

Ms. Lubby Navarro, Board Member

**SUBJECT: ESTABLISHMENT OF A MEDICAL MARIJUANA POLICY  
ADDRESSING STUDENT USE**

**COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS**

**LINK TO STRATEGIC**

**BLUEPRINT: INFORMED, ENGAGED AND EMPOWERED STAKEHOLDERS**

Section 1006.062, F.S., requires that: “Each district school board shall adopt a policy and a procedure for allowing a student who is a qualified patient as defined in section 381.986 to use marijuana obtained pursuant to that section.” The law also requires that each school promulgating such a policy establish procedures regarding access by qualified patients and to “prevent access by other students and school personnel whose access would be unnecessary for the implementation of the policy.”

As of this date, a number of school districts, including Broward County, have adopted policies to permit qualified student patients, as provided by state law, to have access to medical marijuana/low tetrahydrocannabinol (THC) cannabis. While there may be legitimate concerns because of the existence of a possible conflict with federal law prohibiting the use and possession marijuana, the benefits to qualified student patients from low THC medical marijuana that is prescribed for them potentially outweigh those concerns. Additionally, at its December 14, 2016 meeting, the School Board approved item H-9 “Implementation of Medical Marijuana Law” sponsored by Dr. Martin Karp, Vice-Chair, and unanimously co-sponsored by the Board.

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This item is presented for the Board’s consideration to request that the Superintendent, in collaboration with the School Board Attorney, survey best practices related to student use of medical marijuana as permitted under § 1006.062, Florida Statutes and initiate rule making proceedings as appropriate. In developing such a policy, recommendations should be sought from appropriate District stakeholders such as the School Health Medical Advisory Committee and the Superintendent’s District Advisory Panel for Exceptional Student Education. Because of the possible conflict with federal laws, the proposed policy should provide that if at any point in time the federal government indicates that the District’s federal funds may be jeopardized by this policy, that the policy shall be void and that the use of medical marijuana by students will immediately cease and be prohibited.

This Item has been reviewed and approved by the School Board Attorney’s Office as to form and legal sufficiency.

**Revised  
H-13**

**ACTION PROPOSED BY  
LUBBY NAVARRO:**

That The School Board of Miami-Dade County, Florida, authorize the Superintendent in collaboration with the School Board Attorney to:

- 1) seek input from appropriate District stakeholders such as the School Health Medical Advisory Committee and the Superintendent's District Advisory Panel for Exceptional Student Education;
- 2) to survey best practices related to medically approved student use of medical marijuana as permitted under § 1006.062, Florida Statutes and initiate rule making proceedings as appropriate; any policy shall include that if at any point in time, the federal government indicates that the District's federal funds may be jeopardized by the policy, that the policy shall be void and that the use of medical marijuana by students will immediately cease and be prohibited; and
- 3) provide a status update to the Board by the April 17, 2019 School Board Meeting.

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