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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To support States and high-need local educational agencies in increasing the number of mental health services providers in schools.

IN THE HOUSE OF REPRESENTATIVES

Ms. DELAURO introduced the following bill; which was referred to the Committee on _____

A BILL

To support States and high-need local educational agencies in increasing the number of mental health services providers in schools.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Expanding Access to Mental Health Services in Schools
6 Act of 2024”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.
- Sec. 4. School-based mental health services grant program.
- Sec. 5. Rule.

1 **SEC. 2. PURPOSES.**

2 The purpose of this Act is to increase the number
3 of school-based mental health services providers.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) **ELIGIBLE AGENCY.**—The term “eligible
7 agency” means—

8 (A) a high-need local educational agency;

9 (B) an educational service agency acting
10 on behalf of 1 or more high-need local edu-
11 cational agencies; or

12 (C) a State educational agency.

13 (2) **ESEA DEFINITIONS.**—The terms “child
14 with a disability”, “educational service agency”, “el-
15 elementary school”, “English learner”, “evidence-
16 based”, “institution of higher education”, “local
17 educational agency”, “other staff”, “outlying area”,
18 “paraprofessional”, “professional development”,
19 “school leader”, “secondary school”, “specialized in-
20 structional support personnel”, “Secretary”,
21 “State”, and “State educational agency” have the
22 meanings given the terms in section 8101 of the Ele-

1 elementary and Secondary Education Act of 1965 (20
2 U.S.C. 7801).

3 (3) HIGH-NEED LOCAL EDUCATIONAL AGEN-
4 CY.—The term “high-need local educational agency”
5 means a local education agency that, as the date of
6 application for this Act—

7 (A) is among the highest 15 percent of all
8 local educational agencies in the State, as deter-
9 mined by the Secretary, based on either—

10 (i) the number of children in each
11 such agency counted under section 1124(c)
12 of the Elementary and Secondary Edu-
13 cation Act of 1965 (20 U.S.C. 6333(c)); or

14 (ii) the percentage of children in each
15 such agency counted under section 1124(c)
16 of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C. 6333(c));
18 and

19 (B) does not meet at least two of the fol-
20 lowing:

21 (i) A ratio of 1 full-time equivalent
22 school counselor for every 250 students.

23 (ii) A ratio of 1 full-time equivalent
24 school psychologist for every 500 students.

1 (iii) A ratio of 1 full-time equivalent
2 school social worker for every 250 stu-
3 dents.

4 (4) ISDA DEFINITIONS.—The term “Indian
5 Tribe” means any indian tribe identified as such by
6 the Secretary of the Interior under section 104 of
7 the Federally Recognized Indian Tribe List Act of
8 1994 (25 U.S.C. 479a–1).

9 (5) SCHOOL-BASED MENTAL HEALTH SERVICES
10 PROVIDER.—The term “school-based mental health
11 services provider” has the meaning given the term in
12 section 4102 of the Elementary and Secondary Edu-
13 cation Act of 1965 (20 U.S.C. 7112).

14 **SEC. 4. SCHOOL-BASED MENTAL HEALTH SERVICES GRANT**
15 **PROGRAM.**

16 (a) PURPOSE.—The purpose of this section is to in-
17 crease the number of school-based mental health profes-
18 sionals by supporting high-need local educational agencies
19 in recruiting, hiring, retaining, and diversifying school-
20 based mental health services providers to expand access
21 to school-based mental health services for students en-
22 rolled in elementary schools and secondary schools served
23 by such agencies.

24 (b) AUTHORIZATION OF GRANTS.—

1 (1) IN GENERAL.—From amounts made avail-
2 able under subsection (g) and after making the res-
3 ervations described in paragraph (2), the Secretary
4 shall award grants, on a competitive basis, to eligible
5 agencies, in accordance with this section.

6 (2) RESERVATIONS.—From the total amount
7 made available under subsection (g) for a fiscal year,
8 the Secretary shall—

9 (A) reserve not more than 2 percent of
10 such amount for program administration, tech-
11 nical assistance, and data collection;

12 (B) reserve 1 percent for the Secretary of
13 the Interior for schools operated or funded by
14 the Bureau of Indian Education, in accordance
15 with the purpose of this section; and

16 (C) reserve 1 percent for allotments for
17 payments to the outlying areas, to be distrib-
18 uted among those outlying areas on the basis of
19 their relative need, as determined by the Sec-
20 retary, in accordance with the purpose of this
21 section.

22 (3) DURATION AND RENEWALS.—

23 (A) DURATION.—A grant awarded under
24 this section shall be for a period of not more
25 than 5 years.

1 (B) RENEWAL.—The Secretary may renew
2 a grant awarded under this section for a period
3 of not more than 2 years.

4 (4) DIVERSITY OF PROJECTS.—

5 (A) IN GENERAL.—In awarding grants
6 under paragraph (1), the Secretary shall ensure
7 that, to the extent practicable, grants are dis-
8 tributed among eligible agencies that will serve
9 geographically diverse areas, including urban,
10 suburban, and rural areas.

11 (B) LOCAL EDUCATIONAL AGENCIES.—In
12 awarding grants under paragraph (1), the Sec-
13 retary shall ensure that not less than 50 per-
14 cent of the amounts made available under sub-
15 section (g) that remain after making reserva-
16 tions under paragraph (2) are awarded to high-
17 quality applications submitted by high-need
18 local educational agencies identified in clauses
19 (i) and (ii) of section 3(3)(A).

20 (5) SUFFICIENT SIZE AND SCOPE.—Each grant
21 awarded under paragraph (1) shall be of sufficient
22 size and scope to allow the eligible agency receiving
23 the grant to carry out the purpose of this section.

24 (c) APPLICATION.—An eligible agency applying for a
25 grant under subsection (b)(1) shall submit an application

1 to the Secretary at such time, in such manner, and accom-
2 panied by such information as the Secretary may require,
3 which may include—

4 (1) a description of the prevalent mental health
5 or substance use and misuse concerns facing stu-
6 dents enrolled in schools served by participating
7 high-need local educational agencies;

8 (2) a description of current shortage of school-
9 based mental health services providers, including
10 lack of diversity, if applicable, in high-need local
11 educational agencies that will be served under the
12 grant;

13 (3) a description of the applicant’s plan to sup-
14 port recruiting, hiring, retaining, or diversifying
15 school-based mental health services providers in
16 high-need local educational agencies to be served
17 under the grant; and

18 (4) an assurance that any school-based mental
19 health services provider, including any provider of-
20 fering telehealth services, provides services in a man-
21 ner consistent with section 444 of the General Edu-
22 cation Provisions Act (20 U.S.C. 1232g; commonly
23 known as the “Family Educational Rights and Pri-
24 vacy Act of 1974”) and the Individuals with Disabil-

1 ities Education Act (20 U.S.C. 1400 et seq.), as well
2 as all applicable Federal, State, and local laws.

3 (d) USE OF FUNDS.—An eligible agency that receives
4 a grant under subsection (b)(1) shall use such funds to
5 carry out one or more of the following:

6 (1) Hiring school-based mental health services
7 providers to—

8 (A) provide school-based mental health
9 services to students enrolled in schools served
10 by high-need local educational agencies; and

11 (B) implement evidence-based practices to
12 improve school climate to support positive stu-
13 dent mental health.

14 (2) Implementing strategies to recruit school-
15 based mental health services providers in high-need
16 local educational agencies to help mitigate shortages
17 of such providers, such as—

18 (A) salary stipends;

19 (B) relocation benefits;

20 (C) student loan repayment; or

21 (D) other financial incentives.

22 (3) Implementing strategies to retain school-
23 based mental health services providers in high-need
24 local educational agencies, which may include—

1 (A) providing incentives described in para-
2 graph (2); or

3 (B) providing ongoing professional develop-
4 ment, induction, mentorship, or peer support
5 for school-based mental health services pro-
6 viders.

7 (e) RULES.—

8 (1) MATCHING REQUIREMENT.—Eligible agen-
9 cies who receive a grant under this Act must con-
10 tribute non-Federal matching funds to the amount
11 of not less than 25 percent of the project budget.

12 (2) SUPPLEMENT, NOT SUPPLANT.—Funds
13 made available under this Act shall be used to sup-
14 plement, and not supplant, non-Federal funds that
15 would otherwise be used for activities described
16 under this Act.

17 (3) DISAGGREGATION OF DATA.—
18 Disaggregation of data required under this section
19 shall not be required when the number is insufficient
20 to yield statistically reliable information or the re-
21 sults would reveal personally identifiable information
22 about an individual.

23 (f) REPORTING REQUIREMENTS.—Each eligible
24 agency that receives a grant under subsection (b)(1) shall
25 submit a report to the Secretary on an annual basis and

1 publish such report in a clear and easily accessible format
2 on the website of the eligible agency. Such report shall
3 contain any information required by the Secretary and,
4 at a minimum, the following:

5 (1) The number of school-based mental health
6 services providers employed by high-need local edu-
7 cational agencies served under the grant and any in-
8 creases from the prior year, disaggregated by—

9 (A) the number of each type of such pro-
10 viders who was recruited, hired, or retained,
11 with support under this grant; and

12 (B) the demographics of such providers.

13 (2) The ratio of students to school-based men-
14 tal health services providers in high-need local edu-
15 cational agencies served under the grant and the ex-
16 tent to which such ratio has decreased since the
17 start of the grant period.

18 (3) The reduction in the annual attrition rate
19 of school-based mental health services providers em-
20 ployed by high-need local educational agencies served
21 under the grant, and the extent to which such attri-
22 tion rate has decreased since the start of the grant
23 period.

24 (g) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 such sums as may be necessary for each of fiscal years
2 2025 through 2029.

3 **SEC. 5. RULE.**

4 The requirements of section 4001 of the Elementary
5 and Secondary Education Act of 1965 (20 U.S.C. 7101)
6 shall apply to a State educational agency, local educational
7 agency, or other entity receiving a grant or subgrant
8 under this Act in the same manner as those requirements
9 apply to an entity receiving an award under title IV of
10 such Act.