

Medical recommendations by School Personnel

Purpose: American Academy of Innovation 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. 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.

Policy:

School personnel may:

- Provide information and observations to a student's parent or guardian about that student, including observations and concerns in the following areas:
 - Progress
 - Health and wellness
 - Social interactions
 - Behavior
 - Topics consistent with the Utah Family Educational Rights and Privacy Act
- Communicate information and observations between school personnel regarding a student.
- Refer students to other appropriate personnel and agents, including referrals and communication with a school counselor or school social worker working within the school.
- Consult or use appropriate health care professionals in the event of an emergency while the student is at school.

School personnel may *not*:

- Recommend to a parent/guardian that a child take or continue to take a prescribed medication.
- Require that a child take or continue to take a prescribed medication as a condition for attending school.

- Recommend that a parent/guardian seek or use a type of psychiatric or psychological treatment for a child.
- Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child except where this conflicts with the Individuals with Disabilities Education Act (IDEA)

School Counselors licensed through the USBE and working with the school system 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 Utah Family Educational Rights and Privacy Act.
- 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 psychiatrists, psychologists, or other health specialists.

Duty to Report:

In compliance with State Law, 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 psychiatric, psychological, or behavioral treatment for a child or a psychiatric or behavioral health evaluation of a child.

Statutory Reference:

[Utah Code §62A-4a-403 – Reporting requirements.](#)

[Utah Code §53E-6-701 – Mandatory reporting of physical or sexual abuse of students.](#)

[Utah Code §53A-13-302 – Activities prohibited without prior written consent](#)

[Utah Code §53G-9-202—School personnel medical recommendations, exceptions](#)

[Utah Admin. Code R277-401. Child Abuse-Neglect Reporting by Education Personnel](#)