

# Medical Recommendations by School Personnel to Parents

## Definitions

- A. "Health care professional" means a physician, physician assistant, nurse, dentist, or mental health therapist.
- B. "School personnel" means any school district/charter school employee, including licensed, part-time, contract and nonlicensed employees.
- C. "Mental health professional" (under this statute) means clinical and certified social worker; marriage and family therapist; professional counselor; substance abuse counselor; physician, surgeon or osteopathic physician engaged in the practice of mental health therapy; advanced practice registered nurse specializing in psychiatric mental health nursing; psychologist qualified in mental health therapy.
- D. "Mental health professional licensed by the State Board of Education" means school psychologists.
- E. "Parent" means natural parent or legal guardian.

## Purpose

The purpose of this policy is to clarify for school personnel and parents/guardians the recommendations or directions that school personnel may make or give to parents/guardians about seeing health care professionals or using specific medications for their children. Promontory School of Expeditionary Learning recognizes that the decision for a student to see a health care professional or use medication is a parental concern. In working with students, school personnel may be in a position to make or give recommendations to parents/guardians which impact their children's education.

## **Policy**

### **A. School personnel MAY:**

1. provide information and observations to parents/guardians about their children. Such information or reports may include observations and concerns about in the following:
  - i. progress;
  - ii. health and wellness;
  - iii. social interactions;
  - iv. behavior; and
  - v. topics consistent with the Utah Family Educational Rights and Privacy Act (UCA §53A-13-302(6)), and District policy 11IR-110 Family Educational Rights and Privacy Act.
2. communicate information and observations between school personnel about a child.
3. refer a student to appropriate school personnel and agents, in accordance with Promontory School guidelines and procedures, including referrals and communication with a school counselor or mental health professionals working within the school system.
4. consult or use appropriate health care professionals in the event of an emergency while the student is at school, consistent with student emergency information provided at student enrollment.
5. exercise their authority relating to the placement within or readmission of a student who may be or has been suspended or expelled.
6. complete a behavioral health evaluation form if requested by student's parent to provide information to a physician.

### **B. School personnel SHALL:**

1. report suspected child abuse consistent with state law;
2. comply with state and local health department laws, rules

- and policies;
  - 3. conduct student evaluations/assessments consistent with IDEA
- C. School personnel MAY NOT:
- 1. recommend to a parent/guardian that a child take or continue to take psychotropic medication;
  - 2. recommend that parent/guardian seek or use a psychiatric/psychological treatment for a child;
  - 3. conduct a psychiatric/ behavioral health evaluation or mental health screening, test, evaluation, assessment of a child except where specifically required by IDEA;
- D. In compliance with State law (UCA §62A-4a-403), school personnel are required to report suspected child abuse, however; unless failure to take action would present a serious, imminent risk to the child's safety or the safety of others; school personnel may not make a child abuse or neglect report to authorities solely or primarily on the basis that a parent or guardian refuses to consent to:
- 1. a psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child; or
  - 2. a psychiatric or behavioral health evaluation of a child.
- E. School counselor or other mental health professional or mental health professional licensed by the State Board of Education (school psychologists) and working within the school system MAY:
- 1. recommend, but not require, psychiatric/behavioral health evaluation or treatment of a child;
  - 2. recommend, but not require, psychological treatment of a child;
  - 3. conduct a child psychiatric/behavioral health evaluation or mental health screening, test, evaluation, assessment consistent with 53A-13-302 (only in non-protected subject areas or with prior written parental consent);
  - 4. provide to parent/guardian, upon specific request of the parent/guardian, a list of three or more health care professionals or providers, including licensed physicians, psychologists, or other health specialists.

- F. Nothing in this policy shall be interpreted as discouraging general communication not prohibited by this policy between school personnel and a student's parent/guardian.

## **Training**

Appropriate school personnel shall receive training from their supervisor on the provisions of this policy.

## **Penalties for Violation**

Intentional violation of this policy may subject school personnel to discipline consistent with state law and District policy.