

107TH CONGRESS
1ST SESSION

S. 620

To amend the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2001

Mr. HARKIN (for himself and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

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 and Sec-
5 ondary School Counseling Improvement Act of 2001”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) elementary and secondary school children
9 are being subjected to unprecedented social stresses,

1 including fragmentation of the family, drug and al-
2cohol abuse, violence, child abuse, and poverty;

3 (2) an increasing number of elementary and
4 secondary school children are exhibiting symptoms of
5 distress, such as substance abuse, emotional dis-
6orders, violent outbursts, disruptive behavior, juve-
7nile delinquency, and suicide;

8 (3) between 1984 and 1994, the homicide rate
9 for adolescents doubled, while the rate of nonfatal
10 violent crimes committed by adolescents increased by
11 almost 20 percent;

12 (4) according to the National Institute of Men-
13tal Health, up to one in five children and youth have
14 psychological problems severe enough to require
15 some form of professional help, yet only 20 percent
16 of youth with mental disorders or their families re-
17ceive help;

18 (5) the Institute of Medicine has identified psy-
19chological counseling as the most serious school
20 health need for the normal development of our Na-
21tion's children and youth;

22 (6) school counselors, school psychologists, and
23 school social workers can contribute to the personal
24 growth, educational development, and emotional
25 well-being of elementary and secondary school chil-

1 dren by providing professional counseling, interven-
2 tion, and referral services;

3 (7) the implementation of well designed school
4 counseling programs has been shown to increase stu-
5 dents' academic success;

6 (8) the national average student-to-counselor
7 ratio in elementary and secondary schools is 531 to
8 1, and the average student-to-psychologist ratio is
9 2300 to 1;

10 (9) it is recommended that to effectively ad-
11 dress students' mental health and development
12 needs, schools have 1 full-time counselor for every
13 250 students, 1 psychologist for every 1,000 stu-
14 dents, and 1 school social worker for every 800 stu-
15 dents;

16 (10) the population of elementary and sec-
17 ondary school students in the United States is ex-
18 pected to increase dramatically during the 5 to 10
19 years beginning with 1999;

20 (11) the Federal Government can help reduce
21 the risk of academic, social, and emotional problems
22 among elementary and secondary school children by
23 stimulating the development of model school coun-
24 seling programs; and

1 (12) the Federal Government can help reduce
 2 the risk of future unemployment and assist the
 3 school-to-work transition by stimulating the develop-
 4 ment of model school counseling programs that in-
 5 clude comprehensive career development.

6 (b) PURPOSE.—It is the purpose of this Act to en-
 7 hance the availability and quality of counseling services
 8 for elementary and secondary school children by providing
 9 grants to local educational agencies to enable such agen-
 10 cies to establish or expand effective and innovative coun-
 11 seling programs that can serve as national models.

12 **SEC. 3. SCHOOL COUNSELING.**

13 Title IV of the Elementary and Secondary Education
 14 Act of 1965 (20 U.S.C. 7101 et seq.) is amended—

15 (1) in section 4004 (20 U.S.C. 7104)—

16 (A) in paragraph (1), by striking “and” at
 17 the end;

18 (B) in paragraph (2), by striking the pe-
 19 riod and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(3) \$100,000,000 for fiscal year 2002, and
 22 such sums as may be necessary for each of the 4
 23 succeeding fiscal years, for grants under section
 24 4124.”; and

1 (2) by adding at the end of subpart 2 of part
2 A, the following:

3 **“SEC. 4124. ELEMENTARY SCHOOL AND SECONDARY**
4 **SCHOOL COUNSELING DEMONSTRATION.**

5 “(a) COUNSELING DEMONSTRATION.—

6 “(1) IN GENERAL.—The Secretary may award
7 grants under this section to local educational agen-
8 cies to enable the local educational agencies to estab-
9 lish or expand elementary school and secondary
10 school counseling programs.

11 “(2) PRIORITY.—In awarding grants under this
12 section, the Secretary shall give special consideration
13 to applications describing programs that—

14 “(A) demonstrate the greatest need for
15 new or additional counseling services among the
16 children in the schools served by the applicant;

17 “(B) propose the most promising and inno-
18 vative approaches for initiating or expanding
19 school counseling; and

20 “(C) show the greatest potential for rep-
21 lication and dissemination.

22 “(3) EQUITABLE DISTRIBUTION.—In awarding
23 grants under this section, the Secretary shall ensure
24 an equitable geographic distribution among the re-

1 regions of the United States and among urban, subur-
 2 ban, and rural areas.

3 “(4) DURATION.—A grant under this section
 4 shall be awarded for a period not to exceed three
 5 years.

6 “(5) MAXIMUM GRANT.—A grant under this
 7 section shall not exceed \$400,000 for any fiscal year.

8 “(b) APPLICATIONS.—

9 “(1) IN GENERAL.—Each local educational
 10 agency desiring a grant under this section shall sub-
 11 mit an application to the Secretary at such time, in
 12 such manner, and accompanied by such information
 13 as the Secretary may reasonably require.

14 “(2) CONTENTS.—Each application for a grant
 15 under this section shall—

16 “(A) describe the school population to be
 17 targeted by the program, the particular per-
 18 sonal, social, emotional, educational, and career
 19 development needs of such population, and the
 20 current school counseling resources available for
 21 meeting such needs;

22 “(B) describe the activities, services, and
 23 training to be provided by the program and the
 24 specific approaches to be used to meet the
 25 needs described in subparagraph (A);

1 “(C) describe the methods to be used to
2 evaluate the outcomes and effectiveness of the
3 program;

4 “(D) describe the collaborative efforts to
5 be undertaken with institutions of higher edu-
6 cation, businesses, labor organizations, commu-
7 nity groups, social service agencies, and other
8 public or private entities to enhance the pro-
9 gram and promote school-linked services inte-
10 gration;

11 “(E) describe collaborative efforts with in-
12 stitutions of higher education which specifically
13 seek to enhance or improve graduate programs
14 specializing in the preparation of school coun-
15 selors, school psychologists, and school social
16 workers;

17 “(F) document that the applicant has the
18 personnel qualified to develop, implement, and
19 administer the program;

20 “(G) describe how any diverse cultural
21 populations, if applicable, would be served
22 through the program;

23 “(H) assure that the funds made available
24 under this part for any fiscal year will be used
25 to supplement and, to the extent practicable, in-

crease the level of funds that would otherwise be available from non-Federal sources for the program described in the application, and in no case supplant such funds from non-Federal sources; and

“(I) assure that the applicant will appoint an advisory board composed of parents, school counselors, school psychologists, school social workers, other pupil services personnel, teachers, school administrators, and community leaders to advise the local educational agency on the design and implementation of the program.

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—From amounts made available under section 4004(3) to carry out this section, the Secretary shall award grants to local education agencies to be used to initiate or expand elementary or secondary school counseling programs that comply with the requirements of paragraph (2).

“(2) PROGRAM REQUIREMENTS.—Each program assisted under this section shall—

“(A) be comprehensive in addressing the personal, social, emotional, and educational needs of all students;

1 “(B) use a developmental, preventive ap-
2 proach to counseling;

3 “(C) increase the range, availability, quan-
4 tity, and quality of counseling services in the
5 schools of the local educational agency;

6 “(D) expand counseling services only
7 through qualified school counselors, school psy-
8 chologists, and school social workers;

9 “(E) use innovative approaches to increase
10 children’s understanding of peer and family re-
11 lationships, work and self, decisionmaking, or
12 academic and career planning, or to improve so-
13 cial functioning;

14 “(F) provide counseling services that are
15 well-balanced among classroom group and small
16 group counseling, individual counseling, and
17 consultation with parents, teachers, administra-
18 tors, and other pupil services personnel;

19 “(G) include inservice training for school
20 counselors, school social workers, school psy-
21 chologists, other pupil services personnel, teach-
22 ers, and instructional staff;

23 “(H) involve parents of participating stu-
24 dents in the design, implementation, and eval-
25 uation of a counseling program;

1 “(I) involve collaborative efforts with insti-
 2 tutions of higher education, businesses, labor
 3 organizations, community groups, social service
 4 agencies, or other public or private entities to
 5 enhance the program and promote school-linked
 6 services integration; and

7 “(J) evaluate annually the effectiveness
 8 and outcomes of the counseling services and ac-
 9 tivities assisted under this section.

10 “(3) REPORT.—The Secretary shall issue a re-
 11 port evaluating the programs assisted pursuant to
 12 each grant under this subsection at the end of each
 13 grant period in accordance with section 14701.

14 “(4) DISSEMINATION.—The Secretary shall
 15 make the programs assisted under this section avail-
 16 able for dissemination, either through the National
 17 Diffusion Network or other appropriate means.

18 “(5) LIMIT ON ADMINISTRATION.—Not more
 19 than 5 percent of the amounts made available under
 20 this section in any fiscal year shall be used for ad-
 21 ministrative costs to carry out this section.

22 “(d) DEFINITIONS.—For purposes of this section:

23 “(1) SCHOOL COUNSELOR.—The term ‘school
 24 counselor’ means an individual who has documented

1 competence in counseling children and adolescents in
2 a school setting and who—

3 “(A) possesses State licensure or certifi-
4 cation granted by an independent professional
5 regulatory authority;

6 “(B) in the absence of such State licensure
7 or certification, possesses national certification
8 in school counseling or a specialty of counseling
9 granted by an independent professional organi-
10 zation; or

11 “(C) holds a minimum of a master’s de-
12 gree in school counseling from a program ac-
13 credited by the Council for Accreditation of
14 Counseling and Related Educational Programs
15 or the equivalent.

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

18 “(A) possesses a minimum of 60 graduate
19 semester hours in school psychology from an in-
20 stitution of higher education and has completed
21 1,200 clock hours in a supervised school psy-
22 chology internship, of which 600 hours shall be
23 in the school setting;

1 “(B) possesses State licensure or certifi-
 2 cation in the State in which the individual
 3 works; or

4 “(C) in the absence of such State licensure
 5 or certification, possesses national certification
 6 by the National School Psychology Certification
 7 Board.

8 “(3) SCHOOL SOCIAL WORKER.—The term
 9 ‘school social worker’ means an individual who—

10 “(A)(i) holds a master’s degree in social
 11 work from a program accredited by the Council
 12 on Social Work Education; and

13 “(ii) is licensed or certified by the State in
 14 which services are provided; or

15 “(B) in the absence of such licensure or
 16 certification, possess a national certification or
 17 credential as a school social work specialist that
 18 has been awarded by an independent profes-
 19 sional organization.

20 “(4) SUPERVISOR.—The term ‘supervisor’
 21 means an individual who has the equivalent number
 22 of years of professional experience in such individ-
 23 ual’s respective discipline as is required of teaching

- 1 experience for the supervisor or administrative cre-
- 2 dential in the State of such individual.”.

