

ASSEMBLY – SUPPORT SB 1127 (HILL)

Coauthors: Assembly Member Rob Bonta, Assembly Member Kevin Mullin, and Senator Scott Wiener

Safe Access in Schools

SB 1127 (Hill) will help students with severe medical disabilities attend school by allowing a parent or guardian to come on campus to administer medical cannabis to them in non-smoking and non-vaping forms.

BACKGROUND AND NEED FOR THE BILL

In 1996, California passed the Compassionate Use Act (Proposition 215) “to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician....” Proposition 215 specifically allows minors to use medical cannabis with the consent of their parents and a recommendation from a doctor.

Many of these minors need to take a dose of medical cannabis at regular intervals, which often includes during school hours. However, these minors are unable to do so under current law, which does not allow any form of cannabis on school grounds. This is in stark contrast to pharmaceutical medications, including opioids, which existing law allows schools to legally administer to a minor when prescribed. The system for pharmaceuticals demonstrates the safety and efficacy of administering a controlled medical substance to a minor on school grounds during school hours. This arbitrary disparity requires a legislative solution to ensure the equal treatment of minors seeking access to their physician-recommended medication, regardless of whether it is comprised of pharmaceuticals or cannabis.

Furthermore, the Individuals with Disabilities Education Act (IDEA) requires schools to provide accommodations for all children to attend school. Because, under current law, it is impermissible for minors to take their medicine on campus at public schools, some school districts are required to pay for these students to attend a private school, where their medicine can be accessed while on school grounds.

SOLUTION

SB 1127 would allow a parent or guardian to administer medical cannabis to their child on school grounds in a non-smoking and non-vaping form. The child must be a qualified medical cannabis patient with a doctor’s recommendation. SB 1127 would also require a parent to provide the school a copy of their child’s medical cannabis recommendation to keep on file, sign in when they come on campus to administer the medicine, not disrupt the educational environment, and take all cannabis from school grounds after administration.

SB 1127 will allow K-12 school districts and county boards of education to choose whether to opt-in. It would not create a state mandate. Districts and counties that opt-in can subsequently opt-out for any reason, including if federal funding is put at risk as a result of this policy.

CALIFORNIA CITIZEN LOBBY DAY 2018

Constituent Comments

Constituent Contact Information

Name _____

Address _____

Phone/Email _____

