hold or store overnight any cannabinoid products in any form.

This policy conveys no right to any student or to his or her parents/guardians or medical professional(s) to demand access to any general or particular location on school or district property to administer cannabinoid products.

Student possession, use, distribution, sale or being under the influence of cannabinoid products inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol involvement 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.

If the Federal Government requests that the district cease and desist execution of activities under this policy at the hazard of losing federal funding, the district will comply with the federal guidance immediately.

LEGAL REFS:

- C.R.S. 22-1-119.3 (*no student possession or self-administration of marijuana, but policy can permit assisted administration*)
- C.R.S. 12-36-102.5 (*licensing of physicians*)
- C.R.S. 12-38-103 (*licensing of nurses*)

CROSS REFS:

- JICH, Drug and Alcohol Involvement by Students • JKD/JKE, Suspension/Expulsion of Students
- JLCD, Administering Medications to Students
- JLCE, First Aid and Emergency Medical Care

ADOPTED: November 10, 2016