

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 528

H.P. 347

House of Representatives, February 19, 2013

An Act To Require Parental Consent for a School To Conduct Mental Health or Behavioral Screening on a Student

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FITZPATRICK of Houlton.
Cosponsored by Senator BURNS of Washington and
Representatives: AYOTTE of Caswell, BLACK of Wilton, DAVIS of Sangerville, ESPLING
of New Gloucester, GIFFORD of Lincoln, TIMBERLAKE of Turner, WILLETTE of
Mapleton, WILSON of Augusta.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6456** is enacted to read:

3 **§6456. Mental health or behavioral screening or testing**

4 **1. Written consent required.** A school administrative unit shall obtain a written
5 consent form from a student's parent before conducting any mental health or behavioral
6 screening or testing, including conducting a survey, analysis or evaluation, of the student.
7 The school administrative unit shall make available the content and questions of the
8 screening or testing for inspection by a parent of the student upon request of the parent.

9 **2. Form of written consent.** A written consent form under subsection 1 must:

10 A. Clearly explain the nature of the screening or testing and when and where the
11 screening or testing will take place;

12 B. State that the content and questions of the screening or testing are available upon
13 request of the parent; and

14 C. Be signed by the parent of the student to be screened or tested.

15 **SUMMARY**

16 This bill requires a school administrative unit to obtain written consent from a
17 student's parent or guardian before conducting any mental health or behavioral screening
18 or testing of the student.