

## **Personnel/Students**

### **Prohibition on Recommendations for Psychotropic Drugs**

The Board of Education prohibits all school personnel from recommending the use of psychotropic drugs for any student enrolled within the school system. For purposes of this policy, the term “recommend” shall mean to directly or indirectly suggest that a child use psychotropic drugs.

### **Definitions**

**“Psychotropic drugs”** means prescription medications for behavioral or social-emotional concerns, such as attentional deficits, impulsivity, anxiety, depression, and thought disorders and includes, but is not limited to stimulant medications and anti-depressants.

**“School health and mental health personnel”** means:

1. school nurses or nurse practitioners appointed pursuant to Conn. Gen. Stat. § 10-212;
2. school medical advisors appointed pursuant to Conn. Gen. Stat. § 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 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.

The District shall follow procedures for identification, evaluation, placement and delivery of services to children with disabilities or suspected disabilities provided in state and federal statutes that govern special education.

Procedures shall be established by the Superintendent of Schools or his/her designee (or Director of Special Education) delineating the manner in which school personnel and school health and mental health personnel shall communicate with each other regarding children who may need to be recommended for a medical evaluation.

Such procedures shall also include how school health and mental health personnel should communicate the need for a medical evaluation to the child’s parents/guardians. Such procedures shall be consistent with all mandatory and existing procedures and due process safeguards governing assessment and diagnosis. These established procedures are included in the accompanying regulations.

## **Personnel/Students**

### **Prohibition on Recommendations for Psychotropic Drugs (continued)**

Further, upon the consent of the student's parents or guardian, obtained, in writing, through the Planning and Placement Team process, school personnel may consult with the medical practitioner regarding such use.

In addition, the Planning and Placement Team (PPT) may recommend a medical evaluation as part of an initial evaluation or reevaluation, as needed to determine either a child's eligibility for special education and related services, or educational needs for an individualized education program (IEP).

The Board recognizes that the refusal of a parent or other person having control of a child to administer or consent to the administration of any psychotropic drug to the child shall not, in and of itself, constitute grounds for the Department of Children and Families (DCF) to take such child into custody or for any court of competent jurisdiction to order that such child be taken into custody by the Department, unless such refusal causes such child to be neglected or abused, as defined in C.G.S. 46b-120.

(cf. 5141.4 - Reporting of Child Abuse and Neglect)

Legal Reference:        Connecticut General Statutes  
                                 10-212b Policies prohibiting the recommendation of psychotropic drugs by  
                                 school personnel. (as amended by PA 03-211)  
                                 46b-120. Definitions  
                                 10-76a Definitions. (as amended by PA 00-48)  
                                 10-76b State supervision of special education programs and services.  
                                 10-76d Duties and powers of boards of education to provide special education  
                                 programs and services. (as amended by PA 97-114 and PA 00-48)  
                                 10-76h Special education hearing and review procedure. Mediation of  
                                 disputes. (as amended by PA 00-48)  
                                 State Board of Education Regulations.  
                                 34 C.F.R. 3000 Assistance to States for Education for Handicapped  
                                 Children.  
                                 American with Disabilities Act, 42 U.S.C. §12101 et seq.  
                                 Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.  
                                 Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.

Policy adopted: November 1, 2022

NEWTOWN PUBLIC SCHOOLS  
Newtown, Connecticut

## **Personnel/Students**

### **Prohibition on Recommendations for Psychotropic Drugs**

It is the policy of the Newtown Board of Education to prohibit all school personnel from recommending the use of psychotropic drugs for any student enrolled within the school system.

Procedures delineating the manner in which school health and mental health personnel, as defined above, shall communicate with each other regarding children who may need to be recommended for a medical evaluation are as follows:

#### 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.