

1 AMENDMENT TO HOUSE BILL 3744

2 AMENDMENT NO. _____. Amend House Bill 3744, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by adding Sections
6 10-20.35 and 34-18.23 as follows:

7 (105 ILCS 5/10-20.35 new)

8 Sec. 10-20.35. 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) Each school board must adopt and implement a policy
19 that prohibits any disciplinary action that is based totally
20 or in part on the refusal of a student's parent or guardian
21 to administer or consent to the administration of
22 psychotropic or psychostimulant medication to the student.

1 The policy must require that, at least once every 2
 2 years, the in-service training of certified school personnel
 3 and administrators include training on current best practices
 4 regarding the identification and treatment of attention
 5 deficit disorder and attention deficit hyperactivity
 6 disorder, the application of non-aversive behavioral
 7 interventions in the school environment, and the use of
 8 psychotropic or psychostimulant medication for school-age
 9 children.

10 (c) This Section does not prohibit school medical staff,
 11 an individualized educational program team, or a professional
 12 worker (as defined in Section 14-1.10 of this Code) from
 13 recommending that a student be evaluated by an appropriate
 14 medical practitioner or prohibit school personnel from
 15 consulting with the practitioner with the consent of the
 16 student's parents or guardian.

17 (105 ILCS 5/34-18.23 new)
 18 Sec. 34-18.23. Psychotropic or psychostimulant
 19 medication; disciplinary action.

20 (a) In this Section:
 21 "Psychostimulant medication" means medication that
 22 produces increased levels of mental and physical energy and
 23 alertness and an elevated mood by stimulating the central
 24 nervous system.

25 "Psychotropic medication" means psychotropic medication
 26 as defined in Section 1-121.1 of the Mental Health and
 27 Developmental Disabilities Code.

28 (b) The board must adopt and implement a policy that
 29 prohibits any disciplinary action that is based totally or in
 30 part on the refusal of a student's parent or guardian to
 31 administer or consent to the administration of psychotropic
 32 or psychostimulant medication to the student.

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1 years, the in-service training of certified school personnel
2 and administrators include training on current best practices
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10 an individualized educational program team, or a professional
11 worker (as defined in Section 14-1.10 of this Code) from
12 recommending that a student be evaluated by an appropriate
13 medical practitioner or prohibit school personnel from
14 consulting with the practitioner with the consent of the
15 student's parents or guardian."