**KIPP Public Schools Northern California Minor Consent and Confidential Medical Services Policy**

**Overview**

Pursuant to California Education Code section 46010.1, requires school districts that the “Charter School”) shall notify 7th – 12th grade students and their parents/guardians that these students may be excused from Charter School to obtain confidential medical services without a parent/guardian’s consent. The medical services that a student may access confidentially are particularly sensitive, such as treatment relating to pregnancy, sexual assault, rape, substance abuse, and infectious, contagious, or communicable diseases, and in some cases mental health.

As required, KIPP will notify 7th – 12th grade students and their parents/guardians of this law annually in the KIPP Public Schools Northern California Team and Family Regional Handbook. Students will also be notified during required Human Growth and Development (puberty) instruction and through the Mental Health Clinician on campus. A student may be referred by KBAS staff or self-refer to the Mental Health Clinician or a Charter School administrator if the student wishes to be released from school for confidential medical services. KBAS staff shall handle the student’s release from school confidentially. KIPP shall take reasonable steps to ensure the student’s confidentiality related to the absence.

**California Education Code**

Education Code section 48205 requires school officials to excuse students from school to have medical, dental, optometric, or chiropractic services rendered. Education Code section 46010.1 states that 7th – 12th grade students, inclusive, may be excused from school for the purpose of obtaining confidential medical services without the consent of the student’s parent or guardian. The school cannot require that the student have parent or guardian consent to obtain confidential medical services and cannot notify parents or guardians when a student is absent from school in order to obtain confidential medical services. Confidential medical services are services that minors can obtain with their own consent under state or federal law. A summary of these laws is available on www.teenhealthlaw.org.

**Roles and Responsibilities**

In order to execute this Policy, the School Leader, Operations Manager and Mental Health Clinician shall take the lead on supporting student access to confidential medical services. Listed below are the appropriate steps each role shall take in ensuring to maintain confidentiality and support student safety.

* Mental Health Clinician (“MHC”)
  + Students will request permission to obtain confidential medical services from the Charter School’s MHC.
  + The MHC will determine whether the student’s request for release is reasonable and the date and time of access to services. For example, it may not be reasonable to release a student for services if the student has requested this kind of release on multiple occasions and did not access the services and/or there is reasonable suspicion that the student is not actually going to access the services. When excusing students for confidential medical services or verifying such appointments, the MHC shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
  + In identifying a time to go, the MHC may also support the student in identifying the method of transport if the student is unfamiliar with how to get to the services.
  + The MHC will give the student a pass to present to the front office to be dismissed early. The MHC will communicate to the front office letting them know that the student is to be excused from class for a confidential medical appointment. The absence will be marked as “excused” with “CMA” written in the confidential comment area.
  + The MHC will inform the student that when the student returns from the appointment, they shall provide the verification slip to the guidance counselor.
  + The MHC or guidance counselor will store the verification slip in a confidential and locked file cabinet, separate the from student’s cumulative file.
  + If the MHC discovers that the student has abused the right to leave school for a confidential medical appointment, the MHC will notify the attendance secretary to change the absence from “excused” to “other” as it will not be considered verified or an excused absence.
* School Leader (“SL”)
  + The SL may be responsible to address parent/guardian concerns should a parent/guardian raise any concerns regarding their student leaving campus. All staff should direct parent/guardian questions to the SL.
  + If a parent/guardian learns of their child’s absence to obtain confidential medical services, the SL shall not disclose the reason for the excused absence. The SL can inform the parent/guardian that the absence is excused.
* Operations (“OPS”) Manager
  + The OPS Manager will align with the MHC and SL on the process around student attendance, documentation, and protocol for school dismissal.
  + The OPS Manager will ensure that attendance documentation adheres to confidentiality policies surrounding a student absence or dismissal due to access of confidential medical services.
  + In the event of an MHC absence, the OPS Manager will fill in to (1) give the pass and permission to the student to leave for a confidential medical appointment and (2) receive the appointment note upon the student’s return to school. Upon the MHC’s return to campus, the OPS Manager will give the copy of the appointment note to the MHC to ensure that it is stored in a confidential and locked cabinet, away from the student’s cumulative file.

**KIPP Liability**

KIPP is not liable for student conduct or safety when students are off school property, unless:

1. **KIPP is providing the student with transportation to and from school**: Therefore, in excusing students, school officials MAY NOT provide or arrange for transportation for the student to the services or accompany the student to the medical services.
2. **KIPP has undertaken a school-sponsored activity off campus:** Confidential medical services provided by outside medical professionals do not qualify as school-sponsored activities.
3. **KIPP has specifically assumed such responsibility:** Charter School authorities should not assume any responsibility for the student once the student leaves the school grounds. For example, Charter School officials should not walk the student from the school to a bus stop.
4. **KIPP failed to exercise reasonable care when releasing the student from school:**  Charter School authorities should exercise reasonable care.