

1 AN ACT concerning schools.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The School Code is amended by adding Sections
5 10-20.35 and 34-18.23 as follows:

6 (105 ILCS 5/10-20.35 new)

7 Sec. 10-20.35. Psychotropic or psychostimulant
8 medication; disciplinary action.

9 (a) In this Section:

10 "Psychostimulant medication" means medication that
11 produces increased levels of mental and physical energy and
12 alertness and an elevated mood by stimulating the central
13 nervous system.

14 "Psychotropic medication" means psychotropic medication
15 as defined in Section 1-121.1 of the Mental Health and
16 Developmental Disabilities Code.

17 (b) Each school board must adopt and implement a policy
18 that prohibits any disciplinary action that is based totally
19 or in part on the refusal of a student's parent or guardian
20 to administer or consent to the administration of
21 psychotropic or psychostimulant medication to the student.

22 The policy must require that, at least once every 2
23 years, the in-service training of certified school personnel
24 and administrators include training on current best practices
25 regarding the identification and treatment of attention
26 deficit disorder and attention deficit hyperactivity
27 disorder, the application of non-aversive behavioral
28 interventions in the school environment, and the use of
29 psychotropic or psychostimulant medication for school-age
30 children.

31 (c) This Section does not prohibit school medical staff,

1 an individualized educational program team, or a professional
2 worker (as defined in Section 14-1.10 of this Code) from
3 recommending that a student be evaluated by an appropriate
4 medical practitioner or prohibit school personnel from
5 consulting with the practitioner with the consent of the
6 student's parents or guardian.

7 (105 ILCS 5/34-18.23 new)

8 Sec. 34-18.23. Psychotropic or psychostimulant
9 medication; disciplinary action.

10 (a) In this Section:

11 "Psychostimulant medication" means medication that
12 produces increased levels of mental and physical energy and
13 alertness and an elevated mood by stimulating the central
14 nervous system.

15 "Psychotropic medication" means psychotropic medication
16 as defined in Section 1-121.1 of the Mental Health and
17 Developmental Disabilities Code.

18 (b) The board must adopt and implement a policy that
19 prohibits any disciplinary action that is based totally or in
20 part on the refusal of a student's parent or guardian to
21 administer or consent to the administration of psychotropic
22 or psychostimulant medication to the student.

23 The policy must require that, at least once every 2
24 years, the in-service training of certified school personnel
25 and administrators include training on current best practices
26 regarding the identification and treatment of attention
27 deficit disorder and attention deficit hyperactivity
28 disorder, the application of non-aversive behavioral
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31 children.

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1 worker (as defined in Section 14-1.10 of this Code) from
2 recommending that a student be evaluated by an appropriate
3 medical practitioner or prohibit school personnel from
4 consulting with the practitioner with the consent of the
5 student's parents or guardian.