

117TH CONGRESS  
1ST SESSION

# S. 1811

To increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

---

IN THE SENATE OF THE UNITED STATES

MAY 25, 2021

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

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 “Increasing Access to  
5       Mental Health in Schools Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) **BEST PRACTICES.**—The term “best prac-  
9       tices” means a technique or methodology that,  
10      through experience and research related to profes-

sional practice in a school-based mental health field,  
has proven to reliably lead to a desired result.

(2) ELIGIBLE GRADUATE INSTITUTION.—The  
term “eligible graduate institution” means an institution of higher education that offers a program of study that leads to a masters or other graduate degree—

(A) in school psychology that is accredited or approved by the National Association of School Psychologists’ Program Approval Board (or its successor) or the Commission on Accreditation of the American Psychological Association and that prepares students in such program for the State licensing or certification examination in school psychology;

(B) in school counseling that prepares students in such program for the State licensing or certification examination in school counseling;

(C) in school social work that is accredited by the Council on Social Work Education and that prepares students in such program for the State licensing or certification examination in school social work;

(D) in another school-based mental health field that prepares students in such program

1           for the State licensing or certification examina-  
 2           tion in such field, if applicable; or

3           (E) in any combination of study described  
 4           in subparagraphs (A) through (D).

5           (3) ELIGIBLE PARTNERSHIP.—The term “eligi-  
 6           ble partnership” means—

7           (A) a partnership between 1 or more low-  
 8           income local educational agencies and 1 or more  
 9           eligible graduate institutions; or

10          (B) in any region in which local edu-  
 11          cational agencies may not have a sufficient ele-  
 12          mentary school and secondary school student  
 13          population to support the placement of all par-  
 14          ticipating graduate students, a partnership be-  
 15          tween a State educational agency, on behalf of  
 16          1 or more low-income local educational agen-  
 17          cies, and 1 or more eligible graduate institu-  
 18          tions.

19          (4) INSTITUTION OF HIGHER EDUCATION.—The  
 20          term “institution of higher education” has the  
 21          meaning given such term in section 102 of the High-  
 22          er Education Act of 1965 (20 U.S.C. 1002), but ex-  
 23          cludes any institution of higher education described  
 24          in section 102(a)(1)(C) of such Act.

1           (5) LOCAL EDUCATIONAL AGENCY.—The term  
 2           “local educational agency” has the meaning given  
 3           the term in section 8101 of the Elementary and Sec-  
 4           ondary Education Act of 1965 (20 U.S.C. 7801).

5           (6) LOW-INCOME LOCAL EDUCATIONAL AGEN-  
 6           CY.—The term “low-income local educational agen-  
 7           cy” means a local educational agency—

8                   (A) for which not less than 20 percent of  
 9                   the students served by such agency are from  
 10                  families with incomes below the poverty line as  
 11                  determined by the Bureau of the Census on the  
 12                  basis of the most recent satisfactory data avail-  
 13                  able; and

14                  (B) that, as of the date of application for  
 15                  a grant under this Act, has ratios of school  
 16                  counselors, school social workers, and school  
 17                  psychologists to students served by the agency  
 18                  that are not more than 1 school counselor per  
 19                  275 students, not more than 1 school psycholo-  
 20                  gist per 770 students, and not more than 1  
 21                  school social worker per 250 students.

22           (7) PARTICIPATING ELIGIBLE GRADUATE INSTI-  
 23           TUTION.—The term “participating eligible graduate  
 24           institution” means an eligible graduate institution

that is part of an eligible partnership awarded a grant under section 3.

(8) PARTICIPATING GRADUATE.—The term “participating graduate” means an individual who—

(A) has received a masters or other graduate degree in a school-based mental health field from a participating eligible graduate institution and has obtained a State license or credential in the school-based mental health field; and

(B) as a graduate student of a school-based mental health field, was placed in a school served by a participating low-income local educational agency to complete required field work, credit hours, internships, or related training as applicable.

(9) PARTICIPATING LOW-INCOME LOCAL EDUCATIONAL AGENCY.—The term “participating low-income local educational agency” means a low-income local educational agency that is part of an eligible partnership awarded a grant under section 3.

(10) SCHOOL-BASED MENTAL HEALTH FIELD.—The term “school-based mental health field” means each of the following fields:

(A) School counseling.

1 (B) School social work.

2 (C) School psychology.

3 (D) Any other field of study that leads to  
4 employment as a school-based mental health  
5 services provider.

6 (11) SCHOOL-BASED MENTAL HEALTH SERV-  
7 ICES PROVIDER.—The term “school-based mental  
8 health services provider” has the meaning given the  
9 term in section 4102 of the Elementary and Sec-  
10 ondary Education Act of 1965 (20 U.S.C. 7112).

11 (12) SECRETARY.—The term “Secretary”  
12 means the Secretary of Education.

13 (13) STATE EDUCATIONAL AGENCY.—The term  
14 “State educational agency” has the meaning given  
15 the term in section 8101 of the Elementary and Sec-  
16 ondary Education Act of 1965 (20 U.S.C. 7801).

17 (14) STUDENT SUPPORT PERSONNEL TARGET  
18 RATIOS.—The term “student support personnel tar-  
19 get ratios” means the ratios of school-based mental  
20 health services providers to students recommended  
21 to enable such personnel to effectively address the  
22 needs of students, including—

23 (A) at least 1 school counselor for every  
24 250 students (as recommended by the American

1 School Counselor Association and American  
2 Counseling Association);

3 (B) at least 1 school psychologist for every  
4 500–700 students (as recommended by the Na-  
5 tional Association of School Psychologists); and

6 (C) at least 1 school social worker for  
7 every 250 students (as recommended by the  
8 School Social Work Association of America).

9 (15) UNACCOMPANIED YOUTH.—The term “un-  
10 accompanied youth” has the meaning given such  
11 term in section 725 of the McKinney-Vento Home-  
12 less Assistance Act (42 U.S.C. 11434a).

13 **SEC. 3. GRANT PROGRAM TO INCREASE THE NUMBER OF**  
14 **SCHOOL-BASED MENTAL HEALTH SERVICES**  
15 **PROVIDERS EMPLOYED BY LOW-INCOME**  
16 **LOCAL EDUCATIONAL AGENCIES.**

17 (a) GRANT PROGRAM AUTHORIZED.—From amounts  
18 made available to carry out this section, the Secretary  
19 shall award grants, on a competitive basis and after input  
20 from the peer review panel under subsection (d), to eligible  
21 partnerships, to enable the eligible partnerships to carry  
22 out pipeline programs to increase the number of school-  
23 based mental health services providers employed by low-  
24 income local educational agencies by carrying out any of  
25 the activities described by subsection (f).

1 (b) GRANT PERIOD.—A grant awarded under this  
 2 section shall be for a 5-year period and may be renewed  
 3 for additional 5-year periods upon a showing of adequate  
 4 progress, as determined by the Secretary.

5 (c) APPLICATION.—To be eligible to receive a grant  
 6 under this section, an eligible graduate institution, on be-  
 7 half of an eligible partnership, shall submit to the Sec-  
 8 retary a grant application. The application shall contain  
 9 such information as the Secretary may require, includ-  
 10 ing—

11 (1) an assessment of the existing (as of the  
 12 date of application) ratios of school-based mental  
 13 health services providers (in the aggregate and  
 14 disaggregated by profession) to students enrolled in  
 15 schools in each low-income local educational agency  
 16 that is part of the eligible partnership; and

17 (2) a detailed description of—

18 (A) a plan to carry out a pipeline program  
 19 to train, place, and retain school-based mental  
 20 health services providers in low-income local  
 21 educational agencies; and

22 (B) the proposed allocation and use of  
 23 grant funds to carry out activities described in  
 24 subsection (f).

25 (d) PEER REVIEW PANEL.—



1           (1) ESTABLISHMENT OF PANEL.—The Sec-  
2       retary shall establish a peer review panel to evaluate  
3       applications submitted under subsection (c) and  
4       make recommendations to the Secretary regarding  
5       such applications.

6           (2) EVALUATION OF APPLICATIONS.—In mak-  
7       ing its recommendations, the peer review panel shall  
8       take into account the purpose of this Act and the  
9       application requirements under subsection (c), in-  
10      cluding the quality of the proposed pipeline program  
11      described in subsection (c)(2)(A).

12          (3) CONSIDERATION OF PANEL’S RECOMMENDA-  
13      TION.—

14           (A) IN GENERAL.—The Secretary may  
15       award grants under this section to eligible part-  
16       nerships only after taking into consideration the  
17       recommendations of the peer review panel pro-  
18       vided under this subsection.

19           (B) EXPLANATION.—In any case where  
20       the Secretary decides to not follow the rec-  
21       ommendations of the peer review panel, the  
22       Secretary shall provide a written explanation of  
23       the decision to the panel and to the Committee  
24       on Health, Education, Labor, and Pensions of

1 the Senate and the Committee on Education  
2 and Labor of the House of Representatives.

3 (4) MEMBERSHIP OF PANEL.—

4 (A) IN GENERAL.—The peer review panel  
5 shall include at a minimum the following mem-  
6 bers:

7 (i) One clinical, tenured, or tenure  
8 track faculty member at an institution of  
9 higher education with a current appoint-  
10 ment, as of the time of service on the  
11 panel, to teach courses in the subject area  
12 of school counselor education.

13 (ii) One clinical, tenured, or tenure  
14 track faculty member at an institution of  
15 higher education with a current appoint-  
16 ment, as of the time of service on the  
17 panel, to teach courses in the subject area  
18 of school social worker education.

19 (iii) One clinical, tenured, or tenure  
20 track faculty member at an institution of  
21 higher education with a current appoint-  
22 ment, as of the time of service on the  
23 panel, to teach courses in the subject area  
24 of school psychology education.

1 (iv) One clinical, tenured, or tenure  
 2 track faculty member at an institution of  
 3 higher education with a current appoint-  
 4 ment to teach courses in the subject area  
 5 of teacher education.

6 (v) One individual with expertise in  
 7 school counseling who works or has worked  
 8 in public schools.

9 (vi) One individual with expertise in  
 10 school social work who works or has  
 11 worked in public schools.

12 (vii) One individual with expertise in  
 13 school psychology who works or has  
 14 worked in public schools.

15 (viii) One administrator who works or  
 16 has worked for a low-income local edu-  
 17 cational agency.

18 (ix) One qualified and effective teach-  
 19 er who has substantial experience working  
 20 for a low-income local educational agency.

21 (x) One community mental health pro-  
 22 vider.

23 (B) CLINICAL FACULTY MEMBER.—At  
 24 least 1 of the members described in subpara-  
 25 graph (A) shall be a clinical faculty member.

1       (e) AWARD BASIS.—In awarding grants under this  
2 section, the Secretary shall—

3           (1) award the first 5 grants to eligible partner-  
4 ships from 5 different States; and

5           (2) give priority to eligible partnerships that—

6               (A) propose to use the grant funds to  
7 carry out the activities described in paragraphs  
8 (1) through (3) of subsection (f) in schools that  
9 have higher numbers or percentages of low-in-  
10 come students and students not achieving a  
11 proficient level of academic achievement, as de-  
12 termined by the State, on the annual assess-  
13 ments required under section 1111(b) of the El-  
14 elementary and Secondary Education Act of 1965  
15 (20 U.S.C. 6311(b))) in comparison to other  
16 schools that are served by the low-income local  
17 educational agency that is part of the eligible  
18 partnership;

19               (B) include 1 or more low-income local  
20 educational agencies that have fewer school-  
21 based mental health services providers, in the  
22 aggregate or for a particular school-based men-  
23 tal health field, per student than other eligible  
24 partnerships;

1 (C) include 1 or more eligible graduate in-  
2 stitutions that offer the greatest number of  
3 graduate programs in the greatest number of  
4 different school-based mental health fields; and

5 (D) propose to collaborate with other insti-  
6 tutions of higher education with similar pro-  
7 grams, including sharing facilities, faculty mem-  
8 bers, and administrative costs.

9 (f) USE OF GRANT FUNDS.—Grant funds awarded  
10 under this section may be used—

11 (1) to pay the administrative costs (including  
12 supplies, office and classroom space, supervision,  
13 mentoring, and transportation stipends as necessary  
14 and appropriate) related to—

15 (A) having graduate students of programs  
16 in school-based mental health fields placed in  
17 schools served by participating low-income local  
18 educational agencies to complete required field  
19 work, credit hours, internships, or related train-  
20 ing as applicable for the degree, license, or cre-  
21 dential program of each such student; and

22 (B) offering required graduate coursework  
23 for students of a graduate program in a school-  
24 based mental health services field on the site of

1           a participating low-income local educational  
2           agency;

3           (2) for not more than the first 3 years after a  
4           participating graduate receives a masters or other  
5           graduate degree from a program in a school-based  
6           mental health field, or obtains a State license or cre-  
7           dential in a school-based mental health field, to hire  
8           and pay all or part of the salary of the participating  
9           graduates working as a school-based mental health  
10          services provider in a school served by a partici-  
11          pating low-income local educational agency;

12          (3) to increase the number of school-based men-  
13          tal health services providers per student in schools  
14          served by participating low-income local educational  
15          agencies, in order to work toward the student sup-  
16          port personnel target ratios;

17          (4) to recruit, hire, and retain culturally or lin-  
18          guistically under-represented graduate students of  
19          programs in school-based mental health fields for  
20          placement in schools served by participating low-in-  
21          come educational agencies;

22          (5) to recruit, hire, and pay faculty as nec-  
23          essary to increase the capacity of a participating eli-  
24          gible graduate institution to train graduate students  
25          in school-based mental health fields;

1 (6) to develop coursework that will—

2 (A) encourage a commitment by graduate  
3 students in school-based mental health fields to  
4 work for low-income local educational agencies;

5 (B) give participating graduates the knowl-  
6 edge and skill sets necessary to meet the needs  
7 of—

8 (i) students and families served by  
9 low-income local educational agencies; and

10 (ii) teachers, administrators, and  
11 other staff who work for low-income local  
12 educational agencies;

13 (C) enable participating graduates to meet  
14 the unique needs of students at risk of negative  
15 educational outcomes, including students who—

16 (i) are English language learners;

17 (ii) have a parent or caregiver who is  
18 a migrant worker;

19 (iii) have a parent or caregiver who is  
20 a member of the armed forces, including  
21 the National Guard, who has been de-  
22 ployed or returned from deployment;

23 (iv) are homeless, including unaccom-  
24 panied youth;

1 (v) have come into contact with the  
2 juvenile justice system or adult criminal  
3 justice system, including students currently  
4 or previously held in juvenile detention fa-  
5 cilities or adult jails and students currently  
6 or previously held in juvenile correctional  
7 facilities or adult prisons;

8 (vi) have been identified as eligible for  
9 services under the Individuals with Disabil-  
10 ities Education Act (20 U.S.C. 1400 et  
11 seq.) or the Rehabilitation Act of 1973 (29  
12 U.S.C. 701 et seq.);

13 (vii) have been a victim to or wit-  
14 nessed domestic violence or violence in  
15 their community;

16 (viii) have been exposed to substance  
17 misuse at home or in the community; or

18 (ix) are foster care youth, youth aging  
19 out of foster care, or former foster youth;  
20 and

21 (D) utilize best practices determined by the  
22 American School Counselor Association, Na-  
23 tional Association of Social Workers, School So-  
24 cial Work Association of America, and National



1 Association of School Psychologists and other  
2 relevant organizations;

3 (7) to provide tuition credits to graduate stu-  
4 dents participating in the pipeline program;

5 (8) for student loan forgiveness for partici-  
6 pating graduates who are employed as school-based  
7 mental health services providers by participating  
8 low-income local educational agencies for a minimum  
9 of 5 consecutive years; and

10 (9) for similar activities to fulfill the purpose of  
11 this Act, as the Secretary determines appropriate.

12 (g) SUPPLEMENT NOT SUPPLANT.—Funds made  
13 available under this section shall be used to supplement,  
14 not supplant, other Federal, State, or local funds available  
15 for the activities described in subsection (f).

16 (h) REPORTING REQUIREMENTS.—

17 (1) IN GENERAL.—Each eligible partnership  
18 that receives a grant under this section shall prepare  
19 and submit to the Secretary an annual report on the  
20 progress of the eligible partnership in carrying out  
21 the grant. Such report shall include a description  
22 of—

23 (A) actual service delivery provided  
24 through the grant funds, including—

(i) characteristics of the participating eligible graduate institution, including descriptive information on the educational model used and the actual academic program performance;

(ii) characteristics of graduate students participating in the pipeline program supported under the grant, including—

(I) performance on any examinations required by the State for credentialing or licensing;

(II) demographic characteristics;

and

(III) graduate student retention rates;

(iii) characteristics of students of the participating low-income local educational agency, including performance on any tests required by the State educational agency, demographic characteristics, and promotion, persistence, and graduation rates, as appropriate;

(iv) an estimate of the annual implementation costs of the pipeline program; and

1 (v) the numbers of students, schools,  
2 and graduate students participating in the  
3 pipeline program;

4 (B) outcomes that are consistent with the  
5 purpose of the grant program under this Act,  
6 including—

7 (i) internship and post-graduation  
8 placement of the participating graduate  
9 students;

10 (ii) graduation and professional career  
11 readiness indicators; and

12 (iii) characteristics of the partici-  
13 pating low-income local educational agency,  
14 including changes in the hiring and reten-  
15 tion of qualified and effective teachers and  
16 school-based mental health services pro-  
17 viders;

18 (C) the instruction, materials, and activi-  
19 ties being funded under the grant; and

20 (D) the effectiveness of any training and  
21 ongoing professional development provided—

22 (i) to students and faculty in the ap-  
23 propriate departments or schools of the  
24 participating eligible graduate institution;

1 (ii) to the faculty, administration, and  
 2 staff of the participating low-income local  
 3 educational agency; and

4 (iii) to the broader community of pro-  
 5 viders of social, emotional, behavioral, and  
 6 related support to students and to those  
 7 individuals who train such providers.

8 (2) PUBLICATION.—The Secretary shall publish  
 9 the annual reports submitted under paragraph (1)  
 10 on the website of the Department of Education.

11 (i) EVALUATIONS.—

12 (1) INTERIM EVALUATIONS.—The Secretary  
 13 may conduct interim evaluations to determine  
 14 whether each eligible partnership receiving a grant  
 15 under this section is making adequate progress as  
 16 the Secretary considers appropriate. The contents of  
 17 the annual report submitted to the Secretary under  
 18 subsection (h) may be used by the Secretary to de-  
 19 termine whether an eligible partnership receiving a  
 20 grant is demonstrating adequate progress.

21 (2) FINAL EVALUATION.—The Secretary shall  
 22 conduct a final evaluation to—

23 (A) determine the effectiveness of the  
 24 grant program in carrying out the purpose of  
 25 this Act; and

1 (B) compare the relative effectiveness of  
2 each of the various activities described in sub-  
3 section (f) for which grant funds may be used.

4 (j) REPORT.—Not earlier than 5 years nor later than  
5 6 years after the date of enactment of this Act, the Sec-  
6 retary shall submit to Congress a report containing—

7 (1) the findings of the evaluation conducted  
8 under subsection (i)(2); and

9 (2) such recommendations as the Secretary con-  
10 siders appropriate.

11 (k) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—There is authorized to be  
13 appropriated to the Secretary to carry out the pro-  
14 gram under this section, \$200,000,000 for fiscal  
15 year 2022 and for each succeeding fiscal year.

16 (2) RESERVATION FOR EVALUATION.—From  
17 the total amount appropriated to carry out this sec-  
18 tion each fiscal year, the Secretary shall reserve not  
19 more than 3 percent for evaluations under sub-  
20 section (i).

1 **SEC. 4. STUDENT LOAN FORGIVENESS FOR INDIVIDUALS**  
2 **WHO ARE EMPLOYED FOR 5 OR MORE CON-**  
3 **SECUTIVE SCHOOL YEARS AS SCHOOL-BASED**  
4 **MENTAL HEALTH SERVICES PROVIDERS.**

5 (a) ESTABLISHMENT OF PROGRAM.—The Secretary  
6 shall establish a program to provide student loan forgive-  
7 ness for loans issued under parts B, D, and E of title  
8 IV of the Higher Education Act of 1965 (20 U.S.C. 1071  
9 et seq., 1087a et seq., and 1087aa et seq.) to individuals  
10 who—

11 (1) are not, and have never been, participants  
12 in the grant program established under section 3;  
13 and

14 (2) have been employed for 5 or more consecu-  
15 tive school years as school-based mental health serv-  
16 ices providers by low-income local educational agen-  
17 cies.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to the Secretary such  
20 sums as may be necessary to carry out the program under  
21 this section.

22 **SEC. 5. FUTURE DESIGNATION STUDY.**

23 (a) IN GENERAL.—The Secretary shall conduct a  
24 study to identify a formula for future designation of re-  
25 gions with a shortage of school-based mental health serv-  
26 ices providers to use in implementing grant programs and

1 other programs such as the programs established under  
2 this Act or for other purposes related to any such designa-  
3 tion.

4 (b) BASIS OF FORMULA.—The formula described in  
5 subsection (a) shall be based on the latest available data  
6 regarding an area served by a low-income local educational  
7 agency on—

8 (1) the number of residents under the age of 18  
9 in such area;

10 (2) the percentage of the population of such  
11 area with incomes below the poverty line;

12 (3) the percentage of residents age 18 or older  
13 in such area who have earned secondary school di-  
14 plomas;

15 (4) the percentage of students in such area who  
16 are identified as eligible for special education serv-  
17 ices;

18 (5) the youth crime rate in such area;

19 (6) the current number of full-time-equivalent  
20 and active school-based mental health services pro-  
21 viders employed by the low-income local educational  
22 agency in such area, in the aggregate and  
23 disaggregated by profession;

24 (7) the number of students in such area in mili-  
25 tary families with parents in the armed forces (in-

1 including the National Guard and Reserves) who have  
2 been alerted for deployment, are currently deployed,  
3 or have returned from a deployment in the previous  
4 school year; and

5 (8) such other criteria as the Secretary con-  
6 siderers appropriate.

7 (c) REPORT.—Not later than 2 years after the date  
8 of enactment of this Act, the Secretary shall submit to  
9 Congress a report containing the findings of the study  
10 conducted under subsection (a).

○