

How Do We Respond? Legal and Ethical Follow-Up for School Mental Health

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Presenter: Dr. Miranda Zahn



- Assistant Professor of School Psychology, University of South Dakota
- Consultant, The National Center for School Mental Health
- Background in school psychology
- My lens: white / caucasian, she / her / hers, cisgender, heterosexual, non-religious, middle class, non-disabled



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Learning Objectives

- Understand legal and ethical obligations associated with mental health screening in schools
- Identify follow-up assessment procedures
- Identify needs assessment procedures for aligning mental health screening with intervention and referral
- Understand mechanisms for pinpointing and intervening on school- and class-level trends in mental health screening data



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Universal Mental Health Screening

A population-based, preventative procedure to assess an individual's likelihood of developing a mental health condition

- Using the approach, all students are screened and provided the same opportunity for potential early identification and service provision
- Benefits:
 - Reduce risk or impact of mental health conditions
 - Obtain a baseline for future monitoring and assessment
 - Cost efficient approach

Humphrey & Wigelsworth, 2016; O'Connell, 2009

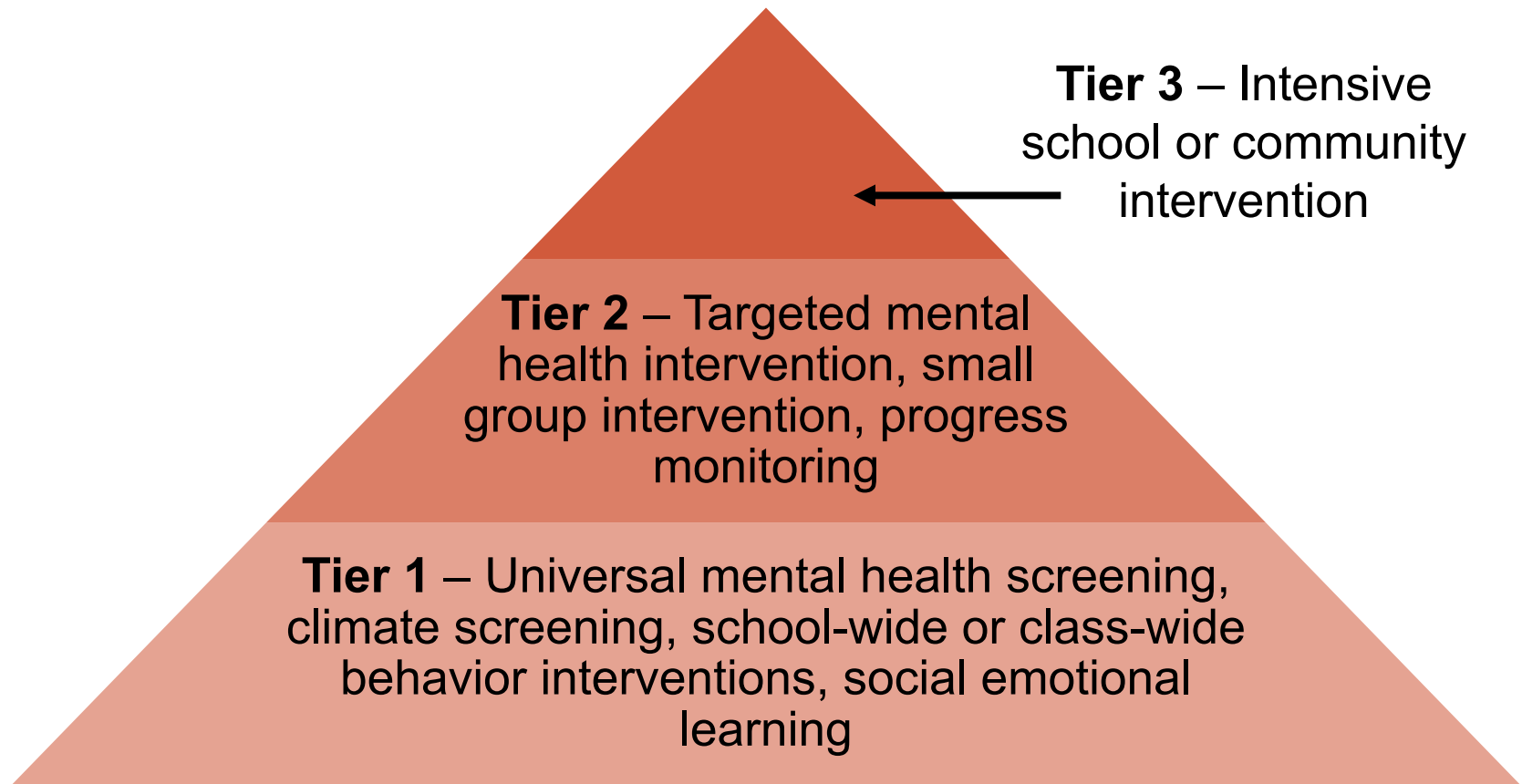


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Mental Health Screening within MTSS



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Relevant Federal Law

FERPA

Family Educational Rights & Privacy Act

IDEA

Individuals with Disabilities Education Act

HIPAA

Health Insurance Portability &
Accountability Act



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Responsibilities to Ensure Legal Compliance

Consent

Confidentiality

Proper data
storage and
security

Collaboration
with parents and
legal guardians

Clear policies
and procedures



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Relevant Professional Ethical Codes

- American School Counselor Association (ASCA)
 - [Ethical Standards for School Counselors](#)
- National Association of School Psychologists (NASP) - [2020 Professional Standards, including Principles for Professional Ethics](#)
- National Association of Social Workers (NASW)
 - [Standards for School Social Work Services](#)



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Ethical Guidelines for Screening: Consent

- Informed consent and voluntary participation
 - Explain the screening purpose, process, and potential outcomes
 - Ensure right to withdraw



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Communication Plan

Notify families of screening procedures

Automated email, phone
call, or text message

Information on school
website

Mail or flyers

Information in registration
packet

Guardian passive consent (opt-out consent); student assent

Follow-up procedures require active consent



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Ethical Guidelines for Screening: Confidentiality

- Confidentiality and privacy protection
 - Maintain privacy during screening and data handling
 - Use anonymous reporting options and data de-identification



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Ethical Guidelines for Screening: Equity and Accessibility

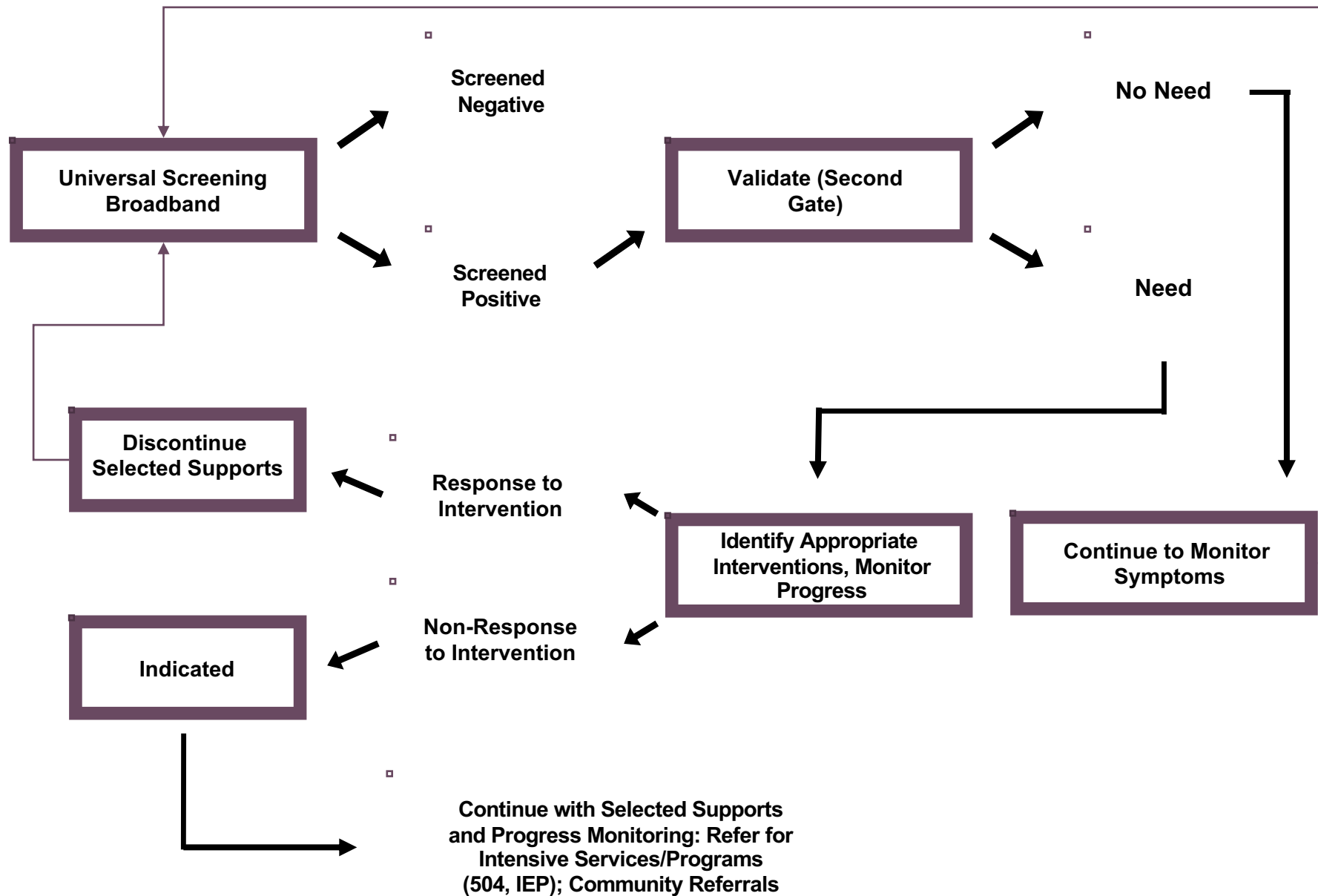
- Non-discrimination and cultural sensitivity
 - Avoid biases and stereotypes in screening tools and interpretations
 - Address cultural differences and diverse backgrounds
- Accessibility and support services
 - Ensure equitable access to screening for all students
 - Provide appropriate support services for identified needs

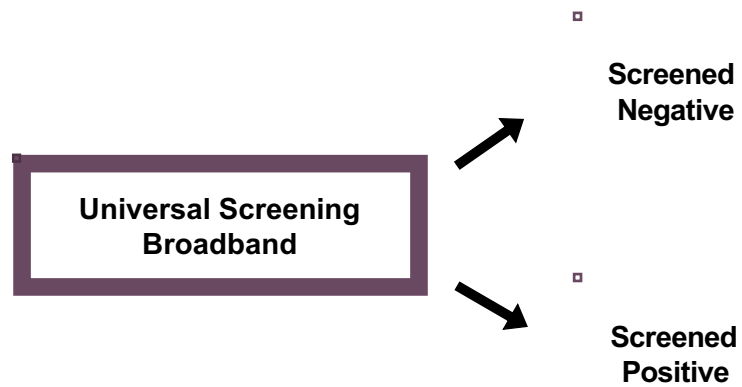


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Immediate Follow Up

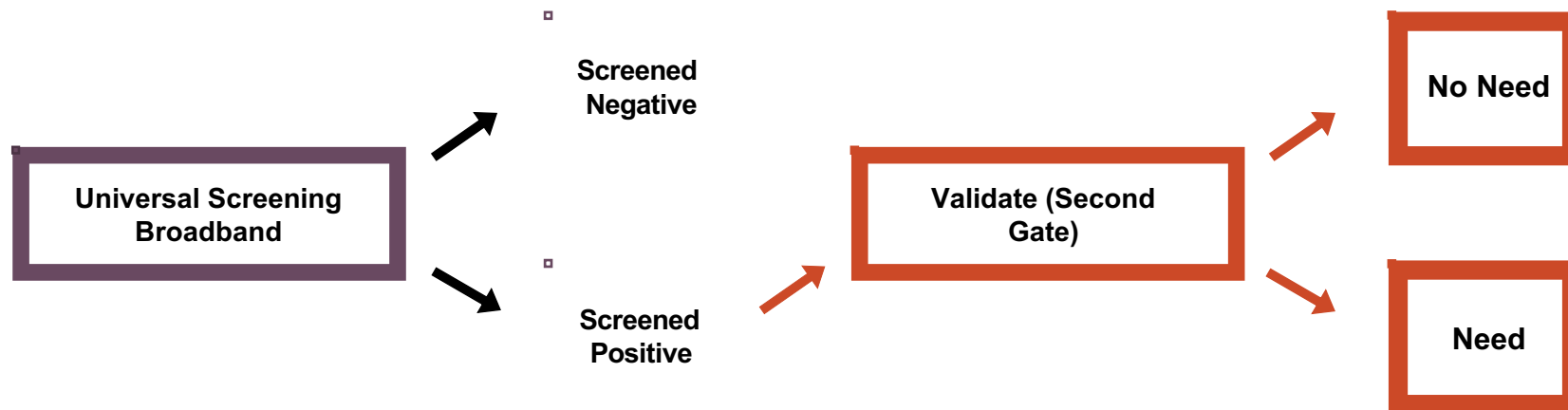
- Follow up immediately—***same day***—when information about risk to self or others is disclosed
 - Know critical items on screeners
 - Review qualitative responses immediately



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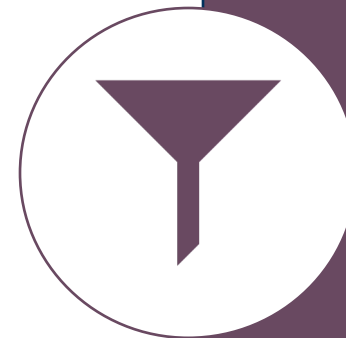
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Validate Screening Results: Second Gate

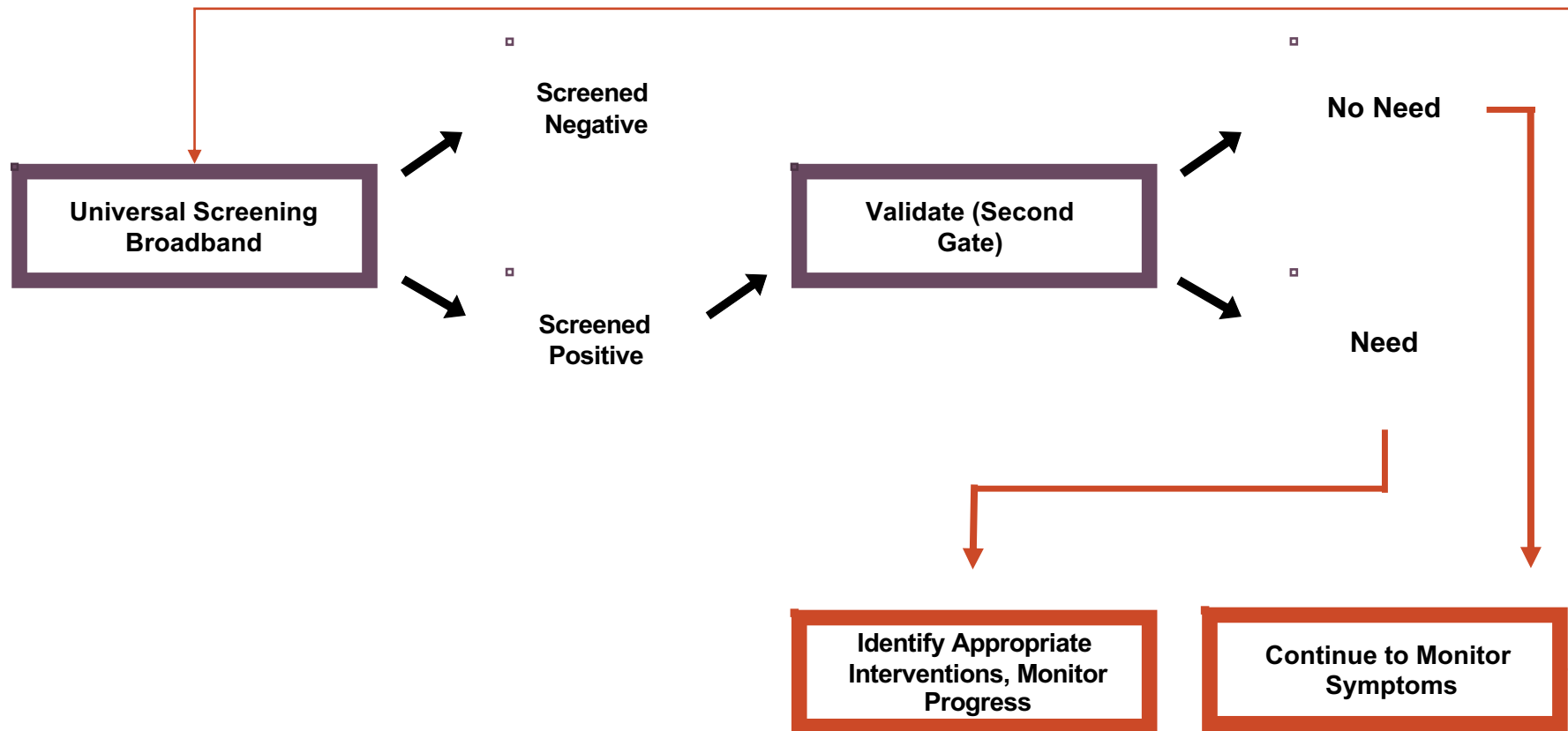
- Narrowband assessment
- Corroborate need with narrative informant input
- Consider fit of student needs with available interventions



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Select Interventions: Data-Based Decision Making

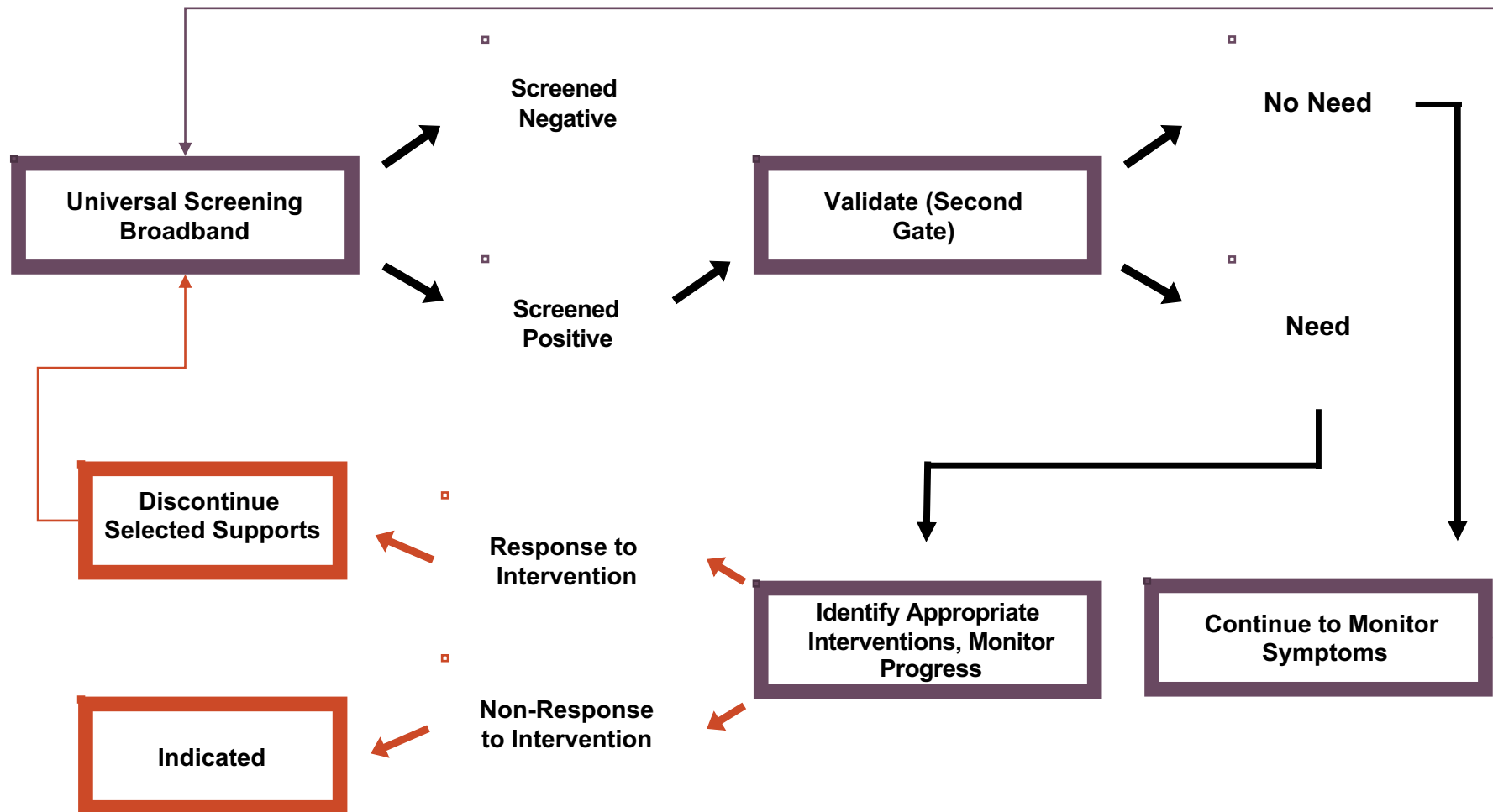
- Consider local prevalence
- If more than 20% are in the at-risk range, consider universal intervention
 - Classroom, grade, or school level



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Monitor Progress to Identify Next Steps

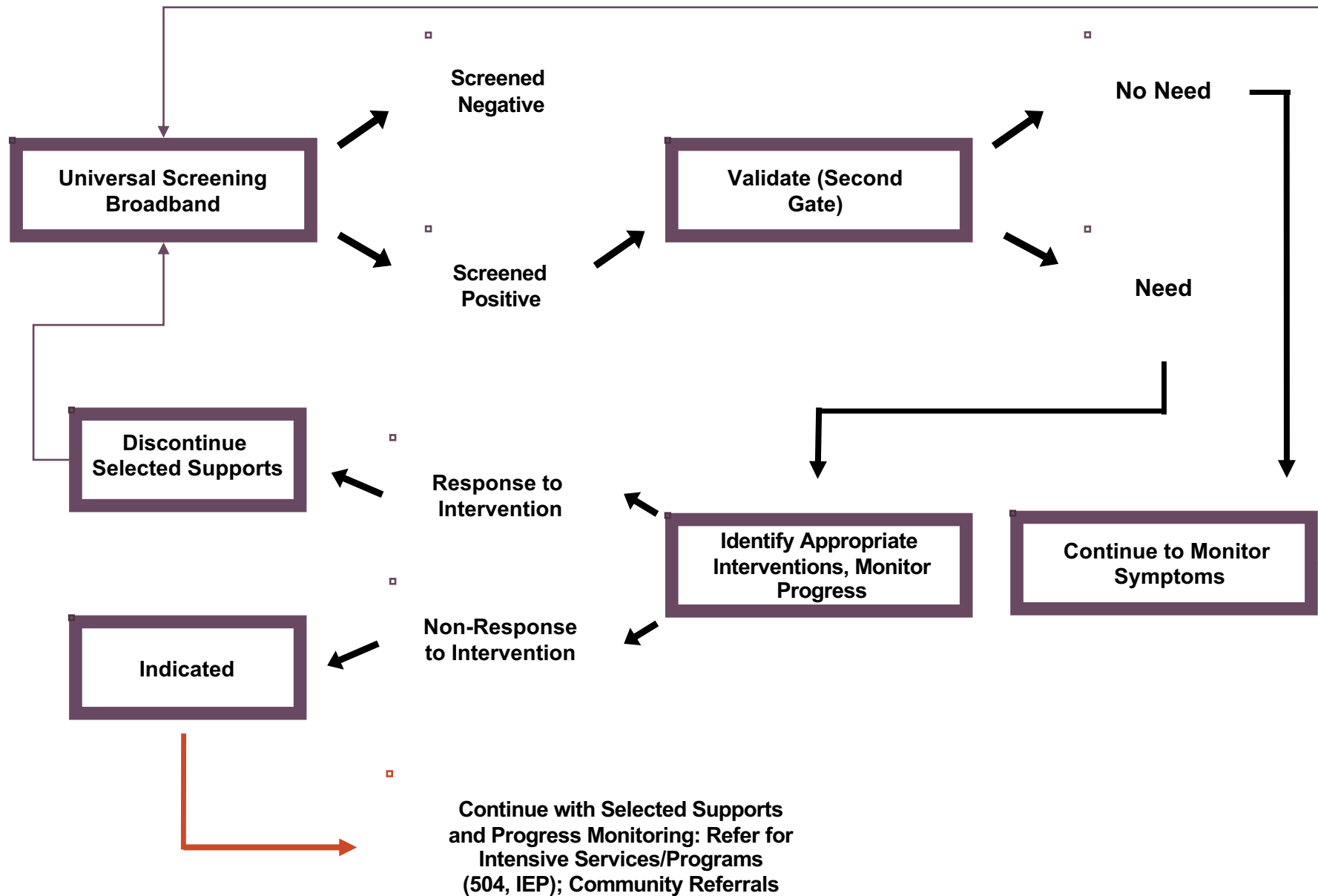
- Align data collection to intervention
 - Validated rating scales
 - Behavioral observations
- Collect baseline data
- Set SMART goal
- Graph data
- Assess progress at regular intervals
- Continue, modify, or discontinue intervention based on data



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Identify Students With Higher Level of Need

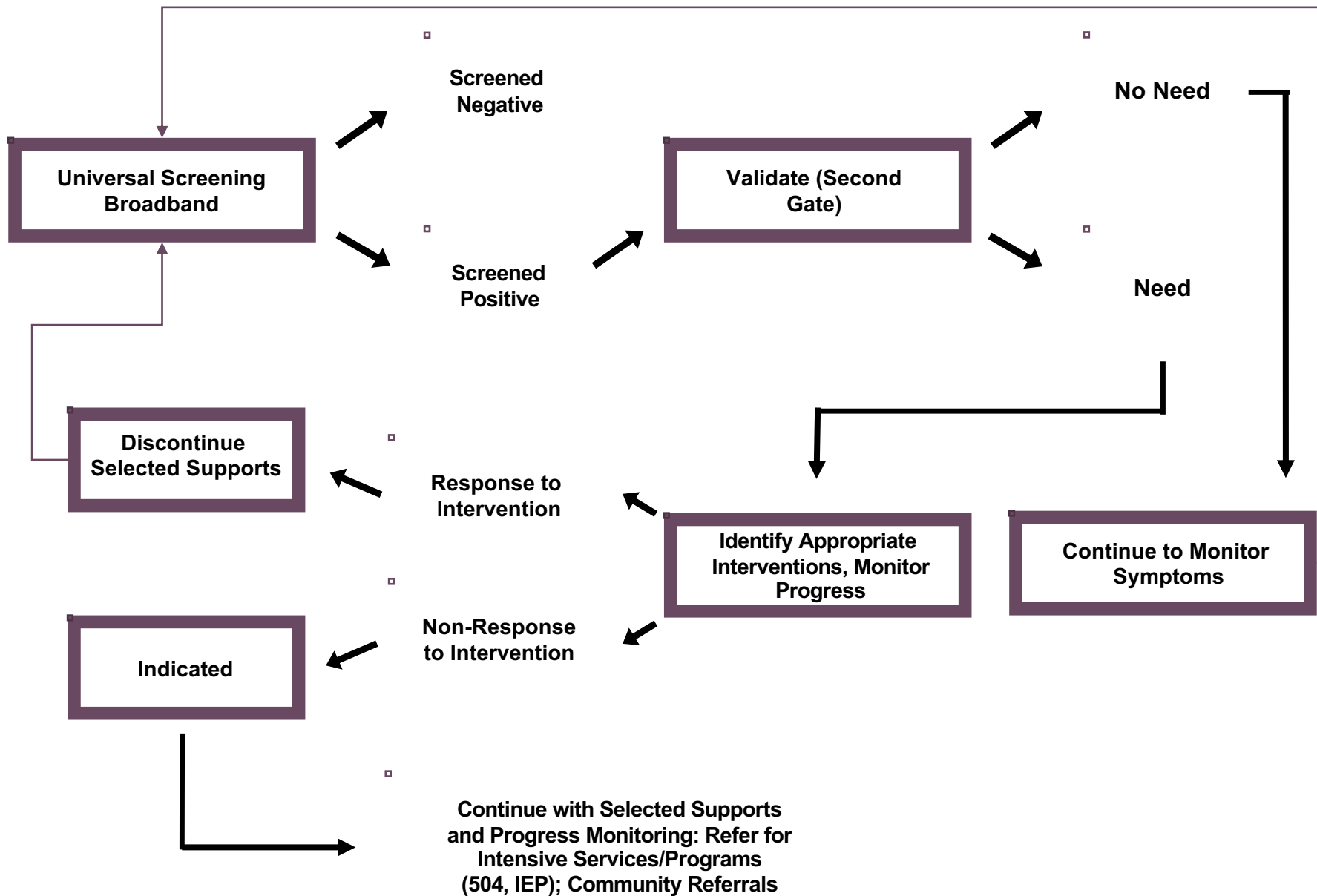
- When insufficient progress is made in tier 2 interventions, consider intensifying supports
- Follow school protocol for individualized supports, assessment, goal-setting, and progress monitoring
- Consider community support referrals



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Resources

- SHAPE Assessment Library - <https://www.theshapesystem.com/assessmentlibrary/>
- Ready, Set, Go, Review: Screening for Behavioral Health Risk in Schools - https://www.samhsa.gov/sites/default/files/ready_set_go_review_mh_screening_in_schools_508.pdf
- School Mental Health Quality Guide: Screening - <https://www.schoolmentalhealth.org/media/SOM/Microsites/NCSMH/Documents/Quality-Guides/Screening-1.27.20.pdf>
- US DOE Mental Health Screening Tools for K-12 - <https://safesupportivelearning.ed.gov/sites/default/files/10-MntlHlthScrnTlsGrK-12-508.pdf>
- School Mental Health Screening Playbook - <https://traumasupportforschools.org/school-mental-health-screening-handbook/>
- Module 4 of the National School Mental Health Curriculum: Screening - <https://mhffcnetwork.org/media/1932>



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Next Session

**How Do We Continue? Organization and
Sustainability for School Mental Health Screening**
June 21, 12-1pm CT



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Thank you!

Q&A

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