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# H. R. 1854

To increase the recruitment and retention of school counselors, school social workers, school psychologists, and other psychologists qualified to work in schools by low-income local educational agencies.

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IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2013

Ms. CHU (for herself, Mr. CÁRDENAS, Mr. CARTWRIGHT, Mr. CONYERS, Mr. GRIJALVA, Mr. HONDA, Ms. JACKSON LEE, Ms. LEE of California, Mr. LOWENTHAL, Mrs. NEGRETE MCLEOD, Mr. RANGEL, Ms. SHEA-PORTER, Ms. SINEMA, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

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# A BILL

To increase the recruitment and retention of school counselors, school social workers, school psychologists, and other psychologists qualified to work in schools by low-income local educational agencies.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Partnerships for Achieving Student Success Act'' or the ''PASS Act''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Research shows that low socioeconomic status and certain family risk factors, such as low maternal education level and being from a single parent household, are highly correlated with poor educational outcomes, with a concentration of low-performing schools in low-income and under-served communities.

(2) Research shows that 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. It is essential to student achievement that we address these issues inside and outside of the classroom in order to support both our students and their educators.

(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, school psychologist, and other qualified psychologists, and these needs often interfere with delivering quality instruction and raising student achievement.

(4) Expanded school mental health services in elementary schools have been found to improve aspects of school climate.

(5) Only 16 percent of children who need mental health services receive such services. Seventy to eighty percent of these children access mental health services at school.

(6) Students are more likely to seek help when they need it if school-based mental health services are available.

(7) Rates of maltreatment and neglect of young children in military families have shown dramatic increases during the parental deployments that have accompanied 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 increased relationship conflict; children exhibit increases in behavior disorders, stress disorders, and emotional difficulties, and decreases in achievement in most academic subjects. These trends raise concerns about the impact of deployment on military personnel and their families and whether schools that serve a large number of chil-

dren with deployed parents have sufficient staff and expertise to meet these challenges.

(8) Children of military families in rural communities are often geographically isolated, and schools that were already experiencing understaffing of school counselors, school social workers, school psychologists, and other qualified psychologists face even greater challenges meeting the increased needs of students enduring the stress that comes along with having a deployed parent or parents.

(9) 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, school psychologist, or other qualified psychologist with neighboring schools.

(10) Too few school counselors, school social workers, school psychologists, and other qualified psychologists per student means that such personnel are often unable to effectively address the needs of students.

(11) ) The American School Counselor Association and American Counseling Association recommend having at least 1 school counselor for every 250 students.

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

(13) The National Association of School Psychologists recommends having at least 1 psychologist for every 500–700 students.

(14) Recent research of victimization of children ages 2 to 17 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.

(15) 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.

(16) There were more than 423,000 children in foster care in 2009, and studies have revealed these children to have higher rates of placement in special education, dropping out of school, and discipline

problems, and poorer academic skills than their non-foster care peers.

**SEC. 3. PURPOSE.**

The purpose of this Act is to increase the recruitment and retention of school counselors, school social workers, school psychologists, and other qualified psychologists by low-income local educational agencies to—

(1) support all students who are at risk of negative 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) increase and improve outreach and collaboration among school counselors, school social workers, school psychologists, and other qualified psychologists, and parents and families served by low-income local educational agencies;

(4) increase and improve collaboration among teachers, principals, school counselors, school social workers, school psychologists, and other qualified psychologists and improve professional development opportunities for teachers and principals in the area

of strategies related to improving classroom climate and classroom management; and

(5) improve working conditions for all school personnel.

**SEC. 4. GRANT PROGRAM TO INCREASE THE NUMBER OF SCHOOL COUNSELORS, SCHOOL SOCIAL WORKERS, SCHOOL PSYCHOLOGISTS, AND OTHER PSYCHOLOGISTS QUALIFIED TO WORK IN SCHOOLS EMPLOYED BY LOW-INCOME LOCAL EDUCATIONAL AGENCIES.**

(a) GRANT PROGRAM AUTHORIZED.—The Secretary shall award grants, on a competitive basis, to eligible partnerships to conduct demonstration research projects to increase the number of and effectiveness of school counselors, school social workers, school psychologists, and other qualified psychologists served by low-income local educational agencies by carrying out any of the activities described in subsection (g).

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

(c) APPLICATION.—To be eligible to receive a grant under this section, an eligible graduate institution, on behalf of an eligible partnership, shall submit a grant appli-

cation to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

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

(2) a detailed description of—

(A) a plan to carry out a pipeline program to train, place, and retain school counselors, school social workers, school psychologists, or other qualified psychologists, or any combination thereof, as applicable, in low-income local educational agencies; and

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

(d) PEER REVIEW PANEL.—

(1) ESTABLISHMENT OF PANEL.—The Secretary shall establish a peer review panel to evaluate applications for grants submitted under subsection (c) and make recommendations to the Secretary regarding such applications.

(2) EVALUATION OF APPLICATIONS.—In making its recommendations, the peer review panel shall take into account the purpose of this Act and the application requirements under subsection (c), including the quality of the proposed pipeline program.

(3) RECOMMENDATION OF PANEL.—The Secretary may award grants under this section only to eligible partnerships whose applications receive a recommendation from the peer review panel.

(4) MEMBERSHIP OF PANEL.—The members of panel established under this section shall be school mental health professionals and administrators selected by the Secretary.

(e) DISTRIBUTION OF GRANTS.—From among the applications receiving a recommendation by the peer review panel, the Secretary shall—

(1) award the first 5 grants to eligible partnerships 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 professions of school counseling, school social work, or school psychology, or as other qualified psychologists; and

(3) to the extent practicable, equitably distribute the grants among eligible partnerships that

include an urban low-income local educational agency and eligible partnerships that include a rural low-income local educational agency, with, at a minimum, a percentage of the funds, equal to the percentage of low-income children in the United States who are served by rural local educational agencies (based on the Small Area Income and Poverty Estimates of the Bureau of Census, for the most recent year such information is available), awarded to eligible partnerships that include a rural low-income local educational agency.

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

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

(2) include a low-income local educational agency that has fewer school counselors, school social

workers, school psychologists, and other qualified psychologists per student than other eligible partnerships;

(3) include one or more eligible graduate institutions that offer graduate programs in the greatest number of the following areas:

(A) school counseling;

(B) school social work;

(C) school psychology; and

(D) programs that train graduate students as other qualified psychologists; and

(4) propose to collaborate with other institutions of higher education with similar programs, including sharing facilities, faculty members, and administrative costs.

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

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

(A) having graduate students of school counseling, school social work, school psychology, and programs that train graduate students as other qualified psychologists placed in

schools served by participating low-income local educational agencies to complete required field work, credit hours, internships, or related training as applicable for the degree, license, or credential program of each such student; and

(B) offering required graduate course work for graduate students of school counseling, school social work, and school psychology, and programs that train graduate students as other qualified psychologists on the site of a participating low-income local educational agency or its schools;

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

(3) to increase the number of school counselors, school social workers, school psychologists, and other qualified psychologists per student in schools served

by participating low-income local educational agencies to work towards the student support personnel target ratios;

(4) to recruit, hire, and retain culturally or linguistically under-represented graduate students in school counseling, school social work, or school psychology, or from programs that train graduate students as other qualified psychologists 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—

(A) to train graduate students in the fields of school counseling, school social work, and school psychology; and

(B) to increase the capacity of programs that train graduate students as other qualified psychologists;

(6) to develop coursework that will—

(A) encourage a commitment by graduate students in school counseling, school social work, or school psychology, or programs that train graduate students as other qualified psy-

chologists to work for low-income local educational agencies;

(B) give participating graduates the knowledge and skill sets necessary to meet the needs of—

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

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

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

(i) are English language learners;

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

(iii) have a parent or caregiver who is a member of the Armed Forces or National Guard who has been deployed or returned from deployment;

(iv) are homeless, including unaccompanied youth;

(v) have come into contact with the juvenile justice system or adult criminal justice system, including students currently

or previously held in juvenile detention facilities or adult jails and students currently or previously held in juvenile correctional facilities or adult prisons;

(vi) have been identified as eligible for services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(vii) have been a victim to or witnessed domestic violence or violence in their community; and

(viii) are foster care youth, youth aging out of foster care, or former foster youth; and

(D) utilize, subject to approval by the Secretary—

(i) peer-reviewed best practices and best evidence from the fields of school counseling, school social work, and school psychology; or

(ii) other best practices that have been published through a peer review process;

(7) to provide tuition credits to graduate students participating in the program;

(8) for student loan forgiveness for participating graduates who are employed as school counselors, school social workers, school psychologists, or other qualified psychologists by participating low-income local educational agencies for a minimum of 5 consecutive years; and

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

(h) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement, not supplant, other Federal, State, or local funds for the activities described in subsection (g).

(i) REPORTING REQUIREMENTS.—Each eligible partnership that receives a grant under this section shall submit an annual report to the Secretary on the progress of such partnership in carrying out the purpose of this Act. Such report shall include a description of—

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

(A) characteristics of each participating eligible graduate institution, including descriptive information on the model used and actual program performance;

(B) characteristics of graduate students participating in the program, including performance on any tests required by the State educational agency for credentialing or licensing, demographic characteristics, and graduate student retention rates;

(C) characteristics of students of the participating low-income local educational agency, such as performance on any tests required by the State educational agency, demographic characteristics, and promotion, persistence, and graduation rates, as appropriate;

(D) an estimate of the annual implementation costs of the program; and

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

(2) outcomes that are consistent with the purpose of the grant program, including—

(A) internship and post-graduation placement;

(B) graduation and professional career readiness indicators; and

(C) characteristics of the participating low-income local educational agency, including changes in hiring and retention of highly quali-

fied teachers and school counselors, school psychologists, school social workers, and other qualified psychologists;

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

(4) the effectiveness of any training and ongoing professional development provided—

(A) to students and faculty in the appropriate departments or schools of the participating eligible graduate institution;

(B) to the faculty, administration, and staff of the participating low-income local educational agency; and

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

(j) EVALUATIONS.—

(1) INTERIM EVALUATIONS.—The Secretary may conduct interim evaluations to determine whether each eligible partnership receiving a grant is making adequate progress as the Secretary considers appropriate. The contents of the annual report submitted to the Secretary under subsection (i) may be used by the Secretary to determine whether an eligi-

ble partnership receiving a grant is demonstrating adequate progress.

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

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

(B) compare the relative effectiveness of each of the various activities described by subsection (g) for which grant funds may be used.

(k) REPORT.—Not sooner than 5 years nor later than 6 years after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the findings of the evaluation conducted under subsection (j)(2), and such recommendations as the Secretary considers appropriate.

(l) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2014 through 2024.

(2) RESERVATION FOR EVALUATIONS.—From the total amount appropriated to carry out this section each fiscal year, the Secretary shall reserve not

more than 3 percent of that appropriation for evaluations under subsection (j).

**SEC. 5. STUDENT LOAN FORGIVENESS FOR INDIVIDUALS WHO ARE EMPLOYED FOR 5 OR MORE CONSECUTIVE SCHOOL YEARS AS SCHOOL COUNSELORS, SCHOOL SOCIAL WORKERS, SCHOOL PSYCHOLOGISTS, OR OTHER QUALIFIED PSYCHOLOGISTS BY LOW-INCOME LOCAL EDUCATIONAL AGENCIES.**

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide student loan forgiveness to individuals who are not and have never been participants in the grant program established under section 4 and who have been employed for 5 or more consecutive school years as school counselors, school social workers, school psychologists, or other qualified psychologists by low-income local educational agencies.

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

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

(a) IN GENERAL.—The Secretary shall conduct a study to identify a formula for future designation of regions with a shortage of school counselors, school social

workers, school psychologists, and other qualified psychologists to use in implementing grant programs and other programs such as the programs established under this Act or for other purposes related to any such designation, based on the latest available data on—

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

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

(3) the percentage of residents age 18 or older of an area served by a low-income local educational agency who have earned secondary school diplomas;

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

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

(6) the current number of full-time-equivalent and active school counselors, school social workers, school psychologists, and other qualified psychologists employed by a low-income local educational agency;

(7) the number of students in an area served by a low-income local educational agency in military families (active duty and reserve duty) with parents who have been alerted for deployment, are currently deployed, or have returned from a deployment in the previous school year; and

(8) such other criteria as the Secretary considers appropriate.

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

**SEC. 7. DEFINITIONS.**

In this Act:

(1) SCHOOL COUNSELING PROGRAM DEFINITIONS.—The terms ''school counselor'', ''school psychologist'', and ''school social worker'' have the meanings given the terms in section 5421 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7245).

(2) OTHER QUALIFIED PSYCHOLOGIST.—The term ''other qualified psychologist'' has the meaning given the term in section 5421(e)(2) of the Elementary and Secondary Education Act of 1965 (20

U.S.C. 7245(e)(2)), except that such term also includes individuals who—

(A) meet the requirements of subparagraphs (A) and (B) of such section 5421(e)(2); and

(B) in lieu of demonstrated competence in counseling children in a school setting, have practical experience and demonstrated competence in providing psychological services to children in such a setting.

(3) ESEA GENERAL DEFINITIONS.—The terms ''highly qualified'', ''local educational agency'', and ''State educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) BEST PRACTICES.—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.

(5) ELIGIBLE GRADUATE INSTITUTION.—The term ''eligible graduate institution'' means an institution of higher education that offers a program of

study that leads to a masters or other graduate degree—

(A) in school psychology that is accredited or nationally recognized by the National Association of School Psychologists Program Approval Board and that prepares students in such program for the State licensing or certification examination in school psychology;

(B) in school counseling that prepares students in such program for the State licensing or certification examination in school counseling;

(C) in school social work that is accredited by the Council on Social Work Education and that prepares students in such program for the State licensing or certification exam in school social work;

(D) in psychology that is accredited by the American Psychological Association and that prepares students in such program for the State licensing examination for psychologists; or

(E) in any combination of the fields described in subparagraph (A), (B), (C), or (D).

(6) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means—

(A) a partnership between one or more low-income local educational agencies and one or more eligible graduate institutions; or

(B) in regions in which local educational agencies may not have a sufficient elementary and secondary school student population to support the placement of all participating graduate students, a partnership between a State educational agency, on behalf of one or more low-income local educational agencies, and one or more eligible graduate institutions.

(7) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), but excludes any institution of higher education described in section 102(a)(1)(C) of such Act.

(8) LOW-INCOME LOCAL EDUCATIONAL AGENCY.—The term ''low-income local educational agency'' means a local educational agency—

(A) in which not less than 20 percent of 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, school psychologists, and other qualified psychologists to students served by the participating low-income local educational agency that 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 1,111 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 in section 1116(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(c))) or that includes at least one school that has been identified for school improvement, corrective action, or restructuring (as described in section 1116(b) of such Act).

(9) PARTICIPATING ELIGIBLE GRADUATE INSTITUTION.—The term ''participating eligible graduate institution'' means an eligible graduate institution

that is part of an eligible partnership awarded a grant under section 4.

(10) PARTICIPATING GRADUATE.—The term ''participating graduate'' means an individual who—

(A) has—

(i) received a masters or other graduate degree from a participating eligible graduate institution in elementary or secondary school counseling, school social work, school psychology, or from a program that trains students as other qualified psychologists; and

(ii) obtained a State license or credential in school counseling, school social work, school psychology, or psychology; and

(B) as a graduate student of school counseling, school social work, or school psychology, or a program that trains graduate students as other qualified psychologists was placed in a school served by a participating low-income local educational agency to complete required field work, credit hours, internships, or related training, as applicable.

(11) PARTICIPATING LOW-INCOME LOCAL EDUCATIONAL AGENCY.—The term ''participating low-income local educational agency'' means a low-income local educational agency that is part of an eligible partnership awarded a grant under section 4.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(13) STUDENT SUPPORT PERSONNEL TARGET RATIOS.—The term ''student support personnel target ratios'' means the ratios of school counselors, school social workers, school psychologists, and other qualified psychologists to students recommended to enable such personnel to effectively address the needs of students, including—

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

(B) at least 1 school psychologist for every 500 to 700 students (as recommended by the National Association of School Psychologists); and

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

1 (14) 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).

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