



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

Manual:	OOE	Office of Education	Effective Date:
Volume:	I	Office of Education	
Chapter:	A	Office of Education	6-20-2017
Subchapter:	1	Office of Education	
Issuance:	57	Administering Medical Marijuana to Authorized Students in DCF Regional Schools	Revised:

A. OBJECTIVE

To provide Department of Children and Families (DCF) Regional Schools with a policy and procedures for implementing P.L. 2015 c. 158, which supplements the New Jersey Compassionate Use Medical Marijuana Act.

B. STANDARDS

The use of medical marijuana shall be permitted on school grounds, on a school bus, on a field trip and at a school-sponsored function to authorized students enrolled in Department of Children and Families (DCF) Regional Schools.

A parent, guardian or primary caregiver as defined in this policy, shall be the only individuals who may administer medical marijuana to his/her child.

A student who is 18 years of age or older may self-administer medical marijuana according to the conditions of this policy.

Medical marijuana shall be in a nonsmokable and non-inhalation form for students.

C. DEFINITIONS

Authorized student: means a student who is a qualifying patient for medical marijuana in a nonsmokable, non-inhalation form, issued by his/her primary care physician.

Bona fide physician-patient relationship: means a relationship in which the physician has ongoing responsibility for the assessment, care and treatment of a patient's debilitating medical condition.

Certification: means a statement signed by a physician with whom a qualifying patient has a bona fide physician-patient relationship, which attests to the physician's authorization for the patient to apply for registration for the medical use of marijuana.

Medical use of marijuana: means the acquisition, possession, transport, or use of marijuana or paraphernalia by a registered qualifying patient as authorized by the New Jersey Compassionate Use Medical Marijuana Act, except that for school students, the marijuana shall be in a nonsmokable, non-inhalation form.

Physician: means a person licensed to practice medicine and surgery pursuant to Title 45 of the Revised Statutes with whom the patient has a bona fide physician-patient relationship and who is the primary care physician, hospice physician, or physician responsible for the ongoing treatment of a patient's debilitating medical condition, provided, however, that such ongoing treatment shall not be limited to the provision of authorization for a patient to use medical marijuana or consultation solely for that purpose.

Primary caregiver: means a resident of the State who:

- a. is at least 18 years old;
- b. has agreed to assist with a registered qualifying patient's medical use of marijuana, is not currently serving as primary caregiver for another qualifying patient, and is not the qualifying patient's physician;
- c. has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the effective date of this act and was for a violation of federal law related to possession or sale of marijuana that is authorized under this act;
- d. has registered with the New Jersey Department of Health pursuant to section four of the New Jersey Compassionate Use Medical Marijuana Act, and has satisfied the criminal history record background check requirement of section four of that act; and
- e. has been designated as primary caregiver on the qualifying patient's application or renewal for a registry identification card or in other written notification to the New Jersey Department of Health.

Qualifying patient: means a resident of the State who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship.

Registry Identification Card: means a document issued by the New Jersey Department of Health that identifies a person as a registered qualifying patient or primary caregiver.

D. PROCEDURES

1. Establishing the status of a student as an “authorized student”:
 - a. The student shall be a qualifying patient for medical marijuana in a nonsmokable, non-inhalation form, issued by his/her primary care physician, pursuant to a bona fide physician-patient relationship.
 - b. The student’s parent/guardian shall provide to the Regional School’s nurse and Education Supervisor (ES) a copy of the certification statement for both the student and herself/himself or other authorized primary caregiver as a person authorized to administer the medication. The certifications shall have been signed by the student’s physician. The nurse shall retain the copies of the certifications in the student’s medical record. A student who is 18 years of age or older may also provide the certification statement when he/she has been issued this.
 - c. The parent/guardian shall present the Registry Identification Cards for the student and the parent, guardian, other authorized primary caregiver to the school’s nurse. The nurse shall make a photocopy of the Cards and retain them in the student’s medical record. A student who is 18 years of age or older may also provide the Registry Identification Card when he/she has been issued this.
 - d. The parent/guardian shall provide a copy of the prescription for the medical marijuana to the school’s nurse since the dispensing agent is required to retain the original prescription. The nurse shall retain a copy of the current prescription in the student’s medical record. A student who is 18 years of age or older may also provide the prescription when he/she has been issued this.
 - e. The nurse shall verify the registration status of the student and the parent/guardian/primary caregiver by visually checking the dates listed on the student and the parent/guardian/primary caregiver’s Registry Identification Card.
 - f. The nurse shall verify the registration status and ongoing authorization of the student and parent, guardian and authorized primary caregiver to ensure the Registry Identification Cards, certifications and prescriptions are current and valid by conferring with the physician’s office and the New Jersey Department of Health, as necessary.
2. Administering medical marijuana to an authorized student in school, on a school bus, on a field trip or at a school-sponsored function:
 - a. The student’s parent, guardian, or authorized primary caregiver or a student who is 18 years of age or older shall administer the medical marijuana in the nurse’s office if the medication is given at a time when the student is in the

school building. The parent, guardian or authorized primary caregiver shall sign a log book maintained by the nurse, for each visit to the school building.

- b. Prior to the parent, guardian or authorized caregiver or a student who is 18 years of age or older administering any dose of medical marijuana, the school's nurse shall review all Administration of Medication/Treatment Record information and any "Record of Medical Marijuana Administered in Locations Outside of the Regional School Building" (Attachment 1) to ensure the dosage(s) being given is within the guidelines of the physician's orders.
- c. The school's nurse shall witness the administration of the medical marijuana and note that the parent or student who is 18 years of age or older administered the medication and write this remark within the Administration of Medication/Treatment Record.
- d. If the medical marijuana is given by the parent, guardian, or authorized primary caregiver or a student who is 18 years of age or older in a location other than the Regional School building, the following procedures shall be implemented.
 - i. On a school bus, the parent, guardian, or authorized primary caregiver or a student who is 18 years of age or older shall discreetly give the prescribed dose while the bus is stopped/parked. A regional school staff member shall witness the medication being given. The date, time and other designated information shall be recorded on the "Record of Medical Marijuana Administered in Locations Outside of the Regional School Building" (Attachment 1) by the staff member.
 - ii. On a field trip, the parent, guardian, or authorized primary caregiver or a student who is 18 years of age or older shall discreetly give the prescribed dose in an area that is outside of the view of other students but within the view of a regional school staff member who shall witness the medication being given. The date, time and other designated information shall be recorded by the staff member on Attachment 1.
 - iii. At a school-sponsored function, the parent, guardian, or authorized primary caregiver or a student who is 18 years of age or older shall discreetly give the prescribed dose in an area outside of the view of other students but within the view of a regional school staff member who shall witness the medication being given. The date, time and other designated information shall be recorded by the staff member on Attachment 1.
 - iv. The Regional School staff member who witnesses the administration of the medication in locations outside of the school building shall

provide the school's nurse with the written record Attachment 1 as soon as practically possible. The nurse shall retain this copy in the section of the Administration of Medication/Treatment Record in the student's health record.

3. The designation of a DCF Regional School nurse or any other employee, contracted person, volunteer or intern as a primary caregiver for administering medical marijuana is expressly prohibited.
4. The school's nurse shall routinely inform the ES of the ongoing status of any student who is authorized for the use of medical marijuana.
5. The parent/guardian of a student who is an authorized student with a valid prescription for medical marijuana shall be provided with a copy of this policy.
6. A student who is 18 years of age or older who is an authorized student with a valid prescription for medical marijuana shall be provided with a copy of this policy.

/s/

Kelley Michalowski
Director

Attachment:

[A-1 Record of Medical Marijuana Administered in Locations Outside of the Regional School Building](#)