Notice of Language Assistance



Notice of Language Assistance: If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), or email us at: Ed.Language.Assistance@ed.gov.

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UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

Letter to Educators: Students at Risk for Self-Harm or Suicide

October 13, 2021

Dear Educator:

I write in connection with World Mental Health Day (October 10) to draw your attention to the importance of supporting students who may be at risk for self-harm or suicide and to remind you of the obligations K-12 schools and postsecondary institutions have to address the needs of students with mental health disabilities. Today, the Office for Civil Rights (OCR) of the U.S. Department of Education and the Civil Rights Division of the U.S. Department of Justice jointly released a fact sheet—Supporting and Protecting the Rights of Students at Risk of Self-Harm in the Era of COVID-19—which provides information on Federal civil rights laws that protect students with mental health disabilities and includes Federal resources to help schools, postsecondary institutions, and families meet students' mental health needs.

This year, attention to suicide and mental health carries heightened importance. The COVID-19 pandemic has taken a profound toll across the nation, including on the mental health of many students throughout the United States.

As the Department of Education recently shared in a <u>report on the disparate impacts of the pandemic</u>, researchers have found a rise in suicidal ideation among children and young adults during the pandemic. In addition, certain populations of students—such as students of color and students who identify as LGBTQI+—may be at increased risk for self-harm or suicide.

For some students, the harmful circumstances that arose or worsened during the pandemic may have compounded an existing mental health disability, and others may have developed a mental health disability for the first time. Among both groups, some students will progress through their education without incident, while others may experience a serious mental health crisis. With knowledge of these challenges, along with the stresses that may accompany a return to inperson learning, it is important for educators and staff to prioritize creating a supportive environment for all students and implementing effective strategies for suicide prevention.

Elementary and secondary schools and postsecondary institutions should recognize and respond to the pervasive impact of the COVID-19 pandemic and related traumas. The following steps, among others, can help schools and postsecondary institutions create an environment supportive of students:

- Develop trauma-informed crisis management procedures that include an individualized assessment of the student's circumstances.
- Provide and facilitate access to mental health evaluations and services, including making efforts to reduce or remove barriers or potential negative consequences, including stigma, associated with receiving mental health services.
- Reasonably modify school and postsecondary institution policies, such as attendance policies, for individual students, as appropriate.
- Train staff to recognize and respond appropriately to signs of distress and suicidal ideation in students.
- Review and share the resources included in the fact sheet.

As a civil rights matter, I would also like to underscore the specific responsibility of elementary and secondary schools and postsecondary institutions to provide students with mental health disabilities an equal opportunity to learn, free from discrimination. This includes a responsibility to provide the disability-related services and reasonable modifications that students are entitled to under the law.

The new fact sheet on Supporting and Protecting the Rights of Students at Risk of Self-Harm in the Era of COVID-19 provides more information about schools' and postsecondary institutions' obligations under Federal civil rights laws. These obligations stem from the laws that OCR enforces, including Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. Importantly, these Federal disability-rights laws require that when students with mental health disabilities need help or are in crisis, schools and postsecondary institutions make decisions about how to respond based on each student's individual circumstances, rather than on myths, fears, or stereotypes about people with mental illness.

I encourage you to read and share the fact sheet and draw special attention to the resources and legal protections available to help schools and postsecondary institutions, students, and families. If you have questions or would like additional information or technical assistance, please visit our website at www.ed.gov/ocr or contact OCR at (800) 421-3481 (TDD: 800-877-8339) or at ocr@ed.gov.

Thank you for being a resource for our nation's students at this time of unique need. Educators play a pivotal role in suicide prevention and supporting students' mental health, and your work could save a life.

Sincerely,

Suzanne B. Goldberg

Acting Assistant Secretary for Civil Rights

Sun-B. July