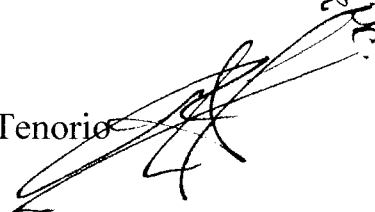


I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 262 (HC)

Introduced by:

Ray Tenorio

2008 APR -14 PM 3:50 GFC


**AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 5 OF
17GCA RELATIVE TO RECOMMENDATIONS ON
MEDICATING STUDENTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Article 5 is added to Chapter 6 of 17GCA to read:

ARTICLE 5

Common Sense in Medicating Students Act

§6500. Short Title This act shall be cited as The Common Sense in Medicating Students Act.

§6501. Legislative Intent. *I Liheslaturan Guåhan* finds that more and more schools and school districts across the country are resorting to policies that allow non-medical school personnel to require or recommend that students receive psychotropic medical treatment as a means to control children suspected of having behavior disorders. *I Liheslatura* further finds that decisions that involve the treatment of children should be a personal one between parents, their children and their children's physicians and not the school system.

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2 It is the intent of *I Liheslatura* to prohibit any non-medical school personnel from
3 recommending the use of psychotropic drugs for any child and protects parents or
4 guardians who refuse to administer psychotropic drugs to their child from having
5 said child taken into custody by the Child Protective Services Division unless such
6 refusal causes the child to be neglected or abused as defined by Public Law.

7

8 **§6502. School Personnel Prohibition** The Guam Education Policy Board shall
9 adopt and implement policies prohibiting any school personnel from
10 recommending the use of psychotropic drugs for any child. The provisions of this
11 section shall not prohibit school medical staff from recommending that a child be
12 evaluated by an appropriate medical practitioner, or prohibit school personnel
13 from consulting with such practitioner with the consent of the parents or guardian
14 of such child.

15

16 **§6503. Parental and Guardian Protection** The refusal of a parent or guardian
17 having control of a child to administer or consent to the administration of any
18 psychotropic drug to such child shall not, in and of itself, constitute grounds for
19 the *Child Protective Services Division* of the Department of Public Health and
20 Social Services to take such child into custody or for any court of competent
21 jurisdiction to order that such child be taken into custody by the department,
22 unless such refusal causes such child to be neglected or abused, as defined in
23 19GCA: Chapter 13.