

# Student Suicide: Mental Health and Legal Response

HEATHER R. RUTLAND  
SHAREHOLDER



EICHELBAUM WARDELL  
HANSEN POWELL & MUÑOZ, P.C.

RICARDO "RICK" BENAVIDES,  
III

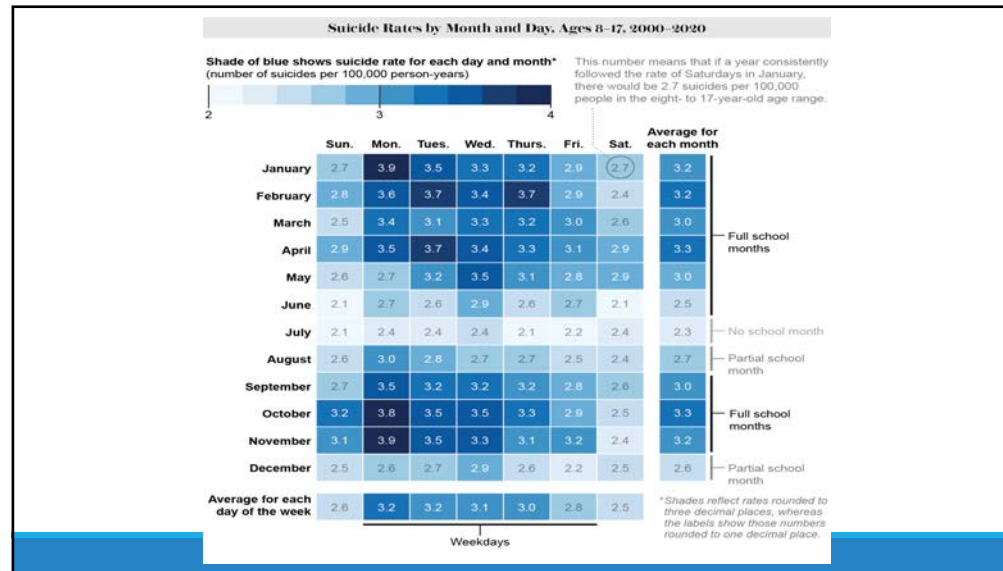


1

## Student Suicide on the Rise

- Sobering statistics nationwide
- Increasingly likely for very young students
- Suicides more likely during the school year

2



3

## Outcries

- Outcries differ, especially given student age
  - Younger students may lack vocabulary to identify feelings
- Outcry may not be made to teacher or counselor
  - Critical to train all staff on campus to recognize and respond to outcries
  - A “trusted adult” for every student
- Outcry may not be specific to suicide
  - Some courts deem repeated reports of bullying to suffice

4

## Suicide Contracts

---

- Controversial practice – not recommended
- Little empirical evidence supports contracts as effective tools to prevent suicide.
- Use of a suicide contract implies that the school counselor will ensure the student's safety, or of a binding agreement generally.
- Suicidal person is often not competent to sign a contract.
- Use of such suicide contracts may open district up to liability it could have otherwise avoided.

5

## Student Privacy & Reporting Requirements

---

- District staff = professional reporters of abuse under TEC
  - 48 hours from when reasonably suspected abuse/neglect
- Counseling staff have additional ethical requirements
  - Generally, counselors required to keep confidentiality
  - Risk of harm trumps confidentiality

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Student Suicide: Mental Health and Legal Response

Also available as part of the eCourse

[Student Suicide: Mental Health and Legal Response](#)

First appeared as part of the conference materials for the  
38<sup>th</sup> Annual School Law Conference session

"Student Suicide: Mental Health and Legal Response"