

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1142

To improve counseling services for elementary school children.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 1993

Mr. HARKIN introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To improve counseling services for elementary school children.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Elementary School  
5 Counseling Demonstration Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) elementary school children are being sub-  
9 jected to unprecedented social stresses, including  
10 fragmentation of the family, drug and alcohol abuse,  
11 child abuse, poverty, and violence, and experts indi-

1 cate that intervention at an early age is the most  
2 beneficial;

3 (2) an increasing number of elementary school  
4 children are exhibiting symptoms of distress, such as  
5 substance abuse, emotional disorders, academic  
6 underachievement, disruptive behavior, juvenile de-  
7 linquency, and suicide;

8 (3) elementary school counselors, school psy-  
9 chologists and school social workers can contribute  
10 to the personal growth, educational development,  
11 and emotional well-being of elementary school chil-  
12 dren by providing professional counseling, interven-  
13 tion, and referral services;

14 (4) the average ratio of elementary school coun-  
15 selors to students is 1 to 1,000, the average ratio of  
16 school psychologists to students is 1 to 2,500, and  
17 the average ratio of school social workers to students  
18 is 1 to 2,500;

19 (5) when there is 1 counselor to 1,000 students,  
20 1 school psychologist to 2,500 students, and 1 school  
21 social worker to 2,500 students, elementary school  
22 counseling programs are seldom adequate;

23 (6) the Federal Government can help reduce  
24 the risk of academic, social, and emotional problems  
25 among elementary school children by stimulating the

1 development of model elementary school counseling  
2 programs; and

3 (7) the Federal Government can help reduce  
4 the risk of future unemployment and assist the  
5 school to work transition by stimulating the develop-  
6 ment of model elementary school counseling pro-  
7 grams that include comprehensive career develop-  
8 ment.

9 (b) PURPOSE.—It is the purpose of this Act to en-  
10 hance the availability and quality of counseling services  
11 for elementary school children by providing grants to local  
12 educational agencies to enable such agencies to establish  
13 effective and innovative elementary school counseling pro-  
14 grams that can serve as national models.

15 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated \$10,000,000  
17 for each of the fiscal years 1994, 1995, 1996, 1997, and  
18 1998 to carry out this Act.

19 **SEC. 4. PROGRAM AUTHORITY.**

20 (a) IN GENERAL.—From amounts appropriated pur-  
21 suant to the authority of section 3 in any fiscal year, the  
22 Secretary shall make grants to local educational agencies  
23 having applications approved under section 5 to initiate  
24 or expand school counseling programs for elementary  
25 school children.

1 (b) PRIORITY.—In awarding grants under this Act,  
2 the Secretary shall give special consideration to applica-  
3 tions describing programs that—

4 (1) demonstrate the greatest need for new or  
5 additional counseling services among the children in  
6 the elementary schools served by the applicant;

7 (2) propose the most promising and innovative  
8 approaches for initiating or expanding elementary  
9 school counseling; and

10 (3) show the greatest potential for replication  
11 and dissemination.

12 (c) EQUITABLE DISTRIBUTION.—In awarding grants  
13 under this Act, the Secretary shall ensure an equitable ge-  
14 ographic distribution among the regions of the United  
15 States and among urban, suburban, and rural areas.

16 (d) DURATION.—A grant under this Act shall be  
17 awarded for a period not to exceed 3 years.

18 (e) MAXIMUM GRANT.—A grant under this Act shall  
19 not exceed \$400,000 for any fiscal year.

20 **SEC. 5. APPLICATIONS.**

21 (a) IN GENERAL.—Each local educational agency de-  
22 siring a grant under this Act shall submit an application  
23 to the Secretary at such time, in such manner, and accom-  
24 panied by such information as the Secretary may reason-  
25 ably require.

1 (b) NOTIFICATION OF STATE EDUCATIONAL AGEN-  
2 CY.—Before submitting an application to the Secretary in  
3 accordance with subsection (a), a local educational agency  
4 shall provide the State educational agency with an oppor-  
5 tunity to review and comment on the program described  
6 in such application. The comments of the State edu-  
7 cational agency shall be appended to the application upon  
8 submission of the application to the Secretary.

9 (c) CONTENTS.—Each application for a grant under  
10 this Act shall—

11 (1) describe the elementary school population to  
12 be targeted by the program, the particular personal,  
13 social, emotional, educational, and career develop-  
14 ment needs of such population, and the current  
15 school counseling resources available for meeting  
16 such needs;

17 (2) describe the activities, services, and training  
18 to be provided by the program and the specific ap-  
19 proaches to be used to meet the needs described in  
20 paragraph (1);

21 (3) describe the methods to be used to evaluate  
22 the outcomes and effectiveness of the program;

23 (4) describe the collaborative efforts to be un-  
24 dertaken with institutions of higher education, busi-  
25 nesses, labor organizations, community groups, so-

1       cial service agencies, and other public or private en-  
2       tities to enhance the program and promote school-  
3       linked services integration;

4           (5) describe collaborative efforts with institu-  
5       tions of higher education which specifically seek to  
6       enhance or improve graduate programs specializing  
7       in the preparation of elementary school counselors,  
8       school psychologists, and school social workers;

9           (6) document that the applicant has the person-  
10       nel qualified to develop, implement, and administer  
11       the program;

12          (7) describe how any diverse cultural popu-  
13       lations would be served through the program;

14          (8) assure that the funds made available under  
15       this Act for any fiscal year will be used to supple-  
16       ment and, to the extent practicable, increase the  
17       level of funds that would otherwise be available from  
18       non-Federal sources for the program described in  
19       the application, and in no case supplant such funds  
20       from non-Federal sources; and

21          (9) assure that the applicant will appoint an ad-  
22       visory board composed of parents, school counselors,  
23       school psychologists, school social workers, other  
24       pupil services personnel, teachers, school administra-  
25       tors, and community leaders to advise the local edu-

1 cational agency on the design and implementation of  
2 the program.

3 **SEC. 6. USE OF FUNDS.**

4 (a) IN GENERAL.—Grant funds under this Act shall  
5 be used to initiate or expand elementary school counseling  
6 programs that comply with the requirements in subsection  
7 (b).

8 (b) PROGRAM REQUIREMENTS.—Each program as-  
9 sisted under this Act shall—

10 (1) be comprehensive in addressing the per-  
11 sonal, social, emotional, educational, and career de-  
12 velopment needs of all students;

13 (2) use a developmental, preventive approach to  
14 counseling;

15 (3) increase the range, availability, quantity,  
16 and quality of counseling services in the elementary  
17 schools of the local educational agency;

18 (4) ensure a team approach to school counsel-  
19 ing by maintaining a ratio in the elementary schools  
20 of the local educational agency that does not exceed  
21 1 school counselor to 250 students, 1 school social  
22 worker to 800 students and 1 school psychologist to  
23 1,000 students;

1           (5) expand counseling services only through  
2 qualified school counselors, school psychologists, and  
3 school social workers;

4           (6) use innovative approaches to increase chil-  
5 dren's understanding of peer and family relation-  
6 ships, work and self, decisionmaking, academic and  
7 career planning, or to improve social functioning;

8           (7) provide counseling services with the goal of  
9 developing a highly skilled workforce through a  
10 range of quality educational programs and work-re-  
11 lated experiences that allow students to reach high  
12 school graduation equipped to tackle immediately the  
13 world of work, or to continue in some form of post-  
14 secondary education or training, or both;

15           (8) provide counseling services that are well-bal-  
16 anced among classroom group and small group coun-  
17 seling, individual counseling, and consultation with  
18 parents, teachers, administrators, and other pupil  
19 services personnel;

20           (9) include inservice training for school coun-  
21 selors, school social workers, school psychologists,  
22 other pupil services personnel, teachers, and instruc-  
23 tional staff;



1           (10) involve parents of participating students in  
2 the design, implementation, and evaluation of a  
3 counseling program;

4           (11) involve collaborative efforts with institu-  
5 tions of higher education, businesses, labor organiza-  
6 tions, community groups, social service agencies, or  
7 other public or private entities to enhance the pro-  
8 gram and promote school-linked services integration;

9           (12) ensure that school counselors, school psy-  
10 chologists or school social workers paid from funds  
11 made available under this Act spend at least 85 per-  
12 cent of their total work time in activities directly re-  
13 lated to the counseling process and not more than  
14 15 percent of such time on administrative tasks that  
15 are associated with the counseling program;

16           (13) provide supervision for professionals who  
17 are hired under this Act by supervisors who are  
18 school counselors, school social workers, and school  
19 psychologists; and

20           (14) evaluate annually the effectiveness and  
21 outcomes of the counseling services and activities as-  
22 sisted under this Act.

23 **SEC. 7. NATIONAL ADMINISTRATION.**

24           (a) OFFICE OF PUPIL SERVICES.—

1           (1) IN GENERAL.—Title II of the Department  
2 of Education Organization Act (20 U.S.C. 3411 et  
3 seq.) is amended by adding at the end the following  
4 new section:

5                   “OFFICE OF PUPIL SERVICES

6           “SEC. 216. (a) There shall be in the Department of  
7 Education an Office of Pupil Services, to be administered  
8 by the Director of Pupil Services. Such Office shall be es-  
9 tablished in accordance with section 405A of the General  
10 Education Provisions Act.

11           “(b) The Director of Pupil Services shall be an indi-  
12 vidual of recognized professional qualifications and experi-  
13 ence in the field of pupil services.”.

14           (2) AMENDMENT TO THE GENERAL EDUCATION  
15 PROVISIONS ACT.—Part A of the General Education  
16 Provisions Act (20 U.S.C. 1221e et seq.) is amended  
17 by inserting after section 405 the following new sec-  
18 tion:

19           **“SEC. 405A. OFFICE OF PUPIL SERVICES.**

20           “(a) ESTABLISHMENT.—The Secretary shall estab-  
21 lish an Office of Pupil Services (hereafter in this section  
22 referred to as the ‘Office’).

23           “(b) FUNCTIONS OF THE OFFICE.—The Office shall  
24 be responsible for—

25                   “(1) administering, reviewing, and monitoring  
26 pupil services programs, including the programs

1 funded under the Elementary School Counseling  
2 Act; and

3 “(2) providing a national focal point for infor-  
4 mation and technical assistance regarding the coun-  
5 seling, personal, social, emotional, educational, ca-  
6 reer development and psychological needs of elemen-  
7 tary and secondary school children.”.

8 (b) DATA COLLECTION AND EVALUATION.—

9 (1) IN GENERAL.—The Director of the Office of  
10 Pupil Services shall compile the evaluations of the  
11 programs assisted under this Act and shall regularly  
12 collect such data as the Secretary finds necessary to  
13 develop a profile of the use and impact of funds pro-  
14 vided under this Act.

15 (2) REPORT.—The Secretary shall issue a re-  
16 port evaluating the programs assisted pursuant to  
17 each grant under this section at the end of each  
18 grant period, but in no case later than January 30,  
19 1998.

20 (c) DISSEMINATION.—The Secretary shall make the  
21 programs assisted under this Act available for dissemina-  
22 tion, either through the National Diffusion Network or  
23 other appropriate means.

24 (d) LIMIT ON ADMINISTRATION.—Not more than 5  
25 percent of the amounts appropriated pursuant to the au-

1 thority of section 3 in any fiscal year shall be used to carry  
2 out the provisions of this section, including the costs of  
3 establishing the Office of Pupil Services.

4 **SEC. 8. DEFINITIONS.**

5 For purposes of this Act—

6 (1) the term “comprehensive” means, with re-  
7 spect to counseling services, a program in which—

8 (A) a school counselor, school psychologist,  
9 or school social worker uses a range of individ-  
10 ual and group techniques and resources in a  
11 planned way to meet the personal, social, emo-  
12 tional, educational, and career development  
13 needs of all elementary children in a school; and

14 (B) a school counselor, school psychologist,  
15 or school social worker works directly with chil-  
16 dren, families, teachers, and other school or  
17 agency personnel to create an optimal positive  
18 learning environment and personal growth op-  
19 portunities for all children;

20 (2) the term “developmental” means, with re-  
21 spect to a school counseling program, a systemati-  
22 cally planned program that—

23 (A) provides appropriate school counseling  
24 interventions to foster the social, emotional,

1 physical, moral, and cognitive growth of elemen-  
2 tary school children;

3 (B) provides intervention services to help  
4 children cope with family, social, emotional, and  
5 academic problems; and

6 (C) supports and enhances the efforts of  
7 families, teachers, and other school personnel to  
8 provide children maximum opportunity to ac-  
9 quire competence and skill in self-understanding  
10 and appreciation, interpersonal interaction, edu-  
11 cational achievement and literacy, and career  
12 awareness and personal decisionmaking;

13 (3) the term “Director” means the Director of  
14 the Office of Pupil Services in the Department of  
15 Education;

16 (4) the term “elementary school” has the mean-  
17 ing given such term in section 1471(8) of the Ele-  
18 mentary and Secondary Education Act of 1965;

19 (5) the term “institution of higher education”  
20 has the meaning given such term in section 1201(a)  
21 of the Higher Education Act of 1965;

22 (6) the term “local educational agency” has the  
23 meaning given such term in section 1471(12) of the  
24 Elementary and Secondary Education Act of 1965;

1           (7) the term “parent” has the meaning given  
2 such term in section 1471(14) of the Elementary  
3 and Secondary Education Act of 1965;

4           (8) the term “pupil services personnel” has the  
5 meaning given such term in section 1471(17) of the  
6 Elementary and Secondary Education Act of 1965;

7           (9) the term “school counselor” means an indi-  
8 vidual who has documented competence in counsel-  
9 ing children and adolescents in a school setting and  
10 who—

11                 (A) possesses State licensure or certifi-  
12 cation granted by an independent professional  
13 regulatory authority;

14                 (B) in the absence of such State licensure  
15 or certification, possesses national certification  
16 in school counseling or a specialty of counseling  
17 granted by an independent professional organi-  
18 zation; or

19                 (C) holds a minimum of a master’s degree  
20 in school counseling from a program accredited  
21 by the Council for Accreditation of Counseling  
22 and Related Educational Programs or the  
23 equivalent;

24           (10) the term “school psychologist” means an  
25 individual who—

1 (A) possesses a minimum of 60 graduate  
2 semester hours in school psychology from an in-  
3 stitution of higher education and has completed  
4 1,200 clock hours in a supervised school psy-  
5 chology internship, of which 600 hours shall be  
6 in the school setting; and

7 (B) possess State licensure or certification  
8 in the State in which the individual works; or

9 (C) in the absence of such State licensure  
10 or certification, possess national certification by  
11 the National School Psychology Certification  
12 Board;

13 (11) the term “school social worker” means an  
14 individual who holds a master’s degree in social  
15 work and is licensed or certified by the State in  
16 which services are provided or holds a school social  
17 work specialist credential;

18 (12) the term “Secretary” means the Secretary  
19 of Education;

20 (13) the term “State educational agency” has  
21 the meaning given such term in section 1471(23) of  
22 the Elementary and Secondary Education Act of  
23 1965; and

24 (14) the term “supervisor” means an individual  
25 who has the equivalent number of years of profes-

1 sional experience in such individual's respective dis-  
2 cipline as is required of teaching experience for the  
3 supervisor or administrative credential in the State  
4 of such individual.

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