



**BOARD OF EDUCATION POLICY**

**MEDICAL MARIJUANA, HEMP & CANNABIDIOL (CBD)**

Regardless of a student, employee, parent or any individual's status as a medical marijuana licenses holder, marijuana is not allowed on the premises of the technology center or in any school vehicle or in any personal vehicle transporting a student under any circumstances. While the use of medical marijuana in conjunction with the possession of a medical marijuana license is legal in the State of Oklahoma, marijuana is a prohibited controlled substance under federal law regardless of the use being for medical purposes. Accordingly, possession of marijuana by a student, employee, parent or any individual, notwithstanding the possession of a medical marijuana license, is strictly prohibited while on the premises of the technology center and in school vehicles; going to and from and attending technology center sponsored functions and events, including those technology center sponsored functions and/or events which occur in a location other than the premises of the technology center; utilizing technology center equipment or transportation; and in any other instance in connection with the technology center where the technology center reasonably deems the possession of marijuana to be illegal.

In the event that a student, employee, parent or any individual is found to possess or to have possessed marijuana in any of the instances stated above, the technology center will proceed with all actions and consequences that are afforded to the technology center under any state or federal law, employment contract, technology center policy, student handbook provision, or any other authority applicable to or adopted by the technology center.

A. Definitions

The following definitions shall apply:

1. Marijuana: all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin (except cannabidiol made from hemp which meets the definition of "Hemp Cannabidiol" as defined below). The term "marijuana" shall not include any federal Food and Drug Administration-approved cannabidiol medication.
2. Hemp Cannabidiol ("Hemp CBD"): a nonpsychoactive cannabinoid made from hemp that has a tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%).
3. Hemp: the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of

isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

#### 4. THC: tetrahydrocannabinol

The terms “marijuana” and “possession of marijuana” will be interpreted by the technology center in accordance with state and federal law. Any conflict between state and federal law as to the definition or treatment of “marijuana,” “possession of marijuana,” “hemp” or “cannabidiol” will be interpreted in accordance with the circumstances and proper legal authority.

##### B. Nondiscrimination

There will be no discrimination in the technology center because of an individual’s status as a medical marijuana license holder.

##### C. Hemp and Hemp Cannabidiol (Hemp CBD)

1. Regulation: Hemp CBD is regulated differently than marijuana under both state and federal law. Possession and administration of Hemp CBD shall be treated differently based on the concentration of THC in the Hemp CBD. In no instance will this section be construed to apply to a substance that (1) is not made from hemp or (2) contains more than 0.3% THC.

##### a. Hemp CBD Containing 0.0% THC

- i. Employees and other Non-Student Individuals: Employees and individuals who are not students of the technology center may possess and self-administer Hemp CBD containing 0.0% THC on the premises of the technology center. However, employees or non-student individuals must be able to certify, upon request, that the Hemp CBD contains 0.0% THC at the time of possession and/or self-administration via a reliable product label. Employees and non-student individuals are not permitted to self-administer Hemp CBD in the presence of students.
- ii. Students: A parent or legal guardian of a student may administer Hemp CBD containing 0.0% THC to the student in accordance with this policy. Hemp CBD containing 0.0% THC may only be administered to a student in an area designated by the technology center’s personnel. The parent, legal guardian must certify that the Hemp CBD contains 0.0% THC via a declaration given under penalty of perjury prior to administering such Hemp CBD to the student in the technology center’s designated administration area. Such declaration shall be effective for the semester in which it is given. A new declaration must be provided by a parent or legal guardian each semester. After the parent or legal guardian of the student has administered the Hemp CBD containing 0.0% THC to the student, the

parent or legal guardian must remove the Hemp CBD from the technology center's premises.

b. Hemp CBD Containing 0.3% THC

i. Employees and other Non-Student Individuals: Employees and individuals who are not students of the technology center may possess and self-administer Hemp CBD containing up to a maximum of three-tenths of one percent (0.3%) THC on the premises of the technology center provided they meet one of the following:

- (1) The employee or individual who is not a student is a medical marijuana license holder; or
- (2) The employee or individual who is not a student has a written certification from a physician licensed in Oklahoma that the employee or individual that is not a student has been diagnosed by a licensed physician as having one of the following:

- B. Lennox-Gastaut Syndrome;
- C. Dravet Syndrome, also known as Sever Myoclonic Epilepsy of Infancy;
- D. Any other severe form of epilepsy that is not adequately treated by traditional medical therapies;
- E. Spasticity due to multiple sclerosis or due to paraplegia;
- F. Intractable nausea and vomiting; or
- G. Appetite stimulation with chronic wasting diseases.

Employees or non-student individuals must be able to verify, upon request, (1) that they meet an exception listed above, and (2) that the Hemp CBD contains no more than 0.3% THC at the time of possession and/or self-administration, via a reliable product label or a physician's certification. Employees and non-student individuals are not permitted to self-administer Hemp CBD in the presence of students.

ii. Students: Students of the technology center may not possess and/or self-administer Hemp CBD containing THC in an amount no greater than 0.3%. However, the parent, legal guardian or caregiver (as defined in 63 O.S. § 420A) of the student may administer Hemp CBD containing THC in an amount no greater than 0.3% on technology center premises in accordance with this policy if the student meets one of the following exceptions:

- (1) The student is a medical marijuana license holder; or
- (2) The parent, legal guardian, or caregiver of the student has a written certification from a physician licensed in Oklahoma

that the student has been diagnosed by a licensed physician as having one of the following:

- B. Lennox-Gastaut Syndrome;
- C. Dravet Syndrome, also known as Sever Myoclonic Epilepsy of Infancy;
- D. Any other severe form of epilepsy that is not adequately treated by traditional medical therapies;
- E. Spasticity due to multiple sclerosis or due to paraplegia;
- F. Intractable nausea and vomiting; or
- G. Appetite stimulation with chronic wasting diseases.

The physician's written certification must also provide that the Hemp CBD being administered to the student has a THC level of not more than 0.3% and the Hemp CBD was delivered to the student, parent, or legal guardian in a liquid form.

The parent, legal guardian, or caregiver may administer Hemp CBD containing THC in an amount no greater than 0.3% to the student in an area designated by the technology center's personnel. The parent, legal guardian, or caregiver must certify that the Hemp CBD contains THC in an amount no greater than 0.3% via a declaration given under penalty of perjury prior to administering such Hemp CBD to the student in the technology center's designated administration area. Such declaration shall be effective for the semester in which it is given. A new declaration must be provided by the parent, legal guardian, or caregiver each semester. After the parent, legal guardian or caregiver of the student has administered the Hemp CBD to the student, the parent, legal guardian or caregiver must remove the Hemp CBD from the technology center's premises.

2. Administration by School Personnel and Storage: In no instance will a technology center employee administer Hemp CBD to a student, unless they are the parent, legal guardian, or caretaker for that student. The technology center will not maintain or store a student's Hemp CBD for any length of time.
3. Violations: In the event that a student, employee, parent or any individual is found to have violated the technology center's policy regarding Hemp CBD possession and/or self-administration, the technology center will proceed with all actions and consequences that are afforded to the technology center under any state or federal law, employment contract, technology center policy, student handbook provision, or any other authority applicable to or adopted by the technology center.

#### D. Overlap with Other Technology Center Policies

The technology center recognizes that the legal aspects and consequences of medical marijuana, cannabidiol, and hemp are new and possibly subject to change. These legal aspects and consequences of medical marijuana, cannabidiol, and hemp effect many areas

of the technology center's current policies regarding employees, students, parents and individuals on technology center premises or attending technology center events. The technology center will continue to enforce its current adopted policies. As the need arises with changes in state and/or federal law, the technology center will consider and/or examine technology center policies in order to assess whether revisions, if any, may be needed to a technology center policy in order to comply with state and federal law.

#### E. Employees

Employees of the technology center are expected to comply with state and federal law at all times as a term of their continued employment with the technology center. In that regard, employees are hereby notified that any person who uses or is addicted to marijuana, regardless of whether his or her state has passed legislation authorizing marijuana use for medicinal or recreational purposes, is an unlawful user of or addicted to a controlled substance and is prohibited by federal law from possessing firearms or ammunition. See 18 U.S.C. § 922(g)(3); see also Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") open letter to all federal firearms licensees (<https://www.atf.gov/file/60211/download>). Employees are expected to adhere to any and all open letters, formal opinions, directives, or any other instruction provided by federal or state agencies regarding state and/or federal law.

#### F. Prescription Medications

This policy does not apply to any federal Food and Drug Administration-approved cannabidiol medication. Such medication may not be possessed or self-administered by students. These medications must be stored in technology center offices and may be administered by designated technology center personnel in accordance with the technology center's policy on Administration of Medicine.