

February 25, 2016

Dear Dr. Yoshihara and Board of Trustees,

I wanted to take this opportunity to answer some of the important questions about Wellness that Linda Lam raises in her letter dated February 17, 2016. Some of the topics would be easier to explain in person. Wes and I are always here to answer any and all questions, as needed.

Lack of expertise – Liability concerns:

- Mental health and wellness supports have existed in schools for decades through school counselors, school psychologists, school social workers and school nurses. There are thousands of graduate level programs nationwide that train school professionals to do this work in schools and within school districts. These staff most definitely have the expertise and credentials to do this work and these services and supports are not outside of the “parameters of the District’s educational mission.” Our Wellness Center staff includes a Wellness Coordinator (certificated position) who is a credentialed School Social Worker (PPSC) and a licensed clinician (LCSW) and we have a Wellness Outreach Specialist (classified position) whose background is in community health education.
- While it is true that the District requires parent consent for giving medicine such as Tylenol, there are all different laws, rules and policies that apply to each type of service that a Wellness Center can offer to students. Wellness Centers can offer support services to students with and without parent consent depending on the service and situation. California law offers minors, ages 12-17 the rights to consent to their own mental health, substance abuse and reproductive health services, under certain circumstances. Although it is best practice to include parents/caregivers in a student’s care, our providers follow California law to ensure access and support for all students.
- As for liability, we have spent a great deal of time consulting with attorneys and the School Based Health Alliance to develop comprehensive legal contracts with each of our community partners in order to provide these services. These are services provided across the state and nation at schools regularly in order to serve the educational needs of students, including their academic, social, emotional, and behavioral development. The Board of Trustees has approved all contracts with providers. In addition, each of our partner organizations has its own liability insurance for the services they are providing and numerous processes are in place to ensure that both the district and the community organizations are mutually compliant with applicable laws in these partnerships.

Facilities:

- The Wellness Center at Redwood uses non-classroom space. The Center is being built into an existing space that already housed the Redwood's School Counselors, School Psychologists, and Health Specialist. The plans for where Wellness Centers might be housed at other sites has not been determined but the plan would of course include ensuring students have access to necessary classroom space during this time of increased enrollment and need.

Pilot Program – Goals of program – Evaluations:

- To clarify, yes – phase II of construction for the Redwood Wellness Center will take place in Summer 2016. The construction plan was developed in Spring 2015 but was not able to be fully completed during Summer 2015 due to timing limitations (and wanting to ensure no construction was done when school in session.) As such, this same plan will be finally completed this summer. This is a completion of the original plan and not an “expansion.” The Redwood Foundation funded this construction in Spring 2015, the actual construction will not be complete until Summer 2016.
- As for evaluation and measurable goals, the Wellness Center is partnering with the University of California – Berkeley School of Social Welfare Research Department to conduct an initial evaluation of the Wellness Center at Redwood in Spring 2016. In addition, we have partnered with Evaluation, Training and Research Associates (ETR) who have developed a data management system for the Wellness Center and are developing a supplementary evaluation plan for our program in collaboration with UC-B. More information about this evaluation plan will be shared by our lead researcher and UC-B professor, Dr. John Shields, at the March 8, 2016 Board meeting.

Some general questions about the program:

- Parent participation is crucial to the success of our programs. We are partnering with the PTSA on a variety of programs including regular parent education and school wide awareness events. In addition, we are working together to offer parent workshops to encourage and support communication with teens about health and wellness issues in the home and community. We have developed a Wellness website with information for parents/caregivers. -- As mentioned above, California has minor consent laws relating to when parent consent is and is not needed. I believe these laws are referenced in the TUHSD parent/student handbook.
- HIPAA/FERPA - We have worked tirelessly to ensure that we are addressing both HIPAA and FERPA regulations on site. All of our consent forms address the intersection of these laws and we have created a detailed document that describes all of our Wellness policies and procedures regarding these laws and how they play out in the school environment with a Wellness Center on campus. Please let us know if you would like to

see any of these Wellness policy and procedures documents and read here to learn more about how school districts are working through HIPAA/FERPA issues from the US Department of Education and The US Department of Health:
<http://www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf>

- Parents/legal guardians rights depend on the service provided as described above. More information about California minor consent laws can be found at:
<http://www.teenhealthlaw.org/fileadmin/teenhealth/teenhealthrights/ca/CaMinorConsentConfChartFull11-11.pdf>
- The benefit of hiring District employees (the Wellness Coordinator and Wellness Outreach Specialist) is that they CAN communicate with school counselors, teachers and staff to coordinate care and when there is “legitimate educational interest.” The student and parent/caregiver consent forms we have created address this sharing of information and the Wellness Center works closely with school staff on site, as appropriate. If we only had outside providers it would significantly impact the availability, accessibility, and impact of this continuum of necessary support for our children as children present academic, social, emotional and behavioral health needs in our schools. As with any school in California with Wellness Centers, the Wellness staff work hand in hand with all staff at the site to support our students global development.
- Teachers will be informed when there is a crisis (that we are aware of) and in those cases, teachers will always need to send students to see Wellness. In all other cases, teachers will have the first right of refusal and can say no to a student missing class for a Wellness appointment. We have developed a policy that all teachers have received about the pass and appointment system and have had a meeting with all teachers at Redwood to discuss these policies and procedures and then followed up with an email to share the procedures in writing.

Please let us know if we can meet to discuss any of these topics in more detail as we have only answered the bare minimum and have so much more to share if you are interested.

Jessica Colvin
Wellness Director

Wes Cedros
Senior Director of Student Services