

## STUDENT RIGHTS AND RESPONSIBILITIES

As you begin Mental Health Services through the Warren County Educational Service Center (ESC), it is important you understand your rights and responsibilities as a student. This brochure will help you gain that understanding. Please read it carefully.

### **Student Rights**

#### Confidentiality

As you enter treatment, a student record is started which includes information about your personal history, service plan and progress. This information is shared only with those involved with your treatment. You must provide written consent for anyone outside our agency to have access to your record. However, Warren County ESC Mental Health Services may release information without your consent when a court order is received, if there is an emergency or life-threatening situation, if there is evidence to suggest child abuse, or as otherwise require by law. Records may also be examined by auditors and evaluators to assure quality of services or to substantiate claims for payment (e.g., insurance, Medicaid). SEE "Limits of Confidentiality" on PAGE 23 for details.

All student records are kept in locked files and are seen only by authorized staff with the above exceptions. You may request to see your student record or to have a copy for which there may be a charge. A professional staff member will review it with you. Except for students receiving forensic evaluation services as defined in paragraph (D) (9) of Rule 5122:2-1-01 of the Administrative Code, from a certified forensic center, each student has all of the following rights as listed in paragraphs (D) (1) to (D) (22) of this rule.

- a) The right to be treated with consideration and respect for personal dignity, autonomy and privacy;
- b) The right to service in a humane setting that is the least restrictive feasible as defined in the treatment plan;
- c) The right to be informed of one's own condition, of proposed or current services, treatment or therapies, and of the alternatives;
- d) The right to consent to or refuse any service, treatment or therapy upon full explanation of the expected consequences of such consent or refusal. A parent or legal guardian may consent to or refuse any service, treatment or therapy on behalf of a minor student;
- e) The right to current, written individualized service plan that addresses one's own mental health, physical health, social and economic needs and that specifies the provision of appropriate and adequate services as available, either directly or by referral;
- f) The right to active and informed participation in the establishment, periodic review and reassessment of the service plan;
- g) The right to freedom from unnecessary or excessive medication, restraint or seclusion;
- h) The right to participate in any appropriate and available agency service, regardless of refusal of one or more services, treatments or therapies, or regardless of relapse from earlier treatment in that or another service, unless there is a valid and specific necessity
- i) The right to be informed of and refuse any unusual or hazardous treatment procedures;
- j) The right to be advised of and refuse observation by techniques such as one-way mirrors, tape recorders, televisions, movies, or photographs;
- k) The right to have the opportunity to consult with independent treatment specialists or legal counsel, at one's own expense;
- l) The right to confidentiality of communications of all personally identifying information within the limitations and requirements for disclosure of various funding and/or certifying sources, state or federal status, unless release of information is specially authorized by the student or parent or legal guardian of minor student or court-appointed guardian of an adult student in accordance with Rule 5122:2-3-11 of the Administrative Code;
- m) The right to have access to one's own psychiatric, medical, or other treatment records, unless access to particular identified items of information is specifically restricted for the individual student for clear treatment reasons in the student's treatment plan. "Clear Treatment Reasons" shall be understood to mean only severe emotional damage to the student such that dangerous or self-injurious behavior is an imminent risk. The person restricting the information shall explain to the student and other person authorized by the student the factual information about the individual student that necessitates the restriction. The restriction must be reviewed at least annually to retain validity. Any person authorized by the student has

unrestricted access to all information. students shall be informed in writing of agency policies and procedures for viewing or obtaining copies of personal records;

- n) The right to be informed in advance of the reason(s) for discontinuance of service provision, and to be involved in planning for the consequences of that event;
- o) The right to receive an explanation of the reasons for denial of service

### **Warren County Educational Service Center Mental Health Services**

- p) The right not to be discriminated against in the provision of service on the basis of religion, race, color, creed, sex, national origin, age, lifestyle, physical or mental handicap, development disability, inability to pay, or humiliation due to any of these;
- q) The right to know the cost of services;
- r) The right to be fully informed of all rights;
- s) The right to exercise any and all rights without reprisal in any form including continued and uncompromised access to service;
- t) The right to file a grievance and the right to have oral and written instructions for filing a grievance;
- u) The right to reasonable accommodation to the known physical or mental limitations.
- v) The right to freedom from abuse, financial or other exploitation, retaliation, humiliation, and neglect.

#### **Student Responsibilities**

##### *Funding Sources*

School-based mental health services provided by the Warren County ESC are currently funded through our association with the Ohio Department of Jobs and Family Services, and your respective Warren County school district. Any additional questions regarding funding sources should be directed to Mike Bidwell, LPCC-S, Director of Social Emotional Learning ([mike.bidwell@warrencountyesc.com](mailto:mike.bidwell@warrencountyesc.com); 513.310.4135)

#### **Other Responsibilities**

A trained mental health therapist will assist you in completing this packet and answer any questions you may have. Warren County ESC Mental Health Services is a private not-for-profit corporation and complies with the standards set forth by the Ohio Department of Mental Health and Addiction Services, the Americans with Disabilities Act, and the Rehabilitation Act of 1973.

---

Our mission is to support school-age youth and their families in maximizing their potential and enhancing their wellness in the natural environments of school, family, and community through advocacy, mental health services, and education.

---

#### **Student Rights Officer and Health & Safety Officer**

Mike Bidwell, LPCC-S  
Director of Social Emotional Learning  
513.310.4135

**An Equal Opportunity Employer and Equal Provider of Service**