



## **BOV POLICY #20 (2017) PARENTAL NOTIFICATION OF DEPENDENT STUDENTS IN INSTANCES OF PSYCHOLOGICAL EMERGENCY**

<b>Policy Title:</b>	Parental Notification of Dependent Students in Instances of Psychological Emergencies
<b>Policy Type:</b>	Board of Visitors
<b>Policy Number:</b>	BOV Policy # 20 (2017)
<b>Approval Date:</b>	March 19, 2021
<b>Responsible Office:</b>	Counseling Center and Spartan Health Center
<b>Responsible Executive:</b>	Vice President for Student Affairs
<b>Applies to:</b>	Campus Community

### **POLICY STATEMENT**

The Norfolk State University Board of Visitors is authorized under the Code of Virginia § 23.1-1301 et seq. to, among other things, make regulations and policies concerning the University. As such, the Board intends to promote a safe learning and working environment for the University community at all times. Section 23.1-1303 (B)(5) of the Code of Virginia (the Code) requires that the governing board establish policies and procedures requiring the notification of the parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center, and such treatment becomes part of the student's educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99). This policy establishes requirements for the institution for parental notification of tax-dependent students in instances of psychological emergencies.

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### **CONTACT(S)**

The Vice President for Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Vice President for Student Affairs is the Executive responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures.

### **DEFINITIONS**

Dependent Student: means a student under the age of 24 who is claimed for federal income tax purposes as a dependent by his/her parents.

### **POLICY CONTENTS**

Section 23.1-1303(B)(5) of the Code of Virginia requires a parent of dependent student to be notified in the following instances:

- (a) When such student receives mental health treatment at the institution's student health or counseling center; and
- (b) When such treatment becomes part of the student's educational record in accordance with the federal Health Insurance Portability and Accountability Act (42 U.S.C. § 1320d et seq.) and may be disclosed without prior consent as authorized by the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and related regulations (34 C.F.R. Part 99); and
- (c) if it is determined that there exists a substantial likelihood that, as a result of mental illness the student will, in the near future, (i) cause serious physical harm to themselves or others as evidenced by recent behavior or any other relevant information or (ii) suffer serious harm due to his/her lack of capacity to protect themselves from harm or to provide for his/her basic human needs.

Such 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 his/her professional judgment, the notification would be reasonably likely to cause substantial harm to the student or another person.

The Norfolk State University Counseling Center and Spartan Health Center shall notify the Vice President for Student Affairs (or his/her designee) at the earliest known opportunity whenever a student is treated by their respective offices and meets the criteria for parental notification under Code of Virginia § 23.1-1303(B)(4). A record of all notifications will be maintained.



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The Vice President for Student Affairs (or his/her designee) is responsible for contacting the parent of any such dependent student. The Vice President for Student Affairs (or his/her designee) is also responsible for reviewing this policy.

Upon making a disclosure pursuant to the Code, Norfolk State University and its employees are not civilly liable for any harm resulting from such disclosure unless such disclosure constitutes gross negligence or willful misconduct by the institution or its employees.

### **EDUCATION AND COMPLIANCE**

The Counseling Center shall make training available to all Counselor Center employees on the requirements of this policy on an annual basis. Records of training will be maintained in the Counseling Center.

### **REVIEW SCHEDULE**

- Next Scheduled Review: March 2024
- Approval by, date: Board of Visitors,; March 19, 2021
- Revision History: August 29, 2008; August 28, 2017; September 15, 2017; December 11, 2020

**Supersedes:** Policy # 24.001 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2008); Policy #24-01 Parental Notification of Tax-Dependent Students in Instances of Psychological Emergency (2014)

### **RELATED DOCUMENTS**

- Code of Virginia § [23.1-1303\(B\)\(5\)](#) (eff. July. 23, 2024)

### **FORMS**

There are no forms associated with this policy.