

Your Question:

You asked about state behavioral health statistics and teacher perspectives on behavioral health of students. Additionally, you asked about proposed or enacted legislation that addresses issues related to behavior and mental health concerns in elementary, middle and high schools.

Our Response:

Your questions bring up implications for a few often-overlapping education policy issues including: mental health, school climate, school discipline and safety. In the response below, you will find some national data around student mental and behavioral health and safety, as well as brief explainers for approaches states have taken in addressing these issues — including legislation. To directly link to these sections, click the following links:

What the Data Says

State Approaches to Behavioral and Mental Health, School Climate, School Discipline and Safety

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What the Data Says

The most recent [Indicators of School Crime and Safety: 2018](#) report from the National Center for Education Statistics (NCES) examines data from the 2015-16 school year and finds the following:

- During the 2015-16 school year, a higher percentage of elementary public school teachers than of secondary public school teachers reported being threatened with injury (11 vs. 9 percent) or being physically attacked (9 vs. 2 percent) by a student.
- The percentage of public school teachers reporting that they had been physically attacked by a student from their school in 2015-16 (6 percent) was higher than in all previous survey years (around 4 percent in each survey year) except in 2011-12, when the percentage was not measurably different from that in 2015-16.
- The percentages of public schools recording incidents of crime and reporting incidents to the police were lower in 2015-16 than in every prior survey year.

These data suggest that elementary school teachers experience higher rates of physical threats and attacks than secondary school teachers and that those incidents happened at a higher rate in the 2015-16 school year than in previous years (except for 2011-2012). Some things to take into consideration when looking at this report are that (1) the report does not reflect the differences states might experience since it analyzes national data, and (2) the most recent data is now three years old — from the 2015-16 school year.

Another resource useful for understanding student mental health is the Centers for Disease Control and Prevention's (CDC) [Data and Statistics on Children's Mental Health](#) page. Using the 2016 National Survey of Children's Health, which is a survey of parents reporting about their children, the CDC compiled the following takeaways about mental health, and behavior disorders specifically, in U.S. children:

- 7.4% of children aged 3-17 years (approximately 4.5 million) have a diagnosed behavior problem.

- Having another disorder is most common in children with depression: 73.8% of children aged 3-17 years with depression also have anxiety and 47.2% have behavior problems.
- 53.5% of children aged 3-17 years with behavior disorders received treatment.
- 1 in 6 U.S. children aged 2-8 years (17.4%) had a diagnosed mental, behavioral or developmental disorder.
- Behavior problems are more common among children aged 6-11 years than children younger or older.
- Among children aged 2-8 years, boys were more likely than girls to have a mental, behavioral or developmental disorder.
- Among children living below 100% of the federal poverty level, 22% had a mental, behavioral or developmental disorder.
- Age and poverty level affected the likelihood of children receiving treatment for anxiety, depression or behavior problems.

Though this information does not speak to changes over time in behavior disorders in students, it does suggest that elementary aged children are most likely to experience behavioral problems.

California administers a statewide biennial survey called the [California Healthy Kids Survey](#) and publishes a [report](#) based on its findings. The survey asks 7th, 9th and 11th grade students a series of questions about perceived school safety and victimization. When compared to the 2013-15 survey, the 2015-17 survey found that the percentage of 7th grade students who reported feeling “safe” or “very safe” rose from 63 percent to 70 percent. However, the percentage of 9th grade students who reported feeling “safe” or “very safe” at school remained relatively stable, moving from 60 percent to 59 percent, and 11th grade students who reported feeling “safe” or “very safe” at school fell from 65 percent to 60 percent.

State Approaches to Behavioral and Mental Health, School Climate, School Discipline and Safety

Mental Health

[Research suggests](#) that school-based mental health services play an important role in supporting student mental health. While there are several ways to support student mental health in school settings, recent state policies have been primarily focused on:

- Providing for school based mental health professionals.
- Utilizing trauma-informed practices.
- Incorporating social and emotional learning.
- Creating greater awareness of mental health issues through curriculum and staff training.
- Enacting legislation related to suicide prevention.

School-Based Mental Health Professionals

[Research suggests](#) that school counselors — in collaboration with other school-based mental health professionals, such as social workers and school psychologists — play a vital role in supporting student mental health and increasing college and career success after high school. According to an analysis conducted by [Education Week](#), nearly 3 in 10 schools from pre-K to K-12 have no school counselor. While the [American School Counselor Association](#) recommends a ratio of [250 students to each school counselor](#), the national average in elementary and secondary schools is 482 to 1.

The American School Counselor Association published a [brief](#) in 2015 outlining the school counselor’s role in supporting student mental health. The brief states that “although school counselors do not provide long-term mental health therapy in schools, they provide a comprehensive school counseling program designed to meet the developmental needs of all students.”

Several states have recently devoted resources to increasing the availability of school-based mental health professionals, including school counselors, school social workers and school psychologists. To our knowledge, most of the states engaging in this work have increased funding — through state grants and private foundation funds — for improved staffing capacity. Education Commission of the States tracks and summarizes state legislation related to school counseling and guidance [here](#) (for bills enacted in 2017–19) and [here](#) (for bills enacted between 1996-2016).

- **Texas [S.B. 490](#)** (2017) directs the commissioner of education to promulgate a rule requiring school districts and open-enrollment charter schools to report information regarding the availability of school counselors at each campus. The bill also requires district boards to include the number of counselors providing counseling at each campus in their school district annual education performance reports.
- **Tennessee [H.B. 720/S.B. 341](#)** (2017) allows a school counselor to refer or help facilitate the referral of a student to a private counselor or therapist for mental health assessments or services, after a parent’s written request for such a referral. The bill provides that neither the local education agency nor the school counselor shall bear the costs of the mental health services provided under the referral.
- **Illinois [H.B. 826](#)** (2017) provides that school boards may hire school social workers and outlines required qualifications for the position. The bill also allows school districts to employ enough school social workers to address the needs of their students and schools and may maintain the nationally recommended student-to-school social worker ratio of 250 to 1.
- In 2016, **Minnesota** increased the capacity of school counselors, social workers and psychologists in 77 schools by providing \$12 million in state grants.
- The **[Colorado School Counselor Corps](#)** Grant Program awards funding to increase the availability of effective school counseling. The program has been in place since 2010 and has benefitted 365 secondary schools in 98 districts. More than 270 licensed school counselors have served in various capacities throughout the state through the grant program. This [legislative report](#) outlined the return on investment of the program, and this 2016 document on [lessons learned](#) provides valuable insight into the implementation of the program.

Trauma-Informed Practices

Research suggests that childhood trauma and chronic stress, often a result of [adverse childhood experiences](#) (ACEs), negatively affect students’ abilities to learn and focus in school. Among children from birth to 17 years, [approximately 46 percent](#) have experienced at least one adverse childhood experience. Research indicates that a [greater number of ACEs](#) are related to poorer well-being.

In recent years, education leaders have started to focus on how to mitigate the negative effects of childhood trauma by implementing requirements around trauma-informed schools. While many of the efforts to develop trauma-informed schools have taken place at the local level, there has also been some movement at the state policy level. Below, we have compiled summaries of state policies related to trauma-informed schools and other resources for your review.

- **[Massachusetts’ Safe and Supportive Schools law](#)**, developed out of the passage of [H.B. 3528](#), required all schools to **develop action plans** for creating safe and supportive environments using a prescribed assessment tool and framework. The bill also established a commission to assist in implementation, established a grant program to fund model schools and provided for technical assistance to schools and districts. Trauma-sensitivity within schools is a key aspect of the framework.
- **Vermont [H. 23](#)** (2017) requires the secretary of education to **develop a plan for creating a trauma-informed school system** throughout the state, in consultation with representatives from the state’s principal’s association, superintendents association, school boards association and National Education Association. The plan is required to link school nurses with primary care providers in the community and must include mechanisms for coordinating trauma-informed resources through the system and measuring results.

Additionally, this bill mandates the **creation and dissemination of training materials** for prekindergarten teachers regarding the identification of students exposed to ACEs. The training materials are required to include information on how prekindergarten teachers may refer families with students exposed to ACEs to a community health team.

- **Oregon H.B. 4002** (2017) requires the **development of a statewide education plan** to address chronic absences of students in public schools. As part of that plan, the bill outlines that the Chief Education Office shall **distribute funds** to applicants based on their proposal to design and implement a pilot program to decrease rates of school absenteeism by using trauma-informed approaches to education, health services and intervention strategies that are based in schools and take advantage of community resources. These proposals must require **professional development and support for staff** to create a trauma-informed school culture and must also provide for one trauma specialist who oversees implementation and uses evidence-based approaches. Additionally, **H.C.R. 33** encourages state employees whose responsibilities impact children and adults — including the state board of education — to become informed regarding the impacts of ACEs, toxic stress, and structural violence on children, adults and communities. Employees are also encouraged to become aware of evidence-based, trauma-informed care practices, tools and interventions that promote healing and resiliency.

Social-Emotional Learning

Social-Emotional Learning (SEL) can help students build self-awareness and positive relationships and feel and show empathy for others. **CASEL**, the Collaborative for Academic, Social and Emotional Learning, works to advance social and emotional learning for children in P-12. CASEL published a **brief** outlining key competencies, including:

- Awareness of others.
- Positive attitudes and values.
- Responsible decision-making.
- Social interaction skills.

A growing body of **research** shows the importance of SEL as a part of students' development. In February 2017, CASEL published a **50-state scan** of state standards and highlighted **Illinois**, **Kansas**, **Maine** and **West Virginia** as states that articulate comprehensive, free-standing learning goals for SEL with developmental benchmarks in K-12. In addition to the 50-state scan, CASEL has **published a brief** that summarizes findings from the scan and provides recommendations to support the development of high-quality SEL standards.

Many states have incorporated SEL into their education standards, often linking SEL to health education. For example, **Colorado's Comprehensive Health Education Standards** include sections on emotional and social wellness. **Washington** has developed thorough health and physical education standards that include social and emotional learning and connect the concept to several risk factors, including bullying, stress management and body image. The Washington Office of Superintendent of Public Instruction maintains **resources** for schools to develop and implement suicide prevention plans, including an explanatory table of enabling legislation.

Mental Health Awareness

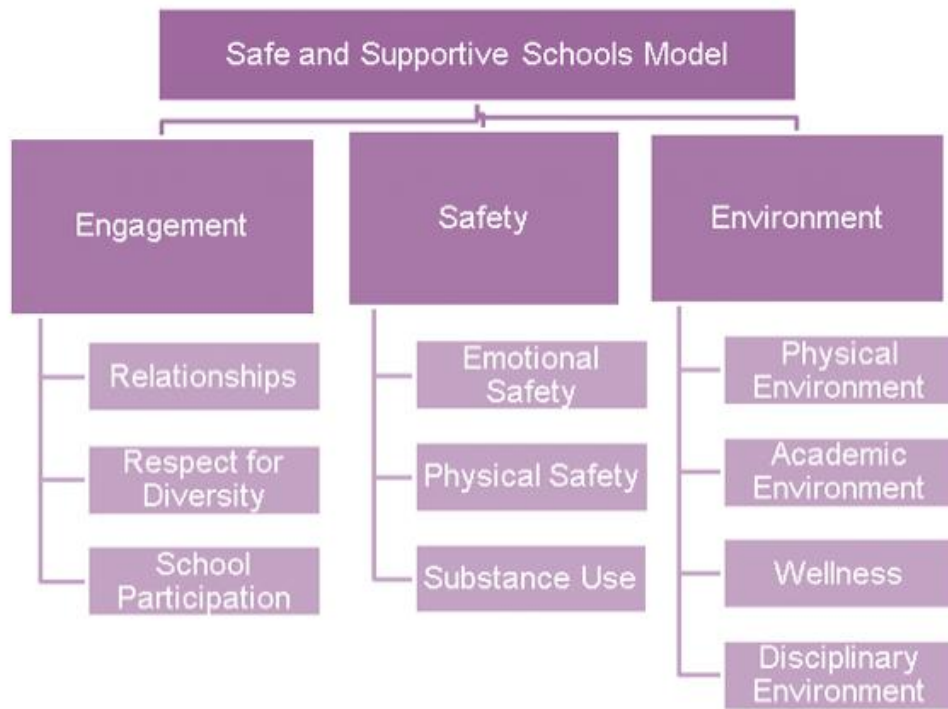
Educating students and teachers about mental health can simultaneously counteract stigmas associated with mental health concerns and increase knowledge of helpful resources and intervention strategies. Below is a sampling of state policies that provide students with mental health education and school employees with early identification training.

- **Mississippi H.B. 1283** (2019) is referred to as the Mississippi School Safety Act of 2019, and one part of it provides that the school safety grant program includes a pilot program to implement a developmentally appropriate social and emotional curriculum for K-5 students. It also requires school employees to complete mental health training once every two years and expands student access to mental health resources.

- **Illinois [H.B. 4658](#)** (2018) requires a school board to adopt and implement a policy on how to recognize mental health issues and how to properly address them. A school board must require licensed school personnel and administrators to participate in in-service training at least once every two years and to learn about the current best practices regarding the identification of and recommended courses of action for mental health issues.
- **Virginia [H.B. 1604](#)** (2018) directs the board of education to review and update the health standards of learning for students in grades nine and 10 to include mental health. The standards must recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health to enhance student understanding, attitudes and behavior that promote health, well-being and human dignity.
- **Maine [H.P. 929](#)** (2017) requires mental health first aid training for health educators. The recipients of training must also receive training to safely de-escalate crisis situations, recognize signs and symptoms of mental illness and refer students to mental health services in a timely manner.
- **Indiana [H.B. 1269](#)** (2015) includes a mental health first aid training program in the basic or in-service course of education and training for teaching professionals beginning in the 2016-17 school year.
- **Texas [S.B. 674](#)** (2015) requires educator preparation programs to include instruction regarding mental health, substance abuse and youth suicide in educator training programs. It also requires that the instruction include effective strategies for teaching and intervening with students with mental or emotional disorders, including de-escalation techniques and positive behavioral interventions and supports.

School Climate

According to the [National School Climate Center](#), school climate is, simply, the quality and character of school life. A positive school climate fosters youth development and learning and includes several elements such as physical safety, emotional support, academic support and strong relationships. [Research](#) has shown that positive school climate is tied to better attendance rates, test scores, promotion rates and graduation rates. Conversely, negative school climate may lead to lower student achievement, poor student engagement, low graduation rates and increased disciplinary issues. According to the [Safe and Supportive School Model](#), which was developed by a national panel of researchers and other experts, positive school climate involves several overlapping areas of focus:



School climate encompasses several areas of school life and quality. Therefore, strategies to improve school climate may touch one, many or all of these areas. Additionally, efforts to improve in these areas may take place at the state, district or school levels. At the state policy level, Education Commission of the States tracks legislation on discipline, emotional safety and wellness, and physical safety. For more information on recently enacted legislation, please visit our [State Education Policy Tracking resource](#).

School Discipline

Several states have implemented strategies to address the disciplinary environment by limiting the use of suspension and expulsion in schools. In 2017, at least 35 bills were proposed across 18 states related to [suspension and expulsion](#). In place of those punitive strategies, approximately 22 states specifically encourage the use of alternative school discipline strategies, such as positive behavior interventions, trauma-informed approaches and restorative practices. For more detailed information on current state laws on school discipline, please see the [50-State Comparison: State Policies on School Discipline](#).

While research on the use of [alternative school discipline strategies](#) is still in its nascent stage, these strategies seem to be showing some potential for improving overall school climate in addition to reducing the use of punitive disciplinary measures. It is crucial to point out, however, that these strategies do not take hold overnight. [Research](#) on the implementation of restorative practices indicates that a minimum of three to five years is needed to shift a punitive school climate to a restorative one — and the importance of school leadership and meaningful professional development for school personnel cannot be overstated.

In recent years, states have started to focus on fostering more supportive school environments through the use of alternative disciplinary strategies. In 2017, at least 26 bills were proposed across 12 states and the District of Columbia related to alternative school discipline strategies, including Positive Behavioral Interventions and Supports (PBIS) and the use of restorative and trauma-informed practices. Below are several examples of legislation enacted between 2015-17, which generally focused on: requiring that these alternatives be used prior to, or in place of,

suspension and expulsion; requiring professional development for educators and other school personnel; and/or establishing committees to study these alternatives.

- **Maryland [H.B. 1287](#)** (2017) establishes the Commission on the School-to-Prison Pipeline and Restorative Practices to study current disciplinary practices in Maryland public schools, in addition to national best practices for training teachers and principals in restorative practices and eliminating the school-to-prison pipeline.
- **Texas [H.B. 674](#)** (2017) allows each school district and open enrollment charter school to develop and implement a program that provides a disciplinary alternative for a student enrolled in a grade level below three. The program must, among other things, provide behavior management strategies, including PBIS, trauma-informed practices, SEL and restorative practices.
- **Utah [H.B. 460](#)** (2016) requires the state board of education to create — with input from local schools and law enforcement agencies — a training program on restorative justice, among other things, for law enforcement officers who provide police services to schools and the principals of those schools. This bill also requires school resource officers to emphasize the use of restorative justice to address negative behavior.
- **Louisiana [S.R. 130](#)** (2015) requests that the state board of elementary and secondary education and the state department of education study the effectiveness of PBIS in the state’s public schools and report findings to the legislature.

In addition to state policy examples above, these resources may be helpful to you when considering implementation of alternative school discipline strategies:

- **[Restorative Justice in U.S. Schools: A Research Review](#)** (2016), WestEd — This report provides a review of the literature on restorative justice in U.S. schools, capturing key issues, outlining various models of implementation and summarizing results from field studies.
- **[Instead of Suspension: Alternative Strategies for Effective School Discipline](#)** (2015), Duke Center for Child and Family Policy and Duke Law School — This report focuses on implementation in North Carolina, specifically, but also summarizes 11 alternatives to suspension. It also outlines evidence-based approaches grouped into three categories: programs that seek to improve school culture, programs that teach professionals better skills in behavior management and student discipline, and programs that change the response of schools to misbehavior by individual students.

Physical Safety

While recent conversations around school safety have primarily focused on preventing school violence, other elements of the physical safety are also key to a positive school climate, including up-to-date facilities and location within a community.

School Violence

Education Commission of the States has been tracking enacted and vetoed legislation related to school safety for several years in our [State Education Policy Tracking resource](#). After the Sandy Hook incident, states generally tried to address school violence by governing firearms in schools, requiring emergency plans and drills, improving coordination with law enforcement and creating task forces and study committees. According to our [50-State Comparison on K-12 School Safety](#):

- At least 30 states have policies that allow security personnel to carry firearms, while at least eight states have policies that allow other school employees to carry firearms. The particular effects of these policies on overall school climate **have not** been thoroughly examined.
- State laws usually specify that a school resource officer must be a law enforcement officer or a retired law enforcement officer and several states’ laws specify that an SRO has the same authority as a law enforcement officer, including the ability to make arrests.

Facilities and Location

According to the National Center on Safe Supportive Learning Environments: “a well-maintained and safe physical environment fosters students’ ability to learn, to show improved achievement scores, and to exhibit appropriate behavior.” Additionally, students may be more receptive to learning in environments with low noise levels, cleanliness, access to clean air and water, and absence of overcrowding. All of these factors have an impact on the overall school climate, as well as on students’ physical and mental health. Students are not the only beneficiaries of up-to-date facilities, as physical environment is also related to teachers’ levels of absenteeism, morale and job satisfaction. School facilities are crucial to student learning; however, it is also important to note that schools often inherit the conditions of the surrounding neighborhoods. As such, the center recommends considering the whole community when making efforts to improve the physical environment of the school and overall school climate.