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## SENATE JOINT RESOLUTION NO. 327

Offered January 10, 2001

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*Establishing a joint subcommittee to study the effects of attention deficit disorder and attention deficit hyperactivity disorder on student academic performance and on public education programs and services.*

Patron—Miller, Y.B.

Referred to Committee on Rules

WHEREAS, Attention Deficit Disorder (ADD) and Attention Deficit Hyperactivity Disorder (ADHD), the most commonly diagnosed behavioral disorder of childhood, is a neurobiological disability characterized by developmentally inappropriate levels of attention, concentration, activity, distractibility, and impulsivity, and in some cases, hyperactivity, that affects three to five percent of school-age children, or 1.35 to 2.25 million children, and approximately two to four percent of adults; and

WHEREAS, the causes of ADD/ADHD are unknown; however, scientific evidence suggests that the disorder may be genetically transmitted or result from a chemical imbalance or deficiency in certain neurotransmitters that help the brain regulate behavior, and that other medical conditions, medication side effects, familial functioning, or toxicity and environmental conditions may exacerbate an existing disorder or contribute to the development of ADD/ADHD symptoms and problems in some children; and

WHEREAS, children with ADD/ADHD generally have functional impairment across multiple settings, including home, school, and peer relationships, and ADD/ADHD may have long-term adverse effects on the academic performance, vocational success, and social-emotional development of children; and

WHEREAS, diagnosis and treatment of the disorder has generated considerable controversy, and parents, clinicians, researchers, educators, and policymakers have diverse and conflicting opinions concerning this disability, including the use of psychostimulants such as Ritalin to treat the condition; and

WHEREAS, the challenge to teachers and parents is to help children with ADD/ADHD improve attention and social skills, control impulsivity and hyperactivity, develop positive self-esteem, and enhance perceptual and conceptual skills; and

WHEREAS, the ability to concentrate and focus is essential to learning and school success, and children with ADD/ADHD need assistance to finish work once started, may require direct instruction and supervised remediation, help in modeling appropriate self-control, reinforcement of acquired skills to sustain progress, and opportunities to experience success; and

WHEREAS, the Individuals with Disabilities Education Act, P. L. 101-17, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, and Virginia special education laws and regulations entitle children with ADD/ADHD to a free appropriate public education and appropriate related services, whether such children are placed in the regular or special education program; and

WHEREAS, increased coordination, collaboration, and consultation among regular and special education teachers, administrators, school psychologists, school nurses, and other school personnel assigned to special education programs are required to provide needed services; and

WHEREAS, regular and special education teachers and other school personnel must be trained to identify children with ADD/ADHD, as certain characteristics are shared between children with ADD/ADHD and children who are gifted, making it very difficult for the untrained eye to distinguish between the exceptionalities; and

WHEREAS, teachers must use different instructional methodologies and provide certain adaptations in the classroom to meet the educational needs of children with ADD/ADHD, and providing for their unique educational needs becomes more difficult when these children have dual exceptionalities, such as other chronic or acute health problems, a learning disability, or giftedness; and

WHEREAS, children with ADD/ADHD often demonstrate poor academic performance, and there is great concern that the manifestations of the disorder, together with the effects of medication, and other school and home factors, may produce negative consequences and poor educational outcomes for these children; and

WHEREAS, although children with this disorder present significant challenges to public schools and the educational system, including the delivery of required health services, it is important that the educational, health, and social needs of these children be addressed, and the impact on public schools

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59 and the ability of the educational system to meet their needs be evaluated; now, therefore, be it

60 RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be  
61 established to study the effects of attention deficit disorder and attention deficit hyperactivity disorder on  
62 student academic performance and on public education programs and services. The joint subcommittee  
63 shall consist of 10 legislative members to be appointed as follows: four members of the Senate, to be  
64 appointed by the Senate Committee on Privileges and Elections; and six members of the House of  
65 Delegates, to be appointed by the Speaker in accordance with the principles of proportional  
66 representation contained in the Rules of the House of Delegates.

67 In conducting the study, the joint subcommittee shall (i) determine the number of students diagnosed  
68 as having ADD/ADHD in Virginia's public schools, and whether such children receive treatment; (ii)  
69 ascertain whether such students also have dual exceptionalities or chronic and acute health problems, and  
70 the demand created by these conditions for certain school services; (iii) determine the academic  
71 performance levels of such children; (iv) identify other educational, social, and health factors that may  
72 compromise their academic performance and educational outcomes; (v) identify school practices to  
73 manage, the methods used to treat, and the medications prescribed for and dispensed to ADD/ADHD  
74 students in the school setting for their disorder; (vi) evaluate the special education programs and related  
75 services provided such students; (vii) assess the demand for special education programs and related  
76 services, including school health services, by ADD/ADHD students; (viii) evaluate the effect of  
77 ADD/ADHD on grade retention, absenteeism, school suspension and expulsion, and other disciplinary  
78 action taken by public schools; (ix) consider such other related matters; (x) and make appropriate  
79 recommendations that address identified problems and allow public schools to serve such children  
80 efficiently and effectively.

81 The direct costs of this study shall not exceed \$12,500.

82 The Division of Legislative Services shall provide staff support for the study. Technical assistance  
83 shall be provided by the Departments of Education, Mental Health, Mental Retardation and Substance  
84 Abuse Services, and Health Professions. All agencies of the Commonwealth shall provide assistance to  
85 the joint subcommittee as requested for this study.

86 The joint subcommittee shall complete its work in time to submit its written findings and  
87 recommendations to the Governor and the 2002 Session of the General Assembly as provided in the  
88 procedures of the Division of Legislative Automated Systems for the processing of legislative  
89 documents.

90 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
91 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the  
92 study.