

**STUDENT PSYCHOLOGICAL/MENTAL HEALTH WELLNESS SERVICES IN THE SCHOOL SETTING**

Only those persons appropriately certified or licensed, pursuant to the relevant Colorado certifying and licensing statutes, may provide educational mental health services to students using any psychological-educational method or procedure involving identification, assessment, or intervention of any emotional, behavioral, or mental disorder or disability. Prior to diagnosing/evaluating, assessing, or treating/intervening with a student by use of any psychiatric or psychological-educational method or procedure, the parent(s) or guardian(s) of the student shall:

1. Be notified in writing about the anticipated diagnosis/evaluation, assessment, or treatment/intervention;
2. Be given the name and telephone number/contact information of a professional staff member from whom further information may be solicited; and
  1. Give written consent.
3. Be provided the Consent for Mental Health Services to indicate they are providing their informed consent to services.

The above provisions for parental notice, information, and consent shall not apply in the following circumstances:

- ~~The student has consented to receive mental health services and the student is 12 years of age or older (pursuant to Colorado law);~~
- 2. ~~The student has sought substance abuse assistance, unless the student has given written consent for disclosure to his or her parents (pursuant to federal and Colorado law);~~
- The student is 18 years of age or older, unless the diagnosis/identification, assessment, or treatment/intervention is part of the District's formal evaluation and programming pursuant to the Comprehensive Plan for Special Education Services (under federal and Colorado law); or provision of special education services or accommodations pursuant to the IDEA or ECEA, or Section 504, in which case the procedural requirements and age of majority applicable to those statutes shall apply);
- 3. The particular support services are being offered in response to a crisis or trauma affecting multiple students at a school and it is not practicable to contact all parents prior to offering psychological support services; or

- An emergency has arisen affecting an individual student and the student's parent(s) or guardian(s) cannot be reached by telephone prior to ~~beginning to respond~~ responding to the situation.

### **General Information to Parents and Guardians**

Each school shall include in its annual package of orientation materials information concerning when notice will be given and parental consent sought pursuant to policy JLDA and this regulation. The information shall include those exceptions enumerated in this regulation and shall further notify parents that they may exclude their children (unless the student is otherwise authorized under state or federal law to seek such services on his or her own) from psychological support services in cases of crisis or trauma affecting multiple students by giving advance written notice to the school principals. Parents should also be informed of ongoing resources for assistance in the schools and the procedures for students to become involved in such programs.

School counselors, school psychologists and school social workers shall share information related to the Limits of Confidentiality with parents/guardians prior to providing educational mental health counseling services with their students. The school counselor, school psychologist or school social worker reviews with students what information in a session is confidential and what information will be shared with parents and needed school staff. Parents are a vital partner and are informed of the skills being taught, how well their student is participating in sessions, the progress their student is making on skills, and parents are provided information to reinforce the skills being taught at school. Parents can request to view their student's educational records including counseling service logs.

### **Crisis or Trauma Situations**

The building principal or, in his or her absence, the principal's designee, shall determine if a crisis or trauma exists sufficient to allow psychological support services to be offered without prior parental permission. The principal or designee shall also determine if it is practicable to make efforts to notify parents prior to offering support to students. In making this decision, the principal or designee may consider the number of students involved and should consider the immediacy and magnitude of the crisis. The principal or designee may consult with the ~~District's~~ psychologists building mental health professionals and others/or district level mental health leads, coordinators, and directors in considering the need to proceed without delay. When practicable, the efforts to notify parents should be made. Such efforts may include written communications, when time allows, or telephone or personal ~~contacts~~ contact.

Adopted: August 4, 1992

Revised: October 15, 2002

Recoded: October 21, 2003

Revised: March 23, 2021

Revised: \_\_\_\_\_, 2023

**LEGAL REFS.:**

C.R.S. § 12-~~43~~245-202(14)(a)

C.R.S. § 12-245-203.5

20 U.S.C. §1401 et seq.

34 C.F.R. Part 300

34 C.F.R. §104

**CROSS REFS.:**

KBB, Parent and Family Engagement

IHBA, Programs for Students with Disabilities

First Reading