

# Legal Issues in Campus Suicide Prevention

## Annotated Bibliography

### **Resource Document on College Mental Health and Confidentiality**

[https://www.psychiatry.org/File%20Library/Psychiatrists/Directories/Library-and-Archive/resource\\_documents/resource-2016-college-mental-health-and-confidentiality.pdf](https://www.psychiatry.org/File%20Library/Psychiatrists/Directories/Library-and-Archive/resource_documents/resource-2016-college-mental-health-and-confidentiality.pdf)

**Prepared by:** The Council on Psychiatry and Law

**Year published:** 2016

A resource prepared by The Council on Psychiatry and Law. It explains how FERPA applies to student records and the circumstances in which records may be shared in order to protect health and safety.

### **Making the Call: Parental Notification of Suicidal Students**

<https://nabita.org/wordpress/wp-content/uploads/2012/04/Making-the-Call-Parental-Notification.pdf>

**Prepared by:** National Center for Higher Education Risk Management

**Year published:** 2015

A resource created by two attorneys and two clinicians addressing the question of when parents should be notified about suicidal students.

### **Balancing Safety and Support on Campus: A Guide for Campus Teams**

[http://hemha.org/campus\\_teams\\_guide.pdf](http://hemha.org/campus_teams_guide.pdf)

**Prepared by:** Higher Education Mental Health Alliance

**Year published:** 2012

A resource created by the Higher Education Mental Health Alliance (HEMHA) to provide guidance for the structure and function of “campus teams” (commonly called threat assessment teams). In the wake of violent acts at universities in Virginia and Illinois, many campuses have created campus teams to identify and assess the behaviors of distressed students. These teams are tasked with providing “appropriate, case-by-case responses” to maintain safety on university campuses. Pages 20-23 address legal challenges inherent in balancing the needs of the distressed student with concerns for the safety of the community.

### **Student Mental Health and the Law: A Resource for Institutions of Higher Ed**

<https://www.jedfoundation.org/wp-content/uploads/2016/07/student-mental-health-and-the-law-jed-NEW.pdf>

**Prepared by:** The Jed Foundation

**Year published:** 2008

A comprehensive assessment of legal implications for universities in managing the needs of distressed students. This resource provides useful explanations of federal laws including FERPA (pages 7-8), HIPAA (page 10), and ADA (page 12-19). This resource is very useful in addressing a wide variety of concerns related to distressed students including assessments of mental health, appropriate on-campus interventions, and follow-up after discharge from the hospital.

## **Campus Mental Health Know Your Rights**

<http://www.bazelon.org/LinkClick.aspx?fileticket=Cx8IKB4OGpg%3d&tabid=104>

**Prepared by: The Bazelon Center for Mental Health Law**

**Year published: 2008**

A resource created by The Bazelon Center for Mental Health Law that provides a discussion of the rights of students as they relate to mental health. The resource provides straightforward, easy-to-understand explanations of many issues that students may have questions about including topics such as privacy rights and ways to seek accommodations for mental health concerns.

## **Supporting Students: A Model Policy for Colleges and Universities**

<http://www.bazelon.org/pdf/SupportingStudents.pdf>

**Prepared by: The Bazelon Center for Mental Health Law**

**Year published: 2007**

This resource created by The Bazelon Center for Mental Health Law provides a useful model for universities to address the concerns of a distressed student and "...develop a nondiscriminatory approach to a student who is in crisis because of a mental health problem." This resource focuses on providing support and care for the student to encourage help-seeking behaviors.

## **Best Practices for Supporting Suicidal Students within a Risk Management Framework**

[https://www.nchem.org/pdfs/Best Practices Supporting Suicidal Students.pdf](https://www.nchem.org/pdfs/Best_Practices_Supporting_Suicidal_Students.pdf)

**Prepared by: National Center for Higher Education Risk Management**

**Year published: Unknown**

A resource that provides an explanation of how the ADA and Section 504 of the Rehabilitation Act apply to suicidal students. It includes the basic steps a university should take in order to accommodate the needs of distressed students. The author emphasizes the importance of focusing on the needs of the distressed student and how the university may support that student rather than jumping immediately to separation or discipline for violation of conduct codes.

## **College Students in Crisis: Preventing Campus Suicides and Protecting Civil Rights**

[http://www.activeminds.org/storage/documents/campus\\_mental\\_health\\_public\\_advocate.pdf](http://www.activeminds.org/storage/documents/campus_mental_health_public_advocate.pdf)

**Prepared by: Active Minds**

**Year published: Unknown**

A resource provided by the Active Minds organization that addresses how universities may balance efforts to prevent campus suicide with protection of student civil rights. This resource provides information on topics such as parental notification (III, B), removal of suicidal students from campus (III, C), and requirements for mandatory evaluation and treatment (III, D).