

Administration of Medical Marijuana, Hemp Oil and Cannabinoid Products to Qualified Students

The Board strives to honor families' private medical decisions while ensuring a safe learning environment free of disruption for all students. To accomplish these goals, the district restricts the administration of medications, including medical marijuana, hemp oil, or cannabinoid products, during school hours unless administration cannot reasonably be accomplished outside of school hours.

Administration of medical marijuana, hemp oil and/or cannabinoid products to qualified students shall be in accordance with this policy and applicable state law. This policy does not apply to the administration of all other prescription and nonprescription medications to students which is governed by separate Board policy and applicable law.

Medical Marijuana

A student's primary caregiver (parent, guardian, medical professional, or other responsible adult over eighteen years of age who is not a student and is identified by the student's parent/guardian as the qualified primary caregiver) may administer medical marijuana on school property, at a school-sponsored event, or on a school bus, in a non-smokeable form to the student who possesses a valid recommendation for medical marijuana. The parent or guardian shall be solely responsible for providing the non-smokeable medical marijuana. The parent or guardian shall provide a written statement specifically describing the product and method of administration, and releasing the school and district from any and all legal liability and financial responsibility to the student and any third party related the administration of medical marijuana to the student on school property or at school sponsored events. This statement shall be maintained with the student's school medical records.

The location of the administration of the medical marijuana shall be arranged in advance with the primary caregiver and the building administrator or designee so that the administration of the medical marijuana does not create a disruption to the educational environment. Following the administration of the medical marijuana, the primary caregiver shall immediately remove all the products from school property.

Hemp Oils and/or Cannabinoid Products

The parents or guardians of students who are administering hemp or CBD oils to the student during school hours that do not meet the state's definition of marijuana (currently CBD oil products with a THC level of 0.3 or less), shall provide a written statement signed by the parent or guardian specifically describing the product with sufficient information to determine the THC level of the product and the method of delivery. The statement shall release the school and district from any and all legal liability and financial responsibility to the student and any third party related the administration of the hemp or CBD oil to the student on school property or at school sponsored events. These documents shall be maintained with the student's medical records. The parent or guardian shall be solely responsible for providing and administering the hemp or CBD product for the student. Following administration, the primary caregiver shall immediately remove the product from school property.

Additional Parameters

School personnel shall not administer or hold medical marijuana, hemp oil or cannabinoid products in any form.

District employees shall not be obligated under district policy for reporting suspected child abuse or neglect based solely on the parent or guardian administering medical marijuana, hemp oils or other cannabinoid products in compliance with this policy. This is not intended to alleviate any employee from his or her reporting obligations under applicable state law.

This policy conveys no right to any student or to the student's parents/guardians or other primary 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 a permissible form of medical marijuana, hemp oil or cannabinoid products.

This policy shall not apply to school grounds, school buses or school-sponsored events located on federal property or any other location that prohibits marijuana on its property.

Permission to administer medical marijuana, hemp oil or cannabinoid products to a qualified student may be limited or revoked if the qualified student and/or the primary caregiver violates this policy or demonstrates an inability to responsibly follow this policy's parameters.

Student possession, use, distribution, sale or being under the influence of marijuana, hemp oil or 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 indicates that the district's federal funds are jeopardized by this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana, hemp oil or cannabinoid products to qualified students on school property, on a school bus or at a school-sponsored event shall not be permitted. The district shall post notice of such policy suspension and prohibition in a conspicuous place on its website.

LEGAL REFS.: Colo. Const. Art. XVIII, Section 14 (*establishing qualifications for use of medical marijuana*)
C.R.S. 22-1-119.3 (3)(c), (d) (*no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event*)
C.R.S. 22-1-119.3 (3)(d)(III) (*board may adopt policies regarding who may act as a primary caregiver and to establish reasonable parameters on the administration and use of medical marijuana on school grounds, on a school bus or at a school-sponsored event*)

CROSS REFS.: JICH, Drug and Alcohol Involvement by Students
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCD, Administering Medications to Students
JLCE, First Aid and Emergency Medical Care