

DISCLAIMER: This form is a general reference intended only to illustrate sufficient compliance with relevant law and policy. It is NOT a substitute for understanding federal and state guidelines and/or the appropriate state and local policies nor is it a comprehensive description of all applicable legal and contractual obligations.

**Example Procedures for
Behavioral Health Services During the School Day
by Outside Behavioral Health Providers
Act 696**

These are example procedures are developed to comply with La. R.S. 17:173 and 3996(B)(45), which allows licensed/qualified behavioral health providers/agencies/ (outside behavioral health providers or BHPs) to provide behavioral health services to an enrolled student, during school hours if the student's parent or legal guardian submits a written request for such behavioral health provider and services to the LEA designee and all other requirements of R.S. 17:173 and 3996(B)(45). The authority of a student's Individualized Education Program (IEP) Team or Section 504 Team to determine appropriate services for a student pursuant to applicable federal and state law shall not be superseded by any provisions of these procedures or LEA board policy.

Example Form 1 provides a checklist of required documents and information for Act 696 compliance.

The procedures below are outlined to ensure the safety of students and to maintain the integrity of the teaching-learning process.

Step 1:

The **parent/guardian** must submit a written request to the **[LEA Designee at _____]** using **Example Form 2**. Requests for outside behavioral health services submitted **only** by the BHP will not be accepted.

Step 2:

In conjunction with the request for outside behavioral health services, the **parent/guardian** must submit to **[LEA Designee at sampleemail@email.com]**: (1) **Example Form 3**, which is a signed consent to release information form between the BHP and the School Board; and (2) **a behavioral health evaluation** performed by a BHP evaluator indicating that the services are necessary during school hours to assist the student with behavioral health impairments that the evaluator determines are interfering with the student's ability to thrive in the educational setting. **The contents of the behavioral health evaluation must include, at a minimum, the student's diagnosis, type of intervention, length of intervention, identification of student's goals, and identification of impact of student behavior on the student's educational program.** Requests submitted without the required parental consent and release form and/or the required outside evaluation will not be accepted.

Step 3

The BHP must also submit a written request to [LEA Designee at sampleemail@email.com] using *Example Form 4*. (The parent request form and the BHP request form may be submitted simultaneously by the parent/guardian). **The BHP must provide the required Louisiana license verification, general and professional liability insurance, worker's compensation insurance, auto liability insurance in an amount not less than \$1,000,000.00 per occurrence, criminal background check certificate (LSP), and drug screen report.** The BHP must be identified as the evaluator of the student on the evaluation report submitted by the parent/guardian or must provide evidence of review and concurrence with such evaluation submitted by the parent/guardian.

Step 4:

The **BHP will designate a single point of contact** and **provide their contact information** to [LEA Designee at sampleemail@email.com].

Step 5:

As part of the request process, the BHP must agree to abide by LEA policies, procedures, terms, and conditions set forth in a *Memorandum of Understanding (MOU)*. The BHP must obtain a copy of the MOU, review, and sign agreement before authorization to access students during the school day will be provided.

Step 6:

The [LEA] will review all requests for outside behavioral health services to determine if all necessary information has been received in accordance with [LEA] policy and procedures. Reviews will be completed within [XX] business days unless extraordinary circumstances prevent completion within the specified timeframe. The requestors (parents and BHP) will be notified of any delays and the reasons for any such delays. The [LEA] reserves the right to deny requests which are incomplete. Requests meeting all [LEA] policy and procedural requirements will be granted. Authorization remains in effect for [XX] weeks, subject to renewal each nine-week period thereafter. The [LEA] reserves the right to immediately terminate its authorization in the event of a breach of School Board policy and/or procedures by the BHP. Students must be seen by the BHP on a 1:1 basis. Group sessions with multiple students will not be accommodated.

Step 7:

The requestors and the school leader will be notified that the request for BHP services meets all requirements and has been approved, using *Example Form 5*. Approval notification will include:

- Name of specific student
- Name of BHP
- The frequency and duration of services
- Anticipated length of BHP's services
- Effective date when services may begin at school

Step 8:

Immediately upon entering school premises, the BHP will report to the front office and provide picture identification to the [security and/or front office staff.] All required sign-in/sign-out visitor procedures

apply. Use of electronic devices are prohibited. The BHP must arrange for an introduction/initial meeting with the school leader or designee. The school leader will advise the BHP of available space and times when student can be made available. BHPs are not permitted to enter student classrooms or interact with any school personnel without the express consent of the school leader/designee. BHPs must remain in areas designated by the school leader/designee. The BHP must establish a fixed schedule and provide a copy of the schedule to the school leader/designee. A method for summoning the individual student will be determined by the school leader/designee. The BHP must notify the front office if unable to make scheduled appointments. Students will not be permitted to remain on school premises after school hours to meet with a BHP.

Step 9:

The school leader/designee will determine a collaboration schedule or other method for communicating with the BHP about the student relative to the student's behavioral health treatment plan. The school leader/designee shall establish reporting requirements for the BHP relative to the student's progress and issues of school safety related to the student's educational program.

Step 10

All requests for outside [***BHP services must be renewed every ____ weeks***]. The school leader/designee will provide the BHP with the progress reporting schedule at the school.

Please note: Only behavioral health services are permitted. Individual and group celebrations, including parties and other non-therapeutic gatherings must take place outside of school hours and away from school. Make-up sessions will not be permitted due to time and space constraints. Solicitation of any kind is strictly prohibited. Advertising flyers, business cards, and other direct and indirect advertising of a BHP's services on school premises is strictly prohibited. BHPs shall not contact parents and/or students as a means of soliciting business/billing Medicaid or private insurance. Practice conflicts between competing BHP agencies or individuals shall not occur on school premises or involve enrolled students.

The school will work with the BHP to address any emergency situations that may involve the student, including suicidal threats, threats of violence, and threats of terrorism. The ***BHP will follow statutory requirements for mandatory reporting*** of threats of violence and threats of terrorism.

Step 11:

[_____] has been designated by the [LEA] as the single point of contact to resolve issues and concerns related to the BHP's activities on the school campus.