

# The Center for Creativity, Innovation and Discovery

## Medical Recommendations by School Personnel Policy

### A. Legal Authority / Requirement

20 USCA 1412(a)(25) IDEA  
UCA 53A-11-605  
UCA 53A-13-302  
UCA 53G-9-203

### B. Purpose/Philosophy:

Prohibition on Mandatory Medication

Medical Recommendations for Children

Activities Prohibited Without Prior Written Consent

1. CCID recognizes that the decision for a student to see a healthcare professional or use medication is a parental concern.
2. 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.
3. 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.

### C. Allowable Educator Communications

1. 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.
2. School personnel may provide information and observations to parents/guardians about their children. Such information or reports may include observations and concerns in the following areas:
  - Progress
  - Health and Wellness
  - Social Interactions
  - Behavior
  - Topics consistent with FERPA and CCID Policy.
3. School personnel may communicate information and observations between school personnel regarding a child.

4. School personnel may refer students to other appropriate school personnel and agents, including referrals and communication with a school counselor or mental health professionals working within the school.
5. School personnel may consult or use appropriate health care professionals in the event of an emergency while the student is at school consistent with response plans.
6. School personnel may 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 the Student Discipline Policy.

#### D. Prohibited Educator Communications

1. School personnel shall not recommend to a parent that a child take or continue to take a psychotropic medication.
2. School personnel shall not require that a student take or continue to take a psychotropic medication as a condition of attending school.
3. School personnel shall not recommend that a parent seek or use a type of psychiatric or psychological treatment for a child.
4. School personnel shall not conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child except where this conflicts with the IDEA.

#### E. Medical Recommendations and Mandatory Abuse Reporting

1. In compliance with State law (UCA §62A-4a-403), school personnel are required to report suspected child abuse.
2. 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 refuses to consent to:
  - A psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child; or
  - A psychiatric or behavioral health evaluation of a child.

#### F. Allowable Recommendations by School Mental Health Professionals / Counselors

1. An school counselor or other mental health professional working for CCID may:
  - Recommend, but not require, a psychiatric or behavioral health evaluation of a child;
  - Recommend, but not require, psychiatric, psychological, or behavioral treatment for a child;
  - Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child in accordance with the FERPA and CCID policy.
  - Provide to a parent/guardian, upon the 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.

## G. Training

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

## H. Penalties for Violation

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

Initial Governing Board Adopted June 18, 2020