

A. Purpose

1. To implement Board of Education of Frederick County (Board) [Policy 409, Student Health and Wellness](#).
2. To establish procedures and articulate responsibilities for supporting safe and confidential access to telehealth appointments for students on the premises of Frederick County Public Schools (FCPS) middle and high schools.

B. Background

During the 2024 legislative session, the Maryland General Assembly passed legislation aimed to enhance student access to telehealth appointments within public middle and high schools in Maryland. The legislation sought to ensure students are able to receive timely medical consultations without requiring a student to leave school, thus potentially reducing absenteeism and minimizing the time the student is away from class. To achieve this aim, the enacted law required each Local Education Agency to establish a policy to support access to telehealth appointments. Accordingly, the Board adopted [Policy 409, Student Health and Wellness](#), which directs the Superintendent to adopt and implement a regulation consistent with the guidelines set forth by the State for conducting telehealth health care services during the school day on the premises of public middle and high schools.

C. Definitions

1. “Acute Medical Care Appointment” is defined as a medical appointment to address a sudden, short-term illness or injury that needs prompt medical care, but is not necessarily a life-threatening emergency.
2. “Behavioral/Mental Health Crisis” is defined as a situation in which a person's actions, feelings, and behaviors can lead to them hurting themselves or others or put them at risk of being unable to care for themselves or function in a healthy manner.
3. “Behavioral Health School-Based Telehealth” is defined as telehealth services that focus on behavioral health, support for behavioral and emotional challenges through telepsychiatry and teletherapy, providing guidance on nutrition, exercise, hygiene, and disease prevention through online consultations or workshops and sessions for students needing specialized therapy.
4. “Confidentiality” in the medical setting refers to the principle of keeping secure and secret from others, information given by or about an individual in the course of a professional relationship, and it is the right of every patient.
5. “Health Care Practitioner” is defined as an individual who is licensed, certified, or

otherwise authorized by law to provide health care services under Maryland law.

6. “Parent” is defined to mean a biological or adoptive parent, a court-appointed custodian or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).
7. “Parent/Student-Initiated Telehealth” is defined as telehealth services between a student and a health care practitioner external to a school when the Local Education Agency (LEA) has no formal agreement with the health care practitioner to provide services to its students.
8. “Telehealth Appointment” is defined as a mode of delivering health care services through the use of telecommunications technologies by a Health Care Practitioner to a patient at a different physical location than the health care practitioner.

D. Procedures

1. **Applicability.** This regulation applies to all FCPS middle and high schools and governs the provision of access to Telehealth Appointments for students, including the responsibilities of staff, students, and parents. Elementary school students cannot participate in Telehealth Appointments at school.
2. **General Guidelines**
 - a. Schools are not equipped to safely support access to telehealth appointments for acute medical care or behavioral/mental health crises. Such appointments should take place outside of the school setting.
 - b. Health Care Practitioner appointments for students, including Telehealth Appointments, should be scheduled outside of school hours and off school property whenever possible to maximize student instructional time and learning opportunities and to minimize disruptions to student learning.
 - c. To ensure access to Telehealth Appointments is available to all students, schools are not required to support frequent and regular telehealth appointments.
 - d. Except as may be required by law, written consent from a parent is required prior to a student’s participation in a Telehealth Appointment at school.
 - e. Telehealth Appointments shall be conducted in a private, ADA-compliant physical space with Wi-Fi access, an accessible electrical outlet, seating, and an appropriate flat surface.
 - f. To minimize the disruption to the student instruction, Telehealth Appointments may be limited to thirty (30) minutes.
 - g. School personnel, parents, and students shall be made aware of the Board’s Policy and this supporting regulation. A link to the Regulation shall be included in the [Student Code of Conduct and Parent Handbook](#).
 - h. The decision to deny a request for a Telehealth Appointment by the principal will be final and is not subject to any Board of Education appeal process.
 - i. FCPS shall not be responsible for any billing from the Health Care Practitioner for a Telehealth Appointment, which shall be the sole responsibility of the parent.

3. Requests for a Telehealth Appointment

- a. A request for a Telehealth Appointment, except as otherwise permitted by law, must be made by the parent in writing by letter or by e-mail at least two (2) weeks in advance of the requested appointment date to the designated school staff member. The parent shall also be responsible for coordinating the appointment with the Health Care Practitioner and notifying the Health Care Practitioner of the thirty (30) minute time limit.
- b. A request for a Telehealth Appointment may be denied if:
 - i. The school is designated as restricted or closed to enrollment as described in FCPS [Regulation 400-15, Out-of-District Enrollment](#);
 - ii. The school is undergoing renovations or is within the first year of opening;
 - iii. The school lacks available space to support Telehealth Appointments, as determined by the principal and their Middle or High School Director;
 - iv. The school is experiencing staffing shortages; or
 - v. The request is made orally, by text message, by School Messenger, or any other form of communication besides in writing or by e-mail.
- c. A request for a Telehealth Appointment may be denied for the following reasons, including but not limited to:
 - i. The requested appointment does not fall within the dates or times designated by the principal for such appointments;
 - ii. The request creates a conflict with the student's class schedule or the school's bell schedule;
 - iii. The request interferes with Individualized Education Program (IEP) or Section 504 Plan accommodations or services;
 - iv. The Telehealth Appointment is scheduled for longer than thirty (30) minutes; or
 - v. The impact to instruction is too great.
- d. Parents are responsible for notifying school staff if the Telehealth Appointment is cancelled. The failure to notify staff of a cancelled Telehealth Appointment may be the basis for the denial of a future request for a Telehealth Appointment.

4. Conducting the Telehealth Appointment

- a. Except where this requirement may be inconsistent with the law, a parent is required to be present on school premises during their child's telehealth appointment. A parent may request an exception to this requirement by contacting the school principal.
- b. Whether the parent sits in on the appointment or remains in a waiting area is at the discretion of the parent and student in consultation with the Health Care Practitioner.
- c. The parent is responsible for providing the student with the appropriate personal mobile device (PMD) to participate in the Telehealth Appointment. An FCPS-issued device may be made available if a request is made at least two (2) weeks in advance of the appointment.
- d. The Health Care Practitioner is responsible for providing a secure, HIPAA-compliant platform for conducting telehealth appointments with FCPS students.
- e. Parents are responsible for notifying appropriate school staff when the appointment has ended.

5. Student Responsibilities

- a. Students must follow established school procedures for requesting a hall pass to the designated telehealth location.
- b. Students are responsible to comply with [Regulation 434-01, Technology Use-Students](#) and the [Student Code of Conduct and Parent Handbook](#) when using their PMD for Telehealth Appointments.
- c. Students are responsible for checking in with the appropriate staff member and reporting to their scheduled class immediately following the Telehealth Appointment unless their parent is signing them out of school.
- d. A student who is absent for the entirety of a class period for a Telehealth Appointment will be marked with an excused absence for that period.

6. **School-Based Staff Authority and Responsibilities**

- a. Each school principal has the authority to:
 - i. Approve or deny a request for a Telehealth Appointment;
 - ii. Limit the number of Telehealth Appointments for a student over the course of a year by considering the impact on instruction to or the receipt of services by the student, the number of Telehealth Appointment-related excused absences the student has experienced, the number of available appointment times, and the number of Telehealth Appointments previously attended during the year;
 - iii. After consultation with the Office of Student Services, grant an exception to allow a parent to participate in a Telehealth Appointment virtually; and
 - iv. Set a specific schedule of days of the week and times during the instructional day when a Telehealth Appointment request can be accommodated.
- b. Designated school staff (*i.e.*, school administrator, school counselor, or other staff member determined by the principal) will maintain a record of all telehealth appointments through the school year to include the student name, date, and time of appointment. This record may be stored in a binder or electronically in a designated secure space.
- c. Consistent with this Regulation, staff shall provide a suitable space for conducting a Telehealth Appointment.
- d. FCPS staff shall not be responsible for scheduling the appointment with the Health Care Practitioner.

7. **Central-Office Staff Authority and Responsibilities**

- a. **Office of Student Services.** The Office of Student Services is available as a resources to school principals to ensure consistent implementation of this Regulation, including but not limited to consultations when a request for an exception is made by a parent to allow for virtual participation in a Telehealth Appointment.
- b. **Department of Technology Infrastructure (DTI)**
 - i. The FCPS Department of Technology Infrastructure (DTI) will provide WiFi network and connectivity support for student telehealth appointments.
 - ii. DTI staff will follow established procedures to minimize network disruptions during student telehealth appointments.
 - iii. DTI staff will provide a device for a Telehealth Appointment if a student does not have access to a PMD and if the appropriate request is submitted at least two (2)

weeks in advance of the appointment, but shall not provide hardware support of personal mobile devices.

- iv. DTI shall not be responsible for supporting the Health Care Practitioner’s selected telehealth platform and no liability shall attach if the Telehealth Appointment is missed due to the telehealth platform being incompatible with the FCPS network.

E. Related Information

1. Board Policy

- a. [Policy 404, Student Rights and Responsibilities](#)
- b. [Policy 409, Student Health and Wellness](#)

2. External Resources

- a. [Maryland State Department of Education \(MSDE\). \(Nov. 14, 2024\). State Superintendent Guidelines for the Availability for Student Participation in Telehealth Appointments in Secondary Schools](#)
- b. [Maryland State Department of Education \(MSDE\). \(Dec. 3, 2024\). State Superintendent Guidelines for the Availability for Student Participation in Telehealth Appointments in Secondary Schools](#)

3. FCPS Regulations

- a. Regulation 209-01, *Records Management and Document Retention*
- b. [Regulation 300-06, HIPAA-Health Information-Electronic](#)
- c. [Regulation 400-20, Student Records](#)
- d. [Regulation 400-15, Out-of-District Enrollment](#)
- e. [Regulation 434-01, Technology, Student Use](#)

4. FCPS Resources

- a. [Student Code of Conduct and Parent Handbook](#)

5. Federal Law

- a. Family Educational Rights and Privacy Act (FERPA)
- b. Health Insurance Portability and Accountability Act (HIPAA)
- c. Individuals with Disabilities Education Act (IDEA)

6. Maryland Statutes

- a. [Md. Code Ann., Educ. § 4-143](#)
- b. [Md. Code Ann., Health Gen. § 20-102](#)
- c. [Md. Code Ann., Health Gen. § 20-104](#)
- d. Md. Code Ann., Health Occup., T. 1, Subt. 10

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Office of Student Services
Adoption Dates	08/15/25

Review Dates	
Revision Dates	