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3 GIVHAN AMENDMENT TO HB123, AS ENGROSSED
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8 On page 1, line 18, after "Education" insert the
9 following:

10 ; and to require a local board of education to adopt
11 a policy requiring parents to opt-in for mental health
12 services; and to provide for policy requirements
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14 On page 3, after line 9, insert the following:

15 (h) (1) For the purposes of this section, "mental
16 health services" includes classes, programs, services,
17 counseling, treatment, guidance, surveys, or assessments
18 relating to school counseling, and "parent" includes a
19 student's parent or legal guardian, as applicable.

20 (2) No student of a public K-12 school may be
21 allowed to participate in school counseling services
22 including, but not limited to, mental health services, unless
23 specific written instruction has been granted by the student's
24 parent. For the purposes of this section, this written
25 permission is referred to as an opt-in.

26 (3) All local boards of education in this state
27 shall adopt a policy concerning parent opt-in for mental

1 health services. At a minimum, each policy shall contain the
2 following:

3 a. A provision for written notification, at least
4 annually, to parents about school provided or sponsored mental
5 health services. The notification shall include the purpose
6 and general description of each of the mental health services,
7 information regarding ways parents may review materials to be
8 used in guidance and counseling programs that are available to
9 students, and information regarding ways parents may allow,
10 limit, or prevent their student's participation in the
11 programs.

12 b. A provision requiring written permission by a
13 parent for his or her student to participate in mental health
14 services. This written permission shall be specific and not
15 broad in nature. This permission shall also be required
16 annually and may be rescinded at any time by providing written
17 notice to school administration.

18 c. If a parent elects to opt-in to mental health
19 services for his or her student, the counselor providing the
20 services shall keep the parent fully informed regarding
21 diagnosis, recommended counseling, guidance, or treatments,
22 and the parent shall have the authority to make final
23 decisions regarding counseling, guidance, and treatments.

24 d. A provision requiring all records pertaining to
25 mental health services to be treated as health care records
26 and kept separately from academic records.