

## Senate Committees on Education and Criminal Justice Joint Hearing on Interim Charge #7

### Written Testimony Submitted by: Andrea Usanga

Good morning, Mr. Chairman and Madame Chair. My name is Andrea Usanga, and I'm Director of Policy and Government Relations for Mental Health America of Greater Houston. Thank you for the opportunity to testify before you today.

The issue of school disciplinary policies and their impact on children's academic and behavioral outcomes is a very important one, and as you move forward to draft recommendations addressing this issue, I want to share some information about an initiative our organization has launched in Harris County.

Our School Behavioral Health Initiative has convened 10 local school districts—including 2 of the 3 largest districts in the state—representing over half a million children, behavioral health providers, child-serving and education-related agencies, parents and other stakeholders to make recommendations to improve the prevention, identification and treatment of behavioral health issues among students. We are focusing on schools because schools are where children spend the majority of their waking hours, and they provide a “captive” audience for the initiation of children's behavioral health interventions.

We have conducted a number of activities to develop recommendations, including 32 confidential interviews with high-level school personnel, agency heads, CEO's and parents; systems maps outlining the processes that different school districts use to identify and provide interventions for students with behavioral health issues; and research on national best practices for prevention, identification, and intervention programs.

A few of the key things we've learned in relation to the issue the committee is addressing are:

- **Students in Special Education (SpEd) and those with Emotional Disturbance (ED) continue to be over-represented in placements to Disciplinary Alternative Education Programs (DAEPs).** Among 20 Harris County school districts in the 2010-2011 school year, students in SpEd were over 2 times more likely to be placed in a DAEP, while students with ED were over 4 times more likely to be placed in a DAEP than the population overall. The community perception that students are being “warehoused” in these programs also remains strong;
- **Data sharing between school district and key child-serving agencies, such as Local Mental Health Authorities, Child Protective Service and Juvenile Probation Departments is minimal, which leads to service duplication.** Despite the passage of SB 1106 last session to facilitate data sharing, many school districts are hesitant to do so without parental consent due to federal laws such as the Family Education Rights and Privacy Act;
- **Stakeholders continue to be concerned about the impact of zero tolerance policies on academic and behavioral outcomes.** This includes the belief that schools are needlessly spending money on punitive discipline policies that simply do not work;

- **Teachers and other school personnel lack training in the recognition of mental health/substance abuse issues.** As a result, they may inadvertently be reinforcing the very behavior they are trying reduce; and
- **High numbers of students with behavioral health issues continue to end up in local juvenile probation departments.** From 2008 to 2011, the number of kids in Harris County Juvenile Probation Department with ED has increased from 49% to 62%, and the number of kids with Serious Emotional Disturbance has increased from 25% to 30%. This speaks volumes about the lack of effective community prevention and early intervention efforts.

Some recommendations to address these issues include:

- **Ensuring a coordinated re-entry process for students who are returning from out-of-school placements.** While re-entry may be most closely associated with students who have spent time in state juvenile probation facilities, this process is just as important for students who have spent time in out-of-school suspension, DAEPs, Juvenile Justice Alternative Education Programs, and other settings. Re-entry activities could include timely notification to school district officials from the facility of when the student will be released; designating an individual or team at each school who is responsible for coordination activities, including mental health/substance abuse referrals, obtaining parental consent for data sharing, etc; and ensuring that family/youth involvement is maximized throughout the process;
- **Implementing evidence-based, culturally competent universal prevention programs.** There are a host of prevention programs that have been proven to be effective at reducing delinquent behavior, including Positive Behavior Interventions and Supports; Positive Action and Life Skills Training. National research suggests that effective prevention programs usually are multi-year and multi-component, universal, and implemented to fidelity. Instead of mandating the implementation of a certain practice, however, the Legislature may consider incentivizing school districts to implement any number of these practices. A suggestion would be to require the Texas Education Agency, Department of State Health Services and local Education Service Centers to pull together a list of evidence-based prevention programs from which school districts can choose and implement. Funding from the Legislature to implement these programs also would be beneficial;
- **Encouraging the use of progressive sanctioning in lieu of out-of-school suspension, Class C ticketing, and referrals to DAEPs.** Any changes made should strive to minimize the use of discretionary (non-mandatory) disciplinary referrals, as well as the length of time that students spend in out-of-school placements; and
- **Requiring that educator preparation programs include training in the detection and education of students with behavioral health issues, and that appropriate current school district personnel receive this training as well.** Teachers that can easily recognize the signs of behavioral health issues and adjust their classroom management techniques accordingly could significantly reduce the need to refer students to out-of-school placements.

Thank you again for the opportunity to testify. I would be happy to answer any questions.