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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

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

Ms. LEE of California introduced the following bill; which was referred to the Committee on _____

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.—Part A of title IV of the Elemen-
4 tary and Secondary Education Act of 1965 (20 U.S.C.
5 7101 et seq.) is amended by adding at the end the fol-
6 lowing:

7 “SUBPART 3—SCHOOL-BASED MENTAL HEALTH AND
8 STUDENT SERVICE PROVIDERS

9 “**SEC. 4131. FINDINGS.**

10 “Congress finds the following:

11 “(1) The Surgeon General of the Public Health
12 Service has found that 1 in 6 children (ages 2 to 8)
13 has a diagnosable mental disorder and 1 in 10 chil-
14 dren and adolescents suffer from mental illness se-
15 vere enough to cause some level of impairment.
16 However, 75 to 80 percent of children in need of
17 mental health services do not receive needed treat-
18 ment. The short- and long-term consequences of un-
19 treated childhood mental disorders are costly, in
20 both human and fiscal terms.

21 “(2) Thirty-seven percent of students with a
22 mental health condition age 14 and older drop out
23 of school—the highest dropout rate of any disability
24 group.

1 “(3) Fifty percent of all lifetimes cases of men-
2 tal illness begin by the age of 14 and 75 percent by
3 age 24.

4 “(4) In June 2010, the American Academy of
5 Pediatrics called for all pediatricians to screen chil-
6 dren and adolescents for mental illness and sub-
7 stance use.

8 “(5) Just over half (50.6 percent) of children
9 with a mental health condition aged 8–15 received
10 mental health services in the previous year.

11 “(6) African Americans and Hispanic Ameri-
12 cans each use mental health services at about one-
13 half the rate of Caucasian Americans and Asian
14 Americans at about one-third the rate.

15 “(7) School counselors, school social workers,
16 school psychologists, other qualified psychologists,
17 and child and adolescent psychiatrists are critically
18 needed to help these children and to provide a vari-
19 ety of crucial support services as 70–80 percent of
20 children and adolescents who receive mental health
21 services access these services in school settings.

22 “(8) Across the United States, there are insuffi-
23 cient resources for school-based counseling profes-
24 sionals, and often students do not get the help they
25 need. The 2017 national average ratio of students to

1 school counselors in elementary and secondary
2 schools was 482 to 1.

3 “(9) United States public schools need more
4 mental health professionals because participation in
5 the use of school-based mental health centers
6 (SBHC) was positively associated with increases in
7 grade point average (GPA) and attendance.

8 “(10) According to the leading counseling, guid-
9 ance, and mental health organizations, including the
10 American School Counselor Association, the Na-
11 tional Association of Social Psychologists, the Na-
12 tional Association of Social Workers, and the School
13 Social Work Association of America, the maximum
14 recommended ratio of—

15 “(A) students to school counselors is 250
16 to 1;

17 “(B) students to school psychologists is
18 500 to 1; and

19 “(C) students to school social workers is
20 250 to 1.

21 “(11) A recent study revealed a national aver-
22 age ratio of 1,653 students per school psychologist,
23 despite the 1:500–700 recommendation from the
24 National Association of Social Psychologists. This
25 deficit is further compounded by studies predicting

1 a 2–4 percent shortage of school psychologists over
2 the next 10 years due to retirement. In some
3 schools, there are no school-based mental health and
4 student service providers available to assist students
5 in times of crisis, or at any other time.

6 “(12) Counselor-to-student ratios in 35 States
7 exceed 1:400 despite recommendations from the
8 American School Counselor Association for a 1:250
9 ratio. Only three States—Vermont, Wyoming & New
10 Hampshire—meet the recommended ratio. This
11 shortage occurs during a time when the National
12 Center on Education Statistics forecasts that the
13 Nation’s number of public school students (Pre-K to
14 12th) will grow by 7 percent between 2011 and
15 2022, particularly in States that already spend the
16 least money per student.

17 “(13) Model programs using school-based men-
18 tal health and student service providers have positive
19 effects on emotional, behavioral and academic out-
20 comes, such as reductions in aggressive and disrup-
21 tive behavior, referrals to the principal’s office, the
22 use of weapons, force, or threats, and increased stu-
23 dents’ feelings of safety. Studies also find that men-
24 tal health programs can have a range of positive out-
25 comes across all grade levels, including gains in

1 achievement test scores, grade point averages, course
2 credit completion, as well as decreases in absences
3 and substance use.

4 **“SEC. 4132. PURPOSES.**

5 “The purposes of this subpart are to assist States
6 and local educational agencies in hiring additional school-
7 based mental health providers, including additional school
8 counselors, school psychologists, other qualified psycholo-
9 gists, child and adolescent psychiatrists, and school social
10 workers to achieve each of the following:

11 “(1) To reduce the ratios of school-based men-
12 tal health and student service providers to students
13 in elementary and secondary schools in the United
14 States to the following minimum ratios rec-
15 ommended by the leading counseling, guidance, and
16 mental health organizations, including the American
17 School Counselor Association, the National Associa-
18 tion of Social Psychologists, the National Associa-
19 tion of Social Workers, and the School Social Work
20 Association of America:

21 “(A) One school counselor for every 250
22 students.

23 “(B) One school psychologist for every 500
24 to 700 students.

1 “(C) One school social worker for every
2 250 students.

3 “(2) To provide evidence-based school mental
4 health and student services through a whole school
5 and interdisciplinary approach.

6 “(3) To remove emotional, behavioral, and psy-
7 chosocial barriers to learning so as to enhance stu-
8 dents’ classroom preparedness, overall school per-
9 formance, decrease rates of absenteeism, and ability
10 to problem solve and set goals.

11 “(4) To support school staff and teachers in
12 improving classroom management, conducting be-
13 havioral interventions to improve school discipline,
14 and developing the awareness and skills to identify
15 the need for mental health services.

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

19 “(6) To improve the overall mental, behavioral,
20 social, and psychology assessment and trajectory of
21 each student who seeks mental health services.

22 “(7) To ensure each student feels comfortable
23 and has all the resources they need to continue short
24 and/or long-term mental health treatment.

1 **“SEC. 4133. DEFINITIONS.**

2 “In this subpart, the following definitions apply:

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

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

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

12 “(4) MENTAL HEALTH AND STUDENT SERVICE
13 PROVIDER.—The term ‘mental health and student
14 service provider’ means a qualified individual who
15 provides mental health and student services, includ-
16 ing any individual who is a qualified school coun-
17 selor, a qualified school psychologist or any other
18 qualified psychologist, a child or adolescent psychia-
19 trist, or a qualified school social worker.

20 “(5) MENTAL HEALTH AND STUDENT SERV-
21 ICES.—The term ‘mental health and student serv-
22 ices’ includes direct, individual, and group services
23 provided to students, parents, and school personnel
24 by mental health and student service providers, and
25 the coordination of prevention strategies in schools
26 or community-based programs.

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

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

10 “(8) SCHOOL COUNSELOR.—The term ‘school
11 counselor’ means an individual who has documented
12 competence in counseling children and adolescents in
13 a school setting and who—

14 “(A) possesses State licensure or certifi-
15 cation granted by an independent professional
16 regulatory authority;

17 “(B) possesses national certification in
18 school counseling or a specialty of counseling
19 granted by an independent professional organi-
20 zation; or

21 “(C) holds a minimum of a master’s de-
22 gree in school counseling from a program ac-
23 credited by the Council for Accreditation of
24 Counseling and Related Educational Programs
25 or the equivalent.

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

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

9 “(B) possesses State licensure or certifi-
10 cation in school psychology in the State in
11 which the individual works; or

12 “(C) possesses national certification by the
13 National School Psychology Certification Board.

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

16 “(A) holds a master’s degree in social work
17 from a program accredited by the Council on
18 Social Work Education;

19 “(B) is licensed or certified by the State in
20 which services are provided; or

21 “(C) possesses a national credential or na-
22 tional certification as a school social work spe-
23 cialist granted by an independent professional
24 organization.

1 “(11) STATE.—The term ‘State’ means each of
2 the several States, the District of Columbia, and the
3 Commonwealth of Puerto Rico.

4 **“SEC. 4134. SCHOOL-BASED MENTAL HEALTH AND STU-**
5 **DENT SERVICE PROVIDER GRANT PROGRAM.**

6 “(a) IN GENERAL.—In accordance with this subpart,
7 the Secretary shall make grants to eligible States to assist
8 local educational agencies in those States in hiring addi-
9 tional school-based mental health and student service pro-
10 viders.

11 “(b) ALLOCATION OF FUNDS.—From the total
12 amount appropriated for a fiscal year to carry out this
13 subpart, the Secretary shall—

14 “(1) make available 1 percent of such amount
15 to the Secretary of the Interior (on behalf of the Bu-
16 reau of Indian Affairs) and the outlying areas for
17 activities that carry out the purposes of this subpart;
18 and

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

21 “(A) an amount that bears the same rela-
22 tionship to 50 percent of such total amount as
23 the number of children in poverty who reside in
24 the State bears to the number of such children
25 in all States; and

1 “(B) an amount that bears the same rela-
2 tionship to 50 percent of such total amount as
3 the number of children enrolled in public and
4 private nonprofit elementary schools and sec-
5 ondary schools in the State bears to the number
6 of children enrolled in all such schools in all
7 States.

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

11 “(d) REALLOCATION.—The Secretary shall reallocate
12 to States that have received approval under subsection
13 (e)(2) any funds allocated under subsection (b) to a State
14 that fails to submit an application that is approved by the
15 Secretary.

16 “(e) APPLICATION BY STATE.—

17 “(1) IN GENERAL.—To be eligible to receive a
18 grant under this subpart, a State shall submit an
19 application to the Secretary at such time, in such
20 manner, and containing such information as the Sec-
21 retary may require.

22 “(2) APPROVAL.—The Secretary may not ap-
23 prove an application under this subsection unless the
24 State submitting the application—

1 “(A) presents a plan, which the Secretary
2 considers to be reasonable, under which the
3 State will make grants, in accordance with the
4 purposes of this subpart, to local educational
5 agencies to fund the hiring of additional school
6 counselors, school psychologists, other qualified
7 psychologists, child and adolescent psychia-
8 trists, and school social workers; and

9 “(B) provides an assurance that the State
10 will provide the matching amount required
11 under subsection (g).

12 “(f) USE OF FUNDS BY STATE.—

13 “(1) IN GENERAL.—In accordance with this
14 subsection, the total of the amounts made available
15 to a State under this section and the amounts of the
16 non-Federal match required under subsection (g)
17 may only be used by a State to make grants to local
18 educational agencies to assist such agencies in hiring
19 additional school-based mental health and student
20 service providers.

21 “(2) ADMINISTRATIVE COSTS.—In each fiscal
22 year, a State may use not more than 5 percent of
23 the assistance made available to it under this sub-
24 part for the administrative costs of the State in car-

1 rying out the State’s responsibilities under this sub-
2 part.

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

8 “(A) an amount that bears the same rela-
9 tionship to 50 percent of such total as the num-
10 ber of children in poverty who reside in the
11 school district served by the local educational
12 agency bears to the number of such children
13 who reside in all the school districts in the
14 State; and

15 “(B) an amount that bears the same rela-
16 tionship to 50 percent of such total as the num-
17 ber of children enrolled in public and private
18 nonprofit elementary schools and secondary
19 schools in the school district served by the local
20 educational agency bears to the number of chil-
21 dren enrolled in all such schools in the State.

22 “(4) MINIMUM GRANT.—Notwithstanding para-
23 graph (3), no grant made by a State in accordance
24 with this subsection shall be for an amount less than
25 \$50,000.

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

11 “(6) APPLICATION BY LOCAL EDUCATIONAL
12 AGENCIES.—A State may require that, in order to
13 be eligible for a grant made by the State in accord-
14 ance with this subsection, a local educational agency
15 shall submit an application to the State at such
16 time, in such manner, and containing such informa-
17 tion as the State may require.

18 “(g) MATCHING FUNDS.—

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

23 “(2) LOCAL CONTRIBUTION.—In making grants
24 to local educational agencies in accordance with this
25 subsection, a State may require that a local edu-

1 cational agency match a portion of the amount of
2 the grant made to the agency.

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

7 “(h) FUNDS TO BE SUPPLEMENTARY.—Assistance
8 made available under this subpart shall be used to supple-
9 ment, and may not supplant, Federal, State, or local funds
10 used for employing school-based mental health and stu-
11 dent service providers.

12 “(i) DATA COLLECTION AND REPORT.—

13 “(1) IN GENERAL.—For each fiscal year for
14 which it receives assistance under this subpart, a
15 State shall collect data describing how the assistance
16 is used.

17 “(2) REPORT.—Not later than 1 year after as-
18 sistance is made available to a State under this sub-
19 part, the State shall transmit to the Secretary a re-
20 port on the data described in paragraph (1), includ-
21 ing information with respect to each local edu-
22 cational agency to which the State made a grant
23 with assistance made available under this subpart—

24 “(A) the number of school counselors,
25 school psychologists, other qualified psycholo-

1 gists, child and adolescent psychiatrists, and
2 school social workers employed by local edu-
3 cational agency; and

4 “(B) the ratio of students to school coun-
5 selors, the ratio of students to school psycholo-
6 gists or other qualified psychologists, the ratio
7 of students to child and adolescent psychia-
8 trists, and the ratio of students to school social
9 workers.

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

14 “(4) PUBLICATION.—The Secretary shall make
15 data received under this subsection publicly available
16 on an annual basis.

17 **“SEC. 4135. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated to carry out
19 this subpart \$100,000,000 for each of fiscal years 2024
20 through 2028.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 for the Elementary and Secondary Education Act of 1965
23 (20 U.S.C. 6301 et seq.) is amended by inserting after
24 the item relating to section 4121 the following:

“SUBPART 3—SCHOOL-BASED MENTAL HEALTH AND STUDENT SERVICE
PROVIDERS

“Sec. 4131. Findings.

“Sec. 4132. Purposes.

“Sec. 4133. Definitions.

“Sec. 4134. School-based mental health and student service provider grant program.

“Sec. 4135. Authorization of appropriations.”.