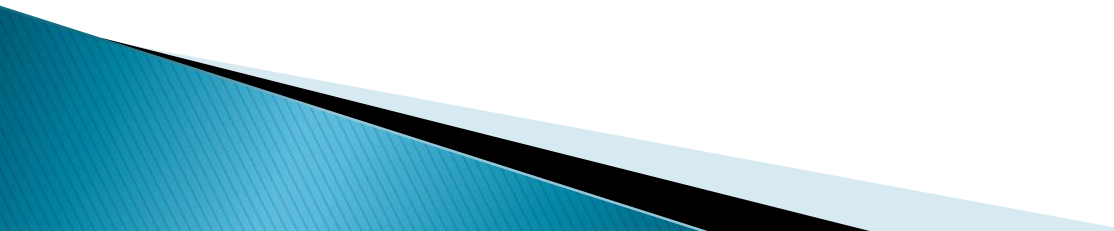


Florida's Psychotropic Medication Rule

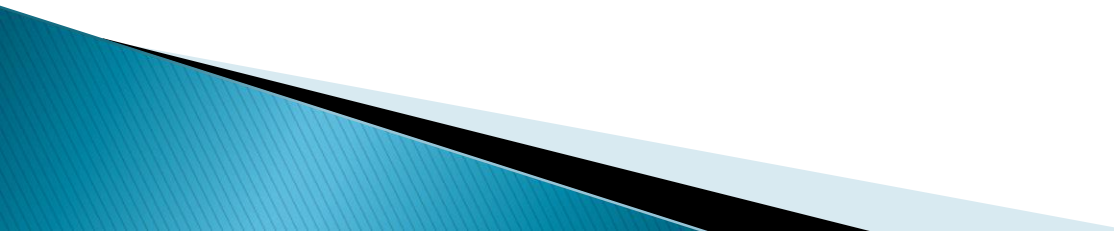
What Every Educator in
Volusia County Schools
Needs to Know

What is the Psychotropic Medication Bill?

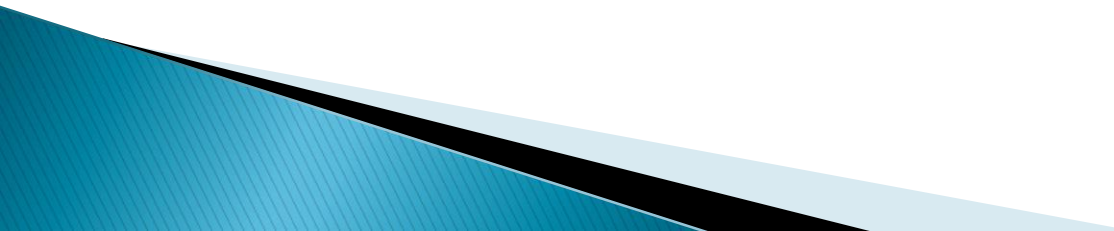
- ▶ Senate Bill 1090 passed by Florida Legislature in 2005 (Florida Statute 1006.0625)
 - ▶ Prohibits public schools from denying any student access to programs or services because the parent of the student has refused to place the student on psychotropic medication.
- 

What else does the legislation say?

Any medical decision made to address a student's needs is a matter between the student, the student's parent, and a competent health care professional chosen by the parent.



Are there other restrictions in the legislation?

- ▶ Yes. The statute affirms the parental right to refuse the psychological screening of their child.
 - ▶ Furthermore, teachers and school personnel may not compel or attempt to compel any specific action by the parent or require a student to take medication.
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Why is this information important to school personnel?

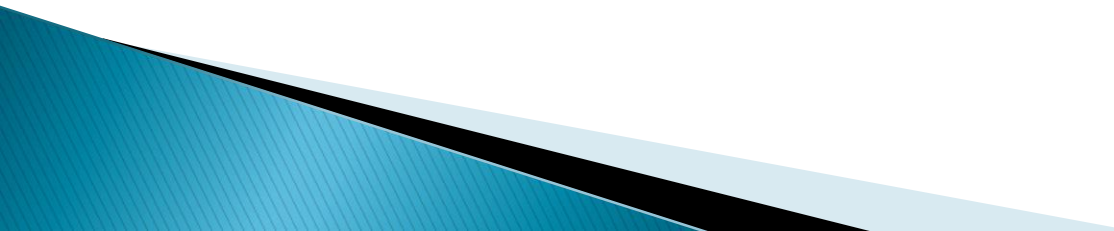
- ▶ A workgroup established by the Secretary of the Department of Children and Families, concluded that psychotropic medications are sometimes used to manage rather than treat emotional and behavioral problems.

(Report of the Gabriel Myers Workgroup, August 2009)



Gabriel Myers Workgroup

Anecdotal testimony provided to the Gabriel Myers workgroup indicated that because of the reported increase in the use of the psychotropic medications for children with disabilities and in foster care, there is a need to clarify the role of school personnel.



What is a psychotropic medication?

- ▶ A psychotropic medication is any medication capable of affecting the mind, emotions and behavior.

(From Webster's New World Medical Dictionary)

Psychotropic medications are often prescribed to treat ADHD, anxiety, depression, and bipolar disorder.

Which medications are psychotropic?

- ▶ Commonly prescribed psychotropic medications include (but are not limited to):

Adderall

Ritalin

Paxil

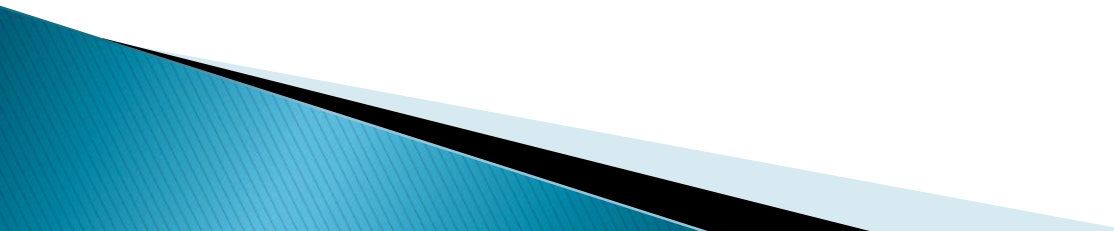
Prozac

Zoloft

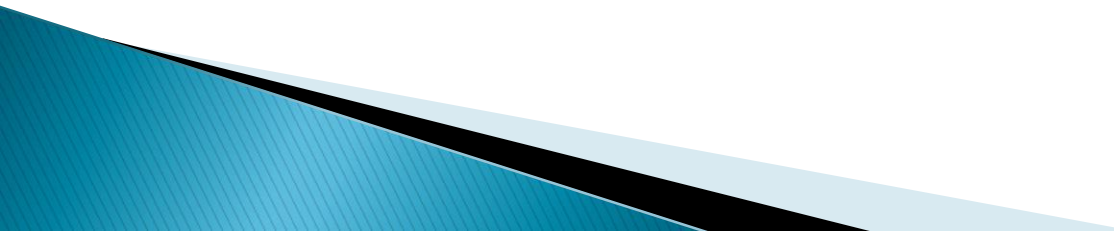
Valium

Xanax

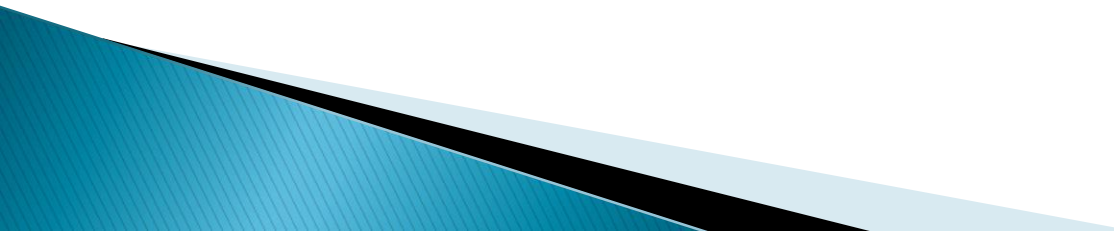
Does this legislation only pertain to Florida?

- ▶ No. An amendment was added by the United States Congress to the Individuals with Disabilities Education Act of 2004 that prohibits state and local educational agency personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substance Act as a condition of attending school, receiving an evaluation, or receiving services.
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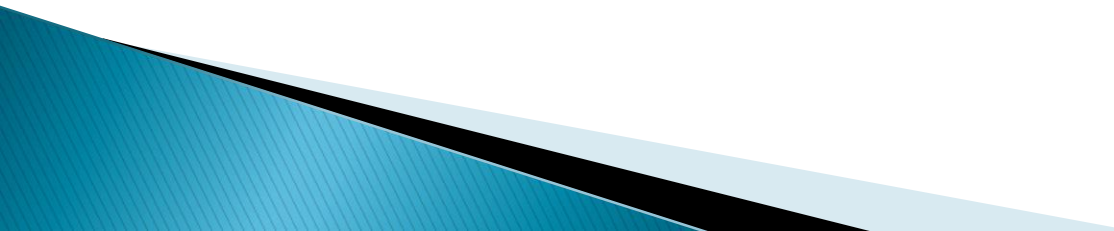
With regard to this legislation, what is the role of school personnel?

- ▶ School personnel may share classroom-based observations with parents regarding a student's academic and functional performance, and behavior in the classroom or school.
 - ▶ School personnel may also discuss the need for school-based services and supports.
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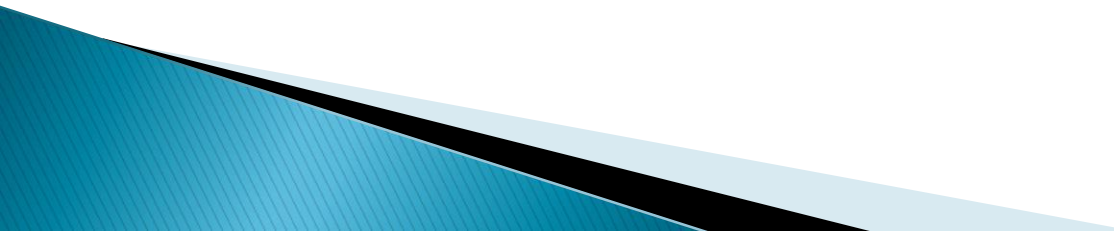
What is Volusia County Schools' process for addressing this legislation?

- ▶ Problem Solving Teams (PST) have the responsibility to implement evidence-based interventions for students with emotional/behavioral concerns that promote a successful educational experience (e.g., positive behavioral supports, behavioral interventions, counseling support).
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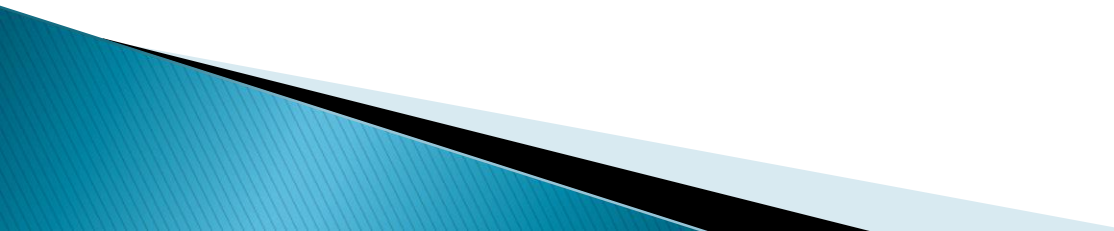
What is Volusia County Schools' process for addressing this legislation?

- ▶ Per guidance from the Department of Education in a memorandum to districts:
“ If authorized to do so by the student's parent, student services personnel should collaborate with physicians in monitoring the impact of medication on school functioning.”
 - ▶ (DOE recognizes school nurses, school counselors, school psychologists and school social workers as student services personnel)
- 


What are ways in which teachers can share observations with parents in compliance with this legislation and district procedures?

- ▶ Teachers and other education professionals may share school-based observations of a student's academic, functional, and behavioral performances with the student's parents and offer assistance based on these observations.
 - ▶ Information provided from daily behavior report cards, anecdotal information, and observations provided through Problem Solving Team meetings are ways to share relevant information with parents
- 

Based on district procedures and best practices, what activities are prohibited?

- ▶ Teachers and school personnel can NOT complete Conners' Scales and other behavioral scales unless the student has been referred through the school's PST and parent consent has been obtained.
 - ▶ Your School Psychologist is responsible for providing schools with these rating scales as part of an evaluation. Schools can NOT order these materials and provide this information to parents and/or physicians unilaterally.
- 

What other activities are prohibited?

- ▶ School board employees are prohibited from discussing specific medical and medication issues with parents including:
 - Encouraging parents to pursue medical interventions
 - Suggesting that the student be placed on medication or to try a different medication
 - Making suggestions regarding dosage or scheduling of medications (e.g., double the dosage, take meds right before school, etc.)
 - IEP committees and Problem Solving Teams are NOT exempt from this rule.
- 

Where do teachers access support for students who may have mental health and/or behavioral needs?

- ▶ Contact your school's Problem Solving Team (PST) Chair or your school counselor, school psychologist or school social worker.
 - ▶ For ESE students with behavioral needs, contact the school's behavior specialist, Instructional Support Teacher (IST), school psychologist or school social worker.
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