



**Improving the Identification and Services Provided
to Students with Serious Emotional Disturbance
June 16, 2010**

Texas Senate Committee on Education

Charge #6 - Study the effectiveness of Texas school districts' special education programs. Review the range of needs of special education students, districts' ability to provide an appropriate education for these students, and assess the effectiveness of programs currently funded for special education. Make recommendations for improvement.

Texans Care for Children is a statewide nonpartisan, nonprofit advocacy organization dedicated exclusively to the children of Texas. We look to our broad base of community-based experts—our partners and 220 members throughout the state who together represent thousands of Texas children—to inform our work and help us in developing our legislative agenda. We co-convene the Texas Children's Mental Health Forum in conjunction with the Texas Health Institute and support from the Hogg Foundation for Mental Health. Our areas of focus are: family economic security; infant, child and maternal health; children's mental health; child welfare; and juvenile justice and at-risk youth.

As you examine the effectiveness of the state's school districts' special education programs, Texans Care urges the Committee to address the needs of **students with Serious Emotional Disturbance**.

Students meeting the Individuals with Disabilities Education Act (IDEA) criteria for Serious Emotional Disturbance (SED) are eligible for special education services. IDEA defines Serious Emotional Disturbance as a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. It does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Students with serious emotional disturbance are under-identified for special education services.

- In 2009, just over 30,000 students between the ages of 6 and 21 received special education services in Texas due to emotional disturbance.ⁱ
- The Texas Department of State Health Services estimates there to be more than 167,000 children between the ages of 9 and 17 in Texas with a mental illness serious enough to interfere with their functioning at home or school.ⁱⁱ

Students with serious emotional disturbance are at high-risk for dropping out of school.

- Students with serious emotional disturbance have lower grades and miss more days of school than any other group of students with disabilities.ⁱⁱⁱ
- The co-occurrence of serious emotional disturbance and other disabilities may intensify students' behavioral problems and further worsen their academic performance.^{iv}
- 50% of students with serious emotional disturbances drop out of school nationwide.^v
- 73% of students with serious emotional disturbance who drop out of school are arrested within five years of leaving school.^{vi}

School districts have access to effective strategies and technical assistance to help them better identify and support students with serious emotional disturbances, but they are not implementing them.

- **Response to Intervention (Rti)** is a framework used in the regular education setting to help identify students struggling in school before they fall too far behind, provide them with a range of evidence-based interventions, and closely monitor their progress to help them catch up.^{vii} While Rti usually focuses on academics, it can address behavioral concerns as well.^{viii} By expanding the use of Rti to address behavioral concerns, schools can prevent some behavioral concerns from worsening and help identify other students with serious emotional disturbance who are eligible for the additional supports and services special educational can provide. Despite TEA's encouragement of school districts use of Rti, as of 2008, many of schools across the state have yet to fully implement an Rti process.^{ix}
- **Positive Behavioral Supports (PBS)** is an approach that links students to graduated evidenced-based interventions aimed at improving their learning and behavior.^x All students benefit from implementation of campus-wide PBS interventions, such as clear rules and expectations and having all school staff model and reinforce positive behaviors. For students who require more targeted interventions, such as those with mental or behavioral health concerns, more targeted interventions are used, either in a group setting or through an individualized plan based on students' needs. As of 2009, there were more than 800 campuses actively participating in the TEA sponsored Texas Behavior Support Initiative (TBSI) project. Other schools in Texas are implementing PBS, however it is not known how many, nor how closely they are following best-practices.
 - PBS is the recommended intervention for dealing with challenging behavior in children with disabilities.^{xi}
 - Schools that implement PBS school-wide have been shown to see improved academic performance, fewer disciplinary problems, and a greater sense of safety on campus.^{xii}
 - Some schools have seen up to a 60% reduction in disciplinary incidents following school-wide implementation of PBS.^{xiii}
- **Training and Technical Assistance.** School districts can receive technical assistance on Rti through regional Educational Service Centers (ESCs), TEA, and through some universities, including the *Building Capacity for Response to Intervention (Rti) Implementation* project within the Meadows Center at The University of Texas at Austin.
 - The *Texas Behavior Support Initiative (TBSI)* assists local school districts in implementing PBS and the *Texas Collaborative for the Emotional Development in Schools (TxCEDs)*

provides school districts with guidance on how to integrate behavioral health into RtI and PBS models.

- In a recent Texas survey, general classroom teachers, special education teachers and school nurses reported not having the training, support or supervision necessary to address students' behavioral health issues; more than half of Texas teachers and school health staff expressed an interest for training across a broad range of behavioral health topics.^{xiv}

Coordination of services is critical for students with serious emotional disturbance, who often require the services from multiple departments and agencies. By connecting programs and services, schools and communities can provide students with a seamless system of prevention, early intervention, and intensive.^{xv} This requires active collaboration between various departments within a school, and also public and private agencies outside the school within the health, mental health, child welfare and juvenile justice arenas.

- **Student Assistant Programs**, which are multidisciplinary teams that work to link students to needed resources within the school or community, may prevent some students with behavioral concerns requiring special education services. More than half of schools in Texas report having a student assistance program, however many teachers and school health staff do not appear to be aware of them, and less than 20% of the programs had staff from community-based agencies serving on the team.^{xvi}
- **School Health Advisory Councils (SHACs)** offer an opportunity to improve the coordination of services within their schools and communities to address the behavioral needs of students. Each school district in Texas is required to have a SHAC, comprised of appointed parents, school personnel and community members, who make recommendations to the district on issues related to health education and the coordination of school health programs.^{xvii} SHACs are required by state law to address the prevention of obesity, cardiovascular disease and Type 2 diabetes, and they are encouraged to develop plans for a broader coordinated school health program, including a healthy school environment, school counseling, and increasing school linkages to community-based resources.^{xviii}

Policy Recommendations:

- Require school districts to implement campus-wide Positive Behavior Supports to create a positive, supportive learning environment for all students and especially those with disabilities.
- Encourage the use of Response to Intervention (RtI) by school districts to prevent some students' behavioral concerns from worsening and to identify other students who may be eligible for special education services and supports due to a serious emotional disturbance.
- Provide school personnel with training through regional Educational Resources Centers to recognize potential developmental, emotional and behavioral concerns and to make appropriate referrals.
- Include mental health services in special education students' Individualized Education Program (IEP)
- Provide teachers with access to behavioral consultations and technical assistance in the classroom to help them change or manage student behavior.
- Provide school districts with technical assistance to implement Student Assistance Programs according to best practices.

- Require local School Health Advisory Council's to address behavioral health issues within their school districts.

Thank you again for your time and commitment. If you have any questions, please feel free to contact me or the staff of Texans Care For Children at 512.473.2274.

Respectfully,
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ⁱ Texas Education Agency. *The Special Education Databook*. Accessed May 12, 2010.

<http://tuna.tea.state.tx.us/Tea.DataBook.Web/Forms/Default.aspx>

ⁱⁱ Texas Department of State Health Services. (2009) *FY 2009 State Plan for Community Mental Health Services Block Grant Application*.

ⁱⁱⁱ Chesapeake Institute. (1994). *National Agenda for Achieving Better Results for Children and Youth with Serious Emotional Disturbance*. Prepared for U.S. Department of Education Office of Special Education and Rehabilitative Services Office of Special Education Programs. <http://cecp.air.org/resources/ntlagend.asp>

^{iv} Center for Effective Collaboration and Practice. *Students with Emotional Disturbance*. American Institutes for Research <http://cecp.air.org/resources/20th/intro.asp>

^v The President's New Freedom Commission on Mental Health. (2003) *Achieving the Promise: Transforming Mental Health Care in America*

^{vi} Center for Effective Collaboration and Practice. *Students with Emotional Disturbance*. American Institutes for Research <http://cecp.air.org/resources/20th/intro.asp>

^{vii} Texas Education Agency. (2008). *2008-2009 Response to Intervention Guidance*.

^{viii} National Center on Response to Intervention. <http://www.rti4success.org/>

^{ix} Walsh, Anderson, Brown, Schulze and Aldrige, PC. (2008). *Response to Intervention: The Legal Implications*. http://www.esc1.net/129310102210610280/lib/129310102210610280/Hand_RTl_presentation.pdf

^x Office of Special Education Programs Center on Positive Behavioral Interventions & Supports. (2009) *What is School-Wide Positive Behavioral Interventions and Supports?*

<http://www.pbis.org/common/cms/documents/WhatIsPBIS/WhatIsSWPBS.pdf>

^{xi} U.S. Department of Education. (2000). *Applying positive behavioral support in schools: Twenty-second Annual Report to Congress on the Implementation of the Individuals with Disability Act*.

^{xii} Horner, R., Sugai, G., Smolkowski, K., Eber, L., Nakasato, J., Todd, A., and J. Esperanza. (2009). "A Randomized, Wait-List Controlled Effectiveness Trial Assessing School-Wide Positive Behavior Support in Elementary Schools, *Journal of Positive Behavior Interventions*, Vol. 11, No. 3, 133-144 ; Sprague, J., and R. Horner (2007) "School Wide Positive Behavioral Supports", in *The Handbook of School Violence and School Safety: From Research to Practice*. Shane R. Jimerson & Michael J. Furlong, eds.

^{xiii} Bazelon Center for Mental Health Law (2009) Fact Sheet: Why States and Communities Should Implement School-Wide Positive Behavior Support Integrated with Mental Health Care. *Way to Go — School Success for Children with Mental Health Needs* <http://www.bazelon.org/pdf/WayToGo1.pdf>

^{xiv} Texas Mental Health Transformation Project. (2009) *Texas School-Based Behavioral Health Survey: Results and Recommendations*. http://www.mhtransformation.org/documents/pdf/sbbh/SBBH_Report_FINAL_10.2.09.pdf

^{xv} Adelman, H., and L. Taylor. (2002) "Toward a Comprehensive Policy Vision for Mental Health in Schools".

Chapter in *Handbook of School Mental Health: Advancing Practice and Research*. M. Weist, S. Evans, N. Lever, eds.

^{xvi} Texas Mental Health Transformation Project. (2009) *Texas School-Based Behavioral Health Survey: Results and Recommendations*. http://www.mhtransformation.org/documents/pdf/sbbh/SBBH_Report_FINAL_10.2.09.pdf

^{xvii} Texas Education Code. Title 2, Chapter 28, Section 28.004.

^{xviii} Department of State Health Services. *School Health Advisory Council: A Guide for Texas School Districts*.
<http://www.dshs.state.tx.us/schoolhealth/SHACGuide2007.pdf>