

Congress of the United States
Washington, DC 20515

June 11, 2019

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

The Honorable Alex M. Azar II
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary DeVos and Secretary Azar,

As Mental Health Awareness Month comes to a close, we write to draw attention to the current mental health crisis facing Latina girls in our districts and to request information on what your departments are doing to address this crisis.

According to the Centers for Disease Control, about half of all Latina high school girls in Philadelphia reported that they were persistently sad or hopeless in 2017.ⁱ That same year, more than one in five Latina high school girls considered suicide, and one in seven attempted to take their own lives.ⁱⁱ For lesbian, bisexual and queer Latina girls in Philadelphia, the picture is even more dire—more than two in three felt persistently sad or hopeless, nearly half considered suicide, and nearly two in five attempted it.ⁱⁱⁱ The situation in the Philadelphia region is reflective of a larger, national crisis with about half of all Latina high school girls nationwide reporting persistent sadness or hopelessness and more than one in five Latina high school girls reporting that they considered suicide.^{iv} Positive first steps are being made in Philadelphia to tackle unmet mental health challenges among students.^v Nonetheless, Philadelphia, along with every school district in the region and throughout the country, needs support from the Department of Education and Department of Health and Human Services to foster healthy and supportive environments for young people to learn.

According to *We Are Not Invisible | No Somos Invisibles: Latina Girls, Mental Health, and Philadelphia Schools*—a report co-authored by 13 Latina/x students and the National Women's Law Center—students need supportive adults in schools who can understand their lived experiences. However, many Latina students do not use mental health services even when they are available due to the lack of professionals who understand struggles specific to Latina and Latinx students. For example, in Philadelphia, only three percent of teachers were Latina women during the 2016-17 school year,^{vi} although Latina girls made up 9.4 percent of students the year prior.^{vii} Available data shows that Philadelphia's rates for the underrepresentation of Latinx teachers are consistent with nationwide trends.^{viii} The underrepresentation of people of color in teaching and mental health professions demonstrates the need to encourage Latinx and other people of color to enter these professions. It also highlights a need to increase both the number and cultural competency of social workers, psychologists, and mental health professionals in schools. Nationwide, these positions are being eliminated due to the financial constraints of local education agencies.^{ix} Proposed cuts and changes to the Medicaid program would further limit the ability of schools to support students with mental health issues, since Medicaid plays such a critical role in school-based mental health services and support, including connecting students with mental health professionals.

Among other social and cultural experiences,^x current immigration policies and rhetoric appear to negatively impact mental health outcomes for Latinx adults and children.^{xi} For example, a 2017 National Women's Law Center study found that more than half of all Latina girls are worried about a friend or family member being deported, and nearly one in four has been harassed because of her family's name or country of origin.^{xii} This Administration's policies have created a climate of fear and distress for both immigrant and U.S. citizen Latinx students. Instead of working to quell these anxieties among Latinx students, members of the Administration have implicitly denied, and then affirmed only reluctantly, that schools themselves are required by law to be safe havens where students can learn, free from the threat of immigration enforcement.^{xiii}

In addition, vulnerability associated with harassment and bullying has been connected to the high rates of sadness, hopelessness, and suicidal ideation for Latina students.^{xiv} Despite the link between strong enforcement of anti-harassment policies and better student mental health wellbeing, this Administration has proposed policies that undermine protections for victims of harassment and encourage schools to ignore harassment that pushes students out of school.^{xv} The Administration has also declined to enforce anti-discrimination protections for transgender and gender-nonconforming students under Title IX.^{xvi}

Latina students must be fully informed about their right to seek accommodations for mental health disabilities under federal special education laws, such as the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act. Nationwide, Latina girls are under-identified as needing disability services, and even when they are identified, they are punished for their disabilities.^{xvii} In the Philadelphia School District, more than one in seven Latinas with identified disabilities under the IDEA was suspended in the 2015-16 school year.^{xviii} Too often, rather than recognizing and providing accommodations for students with disabilities, schools isolate and over-discipline them, particularly students of color. Implementation of the 2016 Equity in IDEA regulations would help address both the under-identification of Latina students for special education services as well as the overuse of exclusionary discipline for Latina students with disabilities. In light of the United States District Court for the District of Columbia's March 2019 ruling that the Department of Education's attempt to delay implementation of that rule was arbitrary and capricious,^{xix} we urge you to ensure that states address significant race-, ethnic- and gender-based disproportionality in the identification, placement and discipline of students with disabilities.

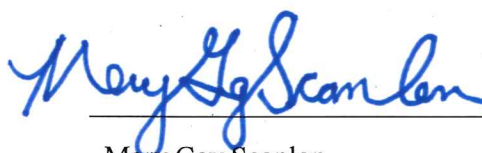
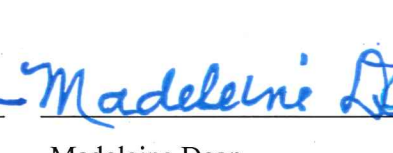
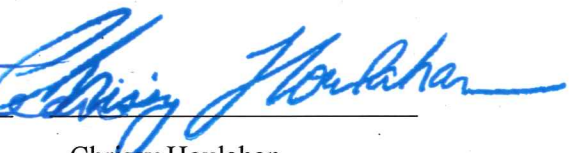
Considering the responsibility of the U.S. Department of Education to protect educational access for all students and the role that the U.S. Department of Health and Human Services can play in promoting mental health wellness for our nation's children, teenagers and young adults, we respectfully ask that you provide answers to the following questions:

1. When and how does the Department of Education intend to implement the 2016 Equity in IDEA regulations?
2. What steps are you taking to increase the number of social workers, psychologists, and mental health professionals in schools, and what are you doing to encourage Latinx and other people of color to enter both these and the teaching professions?
3. What resources or guidance have you given to schools to provide training to educators, social workers, psychologists and other mental health professionals on cultural competency and trauma-informed and mental health-informed practices?
4. How are you ensuring that schools inform Latina/x students of their right to seek accommodations under special education laws?
5. What guidance have you given schools to address cultures of harassment and fear, including harassment based on race, national origin, disability, and sex (which includes gender identity and sexual orientation), that create hostile learning environments for students?

6. Have you studied the impacts of this Administration's immigration policy decisions on the mental health outcomes of Latina girls? How will you work to address such negative impacts?
7. What steps are you taking to ensure that states have the resources they need to improve schools' use of Medicaid to address mental health needs and risks of students, and in particular to ensure that small, rural, or high poverty school districts are not left out of the Medicaid system?

Thank you for your attention to this critical issue affecting Latina girls in the Philadelphia region and across the nation. Supporting the health of Latina girls will help all students by creating a school climate that supports positive mental health. We look forward to your timely response to these critical questions.

Sincerely,

Mary Gay Scanlon

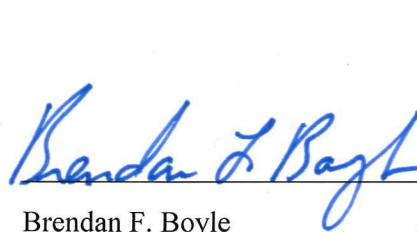
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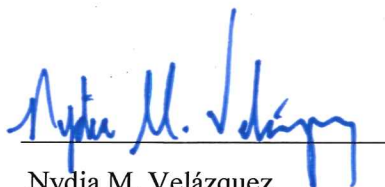
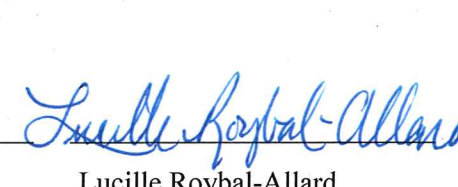

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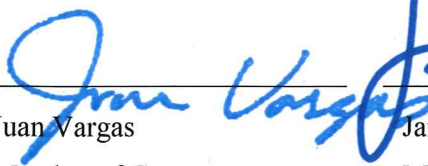
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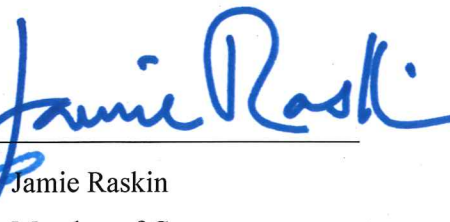
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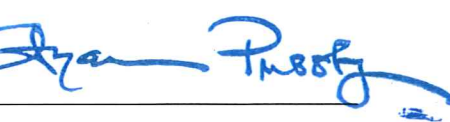
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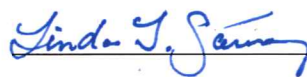
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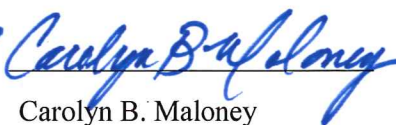
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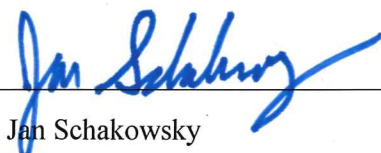
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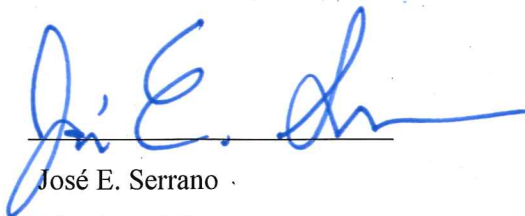
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ⁱ U.S. DEP'T OF HEALTH AND HUMAN SERV., CTRS. FOR DISEASE CTRL. AND PREVENTION, 2017 YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM, available at <https://www.cdc.gov/healthyyouth/data/yrbs/index.htm>.

ⁱⁱ *Id.*

ⁱⁱⁱ *Id.*

^{iv} *Id.*

^v For example, in 2017, the city began a pilot program to place social workers in 21 schools to address student behavioral and mental health needs. See, e.g., <https://whyy.org/articles/philadelphia-rolls-out-plan-to-put-social-workers-in-city-schools/>.

^{vi} JASON FONTANA AND DAVID LAPP, RESEARCH FOR ACTION, NEW DATA ON TEACHER DIVERSITY IN PENNSYLVANIA 6.

^{vii} NWLC calculations based on U.S. DEP'T OF EDUC., CIVIL RIGHTS DATA COLLECTION, 2015-2016 Data.

^{viii} For example, an estimated one in four (26 percent) students entering public elementary and secondary schools nationwide were Latinx in fall 2015. U.S. Dep't of Educ., Nat'l Ctr. For Educ. Statistics, Status and Trends in the Education of Racial and Ethnic Groups, Indicator 6: Elementary and Secondary Enrollment, https://nces.ed.gov/programs/raceindicators/indicator_rbb.asp. Meanwhile, just 7.8 percent of teachers nationwide were Latinx in the 2011-12 school year. U.S. DEP'T OF EDUC., NAT'L CTR. FOR EDUC. STATISTICS, SCHOOLS AND STAFFING SURVEY, https://nces.ed.gov/surveys/sass/tables/sass1112_2013314_t1s_001.asp.

^{ix} NAT'L ASS'N OF SOCIAL WORKERS, NASW HIGHLIGHTS THE GROWING NEED FOR SCHOOL SOCIAL WORKERS TO PREVENT SCHOOL VIOLENCE (2018), <https://www.socialworkers.org/News/News-Releases/ID/1633/NASW-Highlights-the-Growing-Need-for-School-Social-Workers-to-Prevent-School-Violence>.

^x See generally *We Are Not Invisible at 6-13*, available at www.nwlc.org/notinvisible (noting that harassment, harmful gender expectations and a lack of healthcare access, likely create unique barriers for Latina girls to address mental health concerns).

^{xi} Kathleen M. Roche et al, *Impacts of Immigration Actions and News and the Psychological Distress of U.S. Latino Parents Raising Adolescents*, J. OF ADOLESCENT HEALTH (May 2018), [https://www.jahonline.org/article/S1054-139X\(18\)30054-5/fulltext](https://www.jahonline.org/article/S1054-139X(18)30054-5/fulltext).

^{xii} NWLC, LET HER LEARN: STOPPING SCHOOL PUSHOUT FOR GIRLS OF COLOR 4, 8 (2017), https://nwlc.org/wp-content/uploads/2017/04/final_nwlc_Gates_GirlsofColor.pdf; NWLC LET HER LEARN survey (2017).

^{xiii} Moriah Balingit, *Can educators call ICE on students? Betsy DeVos finally answers.*, WASH. POST (June 5, 2018), https://www.washingtonpost.com/news/education/wp/2018/06/05/can-educators-call-ice-on-students-betsy-devos-finally-answers/?utm_term=.7ec389cd8430.

^{xiv} Emily Neil, *Hispanic youth experience higher levels of sadness, hopelessness, than their peers*, AL DÍA (June 22, 2018), <http://aldianews.com/articles/culture/health/hispanic-youth-experience-higher-levels-sadness-hopelessness-their-peers>.

^{xv} Andrew Kreighbaum, *College Groups Blast DeVos Title IX Proposal*, INSIDE HIGHER ED (Jan. 31, 2019) <https://www.insidehighered.com/news/2019/01/31/higher-ed-groups-call-major-changes-devos-title-ix-rule>.

^{xvi} Moriah Balingit, *Education Department no longer investigating transgender bathroom complaints*, WASH. POST (Feb. 12, 2018), https://www.washingtonpost.com/news/education/wp/2018/02/12/education-department-will-no-longer-investigate-transgender-bathroom-complaints/?utm_term=.deb5d5cdeea0.

^{xvii} NWLC calculations based on U.S. DEP'T OF EDUC., CIVIL RIGHTS DATA COLLECTION, 2015-2016 Data.

^{xviii} *Id.*

^{xix} *Council of Parent Attorneys & Advocates v. DeVos*, 365 F. Supp. 3d 28, 48-55 (D.D.C. Mar. 7, 2019).