**SHAWNEE PUBLIC SCHOOLS: DISTRICT POLICY BQ**

**MEDICAL MARIJUANA AND RELATED ITEMS**

**Medical Marijuana**

Medical marijuana is not permitted upon school grounds, in school vehicles or buses, or at school-related activities except as stated in this policy. At no time will marijuana be grown or stored on school premises. School employees will not under any circumstances:

a. Assist students in obtaining or using medical marijuana;

b. Store medical marijuana for students;

c. Take and/or use a student’s medical marijuana;

d. Serve as a student’s designated legal guardian or caregiver, unless the student is the child of or in the legal custody of the employee.

The District reserves the right to discipline employees or students who fail to adhere to Oklahoma law and/or the requirements of this policy. Such disciplinary action will be addressed in accordance with the student discipline code and/or the standards of conduct for employees. Employees may be subject to termination or non-reemployment.

If a student has specific procedures regarding medical marijuana that are written into the student’s Individualized Education Program (IEP) and such procedures are consistent with state and federal law, those provisions will take precedent over this policy. Situations involving students on IEP’s will be handled on a case-by-case basis, consistent with state and federal law.

**Employees**

During hours of employment, on school grounds, in school vehicles or buses, or at school-related activities, employees are not permitted to be under the influence of marijuana, including medical marijuana.

The District will not take adverse action against an employee solely because the employee holds a medical marijuana license. The District may take action against an employee who possesses a medical marijuana license if the employee uses or possesses marijuana while at school, while engaged in school-related activities or duties, on school vehicles or buses, or during the hours of employment as per 63 O.S. § 425A. An employee who possesses a medical marijuana license is not subject to discipline solely upon the results of a drug test showing

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positive for marijuana or its components. However, an employee who possesses a commercial driver’s license (“CDL”) and a medical marijuana license is subject to discipline (as it relates to the duties for which the employee possesses the CDL) upon the results of a drug test showing positive for marijuana or its components.

**Students**

Students are not allowed to possess or use medical marijuana or medical marijuana products during the school day, on school grounds, in school vehicles or buses, or at school-related activities. Students whose medical condition requires the use of medical marijuana during the school day are allowed to access and utilize medical marijuana in accordance with state law by having a parent or guardian check the student out of school to administer medical marijuana off of school premises and, if applicable, to return the student to school. Upon arriving at the school, the parent or guardian will follow District protocol with regard to checking out and checking in the student.

**Marijuana-related products including cannabidiol (CBD)**

For purposes of this policy, the term “marijuana-related product” includes any product or substance referred to in state law, 63 O.S. §2-101 (23) (a)-(f)), but excluded from the definition of marijuana in state law. The term “marijuana-related product” includes cannabidiol (CBD).

Adopted: October 2019

Revised: