

UTAH: STATE ACTION ALERT

Previously we've alerted you to the risks posed by HB 202, (Rep. Morley R-Dist 66) that would compromise parent/teacher communications. Despite all the concerns expressed by parents, teachers, and child advocacy organizations the bill has passed the House was reported out of the Senate Education Committee and will soon be on the Senate floor for a vote. **This is our last chance to defeat this bill.** Unless we defeat the bill now it will go to Governor Huntsman and we're not certain that he will veto it.

ACTION NEEDED:

Call or email your State Senator Immediately! To contact your State Senator go to: <http://www.utahsenate.org/perl/spage/index.pl> and click on Senate Roster or District Map to locates your Senator and his contact information.

Why is it important to defeat HB 202?

HB 202 weakens exiting Utah state standards

- The bill prohibits school personnel from assessing, evaluating, discussing and making recommendations that are associated ONLY with psychiatric disorders. School personnel are not prohibited from doing any of these with any other medical problem, such as juvenile diabetes or multiple sclerosis. Why are psychiatric disorders singled out? We don't really want school personnel to assess, evaluate or make recommendations for any medical problem, so why does the bill only address psychiatric disorders?
- The bill prohibits schools from refusing attendance by a child ONLY when not taking a psychiatric medication. The current rule approved by the Utah Board of Education prevents schools from refusing to admit a student for not taking any medication. **In fact the attorney for the State Office of Education has said that the Board rule would have to be repealed if HB 202 passes.**
- The current rule already in place by the Utah State Board of Education is far more protective of children. HB 202 overrides this more protective standard.

HB 202 doesn't provide adequate training for school personnel on the revised standard

- The bill requires Utah's 40 local school districts to train school personnel on the revised standard in HB 202, but it doesn't ensure that this training is uniform across the state. Do we really want 40 different standards?
- The bill puts the entire cost of training on local school districts. Schools are already struggling with new standards under the federal No Child Left Behind law and other federal and state mandates. It's wrong to place more burdens on them without the State Board of Education stepping up to help.

- The bill needs to direct the state Board of Education to develop training and materials so that ALL of Utah's schools operate under the same understanding of the rule.

HB 202 will discourage teacher/parent communication

- Rep. Morley claims his bill clarifies what school personnel can and cannot communicate with parents. But given the weak training provisions, the inevitable inconsistency in instructions to teachers that will occur from one end of Utah to other, and the lower protection given to children, confusion is bound to occur. Consequently teachers will simply stop talking to parents to avoid the risk of being reprimanded for saying the wrong thing.

HB 202 is completely unnecessary

- The bill is based upon the false premise that teachers are responsible in some way for a presumed and undocumented increase in the use of medications (and specifically Ritalin or other stimulant drugs) to control behavior in school settings.
- Two recent and separate studies (Center for Disease Control and the State of Utah Health Department - May 03) indicate that Utah ranks last or near the bottom of states in per capital use of these types of medication for children.
- The bill also presumes that teachers are making inappropriate recommendations or comments to parents regarding the benefits or use of medications in schools. Federal law, in fact, prohibits such actions and the Utah State Board of Education has had a specific regulation in place since January 2003. (Education, Administration R277-611).

Finally, a large coalition of organizations representing tens of thousands of Utah voters opposes this bill, including:

UTAH PTA
 NAMI-UTAH
 Utah Association of School Psychologists
 CHADD-UTAH
 Intermountain Pediatric Society

HB 202 is supported only by a couple of special interest groups who have little or no knowledge of the educational needs of children or medical treatment for children.