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## PSYCHOTROPIC DRUG USE IN SCHOOLS

House Bill 4025  
Sponsor: Rep. Susan Tabor  
Committee: Education

Complete to 1-29-03

### A SUMMARY OF HOUSE BILL 4025 AS INTRODUCED 1-28-03

House Bill 4025 would amend the Revised School Code (MCL 380.1180) to require that not later than 90 days after the effective date of this legislation, the Department of Education develop and distribute to all school districts, intermediate school districts, and public school academies, a state model policy concerning chronic behavioral issues and psychotropic medication for pupils. Under the bill, the state model policy would be required to include all of the following:

- that, if school personnel suspect a child has a chronic behavioral condition, or if requested by a child's parent, school personnel would be permitted to do any of the following:

- i) discuss the child's behavior with the child's parent;

- ii) if appropriate and with parental consent, refer the child for an educational evaluation by appropriate educational evaluators;

- iii) if appropriate, recommend to the child's parent that the child be evaluated by an appropriate health care provider;

- iv) refer the parent to appropriate health professionals affiliated with the school district, intermediate school district, or public school academy for possible evaluation of the child; and,

- v) behavior issues persist after taking the steps under subparagraphs i) to iv), follow local procedures to provide specialized educational services as appropriate for the child.

- that a teacher would not be permitted to:

- i) make a psychological or medical diagnosis of a behavioral condition or disorder in a child; or,

- ii) recommend a psychotropic drug for any child.

Further, House Bill 4025 specifies that not later than the beginning of the 2003-2004 school year, the board of a school district, a local act school district, or intermediate school district, or the board of directors of a public school academy, would be required to adopt and implement a local policy concerning chronic behavioral issues and psychotropic medication for

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pupils that was consistent with the state model policy. Under the bill, a board or board of directors would be required to notify parents of the local policy, and the bill specifies that the notification could be made by including the policy in a student handbook that was distributed to students and parents at the beginning of each school year. [Under the bill, “parent” is defined to mean a child’s parent or legal guardian.]

MCL 380.1180

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■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.