

# **Protocols Governing the Administration of Medical Marijuana to Students**

## **1.1 Authority**

Rhode Island Code of Regulations, 216-10-4.23, which requires that Davies develop protocols or procedures authorizing its students' parents (or their designees) and legal guardians, and its school nurses to administer medical marijuana to Davies students while those students are on Davies' school campus.

## **1.2 Purpose**

The purpose of this policy is to establish the requirements and procedures according to which a Davies student can be administered medical marijuana while on Davies' school campus.

## **1.3 Requirements/Procedures**

A Davies student may be administered medical marijuana while on Davies school campus in accordance with the following requirements and procedures:

1. The student must be authorized to engage in the use of medical marijuana pursuant to "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act", chapter 28.6 of title 21 of Rhode Island General Laws.
2. Medical marijuana may be administered to a Davies student only after an individual health care plan ("IHCP") has been created for that student by the student's health team under the supervision of Davies' administration.
3. To initiate the development of a student's IHCP, the following must first be submitted to Davies school nurse's office:
  - a. Written instructions for the administration of medical marijuana to the student signed by the student's certifying physician, advanced practice nurse practitioner, or physician assistant, which instructions must be on the healthcare professional's letterhead and also include the student's debilitating medical condition; the dose of medical marijuana, including the amount of CBD and/or THC (where applicable) per dose; the minimum interval between dosages; and any possible side effects;

- b. A complete and legible copy of the student's medical marijuana registry identification card as issued by the Rhode Island Department of Health;
  - c. A written and signed statement from the student's parents or legal guardians releasing Davies, its employees and volunteers from liability, except in cases of willful or wanton conduct or disregard of the criteria of the IHCP; and
  - d. A written and signed designation naming the person (that is, the student's parents, student's parents' designees, student's legal guardians, and/or Davies' school nurse) authorized to administer medical marijuana to the student while on Davies' school campus during the school day.
4. After the materials designated in sub-section c are received and the student's registry identification cardholder status is verified, an IHCP will be developed to address the student's health care needs. The IHCP will be developed at a meeting of the student, student's parents (or their designees) or legal guardians, Davies' school nurse, and a Davies administrator. The IHCP shall, among other things, specify and include:
- a. The written instructions provided by the student's health care provider;
  - b. The name(s) and authority of those who are authorized to administer the medical marijuana, that is, the student's parents, parent's designee, legal guardian, and/or Davies' school nurse;
  - c. The designated location on Davies' school campus where medical marijuana may be administered to the student, in the presence of a designated school authority;
  - d. A requirement that the administrator of the medical marijuana must document and sign off on each dose administered in accordance with this policy;
  - e. A requirement that medical marijuana only be consumed (not inhaled) and that the dosage must be properly labeled;
  - f. A specification that medical marijuana administered to a Davies student by a parent, parent's designee, or legal guardian must be either consumed/utilized in its entirety by the student or that the excess medical marijuana which is not consumed/utilized by the student must be removed in its entirety from Davies' school campus, with the exception of any disposable packaging that no longer contains medical marijuana; and
  - g. A specification that medical marijuana administered to a Davies student by Davies' school nurse must be either consumed/utilized in its entirety by the student or that the excess medical marijuana which is not consumed/utilized by the student must be returned to the secure cabinet designated by Davies for the purpose of securely storing medical marijuana, for later retrieval by the student's parents, their designee, or legal guardian.

5. Administration of medical marijuana on Davies' school campus may only occur at the following locales: Nurse's Office and Main Office.
6. A student's valid Rhode Island medical marijuana registry identification card must be presented to a designated Davies school administrator prior to each dosage of medical marijuana being administered and the dose must be administered to the student in the presence of that school administrator.
7. All medical marijuana products to be administered to a Davies student on Davies' school campus must have been obtained from a Rhode Island licensed compassion center and shall be labeled with the following information: (i) the student's name; (ii) the student's date of birth; (iii) dosage; and (iv) product ingredients.
8. Each administration of a dose of medical marijuana to a student on Davies' school campus must be documented in a written log that includes:
  - a. The student's name;
  - b. The date, time, and specific place of the administration to the student;
  - c. The dosage administered to the student;
  - d. The route of administration to the student;
  - e. The signature of the person who administered the medical marijuana to the student, along with their printed name below and an indication of their authority (that is, parent, parent's designee, legal guardian, or school nurse); and
  - f. The printed and signed name of the school administrator in whose presence the dosage was administered.

In the event that a dosage is not administered as dictated by the written instructions, the reason(s) why not must be documented as well.

9. Administration of medical marijuana to any student by smoking or other form of inhalation is prohibited.
10. Students are prohibited from handling or self-administering medical marijuana on Davies' school campus, a school bus, or at school-related functions. If a student is found to be in violation of this prohibition, then the student may be subject to disciplinary action per the Davies Student Handbook.
11. Students are prohibited from possessing, using, distributing, or selling marijuana in any way that is inconsistent with the provisions of Rhode Island Code of Regulations,

216-RICR-20-10-4.23 or R.I.G.L. §§ 16-21-16 & 16-21-21.1. If a student is found to be in violation of this prohibition, then the student may be subject to disciplinary action per the Davies Student Handbook.

12. A student who is authorized to use medical marijuana shall not be considered under the influence of marijuana nor penalized pursuant to R.I.G.L. §§16-21-16 & 16-21-21.1.
13. Proof of a valid and up-to-date marijuana registry identification card and updated medical documentation must be provided following the timelines for all other health care plan medical documentation.
14. These policies do not apply during the time a student is engaged in a school-sponsored trip or activity outside the State of Rhode Island.
15. These policies do not apply to FDA-approved cannabinoid medications.
16. As with any student taking over-the-counter or prescription medication, students exhibiting signs of impairment such that they are unable to participate cogently or safely in school may be referred to the school nurse, administration, and/or 911 emergency services.
17. To be clear, students with approved IHCP's to receive medical marijuana in school may be barred from certain work-based learning assignments due to the regulations or requirements of a given employer. Although Davies will attempt to find a work site that accommodates students with medical marijuana cards to the same extent that it would attempt to find a work site for other students who need an accommodation due to a given employer's policy, students who receive medical marijuana in school may nevertheless be required to engage in an alternative work-based learning project.

#### **1.4 Administration of Medical Marijuana by a Davies School Nurse**

Davies' school nurse may decide for themselves, and in their sole discretion, whether they are willing to administer medical marijuana to Davies students. However, such decision must be made on a student body-wide basis, that is, either all authorized students shall be administered to or none shall be. If Davies' school nurse opts not to administer medical marijuana to Davies students, then Davies shall make such other arrangements as are necessary for its students, if any, to receive their medical marijuana during the school day.

Administration of medical marijuana to a Davies student by Davies' school nurse is governed by all of the requirements provided above in section 1.3. Additionally, all medical marijuana to be administered by Davies' school nurse must be kept in a secured cabinet designated by Davies.

### **1.5 Administration of Medical Marijuana by a Student's Designee (if the student is age 18 or over), Parents, Parents' Designees, and Legal Guardians**

Administration of medical marijuana to students by their designee (if the student is aged 18 or over), parents, parents' designees, and legal guardians is governed by all of the requirements provided above in section 1.3. Additionally, any medical marijuana taken onto Davies' school campus by their designee (if the student is aged 18 or over) parent, parents' designee, or legal guardian must be either (i) consumed/utilized in its entirety by the student, or (ii) the excess medical marijuana which is not consumed/utilized by the student must be removed in its entirety from the school campus, with the exception of any disposable packaging which no longer contains medical marijuana.

Students who are aged 18 or over and parents are prohibited from designating any Davies employee or board of trustees member to administer medical marijuana to the student. Likewise, Davies employees (with the exception of the school nurse who choose to do so in accordance with this policy) and board of trustees members are prohibited from administering medical marijuana to Davies students.