

FUSION

AN INTEGRATION OF INFORMATION FOR SCHOOL-BASED MENTAL HEALTH PROFESSIONALS

DEAR SCHOOL SUPPORT PROFESSIONALS,

We hope you had a successful opening to the new school year. The focus of this newsletter is:

- ◇ Attendance
- ◇ Mental Health Professional Development
- ◇ Family Educational Rights and Privacy Act (FERPA)
- ◇ Foster Care

As we work together as an integrated team, we look forward to continuing our collaboration with you for the 2023-2024 school year.



[Beverley Wilks, LCSW](#)
School Social Work Consultant
850-245-7837

ATTENDANCE

September is Attendance Awareness Month. The following is a free online attendance webinar available through Attendance Works.

Sustaining Success: Investing in Showing Up

Date: Wednesday, September 27, 2023

Time: 3:00-4:30pm ET

[Register for AAC webinar 4 of 4](#)

Resources that can help to address Chronic Absenteeism:

[USF Reasons for Chronic Absenteeism](#)
[Proving Ground – How-To Series](#)



MENTAL HEALTH PROFESSIONAL DEVELOPMENT

September is National Suicide Prevention Month.

The Florida Department of Education is collaborating with Project SMARTS (School Mental Health, Assessment, Response, and Training for Suicide Prevention) to provide the following training opportunities for the month of September. Please note that these trainings have limited capacity. These trainings will be repeated throughout the school year.

Zero Suicide is a workshop focused on a systematic approach to improve suicidal care through the adaptation of evidence-based and best practice safety standards. This approach, identified by the Zero Suicide Initiative, encompasses screening, risk assessment, safety planning, follow-up care, treatment and training.

This training will be repeated and information will be forthcoming from our office.

When: Tuesday, September 12, 2023

Time: 9:00-11:00am ET

Location: Microsoft Teams Meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 212 654 349 27

Passcode: 7tSX2j

Question, Persuade, Refer (QPR) Suicide Prevention is an evidence-based, adult and youth gatekeeper training on the warning signs of suicide and how to get help for students in crisis using the question, persuade and refer technique.

When: Tuesday, September 19, 2023

Time: 9:00-11:00am ET

Location: Microsoft Teams Meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 229 679 139 397

Passcode: ogdRSW

FAMILY EDUCATION RIGHTS

As districts work to navigate the FERPA vs. HIPAA (Health Insurance Portability and Accountability Act), and also education records and public exemption, the following information should provide some guidance.

1. HIPAA privacy rules only apply to “covered entities,” and most K-12 schools are not covered entities under HIPAA. A “covered entity” is a health plan, health care clearinghouse or a health care provider that transmits health information electronically in connection with certain administrative and financial transactions, including but not limited to billing or submitting claims to a health plan. See 45 CFR § 160.102.
 - a. This means that even though the school may employ people who are health care providers, like school nurses or psychologists, the school is not a HIPAA-covered entity because those providers do not engage in “covered transactions,” such as billing a health plan for their services. This also applies if the provider is a third-party contractor acting for the school. Most K-12 schools fall into this category.
2. Even if the school is a covered entity, the health information it maintains on students is in records that are considered “education records” under FERPA and not protected health information (PHI) under the HIPAA Privacy Rule. The HIPAA Privacy Rule specifically excludes records that are considered “education records” under FERPA from the definition of PHI. See 45 CFR § 160.103.
 - a. FERPA defines “education records” as records that are (1) directly related to a student and (2) maintained by an educational agency or institution, or by a party acting for the agency or institution.
 - b. FERPA’s privacy protections and other provisions (such as a parent’s right of access) still apply to these records.
 - c. Other privacy laws, such as Individuals with Disabilities Education Act (IDEA), may also apply depending on the situation.

[Section 1002.221, Florida Statutes](#), covers K-12 education records and public exemption.

Additional resources that address FERPA and HIPAA can be reviewed below.

- ◇ [Family Educational Rights and Privacy Act: Guidance for School Officials on Student Health Records](#). This document provides school officials with general information about FERPA, with a particular focus on student health records maintained by educational agencies and institutions and by third parties acting on their behalf.
- ◇ [Know Your Rights: FERPA Protections for Student Health Records](#). This one-page document provides a brief overview of parents’ and eligible students’ rights with a particular focus on student health records.

FOSTER CARE STUDENTS

Now, six years into implementation of the Elementary and Secondary Education Act’s educational stability requirements, there remains an urgent need for state education agencies and local education agencies to continue to address persistent challenges in improving the educational stability of students in foster care.



We will be reaching out directly to our foster care contacts regarding upcoming meetings. In the interim, please review the [non-regulatory guidance](#) (published in 2016).



In Collaboration With...



FLORIDA DEPARTMENT OF EDUCATION