



Medical Recommendations by School Personnel to Parents Policy

Definitions:

- Health care professional means a physician, physician's assistant, nurse practitioner, nurse, dentist, or mental health therapist.
- School personnel means any school employee, including licensed, part-time, contract, and non-licensed staff.
- 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.
- Mental health professional licensed by the State Board of Education means school psychologists.
- Parent means 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. Moab Charter School recognizes that the decision for a student to see a healthcare 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:
- a. Provide information and observations to parents/guardians about their children. Such information or report 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 Family Educational Rights and Privacy Act.
 - b. Communicate information and observations between school personnel about a child.
 - c. Refer a student to appropriate school personnel and agents, in accordance with the Moab Charter School guidelines and procedures, including referrals and



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- communication with a school counselor or mental health professional working within the school.
- d. 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.
 - e. Exercise their authority relating to the placement within or readmission of a student who may be or has been suspended or expelled.
 - f. Complete a behavioral health evaluation form if requested by a parent or guardian to provide information to a physician.
- B. School personnel SHALL:
- a. Report suspected child abuse consistent with state law;
 - b. Comply with state and local health department laws and rules;
 - c. Conduct student evaluations/assessments consistent with IDEA (Individuals with Disabilities Education Act).
- C. School personnel [excluding counselors or therapists] MAY NOT:
- a. Recommend to a student or to a parent/guardian that a child take or continue to take psychotropic or any other medication; pharmaceutical, homeopathic, etc . . . ; or make dietary recommendations.
 - b. Recommend that parent/guardian seek or use a psychiatric/psychological treatment for a child;
 - c. Conduct a psychiatric/behavioral health evaluation or mental health screening, test, evaluation, or 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:
- a. A psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child; or
 - b. A psychiatric or behavioral health evaluation of a child.
- E. A school counselor or other mental health professional or mental health professional licensed by the State Board of Education (school psychologist) working within the school MAY:
- a. Recommend, but not require, psychiatric/behavioral health evaluation or treatment of a child;
 - b. Recommend, but not require, psychological treatment of a child;
 - c. Conduct a child psychiatric/behavioral health evaluation of mental health screening, test, evaluation, assessment consistent with 53A-13-302 (only in non-protected subject areas or with prior written parental consent);



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- d. 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 *annually*.

Penalties for Violation:

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