

I. Studies/Authorization

- A. All research studies carried out within the school district using district data of any kind or staff or students as subjects must be approved in advance by the superintendent or designee. Only those studies deemed to have value for the district or subjects shall be approved.
- B. When students or staff are involved in research, there shall be adequate protection of their rights and welfare. Individuals shall not be subjected to serious risk. Parents or guardians of students who are subjects of research or adults, if they are subjects, shall be provided. . .
 - . . . an explanation of procedures and their purposes;
 - . . . a description of any possible risks and any benefits to be reasonably expected;
 - . . . instruction on the right to refuse to participate or to discontinue participation at any time without prejudice.Students may only participate with informed and written consent of a parent or guardian.
- C. District pilot programs, accountability studies and testing to evaluate the curriculum or instruction shall not be considered to be research and parent consent for student participation shall not be required.
- D. No student shall be required to submit to psychological or psychiatric examination for research purposes nor to reveal information concerning ...

- ... political affiliations;
- ... mental and psychological problems potentially embarrassing to the student or the student's family;
- ... sex behavior and attitudes;
- ... illegal, anti-social, self-incriminating and demeaning behavior;
- ... critical appraisals of other individuals with whom respondents have close family relationships;
- ... legally recognized privileged and analogous relationships such as those of lawyers, physicians and ministers;
- ... income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

II. Psychological/Psychiatric Examination

- A. Psychological or psychiatric examination is defined as any test, procedure or method used by a certificated or licensed psychologist or psychiatrist for the purpose of assessment, evaluation, diagnosis, or treatment of any emotional, behavioral, or mental disorder or disability.
- B. Tests, inventories, and measures intended for use by psychologists or psychiatrists, as indicated by the publisher, or tests and measures published specifically for assessment and diagnosis of emotional, behavioral, or mental disorders or disabilities shall only be administered by certificated or licensed psychologists or psychiatrists.

- C. Psychological or psychiatric examination of a student shall only be completed with the informed and written consent of the student's parent or legal guardian or with informed and written consent of the student if the student is emancipated. Prior to seeking written consent, the parent, guardian, or emancipated student shall be provided, in writing...
- ... the reason that such examination is being requested;
 - ... a description of the areas of functioning to be tested (e.g. intellectual, emotional, personality), and the procedures and methods to be used.
 - ... a description of possible categorization of the student as a result of the examination and/or possible educational program changes which may be recommended as a result of the examination.
 - ... a clear statement of the right to not consent to the psychological or psychiatric evaluation without prejudice.
- III. Psychological Methods or Procedures
- A. Courses of study or instruction involving the use of psychological methods or procedures shall be approved by the Board of Education. (Counseling and psychological services provided by the District's counselors and psychologists are not considered to be courses of study or instruction. These services are covered by policy JLDA.) At the time of approval, the Board shall determine if participation of students requires written consent of a parent or guardian. The term "psychological method or procedure" is to have the same meaning as "practice of psychology" as defined in C.R.S. 12-43-301 (3), (a-e):
- "Practice of psychology" includes, but is not limited to:
- (a) The use of psychological methods of interviewing and consulting for the purpose of evaluating the mental or emotional functioning of a person;
 - (b) The construction, administration, and interpretation of tests assessing intellectual abilities, personality characteristics, cognitive skills, psychopathology, and psychophysiological characteristics;
 - (c) The diagnosis and treatment of emotional, behavioral, and mental disorders or psychological aspects of physical dysfunction;
 - (d) The methods and procedures of psychotherapy and psychological counseling, including but not limited to biofeedback, hypnotherapy, and individual, couple, family, and group therapy;
 - (e) The application of research methodologies, statistics, and experimental design to psychological data.
- B. When the Board determines that written consent for students to participate is required, the parents or guardians must receive written notification of the purpose of the activity and the specific nature of the method or procedure employed.
- C. Any staff member who questions whether an activity comes within the parameters of these definitions shall consult with the Director of Student Services.
- D. This policy does not apply to the factual and unbiased teaching about psychiatry as a medical science or psychology as a social science.

ADOPTED: February 19, 2008

LEGAL REFS: C.R.S. 22-1-123 (district shall comply with federal law on protection of pupil rights;
Colorado provisions regarding survey, analysis and evaluation of students)
C.R.S. 22-32-109(1)(ee) (duty to adopt policy prohibiting personnel from ordering
behavior tests without parent permission)
C.R.S. 22-32-109.2 (screening and treatment of emotional/mental disorders or
disabilities)
C.R.S. 27-10-103 (voluntary applications for mental health services)
C.R.S. 13-22-101 (18 is age of competence for certain purposes)
20 U.S.C. 1232h (protection of pupil rights)
20 U.S.C. 1232g (Family Education Rights and Privacy Act)

CROSS REFS: GBEB, Staff Conduct
GCS, Professional Research and Publishing
ILBA, District Program Assessments
JLCA, Physical Examinations of Students
JLDA, Guidance and Counseling
JRA/JRC, Student Records/Release of Information on Students
LC, Relations with Education Research Agencies