

Confidentiality Issues

The Health Team believes that the MVS community is a caring community and there will be trust that all situations will be handled with care. In accordance with applicable provisions of Federal and State law, the Health Team will make every reasonable effort to maintain the confidentiality of information received from students, parents, faculty or other sources. There are certain circumstances wherein information learned by the Health Team must be disclosed wither under Federal or State law or when the Health Team, in its discretion, determines that disclosure is in the student's best interests. If the information received indicates harm to the student him/her self or harm to others (ie: suicide intention, other self injurous behaviors, and abuse by or to others), then the Team will make the appropriate referral. This may include, but is not limited to, informing the parent, MVS Administration, Children Services Board, treatment professional or law enforcement. Also, the law allows disclosure to an individual or entity having direct administrative control over the health team but only when needed to provide services to the student. Disclosure should not be used to levy disciplinary consequences on a student. Information can always be shared if the student has given their consent as the student holds the confidentiality, with the exception of the above stated harm to self or others.

The only information that is protected under Federal Regulations is that which identifies a student as an alcohol or drug abuser when the student has identified him/her self during a private conference. Under Federal Regulations this information must be kept confidential unless the student signs a consent. In this case, student would be encouraged to sign a release form to discuss this with his/her parents. This form would also be used to disclose to treatment agencies, police, etc. with both the students and parents signatures. If the student appears to be in

imminent danger because of his/her alcohol/drug use, the Team will make a decision whether to contact parents anyway. Information obtained about a student prior to meeting with him/her about the issue of alcohol/drug abuse is not protected under this regulation and may be shared.

Confidentiality is meant to foster a sense of trust; the feeling in a young adult that he/she can share information that won't be shared with anyone else unless his/her life or someone else's is in danger, or there is evidence of abuse or neglect. Confidentiality is not the same thing as secrecy. While we do not want to create a feeling of mystery and distance, we do want to insure a safe place for students to explore the issues that will define them as adults. Students deserve respect and privacy but they also need adult monitoring to keep them safe. The Health Team hopes to provide that safety, while encouraging students to bring others into their confidence if it will facilitate the student getting help.

At times, the referral source (e. g. faculty or administration) will not necessarily know of the details of how each situation is handled. At other times, the referral source may be asked to be involved in the decision-making. Not every concern that a student seeks guidance with goes through the Health Team. The schools psychologist and/or counselor may see students in confidence without bringing their concerns to the Health Team. The Health Team is a resource, but not the only resource. Each referral will be handled by the Health Team with care.

The Miami Valley School
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