



# Merit Preparatory Academy

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## **MERIT PREPARATORY ACADEMY MEDICAL RECOMMENDATIONS OF SCHOOL PERSONNEL POLICY**

The purpose of this policy is to help school personnel understand legal restrictions in providing information and observations about students in an appropriate manner.

### Definitions

1. "Health care professional" means a physician, physician assistant, nurse, dentist, or mental health therapist.
2. "School personnel" means a school district or charter school employee, including a licensed, part-time, contract, or unlicensed employee.
3. Child abuse is already covered under another policy.
4. Emergency situations are already covered under another policy.
5. Individuals with disabilities act is covered under another policy.

School personnel may provide information and observations to a student's parent or guardian about that student, including observations and concerns with regard to progress, health and wellness, social interactions, and behavior. School personnel may also communicate this information and observations amongst each other as necessary for appropriate guidance for students.

School personnel may also refer students to other appropriate school personnel as it is consistent with our policy, which may include referrals and communication with a school counselor or other mental health professional that is certified and working within the school system. Appropriate school personnel with adequate knowledge of the student may complete a behavioral health evaluation form if requested by a student's parent or guardian to provide information to a licensed physician.

School personnel shall NOT:

1. Recommend to a parent or guardian that a child take or continue to take a psychotropic medication;
2. Require that a student take or continue to take a psychotropic medication as a condition for attending school;

3. Recommend that a parent or guardian seek or use a type of psychiatric or psychological treatment for a child;
4. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child, except where the Individuals with Disabilities Education Act and its amendments applied; or
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 or guardian refuses to consent to:
  - a. A psychiatric or psychological, or behavioral treatment for a child, including the administration of psychotropic to a child or
  - b. A psychiatric or behavioral health evaluation of a child
6. Communicate this information to students

An exception can be made only if failure to take action would result in serious, imminent risk to the child's safety or the safety of others.

A school counselor or other mental health professional acting in accordance with Title 58, Chapter 60, Mental Health Professional Practice Act, or licensed through the State Board of Education, working within the school system may:

1. Recommend, but not require, a psychiatric or behavioral health evaluation of a child;
2. Recommend, but not require, psychiatric, psychological or behavioral treatment of a child;
3. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child in accordance with 53A-13-302; and
4. Provide to a parent or guardian, upon the specific request of the parent or guardian, a list of three or more healthcare professionals or providers, including licensed physicians, psychologists, or other health care specialists.

Merit Preparatory Academy will provide for training of appropriate school personnel on this policy as well as provide notice that intentional violation of this policy is cause for disciplinary action.

This policy is not intended to discourage general and normal discourse that is not expressly prohibited by this policy between school personnel and a student's parent or legal guardian.

Created: 6/23/20

Board Approved: 7/26/20

Revised 8/19/20