111TH CONGRESS 1ST SESSION

H. R. 1361

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

IN THE HOUSE OF REPRESENTATIVES

March 5, 2009

Mr. Towns (for himself, Ms. Linda T. Sánchez of California, Mr. Polis of Colorado, Ms. Bordallo, Ms. Corrine Brown of Florida, Mr. Childers, Mr. Conyers, Mr. Hinchey, Ms. Hirono, Mr. Loebsack, Mr. McDermott, Mr. Miller of North Carolina, Mrs. Napolitano, Mr. Reyes, Ms. Roybal-Allard, Ms. Shea-Porter, Mr. Grijalva, and Mr. Honda) introduced the following bill; which was referred to the Committee on Education and Labor

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:

- (1) Research shows that socioeconomic status and family background characteristics are highly correlated with educational outcomes, with a concentration of low-performing schools in low-income and under-served communities.
 - (2) Teachers cite poor working conditions, student behavior, lack of student motivation, and lack of administrative support as key reasons why they choose to leave the teaching profession.
 - (3) Teachers and principals working for low-income local educational agencies are increasingly tasked with addressing not only the academic needs of a child, but also the social, emotional, and behavioral needs of a child that require the services of a school counselor, school social worker, and school psychologist, and these needs often interfere with delivering quality instruction and raising student achievement.
 - (4) Rates of abuse and neglect of young children in military families have doubled with the increased military involvement of the United States abroad since October 2002; likewise, adolescents with deployed parents report increased perceptions of uncertainty and loss, role ambiguity, negative changes in mental and behavioral health, and in-

- creased relationship conflict, raising concerns about the impact of deployment on military personnel and their families and whether schools that serve a large number of children with deployed parents have sufficient staff and expertise to meet these challenges.
 - (5) Children of military families in rural communities are often geographically isolated, and schools that were already experiencing understaffing of school counselors, school social workers, and school psychologists face even greater challenges meeting the increased needs of students enduring the stress that comes along with having a deployed parent or parents.
 - (6) Schools served by low-income local educational agencies suffer disproportionately from a lack of services, with many schools sharing a single school counselor, school social worker, or school psychologist with neighboring schools.
 - (7) Too few school counselors, school social workers, and school psychologists per student means that such personnel are often unable to effectively address the needs of students.
 - (8) The American School Counselor Association and American Counseling Association recommend

- having at least 1 school counselor for every 250 students.
- (9) The School Social Work Association of
 America recommends having at least 1 school social
 worker for every 400 students.
 - (10) The National Association of School Psychologists recommends having at least 1 school psychologist for every 1,000 students.
 - (11) The need for added student support can be demonstrated through recent research of victimization of children ages 2 to 17 that suggests that more than one-half of the children experienced a physical assault in the study year. More than 1 in 4 experienced a property offense, more than 1 in 8 experienced a form of child maltreatment, 1 in 12 experienced a sexual victimization, and more than 1 in 3 had been a witness to violence or experienced another form of indirect victimization. Only 29 percent of the children had no direct or indirect victimization.
 - (12) Principals and teachers see signs of trauma-related stress in many students including hostile outbursts, sliding grades, poor test performance and the inability to pay attention.

1 (13) Recent data on the number of children in 2 foster care estimates that over 500,000 children are 3 in the foster care system each year, with 289,000 4 exiting the system each year due to aging out or 5 adoption. 6 SEC. 3. PURPOSE.

- 7 The purpose of this Act is to increase the recruitment 8 and retention of school counselors, school social workers, 9 and school psychologists by low-income local educational 10 agencies in order to—
- 11 (1) support all students who are at risk of neg-12 ative educational outcomes;
 - (2) improve student achievement, which may be measured by growth in academic achievement on tests required by the applicable State educational agency, persistence rates, graduation rates, and other appropriate measures;
 - (3) improve retention of teachers who are highly qualified;
 - (4) increase and improve outreach and collaboration between school counselors, school social workers, and school psychologists and parents and families served by low-income local educational agencies;
- 24 (5) increase and improve collaboration among 25 teachers, principals, school counselors, school social

13

14

15

16

17

18

19

20

21

22

- 1 workers, and school psychologists and improve pro-
- 2 fessional development opportunities for teachers and
- 3 principals in the area of strategies related to improv-
- 4 ing classroom climate and classroom management;
- 5 and
- 6 (6) improve working conditions for all school
- 7 personnel.
- 8 SEC. 4. GRANT PROGRAM TO INCREASE THE NUMBER OF
- 9 SCHOOL COUNSELORS, SCHOOL SOCIAL
- 10 WORKERS, AND SCHOOL PSYCHOLOGISTS EM-
- 11 PLOYED BY LOW-INCOME LOCAL EDU-
- 12 CATIONAL AGENCIES.
- 13 (a) Grant Program Authorized.—The Secretary
- 14 of Education (hereafter the "Secretary") shall award
- 15 grants on a competitive basis to eligible partnerships that
- 16 receive recommendations from the peer review panel estab-
- 17 lished under subsection (d) to enable such partnerships
- 18 to carry out pipeline programs to increase the number of
- 19 school counselors, school social workers, and school psy-
- 20 chologists employed by low-income local educational agen-
- 21 cies by carrying out any of the activities described by sub-
- 22 section (g).
- 23 (b) Grant Period.—A grant awarded under this
- 24 section shall be for a 5-year period and may be renewed

1	for additional 5-year periods upon a snowing of adequate
2	progress, as the Secretary determines appropriate.
3	(c) APPLICATION.—To be eligible to receive a grant
4	under this section, an eligible graduate institution, on be-
5	half of an eligible partnership, shall submit to the Sec-
6	retary a grant application, including—
7	(1) an assessment of the existing ratios of
8	school counselors, school social workers, and school
9	psychologists to students enrolled in schools in each
10	low-income local educational agency that is part of
11	the eligible partnership; and
12	(2) a detailed description of—
13	(A) a plan to carry out a pipeline program
14	to train, place, and retain school counselors
15	school social workers, or school psychologists, or
16	any combination thereof, as applicable, in low-
17	income local educational agencies; and
18	(B) the proposed allocation and use of
19	grant funds to carry out activities described by
20	subsection (g).
21	(d) PEER REVIEW PANEL.—
22	(1) ESTABLISHMENT OF PANEL.—The Sec-
23	retary shall establish a peer review panel to evaluate
24	applications for grants under subsection (c) and

1	make recommendations to the Secretary regarding
2	such applications.
3	(2) Evaluation of applications.—In mak-
4	ing its recommendations, the peer review panel shall
5	take into account the purpose of this Act and the
6	application requirements under subsection (c), in-
7	cluding the quality of the proposed pipeline program.
8	(3) RECOMMENDATION OF PANEL.—The Sec-
9	retary may award grants under this section only to
10	eligible partnerships whose applications receive a
11	recommendation from the peer review panel.
12	(4) Membership of Panel.—
13	(A) The peer review panel shall include at
14	a minimum the following members:
15	(i) One clinical, tenured, or tenure
16	track faculty member at an institution of
17	higher education with a current appoint-
18	ment to teach courses in the subject area
19	of school counselor education.
20	(ii) One clinical, tenured, or tenure
21	track faculty member at an institution of
22	higher education with a current appoint-
23	ment to teach courses in the subject area

of school social worker education.

1	(iii) 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 school psychology education.
6	(iv) One clinical, tenured, or tenure
7	track faculty member at an institution of
8	higher education with a current appoint-
9	ment to teach courses in the subject area
10	of teacher education.
11	(v) One individual with expertise in
12	school counseling who works or has worked
13	in public schools.
14	(vi) One individual with expertise in
15	school social work who works or has
16	worked in public schools.
17	(vii) One individual with expertise in
18	school psychology who works or has
19	worked in public schools.
20	(viii) One administrator who works or
21	has worked for a low-income local edu-
22	cational agency.
23	(ix) One highly qualified teacher who
24	has substantial experience working for a
25	low-income local educational agency.

- 1 (B) At least one of the members described 2 in subparagraph (A) shall be a clinical faculty 3 member.
- 4 (e) DISTRIBUTION OF GRANTS.—From among the 5 applications receiving a recommendation by the peer re-6 view panel, the Secretary shall—
- 7 (1) award the first 5 grants to eligible partner-8 ships from 5 different States;
 - (2) to the extent practicable, distribute grants equitably among eligible partnerships that propose to train graduate students in each of the three professions of school counseling, school social work, and school psychology; and
 - (3) to the extent practicable, equitably distribute the grants among eligible partnerships that include an urban low-income local educational agency and partnerships that include a rural low-income local educational agency, with a minimum of 16.3 percent of the funds (representing the percent of low-income children served by rural local educational agencies according to the United States Bureau of Census Small Area Income Poverty Estimates, 2006) awarded to eligible partnerships that include a rural low-income local educational agency.

1	(f) Priority.—The Secretary shall give priority to
2	eligible partnerships that—
3	(1) propose to use the grant funds to carry out
4	the activities described under paragraphs (1)
5	through (3) of subsection (g) in schools that have
6	higher numbers or percentages of low-income stu-
7	dents and students not meeting the proficient level
8	of achievement (as described by section 1111 of the
9	Elementary and Secondary Education Act of 1965
10	(20 U.S.C. 6311)) in comparison to other schools
11	that are served by the low-income local educational
12	agency that is part of the eligible partnership;
13	(2) include a low-income local educational agen-
14	cy that has fewer school counselors, school social
15	workers, and school psychologists per student than
16	other eligible partnerships;
17	(3) include one or more eligible graduate insti-
18	tutions that offer graduate programs in the greatest
19	number of the following areas:
20	(A) school counseling;
21	(B) school social work; and
22	(C) school psychology; and
23	(4) propose to collaborate with one or more eli-
24	gible graduate institutions, including sharing univer-

1	sity facilities, faculty members, and administrative
2	costs.
3	(g) Use of Grant Funds.—Grant funds awarded
4	under this section may be used—
5	(1) to pay the administrative costs (including
6	supplies, office and classroom space, supervision,
7	mentoring, and transportation stipends as necessary
8	and appropriate) related to—
9	(A) having graduate students of school
10	counseling, school social work, and school psy-
11	chology placed in schools served by partici-
12	pating low-income local educational agencies to
13	complete required field work, credit hours, in-
14	ternships, or related training as applicable for
15	the degree, license, or credential program of
16	each such student; and
17	(B) offering required graduate course work
18	for graduate students of school counseling,
19	school social work, and school psychology on the
20	site of a participating low-income local edu-
21	cational agency;
22	(2) for not more than the first 3 years after
23	participating graduates receive a masters or other
24	graduate degree or obtain a State license or creden-

tial in school counseling, school social work, or

- school psychology, to hire and pay all or part of the salaries of such participating graduates to work as school counselors, school social workers, and school psychologists in schools served by participating low-income local educational agencies;
 - (3) to increase the number of school counselors, school social workers, and school psychologists per student in schools served by participating low-income local educational agencies to work towards the student support personnel target ratios;
 - (4) to hire, recruit, and retain culturally or linguistically under-represented graduate students in school counseling, school social work, and school psychology for placement in schools served by participating low-income educational agencies;
 - (5) to recruit, hire, and pay faculty as necessary to increase the capacity of a participating eligible graduate institution to train graduate students in the fields of school counseling, school social work, and school psychology;
 - (6) to develop course work that will—
 - (A) encourage a commitment by graduate students in school counseling, school social work, or school psychology to work for low-income 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;
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) have come into contact with the
22	juvenile justice system or adult criminal
23	justice system, including students currently
24	or previously held in juvenile detention fa-
25	cilities or adult jails and students currently

1	or previously held in juvenile correctional
2	facilities or adult prisons;
3	(vi) have been identified as eligible for
4	services under the Individuals with Disabil-
5	ities Education Act (20 U.S.C. 1400 et
6	seq.) or the Rehabilitation Act of 1973 (29
7	U.S.C. 701 et seq.);
8	(vii) have been a victim to or wit-
9	nessed domestic violence or violence in
10	their community; and
11	(viii) are foster care youth, youth
12	aging out of foster care, or former foster
13	youth; and
14	(D) utilize best practices determined by the
15	American School Counselor Association, Na-
16	tional Association of Social Workers, School So-
17	cial Work Association of America, and National
18	Association of School Psychologists;
19	(7) to provide tuition credits to graduate stu-
20	dents participating in the program;
21	(8) for student loan forgiveness for partici-
22	pating graduates who are employed as school coun-
23	selors, school social workers, or school psychologists
24	by participating low-income local educational agen-
25	cies for a minimum of 5 consecutive years: and

1	(9) for similar activities to fulfill the purpose of
2	this Act, as the Secretary determines appropriate.
3	(h) Supplement Not Supplant.—Funds made
4	available under this section shall be used to supplement,
5	not supplant, Federal, State, or local funds for the activi-
6	ties described in subsection (g).
7	(i) REPORTING REQUIREMENTS.—Each eligible part-
8	nership that receives a grant under this section shall sub-
9	mit an annual report to the Secretary on the progress of
10	such partnership in carrying out the purpose of this Act.
11	Such report shall include a description of—
12	(1) actual service delivery provided through
13	grant funds including—
14	(A) characteristics of the participating eli-
15	gible graduate institution, including descriptive
16	information on the model used and actual pro-
17	gram performance;
18	(B) characteristics of graduate students
19	participating in the program, including per-
20	formance on any tests required by the State
21	educational agency for credentialing or licens-
22	ing, demographic characteristics, and graduate
23	student retention rates;
24	(C) characteristics of students of the par-
25	ticipating low-income local educational agency,

1	including performance on any tests required by
2	the State educational agency, demographic
3	characteristics, and promotion, persistence, and
4	graduation rates, as appropriate;
5	(D) an estimate of the annual implementa-
6	tion costs of the program; and
7	(E) the numbers of students, schools, and
8	graduate students participating in the program;
9	(2) outcomes that are consistent with the pur-
10	pose of the grant program including—
11	(A) internship and post-graduation place-
12	ment;
13	(B) graduation and professional career
14	readiness indicators; and
15	(C) characteristics of the participating low-
16	income local educational agency including
17	changes in hiring and retention of highly quali-
18	fied teachers and school counselors, school psy-
19	chologists, and school social workers;
20	(3) the instruction, materials, and activities
21	being funded under the grant program; and
22	(4) the effectiveness of any training and ongo-
23	ing professional development provided—

1	(A) to students and faculty in the appro-
2	priate departments or schools of the partici-
3	pating eligible graduate institution;
4	(B) to the faculty, administration, and
5	staff of the participating low-income local edu-
6	cational agency; and
7	(C) to the broader community of providers
8	of social, emotional, behavioral, and related
9	support to students and to those who train such
10	providers.
11	(j) Evaluations.—
12	(1) Interim evaluations.—The Secretary
13	may conduct interim evaluations to determine
14	whether each eligible partnership receiving a grant is
15	making adequate progress as the Secretary considers
16	appropriate. The contents of the annual report sub-
17	mitted to the Secretary under subsection (i) may be
18	used by the Secretary to determine whether an eligi-
19	ble partnership receiving a grant is demonstrating
20	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 by sub-
3	section (g) for which grant funds may be used.
4	(k) Report.—Not sooner 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 the
7	findings of the evaluation conducted under subsection
8	(j)(2), and such recommendations as the Secretary con-
9	siders appropriate.
10	(l) Authorization of Appropriations.—
11	(1) There is authorized to be appropriated to
12	carry out this section \$30,000,000 for each of the
13	fiscal years 2010 to 2020.
14	(2) From the total amount appropriated to
15	carry out this section each fiscal year, the Secretary
16	shall reserve not more than 3 percent of that appro-
17	priation for evaluations under subsection (j).

1	SEC. 5. STUDENT LOAN FORGIVENESS FOR INDIVIDUALS
2	WHO ARE EMPLOYED FOR 5 OR MORE CON-
3	SECUTIVE SCHOOL YEARS AS SCHOOL COUN-
4	SELORS, SCHOOL SOCIAL WORKERS, SCHOOL
5	PSYCHOLOGISTS, OR OTHER QUALIFIED PSY-
6	CHOLOGISTS OR PSYCHIATRISTS BY LOW-IN-
7	COME LOCAL EDUCATIONAL AGENCIES.
8	(a) Establishment of Program.—The Secretary
9	shall establish a program to provide student loan forgive-
10	ness to individuals who are not and have never been par-
11	ticipants in the grant program established under section
12	4 and who have been employed for 5 or more consecutive
13	school years as school counselors, school social workers,
14	school psychologists, other qualified psychologists, or child
15	and adolescent psychiatrists by low-income local edu-
16	cational agencies.
17	(b) Authorization of Appropriations.—There
18	are authorized to be appropriated to the Secretary such
19	sums as may be necessary to carry out the program under
20	this section.
21	SEC. 6. FUTURE DESIGNATION STUDY.
22	(a) In General.—The Secretary shall conduct a
23	study to identify a formula for future designation of re-
24	gions with a shortage of school counselors, school social
25	workers, and school psychologists to use in implementing

grant programs and other programs such as the programs

	21
1	established under this Act or for other purposes related
2	to any such designation, based on the latest available data
3	on—
4	(1) the number of residents under the age of 18
5	in an area served by a low-income local educational
6	agency;
7	(2) the percentage of the population of an area
8	served by a low-income local educational agency with
9	incomes below the poverty line;
10	(3) the percentage of residents age 18 or above
11	in an area served by a low-income local educational
12	agency with high school diplomas;
13	(4) the percentage of students identified as eli-
14	gible for special education services in an area served
15	by a low-income local educational agency;
16	(5) the youth crime rate in an area served by
17	a low-income local educational agency;
18	(6) the current number of full-time-equivalent
19	and active school counselors, school social workers,
20	and school psychologists employed by a low-income
21	educational agency;
22	(7) the number of students in an area served by
23	a low-income local education agency in military fam-
24	ilies (active duty and reserve duty) with parents who

have been alerted for deployment, are currently de-

1	ployed, or have returned from a deployment in the
2	previous school year; and
3	(8) 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) The terms "child and adolescent psychia-
12	trist", "school counselor", "school psychologist"
13	"school social worker", and "other qualified psychol-
14	ogist" have the meaning given the terms in section
15	5421 of the Elementary and Secondary Education
16	Act of 1965 (20 U.S.C. 7245).
17	(2) The terms "State educational agency"
18	"local educational agency", and "highly qualified"
19	have the meaning given the terms in section 9101 of
20	the Elementary and Secondary Education Act of
21	1965 (20 U.S.C. 7801).
22	(3) The term "low-income local educational
23	agency" means a local educational agency—
24	(A) in which not less than 20 percent of
25	the students served by such agency are from

families with incomes below the poverty line as determined by the Bureau of the Census on the basis of the most recent satisfactory data available;

- (B) that has existing ratios of school counselors, school social workers, and school psychologists to students served by the participating low-income local educational agency which fall at least 10 percent below the student support personnel target ratios, meaning such low-income local educational agency has no more than one counselor per 277 students, no more than one school psychologist per 1111 students, and no more than one school social worker per 444 students; and
- (C) that has been identified for improvement or corrective action (as described by section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)) or that includes at least one school that has been identified for school improvement, corrective action, or restructuring (as described by section 1116 of such Act).
- (4) The term "institution of higher education" has the meaning given such term in section 102 of

1	the Higher Education Act of 1965 (20 U.S.C.
2	1002), but excludes any institution of higher edu-
3	cation described in section 102(a)(1)(C) of such Act
4	(5) The term "eligible graduate institution"
5	means an institution of higher education that offers
6	a program of study that leads to a masters or other
7	graduate degree—
8	(A) in school psychology that is accredited
9	or nationally recognized by the National Asso-
10	ciation of School Psychologists Program Ap-
11	proval Board and that prepares students in
12	such program for State licensing or certification
13	in school psychology;
14	(B) in school counseling that prepares stu-
15	dents in such program for State licensing or
16	certification in school counseling;
17	(C) in school social work that is accredited
18	by the Council on Social Work Education and
19	that prepares students in such program for
20	State licensing or certification in school social
21	work; or
22	(D) any combination of (A), (B), and (C)
23	(6) The term "eligible partnership" means—

1	(A) a partnership between 1 or more low-
2	income local educational agencies and 1 or more
3	eligible graduate institutions; or
4	(B) in regions in which local educational
5	agencies may not have a sufficient elementary
6	and secondary school student population to sup-
7	port the placement of all participating graduate
8	students, a partnership between a State edu-
9	cational agency, on behalf of 1 or more low-in-
10	come local educational agencies, and 1 or more
11	eligible graduate institutions.
12	(7) The term "participating eligible graduate
13	institution" means an eligible graduate institution
14	that is part of an eligible partnership awarded a
15	grant under section 4.
16	(8) The term "participating low-income local
17	educational agency" means a low-income local edu-
18	cational agency that is part of an eligible partner-
19	ship awarded a grant under section 4.
20	(9) The term "participating graduate" means
21	an individual who—
22	(A) has received a masters or other grad-
23	uate degree in elementary or secondary school
24	counseling, school social work, or school psy-
25	chology from a participating eligible graduate

1	institution and has obtained a State license or
2	credential in school counseling, school social
3	work, and school psychology from a partici-
4	pating eligible graduate institution; and
5	(B) as a graduate student of school coun-
6	seling, school social work, or school psychology
7	was placed in a school served by a participating
8	low-income local educational agency to complete
9	required field work, credit hours, internships, or
10	related training as applicable.
11	(10) 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) The term "unaccompanied youth" has the 2 meaning given such term in section 725 of the 3 McKinney-Vento Homeless Assistance Act (42 4 U.S.C. 11434a).

(12) The term "best practices" means a technique or methodology that, through experience and research related to the practice of school counseling, school psychology, or school social work, has proven to reliably lead to a desired result.

 \bigcirc

5

6

7

8