



STRATFORD BOARD OF EDUCATION – STRATFORD PUBLIC SCHOOLS

POLICY NUMBER: 4118.236

POLICY: PERSONNEL – CERTIFIED / NON-CERTIFIED – MEDICAL (PALLIATIVE) USE OF MARIJUANA

Medical (Palliative) Use of Marijuana

This policy sets forth the prohibited use of medical marijuana (palliative use) in the District's schools and on its property.

Definitions:

“Palliative Use” means the acquisition, distribution, transfer, possession or transportation of marijuana or paraphernalia relating to marijuana, including the transfer of marijuana and paraphernalia relating to marijuana from the patient's primary caregiver to the qualifying patient, to alleviate a qualifying patient's symptoms of a debilitating medical condition or the effects of such symptoms, but does not include any such use of marijuana by any person other than the qualifying patient.

“Qualifying Patient” means a person who is eighteen years of age or older, is a resident of Connecticut and has been diagnosed by a physician as having a debilitating medical condition.

“Primary Caregiver” means a person, other than the qualifying patient and the qualifying patient's physician, who is eighteen years of age or older and has agreed to undertake the responsibility for managing the well-being of the qualifying patient with respect to the palliative use of marijuana.

Although possession and use of marijuana for individuals eighteen years of age or older for certain medical conditions is permitted in Connecticut, the Board of Education (Board) recognizes that the possession and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana continues to be prohibited while a student or employee is on campus, riding a school bus or at school-sponsored activities.

It is the Board's intent, via this policy to maintain compliance with state and federal laws with regard to the prohibited use of marijuana in the schools, on school property and at school-related activities. This policy is also intended to maintain compliance with the afore-mentioned federal legislation. The Board directs the Superintendent and Staff to continue to enforce its current policies regarding controlled substances. Any student or employee who violate District policies prohibiting the manufacture, distribution, dispensation, possession or use of illegal drugs in District schools, on District property or as part of any District activities will be subject to disciplinary and criminal action, up to and including suspension, expulsion or termination of employment.

No District school may refuse to enroll any person or discriminate against any student solely on the basis of such person's or student's status as a qualifying patient or primary caregiver, per sections 1 to 15, inclusive, of P.A. 12-55.

Policy Adopted by Stratford Board of Education: Monday, February 24, 2020



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Policy 4118.235/4218.236(b)

Medical (Palliative) Use of Marijuana (continued)

The District shall not refuse to hire a person nor discharge, penalize or threaten an employee solely on the basis of such person's or employee's status as a qualifying patient or primary caregiver, as described in P.Q. 12-55. **(However, the Board retains its ability to prohibit the use of intoxicating substances during work hours and its ability to discipline an employee for being under the influence of intoxicating substances during work hours).**

Notes:

1. *The use of marijuana, including for palliative (medical) uses in schools, on school grounds and at school activities violates drug abuse laws, is educationally disruptive and violates the spirit of the drug, alcohol and tobacco free campus.*
2. *The District needs to notify applicants/staff of the medical marijuana policy and what constitutes disciplinary action. If the staff member is involved in a safety-related position, the policy must be very strict.*
3. *The District should place its focus on impairment and performance issues, due to the fact that the statute specifically prohibits the use of medical marijuana in the schools and school buses.*
4. *The District has the right and responsibility to maintain a drug-free workplace, protecting the safety of all employees and students.*
5. *The law provides no protection for the use of medical marijuana on the job or in the school setting.*

(cf. 4118.231/4218.231 – Alcohol, Drugs and Tobacco)

(cf. 4118.232/4218.232 – Drug Free Workplace)

(cf. 4118.235/4218.235 – Medical Marijuana Standards)

(cf. 5114 - Suspension / Expulsion)

(cf. 5131 – Conduct)

(cf. 5131.61 – Inhalant Abuse)

(cf. 5131.62 – Steroid Use)

(cf. 5131.612 – Surrender of Physical Evidence Obtained from Students)

(cf. 5131.8 – Out of School Grounds Misconduct)

(cf. 5131.92 – Corporal Punishment)

(cf. 5144 – Discipline / Punishment)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.121 – Vehicle Searches on School Grounds)

(cf. 5145.124 – Breathalyzer Testing)

(cf. 5145.125 – Drug Testing – Extracurricular Activities)

(cf. 6164.11 – Drugs, Alcohol, Tobacco)