



LEGISLATIVE BRIEFS...

November 2007

Update: Where Are We With Mental Health Parity Insurance?

In 2005 NYS PTA members adopted a Mental Health Insurance Parity resolution supporting legislation that would provide parity insurance coverage that would assist children and youth in need of mental health services. In a report of the Coalition for Human Needs, mental health parity bills have gathered steam as they roll through Congress.

The US Congress has moved forward on this issue with the Paul Wellstone Mental Health and Addiction Equity Act of 2007 (H.R. 1424) and the Mental Health Parity Act of 2007 (S. 558). Both bills require group health plans that provide both medical and surgical benefits to provide mental health and substance-related disorder benefits on an equivalent basis. For more information:

<http://www.chn.org/humanneeds/071001c.html>

<http://thomas.loc.gov>

Around the State:

School district Challenges NY's Human Rights Law

As a result of alleged incidents of bullying and harassment, an Ithaca city school district is challenging the New York State Division of Human Rights Law. The case giving rise to the challenge stems from parental claims of repeated harassment, often racial, of a middle school student while riding the school bus home. The County Human Rights Commission, a local arm of the NY State Division of Human Rights, found probable cause in the allegations. The school district is challenging the state law saying that it does not protect public school students.

That there may be a significant problem with our state human rights law has serious implications for public school students. If it is found that law does not protect public school students, it will be the role of the legislature to rectify the problem. For more information:

<http://www.theithacajournal.com/apps/pbcs.dll/article?AID=/20070915/NEWS01/709150353/1002>

<http://www.theithacajournal.com/apps/pbcs.dll/article?AID=/20070918/NEWS01/709180325>

<http://www.theithacajournal.com/humanrightschallenge>

Spitzer Administration Rejects Funds for Abstinence-Only Education

According to state Health Commissioner Richard Daines, New York has severed all ties with the Bush administration's abstinence-only Title V sex education program. The department began redirecting state funds toward more comprehensive sex education programs in schools and other community settings beginning. A bill introduced in the state legislature called the Healthy Teens Act, establishes a 10-point system of standards for comprehensive sex education. The bill would also give school districts funds to design programs addressing specific adolescent sexuality problems in their community, such as a high teen pregnancy rate or outbreak of a particular sexually transmitted disease. For more information:

<http://www.legislativegazette.com/printable.php?id=2660>

<http://www.getthefactsny.org>

NY Attorney General Declares Web site Unsafe for Teens

A preliminary investigation by the state attorney general's office found the social networking Web site, Facebook, is unresponsive to complaints of sexual predators, and the safe environment it purports to provide its young users is nonexistent. Contrary to statements made by the company and its officials, Cuomo states that Facebook fails to address complaints about sexual predators and obscene photos.

Investigators from Cuomo's office went undercover on Facebook, creating several online profiles to pose as 12- to 14-year-old users. Within days these "girls" were targeted by adults making sexual solicitations, Cuomo reported. The undercover investigators, posing as both the young teens and their parents, then lodged several complaints with Facebook about the solicitations by older men. Facebook, according to the attorney general's office, ignored the complaints, and the sexual predators remained active on the Facebook Web site. For more information:

http://www.oag.state.ny.us/press/2007/sep/sep24a_07.html

Westchester Lawmakers Consider Bicycle Helmet Law:

Following sharp debate at last November's Annual NYS PTA Convention, delegates voted to adopt an updated version of the 1999 Bicycle Helmet Safety resolution. The update supports legislation that would require all persons who operate or are passengers on bicycles to wear federally approved bicycle helmets.

Now Westchester County's Board of Legislators has proposed law that would require anyone older than 14 to wear a helmet when riding a bicycle. State law already requires children younger than 15 to wear helmets. If the measure is enacted, Westchester would become one of the few jurisdictions in the state requiring helmets for riders of all ages. Rockland County and the town of Greenburgh are among the few that already adopted such measures. For more information:

<http://www.thejournalnews.com/apps/pbcs.dll/article?AID=/20071010/NEWS02/710100369>

Around the Capitol:

Important Supreme Court Decision: Special Education

On Monday, October 1, the Supreme Court heard oral argument in *New York Bd of Ed v. Tom F.* On Wednesday, October 10, the United States Supreme Court issued a decision in this case. Justice Kennedy, author of the pro-parent decision in *Winkelman v. Parma*, recused himself. The decision was split, 4-4.

The favorable decision on behalf of the parents and child stands for families who live in the Second Circuit - Connecticut, New York, and Vermont. The failure of the Supreme Court to issue a definitive ruling on this issue means that the case has no precedential value beyond the 2nd Circuit. For more information:

<http://www.wrightslaw.com/>

President Signs Increase in Student Financial Aid Legislation

A new federal law revamping education financing provides good news for students eligible for financial aid: interest rates on subsidized student loans will be cut in half over the next four years. The College Cost Reduction and Access Act, which President Bush recently signed into law, has been called the largest overhaul of aid to college students since soldiers returned from World War II battlefields and headed into the classroom. For more information:

<http://thomas.loc.gov/cgi-bin/bdquery/z?d110:h.r.02669>