



Policy Number: 2070

Dated: 06/22/2017 05/16/2023

POLICY MEDICAL RECOMMENDATIONS

PURPOSE

American Leadership Academy Board of Trustees 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. As a general rule, all non-medical school personnel should refrain from discussing with and making recommendations to parents/guardians about perceived student medical needs.

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 medication for their children. The Board directs the Executive Director to develop procedures to implement this policy.

DEFINITIONS

1. "Health care professional" means a physician, physician assistant, nurse, dentist, or mental health therapist.
2. "School personnel" means any school employee, including licensed, part-time, contract and non-licensed employees.
3. "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.
4. "School psychologist" means any mental health professional licensed by the State Board of Education.
5. "Parent" means natural parent or legal guardian.

SCHOOL PERSONNEL MAY:

1. Provide information and observations to a student's parent about the student, including observations and concerns about the following;
 - a. Progress
 - b. Health and wellness
 - c. Social interactions
 - d. Behavior

- e. Situations which exist that “present a serious threat to the well-being of a student” (Section 53A-13-302(6))
2. Communicate information/observations between school personnel about a child.
3. Refer a student to appropriate school personnel/agents, consistent with school policy, including to a school counselor or other mental health professionals within the school system.
4. Consult or use appropriate health care professionals in emergency situations while student is at school, consistent with student emergency information provided at student enrollment.
5. Exercise their authority relating to the placement within the school or readmission of a child who may be or has been suspended or expelled for a violation of Section 53G-8-205.
6. Complete a behavioral health evaluation form if requested by student’s parent to provide information to a physician.

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.

SCHOOL PERSONNEL MAY NOT:

1. Recommend to a parent that a child take or continue to take a psychotropic medication.
2. Require that a student take or continue to take psychotropic medication as a condition for attending school.
3. Recommend that a parent seek or use a psychiatric or psychological treatment for a child.
4. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, assessment of a child except where specifically required by IDEA.
5. Make a child abuse or neglect report to authorities, including the Division of Child and Family Services, solely or primarily on the basis that a parent 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.
6. Notwithstanding number 5, school personnel may make a report that would otherwise be prohibited under number 5 if failure to take the action described under number 5 would present a serious, imminent risk to the child’s safety or the safety of others.

SCHOOL COUNSELOR, MENTAL HEALTH PROFESSIONAL OR SCHOOL PSYCHOLOGIST WORKING WITHIN THE SCHOOL MAY:

1. Recommend, but not require, psychiatric or behavioral health evaluation or treatment of a child.
2. Recommend, but not require, psychiatric, psychological, or behavioral treatment of a child.
3. Conduct a child psychiatric or 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, upon specific request, a list of three or more health care professionals or providers, including licensed physicians, physician assistants, psychologists, or other health specialists.

ADMINISTRATION SHALL:

1. Provide training of school personnel on this information.
2. State that intentional violation of provisions of this information is cause for disciplinary action or educator licensing action.
3. Nothing in this section shall be interpreted as discouraging general communication not prohibited by this section between school personnel and a student's parent.