

FL School Districts Still Lack Clarity on Medical Marijuana Policies

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Florida's medical marijuana market has been wrought with legal and political battles since its inception. Implementing the state's medical marijuana policies has presented questions for many organizations, including local school districts and parents of patients. Since 2018, Florida has adopted a statute requiring that all school districts adopt some form of medical marijuana policy permitting students who are qualified medical marijuana patients to be administered their medication at school. Despite this mandate, as of December 2019, only 47% of Florida school districts have adopted such a policy, and over 30 school districts still fail to address this issue in their respective policies and procedures.

Furthermore, many of the schools which have adopted medical marijuana policies do not allow qualified patients to actually use their physician recommended medical marijuana on campus. The Sumter County School District, for example, adopted a policy which prohibits the use of medical marijuana on campus, stating that all use by qualified patients must be off school grounds and facilities. Sumter County has cited the conflict between state and federal law regarding the legality of medical marijuana as the primary reason behind this policy.

Sumter County, however, is not alone in its concern regarding the conflict between State and Federal law. Despite adopting a medical marijuana policy which allows primary caregivers to administer the medication to qualified students on campus, Miami-Dade County has indicated that should this policy jeopardize any federal funding for the district, it will be immediately suspended.

As of January 3, 2020, the state's Department of Health Office of Medical Marijuana Use reported that statewide, there were 299,044 qualified patients with an active patient ID card. As the medical marijuana patient base continues to expand, school districts which have yet to revise or adopt policies in accordance with F.S. 1006.062 should address this issue in order to provide clarity to students, caregivers and parents. Parents of qualified patients should also familiarize themselves with their school district's policies in order to ensure that any medical marijuana

medication is administered in full compliance therewith.