

106TH CONGRESS
1ST SESSION

S. 1465

To provide for safe schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 1999

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

A BILL

To provide for safe schools, and for other purposes.

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 “Safe Schools Act of
5 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Elementary and secondary school children
9 are being subjected to unprecedented social stresses,
10 including fragmentation of the family, drug and al-
11 cohol abuse, child abuse, poverty, and violence. An
12 increasing number of elementary school children are

1 exhibiting symptoms of distress, such as substance
2 abuse, emotional disorders, academic underachievement,
3 disruptive behavior, juvenile delinquency, and
4 suicide. Experts agree that intervention at an early
5 age is the most beneficial.

6 (2) The national average student-to-counselor
7 ratio in secondary schools is 513 to 1, which is more
8 than double the 250 to 1 student-to-counselor ratio
9 recommended by the American School Health Association.
10 The situation is even more acute in elementary
11 schools where the ratio of students-to-counselor
12 exceeds 1,000 to 1.

13 (3) Youth violence is a serious problem in our
14 Nation's communities.

15 (4) Youth crime peaks between 3 p.m. and 7
16 p.m., however, millions of children and youth are
17 home alone after school every day. Many communities
18 lack adequate after-school activities.

19 (5) After-school and summer school programs
20 have proven effective in addressing academic and social
21 problems among youth.

22 (6) Community organizations have been successful
23 in providing one-on-one academic and mentoring
24 programs for children, indicating that it is
25 beneficial for schools to partner with existing organi-

1 zations and programs, such as Parents as Teachers,
2 RSVP, Foster Grandparents, 4-H Clubs, Save the
3 Children, and AmeriCorps.

4 (7) Fear of school-related violence keeps at
5 least 5 percent of secondary school students home at
6 least once a month.

7 (8) Although incidents of gun violence are few,
8 children too often bring guns to school.

9 (9) The National School Boards Association es-
10 timates that more than 135,000 guns are brought
11 into United States schools each day.

12 (10) Some 6,093 students were expelled during
13 the 1996–1997 academic school year for bringing
14 firearms or explosives to school.

15 (11) If all students are to live healthy lives and
16 achieve high academic success, every school should
17 be free of unauthorized weapons and firearms.

18 (12) Reports on school safety, including the
19 safety of school facilities, incidents of school vio-
20 lence, policies for students who bring weapons to
21 school, mental health services available to students,
22 and the number of instances in which a student was
23 determined to have brought a firearm to school
24 under the State law described in the Gun-Free

1 Schools Act of 1994 (20 U.S.C. 8921 et seq.), would
2 be helpful to parents and the community.

3 (13) According to the report “Quality Counts
4 99”, by Education Week, 36 States require the pub-
5 lishing of annual report cards regarding individual
6 schools, but the contents of the report cards vary
7 widely.

8 (14) Very few parents have actually seen a re-
9 port card regarding their neighborhood school.

10 **SEC. 3. PURPOSE.**

11 The purpose of this Act is—

12 (1) to reduce violent acts committed at school
13 by students by offering additional mental health re-
14 sources to students and teachers;

15 (2) to improve the academic and social out-
16 comes for students through after-school and summer
17 mentoring programs; and

18 (3) to provide parents and communities with a
19 better understanding of the quality of schools by
20 providing them with access to school report cards
21 issued by the State for each elementary school and
22 secondary school in the State.

23 **SEC. 4. GOALS.**

24 The goals of this Act are as follows:

1 (1) To help reduce the risk of academic, social,
2 and emotional problems among elementary school
3 and secondary school children by stimulating the de-
4 velopment of elementary school and secondary school
5 counseling programs.

6 (2) To enhance the availability and quality of
7 counseling services for elementary school and sec-
8 ondary school children by providing grants to local
9 educational agencies to enable such agencies to es-
10 tablish effective and innovative elementary school
11 and secondary school counseling programs.

12 (3) To encourage a team approach of coun-
13 selors working with students and their parents.

14 **SEC. 5. DEFINITIONS.**

15 (a) IN GENERAL.—The terms used in this Act have
16 the meanings given the terms in section 14101 of the Ele-
17 mentary and Secondary Education Act of 1965 (20 U.S.C.
18 8801).

19 (b) MENTAL HEALTH PROFESSIONAL.—In this Act
20 the term “mental health professional” includes a school
21 counselor, school social worker, and a school psychologist.

22 **SEC. 6. MENTAL HEALTH PROGRAMS.**

23 (a) GRANTS AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary may award
25 grants to States from allotments under paragraph

(3) to enable the States to award grants, on a competitive basis, to local educational agencies to enable the local educational agencies to carry out the authorized activities described in subsection (b).

(2) RESERVATIONS.—From the amount made available under subsection (d) to carry out this section for each fiscal year, the Secretary—

(A) shall reserve 1 percent of such amount for grants under this section to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with the Secretary's determination of their respective needs; and

(B) shall reserve 1 percent of such amount for the Secretary of the Interior to carry out the program under this section for Indian youth.

(3) STATE ALLOTMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary, for each fiscal year, shall allocate among the States—

(i) one-half of the remainder not reserved under paragraph (2) according to the ratio between the school-aged popu-

1 lation of each State and the school-aged
2 population of all the States; and

3 (ii) one-half of such remainder accord-
4 ing to the ratio between the amount each
5 State received under part A of title I of
6 the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 6311 et seq.) for
8 the preceding year and the sum of such
9 amounts received by all the States.

10 (B) MINIMUM.—For any fiscal year, no
11 State shall be allotted under this paragraph an
12 amount that is less than one-half of 1 percent
13 of the total amount allotted to all the States
14 under this paragraph.

15 (C) DEFINITIONS.—For the purpose of
16 this paragraph—

17 (i) the term “State” means each of
18 the 50 States, the District of Columbia,
19 and the Commonwealth of Puerto Rico;
20 and

21 (ii) the term “local educational agen-
22 cy” includes educational service agencies
23 and consortia of such agencies.

24 (b) AUTHORIZED ACTIVITIES.—Grants under sub-
25 section (a) may be used—

1 (1) to hire mental health professionals to reduce
2 the student-to-counselor ratio at the elementary
3 schools and secondary schools served by the local
4 educational agency; and

5 (2) to purchase the counseling services of men-
6 tal health professionals in the community on a con-
7 sultant basis.

8 (c) APPLICATIONS.—Each local educational agency
9 desiring a grant under this section shall submit an appli-
10 cation to the State at such time, in such manner, and ac-
11 companied by such information as the State may require.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this section
14 \$100,000,000 for each of the fiscal years 2000 through
15 2004, of which \$60,000,000 shall be available for elemen-
16 tary school mental health programs and \$40,000,000 shall
17 be available for secondary school mental health programs.

18 **SEC. 7. MENTORING PROGRAMS.**

19 (a) GRANTS TO STATES.—

20 (1) IN GENERAL.—The Secretary may award
21 grants to States from allotments under paragraph
22 (3) to enable the States to award grants, on a com-
23 petitive basis, to local educational agencies to enable
24 the local educational agencies to carry out the au-
25 thorized activities described in subsection (b).

1 (2) RESERVATIONS.—From the amount made
2 available under subsection (d) to carry out this sec-
3 tion for each fiscal year, the Secretary—

4 (A) shall reserve 1 percent of such amount
5 for grants under this section to Guam, Amer-
6 ican Samoa, the United States Virgin Islands,
7 and the Commonwealth of the Northern Mar-
8 iana Islands, to be allotted in accordance with
9 the Secretary's determination of their respective
10 needs; and

11 (B) shall reserve 1 percent of such amount
12 for the Secretary of the Interior to carry out
13 the program under this section for Indian
14 youth.

15 (3) STATE ALLOTMENTS.—

16 (A) IN GENERAL.—Except as provided in
17 subparagraph (B), the Secretary, for each fiscal
18 year, shall allocate among the States—

19 (i) one-half of the remainder not re-
20 served under paragraph (2) according to
21 the ratio between the school-aged popu-
22 lation of each State and the school-aged
23 population of all the States; and

24 (ii) one-half of such remainder accord-
25 ing to the ratio between the amount each

1 State received under part A of title I of the
2 Elementary and Secondary Education Act
3 of 1965 for the preceding year and the
4 sum of such amounts received by all the
5 States.

6 (B) MINIMUM.—For any fiscal year, no
7 State shall be allotted under this paragraph an
8 amount that is less than one-half of 1 percent
9 of the total amount allotted to all the States
10 under this paragraph.

11 (C) DEFINITIONS.—For the purpose of
12 this paragraph—

13 (i) the term “State” means each of
14 the 50 States, the District of Columbia,
15 and the Commonwealth of Puerto Rico;
16 and

17 (ii) the term “local educational agen-
18 cy” includes educational service agencies
19 and consortia of such agencies.

20 (b) AUTHORIZED ACTIVITIES.—Each local edu-
21 cational agency receiving a grant under subsection (a)—

22 (1) shall use the grant funds to carry out after-
23 school and summer mentoring programs, for elemen-
24 tary school students in public elementary school or
25 secondary school buildings, that—

1 (A) shall provide continued academic learn-
 2 ing opportunities; and

3 (B) may provide services that address the
 4 health, social service, cultural and recreational
 5 needs of the students;

6 (2) may use the grant funds to utilize sec-
 7 ondary school students to work with elementary
 8 school students, parents, or older volunteers; and

9 (3) shall coordinate activities assisted under
 10 this section with activities—

11 (A) assisted under a national or commu-
 12 nity service program under subtitle C of title I
 13 of the National and Community Service Act of
 14 1990 (42 U.S.C. 12571 et seq.), the Foster
 15 Grandparent Program carried out under part B
 16 of title II of the Domestic Volunteer Service Act
 17 of 1973 (42 U.S.C. 5011), and the Retired and
 18 Senior Volunteer Program carried out under
 19 part A of title II of the Domestic Volunteer
 20 Service Act of 1973 (42 U.S.C. 5001); and

21 (B) carried out by organizations and pro-
 22 grams such as Parents as Teachers, 4–H Clubs,
 23 and Save the Children.

24 (c) APPLICATION.—Each local educational agency de-
 25 siring a grant under this section shall submit an applica-

tion to the State at such time, in such manner, and accompanied by such information as the State may require.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for each of the fiscal years 2000 through 2004.

SEC. 8. REPORT CARDS.

(a) STATE REPORT CARDS.—Each State educational agency receiving assistance under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) shall produce and widely disseminate an annual report card for parents, the general public, teachers and the Secretary, in easily understandable language, with respect to elementary and secondary education in the State. The report card shall contain information regarding—

(1) student performance in any subject areas in which the State requires assessments, including comparisons with students from different school districts within the State, and, to the extent possible, comparisons with students throughout the Nation;

(2) attendance and graduation rates;

(3) professional qualifications of teachers in the State, the number of teachers teaching out of field, and the number of teachers with emergency certification;

1 (4) average class size in the State;

2 (5) school safety, including the safety of school
3 facilities, incidents of school violence, the number of
4 instances in which a student was determined to have
5 brought a weapon to school under the State law de-
6 scribed in the Gun-Free Schools Act of 1994, and
7 school policies for students who violate school safety
8 requirements;

9 (6) to the extent practicable, parental involve-
10 ment, as measured by the extent of parental partici-
11 pation in school parental involvement policies de-
12 scribed in section 1118(b) of the Elementary and
13 Secondary Education Act of 1965 (20 U.S.C.
14 6319(b));

15 (7) the annual school dropout rate, as cal-
16 culated by procedures conforming with the National
17 Center for Education Statistics Common Core of
18 Data;

19 (8) student access to technology, including the
20 number of computers for educational purposes, the
21 number of computers per classroom, and the number
22 of computers connected to the Internet;

23 (9) the quality of school buildings in the State,
24 renovations needed at the school buildings, and the

1 quality of heating and cooling systems at the
2 schools;

3 (10) mental health services available to students
4 in need of service;

5 (11) extracurricular activities available to stu-
6 dents, including after-school and summer programs;

7 (12) community support, such as scholarships,
8 sponsorship of school events, and publicity of and in-
9 volvement in extracurricular activities; and

10 (13) other indicators of school performance and
11 quality.

12 (b) SCHOOL REPORT CARDS.—Each school receiving
13 assistance under the Elementary and Secondary Edu-
14 cation Act of 1965, or the local educational agency serving
15 that school, shall produce and widely disseminate an an-
16 nual report card for parents, the general public, teachers
17 and the State educational agency, in easily understandable
18 language, with respect to elementary or secondary edu-
19 cation, as appropriate, in the school. The report card shall
20 contain information regarding—

21 (1) student performance in the school in any
22 subject areas in which the State requires assess-
23 ments, including comparisons with other students
24 within the school district, in the State, and, to the
25 extent possible, in the Nation;

1 (2) attendance and graduation rates;

2 (3) professional qualifications of the school's
3 teachers, the number of teachers teaching out of
4 field, and the number of teachers with emergency
5 certification;

6 (4) average class size in the school;

7 (5) school safety, including the safety of the
8 school facility, incidents of school violence, the num-
9 ber of instances in which a student was determined
10 to have brought a weapon to school under the State
11 law described in the Gun-Free Schools Act of 1994,
12 and school policies for students who violate school
13 safety requirements;

14 (6) parental involvement, as measured by the
15 extent of parental participation in school parental in-
16 volvement policies described in section 1118(b) of
17 the Elementary and Secondary Education Act of
18 1965;

19 (7) the annual school dropout rate, as cal-
20 culated by procedures conforming with the National
21 Center for Education Statistics Common Core of
22 Data;

23 (8) student access to technology, including the
24 number of computers for educational purposes, the

1 number of computers per classroom, and the number
 2 of computers connected to the Internet;

3 (9) the quality of the school buildings, renova-
 4 tions needed at the school buildings, and the quality
 5 of heating and cooling systems at the school;

6 (10) mental health services available to students
 7 in need of service;

8 (11) extracurricular activities available to stu-
 9 dents, including after-school and summer programs;

10 (12) community support, such as scholarships,
 11 sponsorship of school events, and publicity of and in-
 12 volvement in extracurricular activities; and

13 (13) other indicators of school performance and
 14 quality.

15 (c) DISAGGREGATION OF DATA.—Each State edu-
 16 cational agency or school producing an annual report card
 17 under this section shall disaggregate the student perform-
 18 ance data reported under subsection (a)(1) or (b)(1), as
 19 appropriate, in the same manner as results are
 20 disaggregated under section 1111(b)(3)(I) of the Elemen-
 21 tary and Secondary Education Act of 1965 (20 U.S.C.
 22 6311(b)(3)(I)).

23 **SEC. 9. REPORT ON ALTERNATIVE EDUCATION SETTINGS.**

24 The Secretary of Education shall prepare and submit
 25 to Congress a report regarding successful alternative edu-

1 cation settings used for disruptive or violent students in
 2 elementary schools and secondary schools. The report shall
 3 include information related to the training of school per-
 4 sonnel in the education of violent or disruptive students.

5 **SEC. 10. LOAN FORGIVENESS FOR MENTAL HEALTH PRO-**
 6 **FESSIONALS.**

7 (a) STAFFORD AND DIRECT LOANS.—Part B of title
 8 IV of the Higher Education Act of 1965 (20 U.S.C. 1071
 9 et seq.) is amended by inserting after section 428K of such
 10 Act (20 U.S.C. 1078–11) the following:

11 **“SEC. 428L. LOAN FORGIVENESS FOR MENTAL HEALTH**
 12 **PROFESSIONALS.**

13 “(a) STATEMENT OF PURPOSE.—It is the purpose of
 14 this section to encourage individuals to enter and continue
 15 in the mental health professions.

16 “(b) PROGRAM AUTHORIZED.—

17 “(1) IN GENERAL.—The Secretary is authorized
 18 to carry out a program, through the holder of the
 19 loan, of assuming the obligation to repay a qualified
 20 loan amount for a loan made, insured or guaranteed
 21 under section 428 or 428H, or a comparable loan
 22 under part D, in accordance with subsection (c), for
 23 any new borrower on or after October 1, 1999,
 24 who—

1 “(A) has been employed as a full-time
 2 mental health professional in a school that
 3 qualifies under section 465(a)(2)(A) for loan
 4 cancellation for Perkins loan recipients who
 5 teach in such schools; and

6 “(B) is not in default on a loan for which
 7 the borrower seeks forgiveness.

8 “(2) TREATMENT OF CONSOLIDATION LOANS.—

9 A loan amount for a loan made under section 428C
 10 may be a qualified loan amount for the purposes of
 11 this subsection only to the extent that such loan
 12 amount was used to repay a loan made under sec-
 13 tion 428 or 428H, or a comparable loan under part
 14 D, for a borrower who meets the requirements of
 15 subsection (b), as determined in accordance with
 16 regulations prescribed by the Secretary.

17 “(c) QUALIFIED LOANS AMOUNT.—

18 “(1) IN GENERAL.—The Secretary shall repay
 19 not more than \$4,000 in the aggregate of the loan
 20 obligation on a loan made, insured, or guaranteed
 21 under section 428 or 428H, or a comparable loan
 22 under part D, that is outstanding for each of not
 23 more than 5 years of service described in subsection
 24 (b)(1)(A).

1 “(d) REGULATIONS.—The Secretary is authorized to
 2 issue such regulations as may be necessary to carry out
 3 this section.

4 “(e) CONSTRUCTION.—Nothing in this section shall
 5 be construed to authorize any refunding of any repayment
 6 of a loan.

7 “(f) LIST.—If the list of schools in which a mental
 8 health professional may perform service pursuant to sub-
 9 section (b)(1)(A) is not available before May 1 of any year,
 10 the Secretary may use the list for the year preceding the
 11 year for which the determination is made to make such
 12 service determination.

13 “(g) ADDITIONAL ELIGIBILITY PROVISIONS.—

14 “(1) CONTINUED ELIGIBILITY.—Any mental
 15 health professional who performs service in a school
 16 that—

17 “(A) meets the requirements of subsection
 18 (b)(1)(A) in any year during such service; and

19 “(B) in a subsequent year fails to meet the
 20 requirements of such subsection,

21 may continue to work in such school and shall be eli-
 22 gible for loan forgiveness pursuant to subsection (b).

23 “(2) PREVENTION OF DOUBLE BENEFITS.—No
 24 borrower may, for the same service, receive a benefit
 25 under both this subsection and subtitle D of title I

1 of the National and Community Service Act of 1990
 2 (42 U.S.C. 12571 et seq.). No borrower may receive
 3 a reduction of loan obligations under both this sec-
 4 tion and section 465.

5 “(h) PUBLICATION.—The Secretary shall publicize
 6 widely the availability of loan forgiveness under this sec-
 7 tion.

8 “(i) DEFINITION.—In this section—

9 “(1) the term ‘mental health professional’ has
 10 the meaning given the term in section 5(b) of the
 11 Safe Schools Act of 1999; and

12 “(2) the term ‘year’, where applied to service as
 13 a mental health professional, means an academic
 14 year as defined by the Secretary.

15 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
 16 are authorized to be appropriated to carry out this section
 17 \$10,000,000 for each of the fiscal years 2000 through
 18 2004.”.

19 (b) PERKINS LOANS.—Section 465(a)(2) of the
 20 Higher Education Act of 1965 (20 U.S.C. 1087ee(a)(2))
 21 is amended—

22 (1) in subparagraph (H), by striking “or” after
 23 the semicolon;

24 (2) in subparagraph (I), by striking the period
 25 and inserting “; or”; and

1 (3) by adding at the end the following:

2 “(J) as a full-time mental health profes-
3 sional as defined in section 5(b) of the Safe
4 Schools Act of 1999.”.

○