

114TH CONGRESS
1ST SESSION

H. R. 2375

To amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to make grants to States for assistance in hiring additional school-based mental health and student service providers.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2015

Ms. LEE (for herself, Mr. RANGEL, Mr. CÁRDENAS, Mr. LIPINSKI, Ms. CLARKE of New York, Mr. NEAL, Ms. NORTON, Mr. COHEN, Mr. O’ROURKE, Mr. MCGOVERN, Mr. ELLISON, Mr. TAKANO, Mr. HIGGINS, Mr. HASTINGS, and Mr. CARTWRIGHT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act of 1965 to direct the Secretary of Education to make grants to States for assistance in hiring additional school-based mental health and student service providers.

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 “Student Support Act”.

1 **SEC. 2. SCHOOL-BASED MENTAL HEALTH AND STUDENT**
2 **SERVICE PROVIDERS.**

3 (a) IN GENERAL.—Subpart 14 of title V of the Ele-
4 mentary and Secondary Education Act of 1965 (20 U.S.C.
5 7269 et seq.) is amended—

6 (1) by inserting after the subpart heading the
7 following:

8 **“CHAPTER A—SYSTEMS INTEGRATION;**
9 **PROMOTION OF SCHOOL READINESS”;**

10 and

11 (2) by adding at the end the following:

12 **“CHAPTER B—SCHOOL-BASED MENTAL**
13 **HEALTH AND STUDENT SERVICE PRO-**
14 **VIDERS**

15 **“SEC. 5545. FINDINGS.**

16 “The Congress finds the following:

17 “(1) The Surgeon General of the Public Health
18 Service has found that although 1 in 10 children
19 and adolescents suffer from mental illness severe
20 enough to cause some level of impairment, in any
21 given year fewer than 1 in 3 of these children re-
22 ceives needed treatment. The short- and long-term
23 consequences of untreated childhood mental dis-
24 orders are costly, in both human and fiscal terms.

25 “(2) School counselors, school psychologists,
26 other qualified psychologists, child and adolescent

1 psychiatrists, and school social workers are needed
2 to help these children and to provide a variety of
3 crucial support services.

4 “(3) Across the United States, there are insuffi-
5 cient resources for school-based counseling profes-
6 sionals, and often students do not get the help they
7 need. The current national average ratio of students
8 to school counselors in elementary and secondary
9 schools is 471 to 1.

10 “(4) United States schools need more mental
11 health professionals, and they need the flexibility to
12 hire the professionals that will best serve their stu-
13 dents.

14 “(5) According to the leading counseling, guid-
15 ance, and mental health organizations, including the
16 American School Counselor Association, the Na-
17 tional Association of Social Psychologists, the Na-
18 tional Association of Social Workers, and the School
19 Social Work Association of America, the maximum
20 recommended ratio of—

21 “(A) students to school counselors is 250
22 to 1;

23 “(B) students to school psychologists is
24 1,000 to 1; and

1 “(C) students to school social workers is
2 250 to 1.

3 “(6) In some States, 1 school counselor typi-
4 cally serves over 1,000 students. Ratios for school
5 psychologists and school social workers are also ex-
6 tremely high. In some schools, there are no school-
7 based mental health and student service providers
8 available to assist students in times of crisis, or at
9 any other time.

10 “(7) The number of students is expected to
11 grow significantly over the next few years. During
12 this time, many school-based mental health profes-
13 sionals who currently serve the Nation’s youth will
14 retire.

15 “(8) Model programs using school-based mental
16 health and student service providers have reduced
17 school suspensions, reduced referrals to the prin-
18 cipal’s office, reduced the use of weapons, force, and
19 threats, and increased students’ feelings of safety.

20 **“SEC. 5546. PURPOSES.**

21 “The purposes of this chapter are to assist States and
22 local educational agencies in hiring additional school-based
23 mental health providers, including additional school coun-
24 selors, school psychologists, other qualified psychologists,

1 child and adolescent psychiatrists, and school social work-
2 ers to achieve each of the following:

3 “(1) To reduce the ratios of school-based men-
4 tal health and student service providers to students
5 in elementary and secondary schools in the United
6 States to the following minimum ratios rec-
7 ommended by the leading counseling, guidance, and
8 mental health organizations, including the American
9 School Counselor Association, the National Associa-
10 tion of Social Psychologists, the National Associa-
11 tion of Social Workers, and the School Social Work
12 Association of America:

13 “(A) One school counselor for every 250
14 students.

15 “(B) One school psychologist for every
16 1,000 students.

17 “(C) One school social worker for every
18 250 students.

19 “(2) To provide school-based mental health and
20 student services.

21 “(3) To remove emotional, behavioral, and psy-
22 chosocial barriers to learning so as to enhance stu-
23 dents’ classroom preparedness and ability to learn.

24 “(4) To support school staff and teachers in
25 improving classroom management, conducting be-

1 havioral interventions to improve school discipline,
2 and developing the awareness and skills to identify
3 early warning signs of violence and the need for
4 mental health services.

5 “(5) To support parental involvement in im-
6 proving the school behavior and academic success of
7 their children.

8 **“SEC. 5547. DEFINITIONS.**

9 “‘In this chapter, the following definitions apply:

10 “(1) CHILD.—The term ‘child’ means an indi-
11 vidual who is not less than 5 years old and not more
12 than 17 years old.

13 “(2) CHILD AND ADOLESCENT PSYCHIA-
14 TRIST.—The term ‘child and adolescent psychiatrist’
15 has the meaning given such term in section 5421(e).

16 “(3) CHILD IN POVERTY.—The term ‘child in
17 poverty’ means a child from a family with an income
18 below the poverty line.

19 “(4) MENTAL HEALTH AND STUDENT SERVICE
20 PROVIDER.—The term ‘mental health and student
21 service provider’ means a qualified individual who
22 provides mental health and student services, includ-
23 ing any individual who is a qualified school coun-
24 selor, a qualified school psychologist or any other

1 qualified psychologist, a child or adolescent psychia-
2 trist, or a qualified school social worker.

3 “(5) MENTAL HEALTH AND STUDENT SERV-
4 ICES.—The term ‘mental health and student serv-
5 ices’ includes direct, individual, and group services
6 provided to students, parents, and school personnel
7 by mental health and student service providers, and
8 the coordination of prevention strategies in schools
9 or community-based programs.

10 “(6) OTHER QUALIFIED PSYCHOLOGIST.—The
11 term ‘other qualified psychologist’ has the meaning
12 given such term in section 5421(e).

13 “(7) POVERTY LINE.—The term ‘poverty line’
14 means the poverty line (as defined by the Office of
15 Management and Budget, and revised annually in
16 accordance with section 673(2) of the Community
17 Services Block Grant Act (42 U.S.C. 9902(2))) ap-
18 plicable to a family of the size involved.

19 “(8) SCHOOL COUNSELOR.—The term ‘school
20 counselor’ means an individual who has documented
21 competence in counseling children and adolescents in
22 a school setting and who—

23 “(A) possesses State licensure or certifi-
24 cation granted by an independent professional
25 regulatory authority;

1 “(B) possesses national certification in
2 school counseling or a specialty of counseling
3 granted by an independent professional organi-
4 zation; or

5 “(C) holds a minimum of a master’s de-
6 gree in school counseling from a program ac-
7 credited by the Council for Accreditation of
8 Counseling and Related Educational Programs
9 or the equivalent.

10 “(9) SCHOOL PSYCHOLOGIST.—The term
11 ‘school psychologist’ means an individual who—

12 “(A) possesses a minimum of 60 graduate
13 semester hours in school psychology from an in-
14 stitution of higher education and has completed
15 1,200 clock hours in a supervised school psy-
16 chology internship, of which 600 hours shall be
17 in a school setting;

18 “(B) possesses State licensure or certifi-
19 cation in school psychology in the State in
20 which the individual works; or

21 “(C) possesses national certification by the
22 National School Psychology Certification Board.

23 “(10) SCHOOL SOCIAL WORKER.—The term
24 ‘school social worker’ means an individual who—

1 activities that carry out the purposes of this chapter;
2 and

3 “(2) make available in the form of grants to
4 each eligible State an amount equal to the sum of—

5 “(A) an amount that bears the same rela-
6 tionship to 50 percent of such total amount as
7 the number of children in poverty who reside in
8 the State bears to the number of such children
9 in all States; and

10 “(B) an amount that bears the same rela-
11 tionship to 50 percent of such total amount as
12 the number of children enrolled in public and
13 private nonprofit elementary schools and sec-
14 ondary schools in the State bears to the number
15 of children enrolled in all such schools in all
16 States.

17 “(c) MINIMUM GRANT.—Notwithstanding subsection
18 (b), no grant under this section shall be for an amount
19 less than \$1,000,000.

20 “(d) REALLOCATION.—The Secretary shall reallocate
21 to States that have received approval under subsection
22 (e)(2) any funds allocated under subsection (b) to a State
23 that fails to submit an application that is approved by the
24 Secretary.

25 “(e) APPLICATION BY STATE.—

1 “(1) IN GENERAL.—To be eligible to receive a
2 grant under this chapter, a State shall submit an
3 application to the Secretary at such time, in such
4 manner, and containing such information as the Sec-
5 retary may require.

6 “(2) APPROVAL.—The Secretary may not ap-
7 prove an application under this subsection unless the
8 State submitting the application—

9 “(A) presents a plan, which the Secretary
10 considers to be reasonable, under which the
11 State will make grants, in accordance with the
12 purposes of this chapter, to local educational
13 agencies to fund the hiring of additional school
14 counselors, school psychologists, other qualified
15 psychologists, child and adolescent psychia-
16 trists, and school social workers; and

17 “(B) provides an assurance that the State
18 will provide the matching amount required
19 under subsection (g).

20 “(f) USE OF FUNDS BY STATE.—

21 “(1) IN GENERAL.—In accordance with this
22 subsection, the total of the amounts made available
23 to a State under this section and the amounts of the
24 non-Federal match required under subsection (g)
25 may only be used by a State to make grants to local

1 educational agencies to assist such agencies in hiring
2 additional school-based mental health and student
3 service providers.

4 “(2) ADMINISTRATIVE COSTS.—In each fiscal
5 year, a State may use not more than 5 percent of
6 the assistance made available to it under this chap-
7 ter for the administrative costs of the State in car-
8 rying out the State’s responsibilities under this
9 chapter.

10 “(3) ALLOCATION OF FUNDS.—In making
11 grants in accordance with this subsection, the State
12 shall allocate from the total described in paragraph
13 (1) to each local educational agency an amount
14 equal to the sum of—

15 “(A) an amount that bears the same rela-
16 tionship to 50 percent of such total as the num-
17 ber of children in poverty who reside in the
18 school district served by the local educational
19 agency bears to the number of such children
20 who reside in all the school districts in the
21 State; and

22 “(B) an amount that bears the same rela-
23 tionship to 50 percent of such total as the num-
24 ber of children enrolled in public and private
25 nonprofit elementary schools and secondary

1 schools in the school district served by the local
2 educational agency bears to the number of chil-
3 dren enrolled in all such schools in the State.

4 “(4) MINIMUM GRANT.—Notwithstanding para-
5 graph (3), no grant made by a State in accordance
6 with this subsection shall be for an amount less than
7 \$50,000.

8 “(5) SOURCE OF DATA.—For purposes of para-
9 graph (3), the State shall use data from the most
10 recent fiscal year for which satisfactory data are
11 available, except that the State may adjust such
12 data, or use alternative child poverty data, if the
13 State demonstrates to the Secretary’s satisfaction
14 that such adjusted or alternative data more accu-
15 rately reflect the relative incidence of children who
16 are living in poverty and who reside in the school
17 districts in the State.

18 “(6) APPLICATION BY LOCAL EDUCATIONAL
19 AGENCIES.—A State may require that, in order to
20 be eligible for a grant made by the State in accord-
21 ance with this subsection, a local educational agency
22 shall submit an application to the State at such
23 time, in such manner, and containing such informa-
24 tion as the State may require.

25 “(g) MATCHING FUNDS.—

1 “(1) IN GENERAL.—As a condition of receiving
2 a grant under this section, the Secretary shall re-
3 quire that a State provide from non-Federal sources
4 an amount equal to the amount of the grant.

5 “(2) LOCAL CONTRIBUTION.—In making grants
6 to local educational agencies in accordance with this
7 subsection, a State may require that a local edu-
8 cational agency match a portion of the amount of
9 the grant made to the agency.

10 “(3) FORM.—The non-Federal share required
11 by this subsection may be provided in cash or in
12 kind, fairly evaluated, and may include facilities,
13 equipment, or services.

14 “(h) FUNDS TO BE SUPPLEMENTARY.—Assistance
15 made available under this chapter shall be used to supple-
16 ment, and may not supplant, Federal, State, or local funds
17 used for employing school-based mental health and stu-
18 dent service providers.

19 “(i) DATA COLLECTION AND REPORT.—

20 “(1) IN GENERAL.—For each fiscal year for
21 which it receives assistance under this chapter, a
22 State shall collect data describing how the assistance
23 is used.

24 “(2) REPORT.—Not later than 1 year after as-
25 sistance is made available to a State under this

1 chapter, the State shall transmit to the Secretary a
2 report on the data described in paragraph (1), in-
3 cluding information with respect to each local edu-
4 cational agency to which the State made a grant
5 with assistance made available under this chapter—

6 “(A) the number of school counselors,
7 school psychologists, other qualified psycholo-
8 gists, child and adolescent psychiatrists, and
9 school social workers employed by local edu-
10 cational agency; and

11 “(B) the ratio of students to school coun-
12 selors, the ratio of students to school psycholo-
13 gists or other qualified psychologists, the ratio
14 of students to child and adolescent psychia-
15 trists, and the ratio of students to school social
16 workers.

17 “(3) SOURCE OF FUNDS.—A State may use a
18 portion of the assistance permitted to be used for
19 administrative costs to carry out its responsibilities
20 under this subsection.

21 “(4) PUBLICATION.—The Secretary shall make
22 data received under this subsection publicly available
23 on an annual basis.

1 **“SEC. 5549. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this chapter \$100,000,000 for each of fiscal years 2016
4 through 2024.”.

5 (b) CLERICAL AMENDMENTS.—The table of contents
6 for the Elementary and Secondary Education Act of 1965
7 (20 U.S.C. 6301 et seq.) is amended by amending the
8 items relating to subpart 14 of title V to read as follows:

“Subpart 14—Grants To Improve the Mental Health of Children

“CHAPTER A—SYSTEMS INTEGRATION; PROMOTION OF SCHOOL
READINESS

“Sec. 5541. Grants for the integration of schools and mental health systems.

“Sec. 5542. Promotion of school readiness through early childhood emotional
and social development.

“CHAPTER B—SCHOOL-BASED MENTAL HEALTH AND STUDENT
SERVICE PROVIDERS

“Sec. 5545. Findings.

“Sec. 5546. Purposes.

“Sec. 5547. Definitions.

“Sec. 5548. School-based mental health and student service provider grant pro-
gram.

“Sec. 5549. Authorization of appropriations.”.

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