

SURVEYS AND PSYCHOLOGICAL SERVICES

1.0 Surveys. When a staff member requires student participation in a survey, analysis, or evaluation which will involve the student's revealing information as described in 1.1 and 1.2 below, the staff member **must obtain prior consent** from the student's parent or legal guardian and must implement the following provisions:

a. Provide notification to the parent or legal guardian of all students (other than students who are 18 and older – then notification goes to the student) who will receive the survey **at least two weeks before** the survey is administered.

b. During the period between notification and survey administration, provide the parent or legal guardian the opportunity to receive written information about:

- Records or information that may be examined and requested in the survey
- The means by which the records or information shall be examined, reviewed, or disseminated
- The means by which the information is to be obtained
- Specific purposes for which the records or information is needed
- All persons or entities who will have access to the information, and
- A method by which a parent or legal guardian of a student can grant or deny permission to access or examine the records or information

c. Obtain prior written consent from the student's parent or legal guardian

d. Retain consent forms as a supplementary record.

1.1 This section applies when the survey, analysis or evaluation is intended to reveal information concerning the student or the student's parent's or legal guardian's:

- (I) Political affiliations or beliefs;
- (II) Mental and psychological conditions potentially embarrassing to the student or the student's family;

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- (III) Sexual behavior and attitudes;
- (IV) Illegal, anti-social, self-incriminating or demeaning behavior;
- (V) Critical appraisals of individuals with whom a student has close family relationships;
- (VI) Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and members of the clergy;
- (VII) Religious practices, affiliations, or beliefs of the student or student's parent; or
- (VIII) Income, except as required by law.

1.2 **This provision applies whether or not the name of the student or his/her parent/guardian will be connected to the information.**

2.0 Psychological Services. Only those persons holding appropriate certificates or licenses may expose students to any psychiatric or psychological method or procedure involving diagnosis, assessment, or treatment of any emotional, behavioral, or mental disorder or disability. Such methods or procedures **shall not be performed without acquiring written permission** from a student's parent or guardian, or from the student himself or herself when law permits.

3.0 Crisis or Trauma. In the case of crisis or trauma affecting multiple students at a school, or in the case of an emergency affecting an individual, student psychological support services may be offered to students in need without prior written permission. However, efforts shall be made to notify parents before meeting with students, unless the severity of the trauma or the numbers of students impacted make this impracticable. The principal or designee shall make the determination whether a crisis or trauma exists.

LEGAL REFERENCE:

C.R.S.-22-32-109.2

C.R.S. 22-1-123(5)

20 U.S.C. §1232g

20 U.S.C. §1232h

CROSS REFERENCE:

Code: 6220