

Related Entries: 4.22, 4.221

### Mental Health and Wellbeing

This Policy seeks to strengthen the School District of Lee County (District) commitment to protecting the health and well-being of all students in District operated schools. The District understands that the physical, behavioral, and emotional well-being are integral components of student achievement. The Policy requires the District implement behavioral and mental health procedures which include prevention, intervention, and postvention strategies and activities that protect and strengthen student wellness, including procedures related to data collection, documentation and analysis of data related to the District's compliance and implementation of the "Florida Mental Health Act", Fla. Stat. §394.451 et seq. (2021).

(1) Statement of Policy:

The School Board recognizes it must take steps to ensure that all students are treated with respect and dignity in an environment that provides for the physical safety and security of all students, District personnel and campus visitors.

(2) General Applicability of Policy:

- (a) This Policy applies to all District schools, all District students, all District employees and all School Resource Officers.
- (b) This Policy describes the procedures to be followed to protect the health and safety of students including training, notice to parents, documentation, monitoring and analysis of data.
- (c) This Policy does not limit or interfere with the duties and obligations of law enforcement and emergency medical personnel to respond appropriately to situations where an imminent risk of serious bodily harm or death to a student or others exists.

(3) Definitions:

The following Policy terms are listed in alphabetical order and shall have the meaning expressly assigned to them for the purposes of this policy.

- (a) "The Baker Act" means the "Florida Mental Health Act", Fla. Stat. §394.451 et seq. (2021).

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- 44 (b) “Involuntary Examination” means an examination performed under Fla. Stat. §  
45 394.463, to determine whether a person meets the criteria for involuntary  
46 services.  
47
- 48 (c) “Designated Receiving Facility” means a facility approved by the Department  
49 of Children and Families which may be a public or private hospital, crisis  
50 stabilization unit or addictions receiving facility, which provides at a minimum,  
51 emergency screening, evaluation, and short-term stabilization for mental  
52 health or substance abuse disorders; and which may have an agreement with  
53 a corresponding facility for transportation and services.  
54
- 55 (d) “Emergency” means significant, probable, imminent threat of serious bodily  
56 injury or death to self or others with the present ability to affect such bodily  
57 injury.  
58
- 59 (e) “Parent” or “Parents” means either or both biological or adoptive parent(s) of  
60 the student, the student’s legal guardian, a person in a parental relationship to  
61 the student, or a person exercising supervisory authority over the student in  
62 place of the parent, pursuant to Fla. Stat. §1000.21(5).  
63
- 64 (f) “Mental Health Professional” means a physician, a clinical psychologist, a  
65 psychiatric nurse, and advanced practice registered nurse, a mental health  
66 counselor, a marriage and family therapist, or a clinical social worker if  
67 executing a certificate stating that he or she has examined a person within the  
68 preceding 48 hours and finds that the person meets criteria as defined by Fla.  
69 Stat. §394.463 for an involuntary examination and stating the observations  
70 upon which that conclusion is based.  
71
- 72 (g) “Mental Illness” means an impairment of the mental or emotional processes  
73 that exercise conscious control of one’s actions or of the ability to perceive or  
74 understand reality, which impairment substantially interferes with the person’s  
75 ability to meet the ordinary demands of living. For the purposes of this policy,  
76 the term does not include a developmental disability as defined in chapter 393,  
77 intoxication, or conditions manifested only by dementia, traumatic brain injury,  
78 antisocial behavior, or substance abuse.  
79
- 80 (h) “Minor” means an individual who is 17 years of age or younger and who has  
81 not had the disability of nonage removed pursuant to Fla. Stat. §743.01 or §  
82 743.015.  
83
- 84 (i) “Reasonable Attempt” means the exercise of reasonable diligence and care  
85 by the principal or the principal’s designee to make contact with the student’s  
86 parent, guardian, or other known emergency contact whom the student’s  
87 parent or guardian has authorized to receive notification. At a minimum, the  
88 principal or the principal’s designee must take the following actions:  
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- 90 1. Use available methods of communication to attempt to contact the  
91 student's parent or guardian as updated by the parent or guardian in the  
92 student's records including the district student information system, or other  
93 known emergency contact, including but not limited to, telephone calls, text  
94 messages, emails, and voice mail messages following the decision to  
95 initiate an involuntary examination of the student.  
96  
97 2. Document the method and number of attempts made to contact the  
98 student's parent or guardian, or other known emergency contact, and the  
99 outcome of each attempt.  
100  
101 3. A principal or his or her designee who successfully notifies any other known  
102 emergency contact may share only the information necessary to alert such  
103 contact that the parent or guardian must be contacted. All such information  
104 must be in compliance with federal and state law.  
105  
106 (j) "Mobile Crisis Response Team" means a non-district operated nonresidential  
107 crisis service available 24 hours per day, 7 days per week which provides  
108 immediate intensive assessments and interventions, including screening for  
109 admission into a mental health designated receiving facility, for the purpose of  
110 identifying appropriate treatment services.  
111

112 (4) Prevention:

- 113  
114 (a) All school-based employees shall be trained on the continuum of behavioral  
115 and mental health services that are offered to students in schools and the  
116 community. The training shall include, but not be limited to, identification of risk  
117 factors, warning signs, intervention and response procedures, referrals, and  
118 postvention. Additional recommended training for school-based employees  
119 includes strategies in de-escalation and positive redirection of students shall  
120 be provided.  
121

122 Student identification cards issued for students in grades 6-12, will include the  
123 telephone numbers for national or statewide crisis and suicide hotlines and  
124 text lines.  
125

126 (5) Intervention:

- 127  
128 (a) Any employee who has reason to believe that a student is at imminent risk of  
129 threat to themselves or others shall report such belief to the principal or  
130 designee. Belief that a student is at imminent risk of harm to themselves or  
131 others shall include, but not be limited to, the student verbalizing a threat  
132 including verbal, written, or conveyed through social media; evidence of self-  
133 harm, or if a student self-refers.  
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- 135 (b) Upon notification, the principal or designees shall ensure student safety by  
136 providing continuous adult supervision. School administrators, utilizing the

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137 mental health professionals on campus (School Counselor, School Social  
138 Worker, School Psychologist, and/or Licensed Mental Health Professional),  
139 must make every attempt to de-escalate a student in crisis. The aim of de-  
140 escalation is to return the student to the learning environment as quickly as  
141 possible. Mental and behavioral health supports, interventions, and referrals  
142 should also be considered for the student.

143  
144 (c) If de-escalation interventions are unsuccessful and the student is believed to  
145 be experiencing a mental health crisis, school administrators must seek  
146 assistance from the Mobile Crisis Response Team. Mobile Crisis Response  
147 Team members working in conjunction with available school staff that are  
148 trained in behavioral health shall make every effort to de-escalate and stabilize  
149 the student in crisis. If these efforts fail, the licensed member of the Mobile  
150 Crisis Response Team, or a school resource officer in consultation with a  
151 supervisor, may then evaluate whether the student meets statutory criteria for  
152 transportation for an involuntary examination under the statute.

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154 (6) Referrals for Involuntary Examination under the Florida Mental Health Act:

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156 (a) Only a licensed member of the Mobile Crisis Response Team, or a school  
157 resource officer in consultation with a supervisor, may make the determination  
158 that a student meets the criteria to be transported pursuant to this Policy.

159  
160 (b) When assessing a student in order to determine whether they meet criteria for  
161 transportation for an involuntary examination, the licensed Mobile Crisis  
162 Response Team member or School Resource Officer shall ensure that the  
163 criteria below, as outlined in Fla. Stat. §394.463, are met:

- 164  
165 1. There is reason to believe that the person has a mental illness; and  
166  
167 2. Without care or treatment, the person is likely to suffer from neglect or  
168 refuse to care for self; such neglect or refusal poses a real and present  
169 threat of substantial harm to well-being; and it is not apparent that such  
170 harm may be avoided through the help of willing family members or  
171 friends; or  
172  
173 3. There is a substantial likelihood that without care or treatment the  
174 person will cause serious bodily harm to himself or herself or others in  
175 the near future, as evidenced by recent behavior.

176  
177 (c) Prior to transporting a student for an involuntary examination, the school  
178 principal or designee must make a reasonable attempt to notify the student's  
179 parent, guardian, or caregiver before the student is removed from school,  
180 school transportation or a school-sponsored activity to be taken to a  
181 designated receiving facility. At the minimum, the principal or designee must  
182 take the following actions:  
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184 1. School staff should make reasonable efforts to communicate with the  
185 parent or guardian upon determining the student is in crisis and is likely  
186 to cause harm to self or others. If the parent or legal guardian does not  
187 respond to a phone call, the school shall attempt to use at least two  
188 other available methods of communication to contact the student's  
189 parent, guardian, or other known emergency contact, including but not  
190 limited to, telephone calls, text messages, e-mails, and voice mail  
191 messages prior to transporting a student for an involuntary examination;  
192

193 Document the method and number of attempts made to contact the  
194 student's parent, guardian, or other known emergency contact, and the  
195 outcome of each attempt. A principal or designee who successfully  
196 notifies any other known emergency contact may share only the  
197 information necessary to alert such contact that the parent or caregiver  
198 must be contacted. The school will document its efforts to contact the  
199 parents or guardians in district student information system.  
200

201 (7) Prohibited Actions:

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203 A referral for involuntary examination may never be used as a behavioral  
204 consequence and may not be used as a threat against a student and/or parent.  
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206 (8) Documentation and Reporting:

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208 All threats made by students, whether to themselves or others, must be documented.  
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210 (9) Postvention (Post intervention):

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212 All students transported for an involuntary examination shall be referred to the School  
213 Mental Health Team for review. Whether the student was admitted for medical  
214 treatment by the receiving facility, the Team shall consider additional support and  
215 services, such as a safety plan, behavior intervention plan or counseling, as needed  
216 to support the student's educational success. In addition, the Team shall consider the  
217 need for parent education and/or support.  
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219 (10) Reporting Requirement:

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221 The Superintendent shall report the number of involuntary examinations that were  
222 initiated at a school, at a school event or on a school bus, to the Florida Department  
223 of Education on an annual basis.  
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225 (11) Policy Interpretation:

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227 (a) This Policy does not modify, interfere with, or substitute for the District's non-  
228 delegable responsibility under Federal and State law to identify, evaluate, and  
229 address the specific, individualized behavioral and mental health needs of  
230 children with disabilities.

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- 231 (b) This Policy shall be interpreted to comply with all Federal and State laws,  
232 regulations, rules and guidance, with particular attention to Fla. Stat. 381.0056.  
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- 234 (c) This Policy shall not be construed to restrict the ability of law enforcement  
235 officers, as defined by Fla. Stat. §943.10 to perform any of their lawful duties  
236 under State law.  
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239 **STATUTORY AUTHORITY:** Fla. Stat. §§120.81 (1) (a), 1001.32(2), 1001.41 (1),  
240 1001.43(1), 1006.0, §§394.463, 394.451 et seq. (2021)  
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243 Adopted: 3/8/2022