



**TEXAS CRIMINAL
JUSTICE COALITION**

WRITTEN TESTIMONY

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ON

THE TEXAS EDUCATION AGENCY

To

**THE HOUSE COMMITTEE ON APPROPRIATIONS
S/C ON ARTICLE III**

FEBRUARY 25, 2021

Dear Chair Wilson and Members of the House Appropriations Subcommittee on Article III:

My name is Alycia Castillo; I am a Policy Analyst for the Texas Criminal Justice Coalition. Thank you for this opportunity to provide written testimony with respect to the Texas Education Agency (TEA), including recommendations for funding over the next biennium.

The Texas Criminal Justice Coalition has been closely monitoring the juvenile justice system in Texas for years and, as an organization, we analyze systems that intersect with juvenile justice and promote strategies that safely reduce justice system involvement while addressing the root causes of crime, increasing public safety, and saving taxpayers money.

Opportunities for Necessary Investments in the Future of Texas

COVID-19 has created a massive disruption in the lives of Texas children and families. The National Association of School Psychologists estimates that the pandemic will result in an overall doubling or tripling of students who show challenges at school.¹ In the face of this unparalleled global upheaval, students will need significantly greater investments in mental health support services; as they continue to reenter classrooms, their trauma, social-emotional regression, and educational regressions will require care and attention.

Students of color are especially likely to experience physical and mental health disparities post-COVID,² and they were already underserved in the education setting. In a recent interview, TEA Commissioner Mike Morath acknowledged the following in regard to disparities for students of color: “We had an achievement gap walking into the [COVID-19] crisis, and the crisis has exacerbated it.”³ Much of this gap can be attributed to disparities in exclusionary discipline, as Black and Hispanic students are consistently overrepresented in suspensions, expulsions, removals to alternative education programs, and incarceration.⁴ As these young people reenter the traditional education setting, they will be best served by personnel uniquely equipped – with culturally responsive, trauma-informed methods – to assist with challenges that will arise.

Teachers and administrators are not immune to the difficulties posed by COVID-19 and the current social climate. In the past, they have long reported feeling undervalued, overworked, and underpaid.⁵ It would **be irresponsible to ask these personnel, who are specifically tasked with the challenge of educating children during a global health crisis, to take on roles that are not within their training or responsibility.** Mental health practitioners, social workers, counselors, and restorative justice coordinators are all distinct, integral roles and should be funded as such to avoid placing undue burden and stress on Texas teachers.

The Texas Criminal Justice Coalition understands that our schools are an extension of the village it takes to raise a child. We support TEA’s commitment to positive school climate and mental health supports that seek to address the widening achievement gaps due to historic challenges and inequities in Texas schools. Additional measures are needed to ensure that schools and their personnel are able to meet the rising needs presented by COVID-19, and to prevent over-reliance on exclusionary punishment for behaviors that may arise when students readjust to the classroom after a devastating year of traumatic events.

Recommendations

- **Leverage existing and future federal COVID-19 relief funding and the Economic Stabilization Fund (ESF) to support student mental health and positive school climate strategies.** The Coronavirus Aid, Relief and Economic Security (CARES) Act includes funding to address the impact of COVID-19 on K-12 education, including providing mental health services and social-emotional support. The Legislature should explore ways to maximize both existing funding and any future federal funding that becomes available to help advance efforts to address student mental health and supportive school climates.⁶

Funding through Project School Emergency Response to Violence (SERV) is an additional feature of the CARES Act that must be leveraged to respond to the increased mental health needs of youth. Research historically and consistently supports the idea that safe school environments are created by ensuring that each student is adequately supported.⁷ On the other hand, increased facility safety and emergency response have little effect on the outcome of things like violence in schools, substance use, and bullying; in many cases, they increase harm and harsh, exclusionary measures for students of color disproportionate to their white peers.⁸ Schools should be safe, supportive environments for all students. This moment presents an opportunity to restructure supports to be most aligned with evidence-based, proven strategies for student success.⁹

In 2019, Texas' 86th Legislature relied on ESF resources to help expand school safety grants via Senate Bill (SB) 500.¹⁰ During this new, unprecedented challenge that has heightened the need to address social, emotional, and mental health issues among Texas' student population, the Legislature should similarly develop grants through the ESF to promote research-based, restorative, and culturally responsive practices for school districts, especially in underserved areas, that plan to prioritize strategies for addressing those issues.

- **Prioritize students' mental health and enhance school climate by both continuing to fund and narrowing the allowable uses of School Safety Allotment (SSA) funds in the 2022-23 biennium.** During Texas' 2019 session, the Legislature rose to meet another tragedy facing Texas students. In response to the school shooting at Santa Fe High School, policymakers passed SB 11,¹¹ establishing the SSA and campus-based, multi-tiered Safe and Supportive Schools Programs (SSSPs). SB 11 appropriated funds for the SSA to offset district costs related to facility safety or student mental health. Today, as students face a new crisis with COVID-19, they need a response to match. **The Texas Legislature should continue to fund the SSA over the biennium and include a budget rider requiring districts to use 100 percent of the allotment to support SSSP components that center a positive school climate, social and emotional aspects of student learning, and behavioral and mental health.**

The allotment should not go towards hardening and monitoring strategies (like policing and surveillance), which, as noted above, are more likely to widen disparities in exclusionary student discipline actions and negatively impact school climate. Students of color will be especially vulnerable as they reenter campuses, many of which will place them near law enforcement for the first time since the death of George Floyd and the consequent national examination of violence between law enforcement and people of color. Schools must be equipped to help and support these students in their success.

Again, allocating funding toward mental health and school climate strategies rather than further distancing students from learning environments at a time when they are likely to need additional

academic instruction and social-emotional supports will be essential to mitigating additional trauma. In tandem, the Legislature should direct the creation of district plans beyond the SB 11 plans and prioritize the allotment of full-time employees toward mental health support, such as social workers, Communities In Schools personnel and restorative justice coordinators, and district-wide training for culturally inclusive, trauma-informed care and positive school climate building.

¹ National Association of School Psychologists (NASP), *Providing Effective Social–Emotional and Behavioral Supports After COVID-19 Closures: Universal Screening and Tier 1 Interventions*, 2020, <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/covid-19-resource-center/crisis-and-mental-health-resources/providing-effective-social%E2%80%93emotional-and-behavioral-supports-after-covid-19-closures-universal-screening-and-tier-1-interventions>.

² Substance Abuse and Mental Health Services Administration (SAMHSA), *Double Jeopardy: COVID-19 and Behavioral Health Disparities for Black and Latino Communities in the U.S.*, <https://www.samhsa.gov/sites/default/files/covid19-behavioral-health-disparities-black-latino-communities.pdf>.

³ Aliyya Swaby, “Watch: Texas Education Commissioner Mike Morath on educating students during a pandemic,” *Texas Tribune*, February 11, 2021, <https://www.texastribune.org/2021/02/05/texas-public-education-mike-morath/>.

⁴ Intercultural Development Research Association (IDRA), *Zero Tolerance Policies in Texas Push Black Students and Hispanic Students Away from School*, January 2021, https://www.idra.org/research_articles/zero-tolerance-policies-texas-push-black-students-hispanic-students-away-school/.

⁵ Catherine Gewertz, “Exhausted and Grieving: Teaching During the Coronavirus Crisis,” *Education Week*, April 16, 2020, <https://www.edweek.org/teaching-learning/exhausted-and-grieving-teaching-during-the-coronavirus-crisis/2020/04>.

⁶ Phyllis W. Jordan, “What Congressional Covid Funding Means for K-12 Schools,” *FutureEd*, February 18, 2021, <https://www.future-ed.org/what-congressional-covid-funding-means-for-k-12-schools/>.

⁷ NASP, *School Violence Prevention: Guidelines for Administrators and Crisis Teams*, 2015, <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/school-climate-safety-and-crisis/school-violence-resources/school-violence-prevention/school-violence-prevention-guidelines-for-administrators-and-crisis-teams>.

⁸ Denise C. Gottfredson et al., “Effects of school resource officers on school crime and responses to school crime,” *Criminology & Public Policy*, July 22, 2020, <https://doi.org/10.1111/1745-9133.12512>.

⁹ Texas Criminal Justice Coalition, *Reversing the Pipeline to Prison in Texas: How to Ensure Safe Schools AND Safe Students*, February 2020, <https://www.texascjc.org/system/files/publications/Reversing%20the%20Pipeline%20Report%202020.pdf>.

¹⁰ Senate Bill 500, 86th Texas Legislature, <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=86R&Bill=SB500>.

¹¹ Senate Bill 11, 86th Texas Legislature, <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=86R&Bill=SB11>.