

Invest in Mental Health Supports and Evidence-Based Practices

Overview

Mental health challenges among U.S. youth have reached crisis levels, negatively impacting our youth's academic performance, attendance, and long-term wellbeing. One in five children and adolescents experience a mental health need during their school years. More than two-thirds of children experience at least one traumatic event before age 16. Left unmet, mental health needs are linked to costly negative outcomes, such as low academic performance, unmet behavioral needs, and discontinuing enrollment. The National Center for Youth Law and the endorsing members of the Education Civil Rights Alliance share these urgent recommendations that state leaders should implement to better invest in much-needed mental health supports for students.

Students clearly need expanded access to mental health services. While some of these reforms should be made through insurance and health systems, education systems also have an important role to play in ensuring students receive the support they need. The recommendations below focus primarily on ensuring schools meet their legal obligations under federal and state law, including the

Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act ("Section 504"), though we also note that there are significant opportunities for schools to help increase access to care through collaborative partnerships with health care systems.

Mental health and learning are intrinsically linked, and schools are critical entry points for care. Seventy-five percent of children in the U.S. who receive mental health care access that care in school. However, fewer than half of public schools offer mental health assessments or treatment services to every child who needs them. Even where support exists, students face systemic barriers: despite a recommended 250:1 ratio of students to school counselors and 500:1 for school psychologists, the national average is 385:1 and 1,119:1, respectively. Accordingly, culturally responsive school mental health supports that encompass social-emotional learning, mental wellness, behavioral health, and resilience are necessary. However, disparities persist, particularly for students of color, students from low-income families, and students from rural communities. These

gaps exacerbate inequities and hinder opportunities for youth to thrive academically, socially, and emotionally.

In public schools where more than half of the students are racial or ethnic minorities, the average numbers of students per school counselors and per school psychologists are higher than in schools where at least half of the students are white or non-Hispanic. For students of color who do have access to school mental health support, they are less likely to see themselves represented in school mental health staff. A 2021 National Association of School Psychologists (NASP) survey found that 86% of school psychologists were white or Caucasian, while only 4% were Black or African American, 3% were Asian, 1% were American Indian/Alaska Native, and 7.6% were of Hispanic or Latinx origin.⁵ These results demonstrate how the field of school psychology fails to reflect the diversity of the students and families that school psychologists serve—even though the majority of the U.S. student population is made up of students within a racial or ethnic minority. States must commit resources to the recruitment and retention of a diverse school mental health staff workforce.

Mental health conditions can also impact whether students are entitled to civil rights protections based on disability. When a student's mental health condition substantially limits one or more of their

major life activities, the student may be eligible for supports and services pursuant to Section 504.6 Under the IDEA, students may also be entitled to education plans that include educationally related mental health services. Schools must have the resources and staff to fulfill their Child Find obligations, timely identifying such students and linking them to the appropriate Section 504 and/or IDEA supports. Further, states must ensure school districts and state civil rights agencies establish clear procedures for monitoring and enforcing Section 504, the IDEA, and other laws protecting the rights of those with disabilities.

For children affected by immigration enforcement, including family separations and raids, the fear they carry often manifests in signs of trauma, such as anxiety, depression, disrupted eating and sleeping patterns, and difficulties in school. Likewise, 90% of LGBTQ+ youth report that their wellbeing has been negatively impacted by recent political developments, with anti-transgender state laws leading to an increase in suicide attempts among transgender and nonbinary youth by as much as 72%.

With such potential for negative impact on youth mental health, it is even more important to ensure schools are meeting their legal obligations and not limiting or stigmatizing access to care. States should also ensure all educators and

school staff are equipped with trauma-informed training as well as additional resources needed to make all students feel safe and welcome in their learning environment.

Recommendations: Executive

State governors, chief state school officers, and state boards of education should:

- Expand and support the school mental health workforce by creating pathways like loan repayment, scholarships, and training for diverse professionals, including peer supports and family counselors as well as behavior specialists, school social workers, and other related service providers supporting students with behavioral needs.
- Develop trainings for educators and school officials regarding how to understand the signs and the impact of trauma on students and how to connect students with supportive resources, in partnership with health care systems.
- Establish statewide crisis intervention systems, including hotlines, mobile response teams for schools, and partnerships with the 988 Suicide and Crisis Lifeline, and expand school-based suicide prevention programs like Signs of Suicide (SOS) training, to ensure students experiencing mental health issues receive the support and services they need, rather than facing punitive approaches.
- Provide grants and mandate training programs for school staff on trauma-informed care, mental health literacy, and crisis-response.
- Create opportunities for school-health system partnerships, including effective referral systems, to enable students to access comprehensive and culturally relevant mental health care from community-based providers.
- Protect access to federal Medicaid funding, which is a critical source of school-based and school-linked mental health care for students and families.
- Ensure that school-based and school-linked mental health services are provided in a way that honors privacy and confidentiality, such that students feel safe accessing care.

Recommendations: Legislative

State legislators should:

- Mandate improved practices for identifying, supporting, and providing referrals to appropriate services for students affected by trauma, mental health needs, homelessness, and other challenges.
- Fund restorative practices and evidence-based programs like Multi-Tiered Systems of Support (MTSS), which provide a structure for identifying students' needs and connecting them to mental health resources and targeted interventions.
- Fund school-health system partnerships, including effective referral systems, to enable students to access comprehensive and culturally relevant mental health care from community-based providers.
- Protect access to federal Medicaid funding, which is a critical source of school-based and school-linked mental health care for students and families.
- Mandate and fund mental health education in schools to reduce stigma, increase awareness, and promote positive mental health practices.

For more information about NCYL's efforts to advance student mental health and well-being, visit the [Health focus area](#) on NCYL's website.



EDUCATION CIVIL RIGHTS ALLIANCE

This resource was created by the National Center for Youth Law and the endorsing members of the Education Civil Rights Alliance. To learn more about what your state can do to strengthen civil rights protections for all students, check out this [resource page](#) for additional recommendations and to read the letter we sent to state leaders.