

110TH CONGRESS
2D SESSION

S. 3364

To increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2008

Mrs. LINCOLN (for herself, Mrs. CLINTON, Mr. MENENDEZ, and Mr. COCHRAN) 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 counselors, school social workers, and school psychologists 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 “Increased Student
5 Achievement Through Increased Student Support Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Research shows that socioeconomic status
9 and family background characteristics are highly

1 correlated with educational outcomes, with a con-
2 centration of low-performing schools in low-income
3 and under-served communities.

4 (2) Teachers cite poor working conditions, stu-
5 dent behavior, lack of student motivation, and lack
6 of administrative support as key reasons why they
7 choose to leave the teaching profession.

8 (3) Teachers and principals working for low-in-
9 come local educational agencies are increasingly
10 tasked with addressing not only the academic needs
11 of a child, but also the social, emotional, and behav-
12 ioral needs of a child that require the services of a
13 school counselor, school social worker, and school
14 psychologist, and these needs often interfere with de-
15 livering quality instruction and raising student
16 achievement.

17 (4) Rates of abuse and neglect of young chil-
18 dren in military families have doubled with the in-
19 creased military involvement of the United States
20 abroad since October 2002; likewise, adolescents
21 with deployed parents report increased perceptions
22 of uncertainty and loss, role ambiguity, negative
23 changes in mental and behavioral health, and in-
24 creased relationship conflict, raising concerns about
25 the impact of deployment on military personnel and

1 their families and whether schools that serve a large
2 number of children with deployed parents have suffi-
3 cient staff and expertise to meet these challenges.

4 (5) Children of military families in rural com-
5 munities are often geographically isolated, and
6 schools that were already experiencing understaffing
7 of school counselors, school social workers, and
8 school psychologists face even greater challenges
9 meeting the increased needs of students enduring
10 the stress that comes along with having 1 or more
11 deployed parents.

12 (6) Schools served by low-income local edu-
13 cational agencies suffer disproportionately from a
14 lack of services, with many schools sharing a single
15 school counselor, school social worker, or school psy-
16 chologist with neighboring schools.

17 (7) Too few school counselors, school social
18 workers, and school psychologists per student means
19 that such personnel are often unable to effectively
20 address the needs of students.

21 (8) The American School Counselor Association
22 and American Counseling Association recommend
23 having at least 1 school counselor for every 250 stu-
24 dents.

1 (9) The School Social Work Association of
2 America recommends having at least 1 school social
3 worker for every 400 students.

4 (10) The National Association of School Psy-
5 chologists recommends having at least 1 school psy-
6 chologist for every 1,000 students.

7 **SEC. 3. PURPOSE.**

8 The purpose of this Act is to increase the recruitment
9 and retention of school counselors, school social workers,
10 and school psychologists by low-income local educational
11 agencies in order to—

12 (1) support all students who are at risk of neg-
13 ative educational outcomes;

14 (2) improve student achievement, which may be
15 measured by growth in academic achievement on
16 tests required by the applicable State educational
17 agency, persistence rates, graduation rates, and
18 other appropriate measures;

19 (3) improve retention of teachers who are high-
20 ly qualified (as defined in section 9101 of the Ele-
21 mentary and Secondary Education Act of 1965 (20
22 U.S.C. 7801));

23 (4) increase and improve outreach and collabo-
24 ration between school counselors, school social work-

1 ers, and school psychologists and parents and fami-
2 lies served by low-income local educational agencies;

3 (5) increase and improve collaboration among
4 teachers, principals, school counselors, school social
5 workers, and school psychologists and improve pro-
6 fessional development opportunities for teachers and
7 principals in the area of strategies related to improv-
8 ing classroom climate and classroom management;
9 and

10 (6) improve working conditions for all school
11 personnel.

12 **SEC. 4. GRANT PROGRAM TO INCREASE THE NUMBER OF**
13 **SCHOOL COUNSELORS, SCHOOL SOCIAL**
14 **WORKERS, AND SCHOOL PSYCHOLOGISTS EM-**
15 **PLOYED BY LOW-INCOME LOCAL EDU-**
16 **CATIONAL AGENCIES.**

17 (a) GRANT PROGRAM AUTHORIZED.—The Secretary
18 of Education (hereafter the “Secretary”) shall award
19 grants on a competitive basis to eligible partnerships that
20 receive recommendations from the peer review panel estab-
21 lished under subsection (d) to enable such partnerships
22 to carry out pipeline programs to increase the number of
23 school counselors, school social workers, and school psy-
24 chologists employed by low-income local educational agen-

1 cies by carrying out any of the activities described in sub-
2 section (g).

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

7 (c) APPLICATION.—To be eligible to receive a grant
8 under this section, an eligible graduate institution, on be-
9 half of an eligible partnership, shall submit to the Sec-
10 retary a grant application, including—

11 (1) an assessment of the existing ratios of
12 school counselors, school social workers, and school
13 psychologists to students enrolled in schools in each
14 low-income local educational agency that is part of
15 the eligible partnership; and

16 (2) a detailed description of—

17 (A) a plan to carry out a pipeline program
18 to train, place, and retain school counselors,
19 school social workers, and school psychologists
20 in low-income local educational agencies; and

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

24 (d) PEER REVIEW PANEL.—

1 (1) ESTABLISHMENT OF PANEL.—The Sec-
2 retary shall establish a peer review panel to evaluate
3 applications for grants 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 (3) RECOMMENDATION OF PANEL.—The Sec-
12 retary may award grants under this section only to
13 eligible partnerships whose applications receive a
14 recommendation from the peer review panel.

15 (4) MEMBERSHIP OF PANEL.—The peer review
16 panel shall include at a minimum the following
17 members:

18 (A) One tenured or tenure track faculty
19 member at an institution of higher education
20 with a current appointment to teach courses in
21 the subject area of school counselor education.

22 (B) One tenured or tenure track faculty
23 member at an institution of higher education
24 with a current appointment to teach courses in

1 the subject area of school social worker edu-
2 cation.

3 (C) One tenured or tenure track faculty
4 member at an institution of higher education
5 with a current appointment to teach courses in
6 the subject area of school psychology education.

7 (D) One tenured or tenure track faculty
8 member at an institution of higher education
9 with a current appointment to teach courses in
10 the subject area of teacher education.

11 (E) One individual with expertise in school
12 counseling who works or has worked in public
13 schools.

14 (F) One individual with expertise in school
15 social work who works or has worked in public
16 schools.

17 (G) One individual with expertise in school
18 psychology who works or has worked in public
19 schools.

20 (H) One administrator who works or has
21 worked for a low-income local educational agen-
22 cy.

23 (e) DISTRIBUTION OF GRANTS.—From among the
24 applications receiving a recommendation by the peer re-
25 view panel, the Secretary shall—

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

3 (2) to the extent practicable, distribute grants
4 equitably among eligible partnerships that propose
5 to train graduate students in each of the three pro-
6 fessions of school counseling, school social work, and
7 school psychology.

8 (f) PRIORITY.—The Secretary shall give priority to
9 eligible partnerships that—

10 (1) propose to use the grant funds to carry out
11 the activities described under paragraphs (1)
12 through (3) of subsection (g) in schools that have
13 higher numbers or percentages of low-income stu-
14 dents and students not meeting the proficient level
15 of achievement (as described in section 1111 of the
16 Elementary and Secondary Education Act of 1965
17 (20 U.S.C. 6311)) in comparison to other schools
18 that are served by the low-income local educational
19 agency that is part of the eligible partnership;

20 (2) include a low-income local educational agen-
21 cy that has fewer school counselors, school social
22 workers, and school psychologists per student than
23 other eligible partnerships; and

1 (3) include one or more eligible graduate insti-
2 tutions that offer graduate programs in the greatest
3 number of the following areas:

4 (A) School counseling.

5 (B) School social work.

6 (C) School psychology.

7 (g) USE OF GRANT FUNDS.—Grant funds awarded
8 under this section may be used—

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

13 (A) having graduate students of school
14 counseling, school social work, and school psy-
15 chology placed in schools served by partici-
16 pating low-income local educational agencies to
17 complete required field work, credit hours, in-
18 ternships, or related training as applicable for
19 the degree, license, or credential program of
20 each such student; and

21 (B) offering required graduate course work
22 for graduate students of school counseling,
23 school social work, and school psychology on the
24 site of a participating low-income local edu-
25 cational agency;

1 (2) for not more than the first 3 years after
2 participating graduates receive a masters or other
3 graduate degree or obtain a State license or creden-
4 tial in school counseling, school social work, or
5 school psychology, to hire and pay all or part of the
6 salaries of such participating graduates to work as
7 school counselors, school social workers, and school
8 psychologists in schools served by participating low-
9 income local educational agencies;

10 (3) to increase the number of school counselors,
11 school social workers, and school psychologists per
12 student in schools served by participating low-income
13 local educational agencies to work towards the stu-
14 dent support personnel target ratios;

15 (4) to recruit, hire, and pay faculty as nec-
16 essary to increase the capacity of a participating eli-
17 gible graduate institution to train graduate students
18 in the fields of school counseling, school social work,
19 and school psychology;

20 (5) to develop course work that will—

21 (A) encourage a commitment by graduate
22 students in school counseling, school social
23 work, or school psychology to work for low-in-
24 come local educational agencies;

1 (B) give participating graduates the knowl-
2 edge and skill sets necessary to meet the needs
3 of—

4 (i) students and families served by
5 low-income local educational agencies; and

6 (ii) teachers, administrators, and
7 other staff who work for low-income local
8 educational agencies; and

9 (C) enable participating graduates to meet
10 the unique needs of students at-risk of negative
11 educational outcomes, including students who—

12 (i) are English language learners;

13 (ii) have a parent or caregiver who is
14 a migrant worker;

15 (iii) have a parent or caregiver who is
16 a member of the Armed Forces or Na-
17 tional Guard who has been deployed or re-
18 turned from deployment;

19 (iv) are homeless, including unaccom-
20 panied youth;

21 (v) are foster youth;

22 (vi) have been adjudicated by the
23 adult or juvenile criminal justice system;
24 and

1 (vii) have been identified as eligible
2 for services under the Individuals with Dis-
3 abilities Education Act (20 U.S.C. 1400 et
4 seq.) or the Rehabilitation Act of 1973 (29
5 U.S.C. 701 et seq.);

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

8 (7) for student loan forgiveness for partici-
9 pating graduates who are employed as school coun-
10 selors, school social workers, or school psychologists
11 by participating low-income local educational agen-
12 cies for a minimum of 5 years; and

13 (8) for similar activities to fulfill the purpose of
14 this Act, as the Secretary determines appropriate.

15 (h) SUPPLEMENT NOT SUPPLANT.—Funds made
16 available under this section shall be used to supplement,
17 not supplant, Federal, State, or local funds for the activi-
18 ties described in subsection (g).

19 (i) REPORTING REQUIREMENTS.—Each eligible part-
20 nership that receives a grant under this section shall sub-
21 mit an annual report to the Secretary on the progress of
22 such partnership in carrying out the purpose of this Act.
23 Such report shall include a description of—

24 (1) actual service delivery provided through
25 grant funds, including—

1 (A) characteristics of the participating eli-
2 gible graduate institution, including descriptive
3 information on the model used and actual pro-
4 gram performance;

5 (B) characteristics of graduate students
6 participating in the program, including per-
7 formance on any tests required by the State
8 educational agency for credentialing or licens-
9 ing, demographic characteristics, and graduate
10 student retention rates;

11 (C) characteristics of students of the par-
12 ticipating low-income local educational agency,
13 including performance on any tests required by
14 the State educational agency, demographic
15 characteristics, and promotion, persistence, and
16 graduation rates, as appropriate;

17 (D) an estimate of the annual implementa-
18 tion costs of the program; and

19 (E) the numbers of students, schools, and
20 graduate students participating in the program;

21 (2) outcomes that are consistent with the pur-
22 pose of the grant program, including—

23 (A) internship and post-graduation place-
24 ment;

1 (B) graduation and professional career
2 readiness indicators; and

3 (C) characteristics of the participating low-
4 income local educational agency including
5 changes in hiring and retention of highly quali-
6 fied teachers and school counselors, school psy-
7 chologists, and school social workers;

8 (3) the instruction, materials, and activities
9 being funded under the grant program; and

10 (4) the effectiveness of any training and ongo-
11 ing professional development provided—

12 (A) to students and faculty in the appro-
13 priate departments or schools of the partici-
14 pating eligible graduate institution;

15 (B) to the faculty, administration, and
16 staff of the participating low-income local edu-
17 cational agency; and

18 (C) to the broader community of providers
19 of social, emotional, behavioral, and related
20 support to students and to those who train such
21 providers.

22 (j) EVALUATIONS.—

23 (1) INTERIM EVALUATIONS.—The Secretary
24 may conduct interim evaluations to determine
25 whether each eligible partnership receiving a grant is

1 making adequate progress as the Secretary considers
2 appropriate. The contents of the annual report sub-
3 mitted to the Secretary under subsection (i) may be
4 used by the Secretary to determine whether an eligi-
5 ble partnership receiving a grant is demonstrating
6 adequate progress.

7 (2) FINAL EVALUATION.—The Secretary shall
8 conduct a final evaluation to—

9 (A) determine the effectiveness of the
10 grant program in carrying out the purpose of
11 this Act; and

12 (B) compare the relative effectiveness of
13 each of the various activities described in sub-
14 section (g) for which grant funds may be used.

15 (k) REPORT.—Not sooner than 5 years nor later than
16 6 years after the date of enactment of this Act, the Sec-
17 retary shall submit to Congress a report containing the
18 findings of the evaluation conducted under subsection
19 (j)(2), and such recommendations as the Secretary con-
20 siders appropriate.

21 (l) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) There is authorized to be appropriated to
23 carry out this section \$30,000,000 for each of the
24 fiscal years 2009 to 2019.

1 (2) From the total amount appropriated to
 2 carry out this section each fiscal year, the Secretary
 3 shall reserve not more than 3 percent of that appro-
 4 priation for evaluations under subsection (j).

5 **SEC. 5. STUDENT LOAN FORGIVENESS FOR INDIVIDUALS**
 6 **WHO ARE EMPLOYED FOR 5 OR MORE**
 7 **SCHOOL YEARS AS SCHOOL COUNSELORS,**
 8 **SCHOOL SOCIAL WORKERS, SCHOOL PSY-**
 9 **CHOLOGISTS, OR OTHER QUALIFIED PSY-**
 10 **CHOLOGISTS OR PSYCHIATRISTS BY LOW-IN-**
 11 **COME LOCAL EDUCATIONAL AGENCIES.**

12 (a) ESTABLISHMENT OF PROGRAM.—The Secretary
 13 shall establish a program to provide student loan forgive-
 14 ness to individuals who are not and have never been par-
 15 ticipants in the grant program established under section
 16 4 and who have been employed for 5 or more school years
 17 as school counselors, school social workers, school psy-
 18 chologists, other qualified psychologists, or child and ado-
 19 lescent psychiatrists by low-income local educational agen-
 20 cies.

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

1 **SEC. 6. FUTURE DESIGNATION STUDY.**

2 (a) IN GENERAL.—The Secretary shall conduct a
3 study to identify a formula for future designation of re-
4 gions with a shortage of school counselors, school social
5 workers, and school psychologists to use in implementing
6 grant programs and other programs, such as the programs
7 established under this Act, or for other purposes related
8 to any such designation, based on the latest available data
9 on—

10 (1) the number of residents under the age of 18
11 in an area served by a low-income local educational
12 agency;

13 (2) the percentage of the population of an area
14 served by a low-income local educational agency with
15 incomes below the poverty line;

16 (3) the percentage of residents age 18 or older
17 in an area served by a low-income local educational
18 agency with secondary school diplomas;

19 (4) the percentage of students identified as eli-
20 gible for special education services in an area served
21 by a low-income local educational agency;

22 (5) the youth crime rate in an area served by
23 a low-income local educational agency;

24 (6) the current number of full-time-equivalent
25 and active school counselors, school social workers,

1 and school psychologists employed by a low-income
2 local educational agency; and

3 (7) such other criteria as the Secretary con-
4 siders appropriate.

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

9 **SEC. 7. DEFINITIONS.**

10 In this Act:

11 (1) IN GENERAL.—The terms “child and ado-
12 lescent psychiatrist”, “school counselor”, “school
13 psychologist”, “school social worker”, and “other
14 qualified psychologist” have the meaning given the
15 terms in section 5421 of the Elementary and Sec-
16 ondary Education Act of 1965 (20 U.S.C. 7245).

17 (2) STATE EDUCATIONAL AGENCY; LOCAL EDU-
18 CATIONAL AGENCY.—The terms “State educational
19 agency” and “local educational agency” have the
20 meaning given the terms in section 9101 of the Ele-
21 mentary and Secondary Education Act of 1965 (20
22 U.S.C. 7801).

23 (3) LOW-INCOME LOCAL EDUCATIONAL AGEN-
24 CY.—The term “low-income local educational agen-
25 cy” means a local educational agency—

1 (A) in which not less than 20 percent of
2 the students served by such agency are from
3 families with incomes below the poverty line as
4 determined by the Bureau of the Census on the
5 basis of the most recent satisfactory data avail-
6 able;

7 (B) that has existing ratios of school coun-
8 selors, school social workers, and school psy-
9 chologists to students served by the local edu-
10 cational agency which fall at least 10 percent
11 below the student support personnel target ra-
12 tios, meaning such low-income local educational
13 agency has no more than 1 counselor per 277
14 students, no more than 1 school psychologist
15 per 1111 students, and no more than 1 school
16 social worker per 444 students; and

17 (C) that has been identified for improve-
18 ment or corrective action (as described in sec-
19 tion 1116(c) of the Elementary and Secondary
20 Education Act of 1965 (20 U.S.C. 6316(c))) or
21 that includes at least one school that has been
22 identified for school improvement, corrective ac-
23 tion, or restructuring (as described in section
24 1116(b) of such Act).

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

7 (5) ELIGIBLE GRADUATE INSTITUTION.—The
8 term “eligible graduate institution” means an insti-
9 tution of higher education that offers a program of
10 study that is nationally recognized by the National
11 Association of School Psychologists or accredited
12 and that leads to—

13 (A) a masters or other graduate degree in
14 school counseling, school social work, or school
15 psychology, or any combination thereof;

16 (B) a State license or credential in school
17 counseling, school social work, or school psy-
18 chology, or any combination thereof; or

19 (C) any combination of subparagraph (A)
20 and (B).

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

23 (A) a partnership between 1 or more low-
24 income local educational agencies and 1 or more
25 eligible graduate institutions; or

1 (B) in regions in which local educational
 2 agencies may not have a sufficient elementary
 3 and secondary school student population to sup-
 4 port the placement of all participating graduate
 5 students, a partnership between a State edu-
 6 cational agency, on behalf of 1 or more low-in-
 7 come local educational agencies, and 1 or more
 8 eligible graduate institutions.

9 (7) PARTICIPATING ELIGIBLE GRADUATE INSTI-
 10 TUTION.—The term “participating eligible graduate
 11 institution” means an eligible graduate institution
 12 that is part of an eligible partnership awarded a
 13 grant under section 4.

14 (8) PARTICIPATING LOW-INCOME LOCAL EDU-
 15 CATIONAL AGENCY.—The term “participating low-in-
 16 come local educational agency” means a low-income
 17 local educational agency that is part of an eligible
 18 partnership awarded a grant under section 4.

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

21 (A) has received a masters or other grad-
 22 uate degree in elementary or secondary school
 23 counseling, school social work, or school psy-
 24 chology from a participating eligible graduate
 25 institution or has obtained a State license or

1 credential in school counseling, school social
 2 work, and school psychology from a partici-
 3 pating eligible graduate institution; and

4 (B) as a graduate student of school coun-
 5 seling, school social work, or school psychology
 6 was placed in a school served by a participating
 7 low-income local educational agency to complete
 8 required field work, credit hours, internships, or
 9 related training as applicable.

10 (10) STUDENT SUPPORT PERSONNEL TARGET
 11 RATIOS.—The term “student support personnel tar-
 12 get ratios” means the ratios of school counselors,
 13 school social workers, and school psychologists to
 14 students recommended to enable such personnel to
 15 effectively address the needs of students including—

16 (A) at least 1 school counselor for every
 17 250 students (as recommended by the American
 18 School Counselors Association and American
 19 Counseling Association);

20 (B) at least 1 school psychologist for every
 21 1,000 students (as recommended by the Na-
 22 tional Association of School Psychologists); and

23 (C) at least 1 school social worker for
 24 every 400 students (as recommended by the
 25 School Social Work Association of America).

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

○