

## 9.9 Medical Recommendations by School Personnel to Parents

Vanguard Academy staff may not recommend to a parent that a child take or continue to take any medication or seek or use any type of psychiatric or psychological treatment for a child.

Further, no personnel of the school may conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child except when approved in writing by the parent according to the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq. And its subsequent amendments.

School personnel, with the exception of a school counselor or other mental health professional, may not 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 any 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. School personnel may make a report if a parent's failure to take any action described above would present serious, imminent risk to the child's safety or the safety of others.

A school counselor or other mental health professional, when acting in accordance with Title 58, Chapter 60 mental Health professional Practice Act, or licensed through the state board, working within the school system may **recommend**, but **not require**, a psychiatric or behavioral health evaluation or treatment of a child. They may also conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation or assessment of a child in accordance with Section 53E-9-203 and provide, upon parent request, a list of three or more health care professionals or providers, including license physicians, physician assistants, psychologists, or other health specialists.

Intentional violation of this section is cause for disciplinary action consistent with Vanguard school policy and under Section 53G-11-513.