

Prohibition on Recommendations for Psychotropic Drugs

The Bethany Board of Education (Board), consistent with state statutes, prohibits school personnel from recommending the use of psychotropic drugs for any child. Moreover, personnel may not require that a child obtain a prescription for a controlled substance (as defined in the Controlled Substances Act, 21 U.S.C. 801 et seq.) in order for the child to:

1. attend school;
2. receive an initial evaluation or reevaluation to determine a child's eligibility for special education; or
3. receive special education and related services.

Notwithstanding the foregoing, school health or mental health personnel may recommend that a child be evaluated by an appropriate medical practitioner and school personnel may consult with such practitioner with the consent of the parent/guardian of such child, in accordance with the procedures outlined below.

I. Definitions

For purposes of this policy, the following definitions apply:

- A. Psychotropic drugs means prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression, and thought disorders, and include, but are not limited to, stimulant medication and antidepressants.
- B. Recommend means to directly or indirectly suggest that a child should use psychotropic drugs.
- C. School health or mental health personnel means:
 1. school nurses or nurse practitioners appointed pursuant to Connecticut General Statutes § 10-212;
 2. school medical advisors appointed pursuant to Connecticut General Statutes § 10-205;
 3. school psychologists;
 4. school social workers;
 5. school counselors;
 6. school administrators;
 7. other school personnel (such as a teacher designated as a child's Case Manager) who have been identified by a Planning and Placement Team, Section 504 team, Student Assistance Team or similar group of Bethany Public School District (District) professionals as the person responsible for communication with a parent or guardian about a child's need for medical evaluation;
 8. a school professional staff member designated by the Superintendent to communicate with a child's parent or guardian about a child's need for medical evaluation.

II. Procedures

- A. A school health or mental health personnel, as defined above, may communicate with other school personnel about a child who may require a recommendation for a medical evaluation, provided that 1) there is a legitimate educational interest in sharing such information; and 2) such communication shall remain confidential, to the extent required by law.
- B. A school health or mental health personnel, as defined above, may communicate a recommendation to a parent or guardian that a child be evaluated by a medical practitioner provided that 1) based on such person's professional experience, objective factors indicate that a medical evaluation may be necessary to address concerns relating to the child's education and overall mental health, and 2) any communication includes the basis for the recommendation.
- C. If a parent or guardian determines that it is necessary to share medical information, including results of any medical evaluation, with school personnel, he or she may do so at any time. School personnel who receive such information directly from a parent must maintain the confidentiality of such information, to the extent required by law.
- D. Any school personnel with a legitimate educational interest in obtaining information from a child's medical practitioner outside the school who is not a school employee must obtain prior, written consent from the child's parent or guardian to communicate with such outside medical practitioners. Any school health or mental health personnel, as defined above, may request written consent from the parent or guardian. To be valid, the written consent must: 1) be signed by the child's parent or guardian; 2) be dated; 3) provide the child's name; 4) provide the name of the medical practitioner and relevant contact information, to the extent known; and 5) indicate the scope of the consent.

Nothing in this policy shall be construed to prevent school personnel from consulting with a medical practitioner who has information concerning a child, as long as the District has obtained consent from the parent/guardian of the child, in accordance with Section II.D., above. Nothing in this policy shall prevent a Planning and Placement Team from recommending a medical evaluation as part of an initial evaluation or reevaluation, as needed to determine a child's i) eligibility for special education and related services, or ii) educational needs for an individualized education program.

The Superintendent or his/her designee shall promulgate this policy to District staff and parents/guardians of students annually and upon the registration of new students.

PERSONNEL – CERTIFIED/NON-CERTIFIED

**4119(c)
4219(c)**

Legal References: Connecticut General Statutes § 10-212b
Connecticut General Statutes § 10-76a
Connecticut General Statutes § 10-76b
Connecticut General Statutes § 10-76d
Connecticut General Statutes § 10-76h
Connecticut General Statutes § 46b-120
34 C.F.R. § 300.174
42 U.S.C. § 12101 et seq.
20 U.S.C. § 1400 et seq.
29 U.S.C. § 794

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