

### **3.19A—Licensed Personnel**

### **8.15A—Classified Personnel**

## **Use and Possession of Marijuana and Medical Marijuana On District Property**

The Little Rock School District recognizes that the legal aspects and consequences of medical marijuana are new and possibly subject to change. These legal aspects and consequences of medical marijuana affect many areas of the district's current policies regarding employees, students, parents and individuals on district premises or attending district events. The district will continue to enforce its current adopted policies. As the need arises with changes in state and/or federal law, the district will consider and/or examine district policies in order to assess whether revisions, if any, may be needed to a district policy in order to comply with state and federal law.

### **Definitions**

The term "marijuana" includes all parts of the plant *Cannabis sativa* L., whether growing or not; marijuana seeds; 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 extract, resin, or residue. Note that this definition includes marijuana edibles and cannabidiol. This definition excludes all substances excluded from the definition of "marihuana" in the federal Controlled Substances Act (see 21 USC 802(d)(16)).

THC: tetrahydrocannabinol.

### **Overlapping Policies**

Employees, students, and individuals on school property are expected to adhere to any and all applicable open letters, formal opinions, directives, or any other instruction provided by federal or state agencies regarding state and/or federal law. The terms "marijuana" and "possession of marijuana" will be interpreted by the district in accordance with state and federal law.

### **Non-Discrimination**

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

### **Prohibitions of Marijuana on District Property**

While the State of Arkansas has authorized the use medical marijuana (marijuana authorized for medical purposes pursuant to state law), marijuana is still a prohibited controlled substance under federal law regardless of its use. Because of the district's obligations to comply with federal law, marijuana is not allowed on district property or in any district vehicle, regardless of a student, employee, parent or any individual's status as a medical marijuana license holder or if the marijuana is otherwise considered "medical marijuana." District property includes, but is not limited to all district buildings, parking lots, grounds, equipment, and district vehicles. This

prohibition also extends to situations and contexts in which the district reasonably deems the possession of marijuana to be illegal pursuant to applicable law.

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 district will proceed with all actions and consequences that are afforded to the district under any state or federal law, employment contract, district policy, student handbook provision, or any other authority applicable to or adopted by the district, including but not limited to its drug/alcohol testing policies and regulations.

### **Campus Police Personnel and CDL Licenses Holders such as Bus Drivers**

Employees of the district are expected to comply with state and federal law at all times as a term of their continued employment with the district. Campus police personnel are hereby notified that any person who uses or is addicted to marijuana, regardless of whether they have a medical marijuana license, is considered by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) to be an unlawful user of or addicted to a controlled substance and is prohibited by federal law from possessing firearms or ammunition pursuant to federal statute (see 18 U.S.C. § 922(g)) and the ATF’s directives dated September 21, 2011 at <https://www.atf.gov/file/60211/download>).

In addition, pursuant to United States Department of Transportation regulation and guidance, district employees using Commercial Drivers Licenses may not possess or use marijuana, regardless of whether they possess a medicinal marijuana license.

Campus police and CDL license holders are reminded that they are subject to random drug testing policies outlined in the Safety and Security Department manual.

Legal References: **TBD**

Date Adopted:

Last Revised: