Parental Notification for Dependent Students Receiving Mental Health Treatment

Policy Type: Administrative  
Responsible Office: University Counseling Services and University Student Health Services, Division of Student Affairs  
Initial Policy Approved: 11/20/2008  
Current Revision Approved: 10/11/2016

Policy Statement and Purpose

In accordance with the Code of Virginia, Section 23.1-1303(B)(4), Virginia Commonwealth University has developed this policy and procedures requiring the notification of parents of dependent students who receive mental health treatment at the university’s student health or counseling centers and when there is a substantial likelihood that, as a result of mental illness, the student will in the near future (1) cause serious physical harm to self or others as evidenced by recent behavior or any other relevant information or (2) suffer serious harm due to their lack of capacity to protect self from harm or to provide for their basic human needs.

Notification to parents may be withheld if any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions who is treating the student has made a part of the student's record a written statement that, in the exercise of their professional judgment, the notification would be reasonably likely to cause substantial harm to the student or another person. This policy and procedures pertain to all University Counseling Services (UCS) and University Student Health Services (USHS) staff involved in clinical consultation and/or direct service delivery to VCU students.

Noncompliance with this policy may result in disciplinary action up to and including termination. VCU supports an environment free from retaliation. Retaliation against any employee who brings for a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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Who Should Know This Policy

All VCU faculty, staff, parents and students should read this policy.

Definitions

Dependent Student:
Any person enrolled full-time or part-time in any program of VCU and its various schools who is a dependent for income tax purposes.

Parents:
The Code of Virginia, Section 22.1-213.1 defines “parent” as a “biological or adoptive parent . . . foster parent . . . guardian . . . an individual acting in place of a biological or adoptive parent (including grandparent, stepparent, or other relative) with whom the child lives . . . [or] an individual who is legally responsible for the child’s welfare or a surrogate parent who has been appointed in accordance with [Virginia law].”

Substantial likelihood that the student will, in the near future, cause serious harm to self or others:
Includes, but is not limited to
- suicidal ideation with intent to harm self;
- suicide attempt;
- specific oral or written threats to people, including the use of any electronic means, with apparent intent and means to execute threat;
- any physical assault, with or without weapons;
- specific threats to inflict harm (e.g., a threat to shoot or otherwise harm a named individual);
- acute alcohol or drug intoxication or poisoning; and/or
- restrictive eating causing significant medical concern.

Suffer serious harm due to lack of capacity to protect self from harm or provide for basic human needs:
The student evidences substantial impairment of judgment, cognition or behavioral control that interferes with their ability to protect or care for themselves that can lead to serious harm. This is associated, most commonly, with a recent change in functioning and an associated decline in relevant capacities for self-protection (adapted from Cohen, Bonnie & Monahan, 2008). Examples include acute alcohol or drug
intoxication or poisoning, and/or restrictive eating causing imminent medical concerns.

Contacts

University Counseling Services and University Student Health Services officially interprets this policy. University Counseling Services and University Student Health Services are responsible for obtaining approval for any revisions as required by the policy Creating and Maintaining Policies and Procedures through the appropriate governance structures. Please direct policy questions to University Counseling Services and/or University Student Health Services.

Policy Specifics and Procedures

In accordance with the Code of Virginia, Section 23.1-1303(B)(4), all UCS and USHS staff are required to adhere to the following procedures:

1. Information related to parental notification must be included in the consent to treatment form and shared with students during any initial contact.

2. UCS and USHS staff must notify their respective director, or the director’s designee, of any student who meets the Code of Virginia criteria for parental notification. The director, or director’s designee, must work with the staff on executing parental notification. Information shared with parents must include (1) a description of student’s behaviors that meet criteria for parental notification and (2) recommendations/actions that UCS or USHS is taking to address risks posed by the student’s behaviors.

3. Although a release is not required, UCS and USHS, nevertheless, will seek to obtain one from the student when possible in order to aid in preserving the therapeutic relationship.

4. UCS and USHS staff must make notations in the student’s mental health record or medical chart reflecting (1) specific behaviors that meet criteria for parental notification, (2) the specific process of parental notification that has been selected, (3) the rationale for the selection of said process, and (4) the date and time that parental notification was made and to whom.

5. When a student meets criteria for parental notification, there is one exception that suspends the parental notification requirement: The Code of Virginia states that “notification may be withheld if any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions who is treating the student has made a part of the student’s record a written statement that, in the exercise of [their] professional judgment, the notification would be reasonably likely to cause substantial harm to the student or another person.” Accordingly, UCS and USHS staff must consult with their director, or the director’s designee, to determine whether parental notification is contraindicated. If parental notification is contraindicated, then such determination must be noted in the student’s record with clear indication of the anticipated harm that would be caused as a result of parental notification.
Forms

There are no forms associated with this policy and procedures.

Related Documents

Code of Virginia, Section 23.1-1303(B)(4).

Revision History

This policy supersedes the following archived policies:

- 11/20/2008 Parental Notification for Dependent Students Receiving Mental Health Treatment
- 06/19/2013 Parental Notification for Dependent Students Receiving Mental Health Treatment

FAQ

There are no FAQ associated with this policy and procedures.