



August 13, 2019

() Action Required
(X) Informational

BULLETIN NO. 052-19 STUDENT ENGAGEMENT & SUPPORT

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
Public Charter Schools
Tribal Compact Schools
School Principals
School Nurse Supervisors

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: [Substitute House Bill 1095](#): Medical Marijuana Administration to Students

CONTACT: Nicole Klein, PhD, RN, NCSN, Supervisor, Health Services
360-725-6054, nicole.klein@k12.wa.us

PURPOSE/BACKGROUND

On April 30, 2019, Governor Inslee signed into law Substitute House Bill 1095 permitting students who meet the requirements of [RCW 69.51A.220](#) to consume marijuana-infused products for medical purposes on school grounds, aboard a school bus, or while attending a school-sponsored event in accordance with school district policy. The bill went into effect on July 28, 2019. This legislation will add a new section to chapter [28A.210 RCW](#).

REQUIREMENTS FOR DISTRICTS

District Board of Directors shall adopt a policy upon the request of a parent or guardian to authorize the parent or guardian to administer marijuana-infused products to a student for medical purposes while on school grounds, aboard a school bus, or while attending a school-sponsored event. The policy must, at a minimum:

- Require the student be authorized by a health care practitioner to use marijuana-infused product for medical purposes.
- Establish a protocol for verifying the student is authorized to use marijuana for medical purposes.
- Establish a protocol to verify the parent or guardian is acting as the designated provider for the student.

- Expressly authorize the parent or guardian to administer marijuana-infused products for medical purposes to their student on school grounds, aboard a school bus, or while attending a school-sponsored event.
- Identify locations on school grounds where marijuana-infused products may be administered.
- Prohibit the use of marijuana for medical purpose by smoking or other methods involving inhalation while the student is on school grounds, aboard a school bus, or while attending a school-sponsored event.

The School District must suspend any and all implementation if:

- The federal government issues communication after the effective date that would suggest federal funding will be withheld; and
- The Office of Superintendent of Public Instruction (OSPI) requests a formal opinion by the state attorney general on such federal communication; and
- The attorney general provides a formal opinion that federal communication reasonably demonstrate that continued implementation will jeopardize future federal funding.

KEY POINTS

Understanding the Registry Process

- Only a health care practitioner can authorize a patient to receive medical marijuana products.
- An [authorization](#) to use medical marijuana is not considered a prescription.
- All minor patients (students) must join the [registry](#) in order to receive a medical marijuana recognition card.
- Washington state provides a [list of specific qualifying conditions](#) to receive medical marijuana.
- All minors (students) will have a designated provider, and will also have their own medical marijuana recognition card (Attachment 1).
- Parents or guardians (designated providers) will have a separate medical marijuana recognition card with the minor's corresponding card number located on the card.
- Recognition cards expire six (6) months after being issued, but may also expire earlier.
- Recognition cards should be examined based on provided guidance (Attachment 1) and a current copy of each (minor patient and designated provider) should be kept on file by the school.

- Since authorization and registry are two separate processes for parents, parents who provide only authorization documentation should be directed to the [registry](#) process above.

Implications for Schools

- Only the parent or guardian with a valid patient (student) and designated provider card shall provide and administer marijuana-infused products for medical purposes to their child.
- Students are not permitted to self-carry or have in their possession this substance.
- Schools are not required to store and should not store marijuana-infused products for medical purposes.
- School staff are not permitted to administer the marijuana-infused products for medical purposes.
- Staff who hold a license, such as registered nurses, shall not administer any substance that is not approved by the Food and Drug Administration (FDA) or not approved by their licensing board and may have additional standards (Attachment 2).
- Schools should consult with the parent or guardian to determine current, past, or potential side effects for their student.
- Designated school staff should document and keep track of card expiration dates for each card, the marijuana-infused products given for medical purposes, and any potential or known side effects for student.
- Designated school staff should keep a daily written log and enter into the student's electronic school health record the date and time the parent or guardian administers medical marijuana-infused product, the dosage of the product given, and parent or guardian signature or initials.
- Schools should follow existing protocols or develop one in case there are any adverse reactions or new complications after receiving product.
- School administrators should be aware of the impairing effects of some medical marijuana-infused products and have a plan in place for determining how the student accesses the school environment such as:
 - School schedules
 - Student arrival at and departure from campus
 - Participating in school sponsored events on and off campus
 - Participating in school sponsored out of state trips
- District nurses shall follow [national](#) and state (Attachment 2) practice guidelines for medical marijuana and work with the parent or guardian to ensure appropriate care coordination occurs for the student.

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INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Nicole Klein, PhD, RN, NCSN, Supervisor of Health Services, regarding student eligibility for H/H services at 360-725-6040 or by email at nicole.klein@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins and Memoranda](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

Martin Mueller
Assistant Superintendent
Student Engagement and Support

Mona Johnson
Director
Student Support

CR:nk

Attachment 1: DOH Medical Marijuana Recognition Card Security Features

Attachment 2: DOH NCQAC Administration of Cannabis/Marijuana Products in K12

Advisory Opinion

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.