Administration of Medical Marijuana

The Colorado Early Colleges (CEC) Governing Board (Board) strives to honor families' private medical decisions while ensuring a learning environment free of disruption. As a result, the Board prohibits the administration of Medical Marijuana unless its administration cannot reasonably be accomplished outside of school hours.

NO CEC EMPLOYEE OR STUDENT MAY ADMINISTOR OR POSSESS MARIJUANA OR MARIJUANA DERIVATIVES WITH THC IN ANY FORM ON CEC PROPERTY, WHILE RIDING A CEC SCHOOL BUS, OR WHILE AT CEC SPONSORED EVENTS IN VIOLATION OF THIS POLICY.

Administration of Medical Marijuana to Qualified Students shall be in accordance with this policy. This policy does not apply to the administration of any other prescription or nonprescription medications, which shall be governed in accordance with CEC's Medication Administration policy and applicable laws.

Definitions

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

- "Designated Location" means a location identified in writing by a CEC Head of School or Chief Executive Administrator (CEA). The Board's preference for a Designated Location is the School Nurse/medical office. Other locations shall only be approved as a Designated Location by the CEA in writing due to unavailability or accessability of the nurse/medical office.
- "Medical Marijuana" means a cannabis product with a delta-9 tetrahydrocannobinol (THC) concentration greater than 0.3 percent prescribed by a Medical Professional.
- "Medical Professional" means an individual licensed under article 36 or article 38 of title 12 of the Colorado Revised Statutes who has prescriptive authority.
- "Permissible Form of Medical Marijuana 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 and are not intended for recreational use. Patches or other forms of administration that continue to deliver Medical Marijuana products to a student while at school may be appropriate for students who receive on-going adult assistance or on a case-by-case basis as determined by the School when adequate protections against misuse may be made. Forms of Medical Marijuana products not included in this definition may be proposed by the Qualified

Student's Parent/Guardian to the CEA, or CEA's designee, who may authorize such a request after consultation with appropriate medical personnel chosen by CEC.

- "Qualified Student" means a student enrolled at CEC, who holds a valid Registry identification card (as defined in Article XVIII, Section 14 of the Colorado Constitution "Registry Card") *and has a signed and notarized "Written Plan: Administration of Medical Marijuana to Qualified Students"* on file with the CEC school, and for whom the administration of Medical Marijuana products cannot reasonably be accomplished outside of school hours.

- "Primary Caregiver" means a person who must be over the age of 18. In no event shall the Qualified Student or any another CEC student be recognized as a Primary Caregiver. Any Primary Caregiver seeking access to school property, a CEC school bus, or CEC school-sponsored event for purposes of this policy must comply with CEC's School Visitors policy and all other applicable CEC policies.

- "Universal Symbol" means the image established by the Colorado Marijuana Enforcement Division and made available to Licensees through the Marijuana Enforcement Division's website indicating the Medical Marijuana or Medical Marijuana Infused-Product contains marijuana.

Permissible Administration of Medical Marijuana Products to a Qualified Student:

A Primary Caregiver may administer Permissible Forms of Medical Marijuana products to a Qualified Student on school grounds, upon a school bus, or at a school-sponsored event only if the following criteria are met:

1. The Qualified Student's parent/guardian (hereinafter, "Guardian") provides the applicable CEC school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid Colorado Registry card which authorizes the student to receive Medical Marijuana at least one week in advance of requesting authorization to administer Medical Marijuana pursuant to this policy.

2. The Guardian must provide the applicable CEC school with the signed and notarized "Written Plan: Administration of Medical Marijuana to Qualified Students describing:

    - the valid registration for the State of Colorado for the use of Medical Marijuana,
    - the Medical Marijuana product and dose prescribed,
    - copy of physician certification,
    - the side effects of the product,
    - the reason the product is necessary for the Qualified Student,
    - the specified time and frequency of administration,
    - name, DOB, and copy of identification of all requiested persons to admister Caregiver names listed on the Medical Marijuana Registry Card,
    - a statement that the Medical Marijuana product cannot be administrated exclusively outside of school hours, and
    - an explanation of why the Medical Marijuana product cannot be administrated exclusively outside of school hours.

3. The Primary Caregiver shall be responsible for providing the Permissible Form of Medical Marijuana to be administered to the Qualified Student.

4. Within ten (10) school days the school administration will notify the Guardian of acceptance or denial of the requiest. CEC may determine, at its sole discretion, whether

a location or method of administration of Medical Marijuana products is available that does not create a disruption to the learning environment or cause exposure to other students. CEC may also determine, at its sole discretion, whether the continued use of the Medical Marijuana product disrupts the learning environment or causes exposure to other students. If CEC determines that the Medical Marijuana product creates a disruption or causes exposure, CEC shall consider alternative arrangements.

5. If accepted CEC shall approve the written plan. The written plan shall be signed by, the Head of School for the students CEC school, the Qualified Student's Guardian, and the Primary Caregiver.
6. If at any time dosage amounts or times must change, the Guardian must request to alter/revise the Written Plan prior to implementing changes.

Permissible administration of medical marijuana to a qualified student by school personnel

School personnel may volunteer to store, administer, or assist in the administration of medical marijuana to a qualified student in a designated location if the following parameters are met:

1. The qualified student's Guardian has provided the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's Guardian signs a written acknowledgment granting permission for the school personnel who volunteer to store, administer, or assist in the administration of medical marijuana under state law, and releases the School from liability for any injury that occurs pursuant to this policy;
3. The qualified student's Guardian or Primary Caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The school determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other students;
5. The school determines, in its sole discretion, the location of a locked storage container to store the qualified student's medical marijuana that does not significantly delay access to or the administration of the medical marijuana in a medical emergency; and
6. The school prepares, with the input of the qualified student's Guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school administrator, the school personnel who volunteer to store, administer, or assist in the administration of the medical marijuana, the qualified student (if capable), and the qualified student's Guardian.

Additional Parameters

- This policy is not intended to and does not convey any right to any student, Guardian, or medical professional to demand access to any general or particular location on school grounds to administer Medical Marijuana products.

- Student possession, use, distribution, sale, or being under the influence of Medical Marijuana products inconsistent with this policy may be considered a violation of CEC's Drug, Alcohol, and Tobacco Use policy concerning drug and alcohol involvement by students or other applicable CEC policy and may subject the student to disciplinary action, including suspension and/or expulsion
- Permission to administer Medical Marijuana to a Qualified Student may be limited or revoked if the Qualified Student, Guardian, and/or the Primary Caregiver violates this policy or demonstrates an inability to follow this policy's parameters responsibly.
- All Medical Marijuana brought onto CEC property or to CEC school-sponsored events must be kept in packaging that contains the Universal Symbol and may only be removed from the packaging while in the Designated Location. For the qualified student the Permissible Form of Medical Marijuana will be stored in a designated locked location within the school building. The Guardian will follow the School procedures in working with the school nurse or Head of School to ensure the delivery of the Permissible Form of Medical Marijuana to the location designated by the school for storage. The school will store the Permissible Form of Medical Marijuana and provide access to the Qualified Student for administration as identified within the written plan
- Either the school determines, in its sole discretion, the location of a locked storage container to store the qualified student's medical marijuana that does not significantly delay access to or the administration of the medical marijuana in a medical emergency, or, after administering the permissible form of medical marijuana to the qualified student, the student's Primary Caregiver may remove any remaining medical marijuana from the grounds of the school, school bus, or school-sponsored event; and
- If the federal government indicates that CEC'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 to Qualified Students on school property, while riding a CEC school bus, or at a CEC school-sponsored event shall not be permitted. In such instance, CEC shall post notice of such policy suspension and prohibition on its website.

Written Plan:
Administration of Medical Marijuana to Qualified Students

NO CEC EMPLOYEE MAY ADMINISTOR OR POSSESS MARIJUANA IN ANY FORM ON CEC PROPERTY OR WHILE AT CEC EVENTS.

The capitalized terms herein shall have the same meaning as given in the Administration of Medical Marijuana to Qualified Students policy.

To be completed by the Qualified Students Parent(s):

Name of Qualified Student _____

School _____ Grade _____

Name of Qualified Student's Primary Caregiver

_____

DOB: _____ Primary Caregiver's phone _____

Permissible Form of Medical Marijuana to be administered to the Qualified Student by the Primary Caregiver:

_____

_____

Administration method to be used by the Primary Caregiver (to assist the CEC Head of School in determining an appropriate location for administration of Medical Marijuana to the Qualified Student):

_____

_____

Dosage amount _____

Proposed times to administer _____

Side effects of the Medical Marijuana: _____

_____

Reason the product is necessary for the Qualified Student and cannot be administrated exclusively outside of school hours. Feel free to attach additional documentation.

_____

_____

By initialing the following paragraphs and signing below, the undersigned parent or guardian hereby acknowledges:

_____ I have read and agree to comply with the Board's policy regarding the administration of Medical Marijuana to Qualified Students.

_____ I assume all responsibility for the provision, administration, maintenance, and use of Medical Marijuana to my child.

_____ I understand that as soon as I, or my designated Primary Caregiver, complete the Medical Marijuana administration, I, or my designated Primary Caregiver, must remove any remaining Medical Marijuana from the grounds of the school, school property, school bus, or school-sponsored event.

_____ I understand that CEC, with my input, will determine a designated location and any protocols regarding the administration of Medical Marijuana to my child and that this plan does not allow for the administration of Medical Marijuana on federal property or any location that prohibits marijuana on its property.

_____ I understand that permission to administer Medical Marijuana in accordance with this plan may be revoked for the failure to comply with the Board's policy on the administration of Medical Marijuana to Qualified Students or other applicable Board policies.

_____ The Primary Caregiver is qualified to perform the task of administering the Medical Marijuana product(s) designated herein to the Qualified Student.

_____ I understand that Medical Marijuana may only be administered in the Designated Location.

_____ I understand that Medical Marijuana brought onto CEC property or to CEC events must kept in packaging that contains the Universal Symbol and may only be removed from the packaging while in the Designated Location.

By signing below, I hereby release Colorado Early Colleges, its personnel, Board, and agents from any legal claim which I now have or may hereafter have arising out of the administration of Medical Marijuana to my child.

_____ Name of parent or guardian

_____ Signature of parent or guardian

Subscribed and sworn to before me this ____ day of _____, 20__, by _____.

Notary Public

My commission expires:

To be signed by Primary Caregiver if different than the P signing this document.

_____ Name of Primary Caregiver

_____ Signature of Primary Caregiver

Subscribed and sworn to before me this ____ day of _____, 20__, by _____.

Notary Public

My commission expires:

To be completed by the school:

I have reviewed a copy of the student's Registry Card from the state of Colorado authorizing the student to receive Medical Marijuana. The expiration date is _____.

I have reviewed an original document provided to me by the Parent of the Qualified Student and signed by the Qualified Student's Medical Professional describing: (a) the Medical Marijuana product and dose prescribed; (b) the side effects of the product; (c) the reason the product is necessary for the Qualified Student, (d) the specified time and frequency of administration, (e) a statement that the Medical Marijuana product cannot be administrated exclusively outside of school hours, and (f) an explanation of why the Medical Marijuana product cannot be administrated exclusively outside of school hours.

After receiving input from the Qualified Student's Parent, I have conditionally approved the Qualified Student's identified Primary Caregiver to administer the Permissible Form of Medical Marijuana identified above in the following designated location(s):

_____

_____

Such administration shall occur in accordance with the following protocol(s):

_____

_____

_____

_____

_____ Signature of CEC Head of School

Additional Legal Refs:
20 U.S.C. § 1232g; 34 CFR Part 99 (FERPA)
The Health Insurance Portability and Accountability Act of 1996,
P.L. No. 104-191, 110 Stat. 1938 (1996).
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)
New 1000-1 Series Rules

Policy Refs: JLCDB-G Administration of Medical Marijuana