

110TH CONGRESS
1ST SESSION

H. R. 2576

To direct the Secretary of Health and Human Services to prepare concise written materials for use by school personnel to help to identify students with a high potential to commit aggressive and harmful behavior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2007

Ms. CARSON (for herself, Ms. JACKSON-LEE of Texas, Mr. PAYNE, and Ms. CORRINE BROWN of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Health and Human Services to prepare concise written materials for use by school personnel to help to identify students with a high potential to commit aggressive and harmful behavior, 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 “Help Identify Indica-
5 tors of Potential Student Aggression Act of 2007”.

1 **SEC. 2. MATERIALS FOR USE BY SCHOOL PERSONNEL TO**
2 **IDENTIFY STUDENTS WITH A HIGH POTEN-**
3 **TIAL TO COMMIT AGGRESSIVE AND HARM-**
4 **FUL BEHAVIOR.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services, acting through the Administrator of the
7 Substance Abuse and Mental Health Services Administra-
8 tion, shall prepare and, as appropriate, periodically re-
9 vise—

10 (1) concise written materials to be used by fac-
11 ulty, counselors, teachers' aides, school medical per-
12 sonnel, and other school leaders in elementary
13 schools, secondary schools, and institutions of higher
14 education—

15 (A) to help to identify the possible warning
16 signs of a student with a high potential to com-
17 mit aggressive and harmful behavior to prop-
18 erty, themselves, or others; and

19 (B) to refer an accounting of the suspect
20 behavior to designated school personnel; and

21 (2) more detailed written materials to be used
22 by designated school personnel to determine an ap-
23 propriate course of action with respect to a student
24 identified pursuant to paragraph (1), including
25 whether the student should be referred to a mental
26 health expert.

1 (b) ALTERNATIVE VERSIONS.—The materials pre-
2 pared under subsection (a) may be prepared in alternative
3 versions to specifically address distinct school settings.

4 (c) CONSIDERATIONS.—In preparing the materials
5 required by paragraphs (1) and (2) of subsection (a), the
6 Secretary of Health and Human Services—

7 (1) shall take into consideration the need to dif-
8 ferentiate indicators of a wide range of normal be-
9 havior from indicators of a high potential for aggres-
10 sive and harmful behavior;

11 (2) shall take into consideration the possibility
12 of unintended, adverse consequences resulting from
13 targeting for suspicion or identifying a student as
14 having a high potential to commit aggressive and
15 harmful behavior;

16 (3) shall design the materials in a manner
17 that—

18 (A) protects student confidentiality and
19 privacy throughout the identification and refer-
20 ral processes; and

21 (B) notwithstanding such protections, pre-
22 serves the authority of school officials to inter-
23 vene when immediate action is required to con-
24 trol a given situation; and

1 (4) shall design the materials so as to prevent
2 stereotyping of students and misuse by school per-
3 sonnel on the basis of gender, racial, ethnic, or cul-
4 tural differences.

5 (d) RULE OF CONSTRUCTION.—Nothing in this Act
6 shall be construed to require an elementary school, sec-
7 ondary school, or institution of higher education—

8 (1) to use the materials prepared under sub-
9 section (a); or

10 (2) to implement any standard or recommenda-
11 tion contained in such materials.

12 (e) PROVISION TO SECRETARY OF EDUCATION.—The
13 Secretary of Health and Human Services shall provide the
14 materials prepared under subsection (a), including any re-
15 vision thereof, to the Secretary of Education for distribu-
16 tion. The Secretary of Health and Human Services shall
17 provide the first version of such materials, ready for dis-
18 tribution, not later than 90 days after the date of the en-
19 actment of this Act.

20 (f) DISTRIBUTION TO SCHOOLS.—Not later than 90
21 days after receipt of materials pursuant to subsection (e),
22 including any revision thereof, the Secretary of Education
23 shall distribute such materials to each private or public
24 elementary school, secondary school, and institution of
25 higher education.

1 (g) DEFINITIONS.—In this Act:

2 (1) The terms “elementary school” and “sec-
3 ondary school” have the meanings given to such
4 terms in section 9101 of the Elementary and Sec-
5 ondary Education Act of 1965 (20 U.S.C. 7801).

6 (2) The term “institution of higher education”
7 has the meaning given to such term in section 102
8 of the Higher Education Act of 1965 (20 U.S.C.
9 1002).

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