

Best Practices for Responding to Students' Risk Behaviors and Baker Act Procedures

This document was prepared through a collaboration between Miami-Dade County Public Schools Division of Student Services, Department of Exceptional Student Education Program, Department of Mental Health Services, and Miami-Dade Schools Police.

The following procedures are to be used as a guide for assisting in the response to assessing and responding to student risk behaviors. These general recommendations do not preempt the use of good clinical judgment regarding individual cases. In difficult or complex situations, consultation is essential. Consultation services can be provided by Psychological Services, the Division of Student Services, the School Social Work Program, Department of Mental Health Services, Programs for Students with Emotional/Behavioral Disabilities, and/or the District Crisis Team when undertaking a risk assessment for any student. This document provides detailed actions to take when dealing with a risk assessment that may result in various types of intervention services, including the initiation of a Baker Act.

Actions to Take Once Risk Behavior Has Been Identified

1. Once the student presents a potential risk for self-harm or harm to others, a school administrator should be notified and he/she should be under the continuous supervision of a school site staff member. A Miami-Dade County Public Schools' (M-DCPS) School-based Mental Health Services Provider (SMHSP) should be contacted for support and assessment. A SMHSP includes School Counselors, School Social Workers, School Psychologists, E/BD Clinicians, Success Coaches, Mental Health Coordinators and TRUST Specialists. If the school's SMHSPs are not available, the ESE service center should be contacted for psychological/ social worker consultation.
2. The SMHSP should conduct an immediate risk assessment to determine if the student presents danger or harm to self or others. The purpose of the risk assessment is to assess the need for immediate services to ensure safety.
 - The risk assessment should include, but is not limited to, evaluation of suicidal/homicidal ideations, threats, plans, previous violent behavior, history of mental illness and treatment, current stressors, compliance with current psychiatric medications, and substance use/abuse.
3. Upon completion of the risk assessment, the SMHSP should immediately notify the school administrator of the outcome of the assessment. The school administrator will convene the school's Threat Assessment Team (FM #7718/7719) and will contact the student's parent, legal guardian, caregiver, and/or full case manager, for students who are under the supervision of the Department of Children and Families (DCF), regarding the outcome of the Threat Assessment Team meeting. If the student is under the supervision of DCF as indicated on the Student Information Screen in the District Student

Information System (DSIS), the SMHSP should contact the Juvenile Justice Support Officer (JSSO) in School Operations at 305-679-2800. JSSO staff will assist in notifying appropriate DCF staff and/or the student's full case manager, as well as obtaining any relevant information from DCF to assist with process. If the risk assessment outcome requires additional assessment towards a possible Baker Act, the school administrator or the SMHSP will:

- Make immediate contact with the School Resource Officer assigned to the school-site or will contact School Police by calling 305-995-COPS.

Or

- Consult an on-site Licensed Mental Health Professional for further assessment.
 - Licensed Mental Health Professionals as adapted from Florida Statute §394.455 are M-DCPS staff with the following licensure:
 - Clinical Psychologists as defined in Florida Statutes, Chapter 490
 - Clinical Social Worker as defined under Florida Statutes, Chapter 491
 - Mental Health Counselor as defined under Florida Statutes, Chapter 491
 - Marriage and Family Therapist as defined under Florida Statutes, Chapter 491
 - Psychiatric Nurse as defined under Florida Statutes, Chapter 464

School Police Response After Determination of Imminent Risk of Harm Towards Self or Others:

- The SMHSP should share the findings of the assessment, including pertinent observations with the School Police Officer, who will follow police protocols.
- A School Police Officer may strongly consider the accounts of credible witnesses such as the SMHSP or the school administrator in determining if a student meets criteria for a Baker Act, both voluntary and involuntary.
 - School Police Officer will make every attempt to contact the parent/guardian for their expressed informed consent and assistance for a voluntary mental health examination when warranted, as documented by a police report, as needed.

Or

- School Police Officer will complete the **Report of Law Enforcement Officer Initiating Involuntary Examination** document, will make every attempt to contact the parent/guardian, and will arrange for the student to be transported to the nearest appropriate receiving facility.

Licensed Mental Health Professional Response After Determination of Imminent Risk of Harm Towards Self or Others:

- The Licensed Mental Health Professional will make every attempt to contact the parent/guardian for their expressed informed consent and assistance for voluntary mental health examination when warranted.

Or

- The Licensed Mental Health Professional will complete the **Certificate of Professional Initiating Involuntary Examination** document and will make every attempt to contact the parent/guardian. The school administrator or the Licensed Mental Health Professional will contact School Police to determine the method of involuntary transportation to the nearest appropriate receiving facility.

Actions to Take Following a Risk Assessment/Baker Act

1. The school administration must convene the Mental Health Team (administrator, teacher, parent, SMHSP, and/or the contracted mental health agency providing services to the student.)

- A Mental Health Plan (FM#7715) must be developed by the team.
- The Mental Health Team will collaborate to ensure the plan is fully implemented with consistent coordination of school and community-based mental health services.
- The “M” Referral Codes and Service Codes must be used accordingly via the Student Case Management System.

1. The SMHSP must document the assessment, and intervention on the Student Case Management System using the following codes: RS (Risk Assessment) and RI (Risk Intervention). Exceptional Student Education Mental Health Professionals (E/BD Clinician, School Psychologist, and School Social Worker) must also document all services for ESE students on the ESE EMS System.

2. It is highly recommended that the SMHSP seek the parent or legal guardian’s signature on the Consent Form for Mutual Exchange of Information (FM# 2128) as soon as possible. The purpose of this form is to enhance communication with the hospital or community mental health facility involved in the treatment of a student and to coordinate effective services for the safety and well-being of the student. The contents of the form should include the name of the hospital/facility, as well as a specific indication of intent to authorize release of “mental health records”.

3. If Consent Form for Mutual Exchange of Information is obtained, contact SEDNET– The Multiagency Network for Students with Emotional/Behavioral Disabilities, which

provides student case management services specific to ensuring a student's educational placement is appropriate to meet their current academic and educational needs once they return to school from an inpatient mental health facility.

- Ms. Marie Castor, SEDNET Project Manager
305-756-2132 ext. 2617
mcastor@dadeschools.net
- The Mutual Exchange of Information Form should be faxed to the SEDNET office at 305-598-4639.

4. Once the Consent Form for Mutual Exchange of Information (FM# 2128) is completed and sent to SEDNET, a copy should be placed in the student's cumulative folder.

Actions for Student Re-entry

1. Contact the District Crisis Team at 305-995-CARE for support and development of the student's re-entry plan as referenced below.

2. The student is **not required** to provide any documentation prior to returning to school and limited information regarding the student's health should be shared with school staff, only on a "need-to-know" basis for those staff members working with the student directly or indirectly.

3. The SMHSP should closely monitor the student upon his/her return to school. This process should minimally include:

- An immediate counseling session (RP-Risk Postvention).
- Creation of a safety/emergency plan.
- Establishing a daily "check-in session" for at least the first week.
- Weekly counseling services for the first month.
- Meeting with the student's full case manager if the student is under the supervision of DCF.
- Monitoring absences and making good-faith attempts to contact the parent or guardian if absences are frequent or inconsistent.

4. An emergency School Support Team (SST) meeting to address the student's potential mental health needs must be scheduled as soon as the school becomes aware of the hospitalization.

- The emergency SST meeting should include the student (if possible or available), the SMHSP and other school personnel, as deemed necessary.
- The SST Team should address the following:

- The Nature of the Crisis
- Current Diagnosis
- Risk Behavior and Behaviors of Concern
- Discharge Recommendations (if provided)
- School performance while hospitalized (if relevant)
- Community-Based Services
- Parent/Student/Teacher Concerns
- Physical Safety Concerns
- Data Review (Attendance, Academic, Behaviors, Disciplinary, Psychological/Medical Reports)
- Academic Concerns or Supports
- Need for Additional Evaluation (If so, schedule meeting)
- Need for Onsite Support Services (i.e. counseling, modification of schedules, increased supervision, etc.)
- Section 504 Plan
- A Functional Behavior Assessment/Social Emotional – Behavioral Intervention Plan (FBA/SE-BIP)
- If the student has a SE-BIP, the SE-BIP must be reviewed and revision of the SE-BIP should take place, if needed.

For additional information, please contact the appropriate District office.

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