

118TH CONGRESS
2D SESSION

H. R. 7108

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

JANUARY 29, 2024

Ms. DELAURO (for herself, Mr. FITZPATRICK, and Mrs. HAYES) introduced the following bill; which was referred to the Committee on Education and the Workforce

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-
23 mentary and Secondary Education Act of 1965 (20
24 U.S.C. 7801).

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

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

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

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

17 (B) does not meet at least two of the fol-
18 lowing:

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

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

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

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

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

11 **SEC. 4. SCHOOL-BASED MENTAL HEALTH SERVICES GRANT**
12 **PROGRAM.**

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

21 (b) AUTHORIZATION OF GRANTS.—

22 (1) IN GENERAL.—From amounts made avail-
23 able under subsection (g) and after making the res-
24 ervations described in paragraph (2), the Secretary

1 shall award grants, on a competitive basis, to eligible
2 agencies, in accordance with this section.

3 (2) RESERVATIONS.—From the total amount
4 made available under subsection (g) for a fiscal year,
5 the Secretary shall—

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

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

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

19 (3) DURATION AND RENEWALS.—

20 (A) DURATION.—A grant awarded under
21 this section shall be for a period of not more
22 than 5 years.

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

1 (4) DIVERSITY OF PROJECTS.—

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

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

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

21 (c) APPLICATION.—An eligible agency applying for a
22 grant under subsection (b)(1) shall submit an application
23 to the Secretary at such time, in such manner, and accom-
24 panied by such information as the Secretary may require,
25 which may include—

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

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

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

15 (4) an assurance that any school-based mental
16 health services provider, including any provider of-
17 fering telehealth services, provides services in a man-
18 ner consistent with section 444 of the General Edu-
19 cation Provisions Act (20 U.S.C. 1232g; commonly
20 known as the “Family Educational Rights and Pri-
21 vacy Act of 1974”) and the Individuals with Disabil-
22 ities Education Act (20 U.S.C. 1400 et seq.), as well
23 as all applicable Federal, State, and local laws.

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

4 (1) Hiring school-based mental health services
5 providers to—

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

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

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

16 (A) salary stipends;

17 (B) relocation benefits;

18 (C) student loan repayment; or

19 (D) other financial incentives.

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

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

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

5 (e) RULES.—

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

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

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

21 (f) REPORTING REQUIREMENTS.—Each eligible
22 agency that receives a grant under subsection (b)(1) shall
23 submit a report to the Secretary on an annual basis and
24 publish such report in a clear and easily accessible format
25 on the website of the eligible agency. Such report shall

1 contain any information required by the Secretary and,
2 at a minimum, the following:

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

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

10 (B) the demographics of such providers.

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

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

22 (g) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 such sums as may be necessary for each of fiscal years
25 2025 through 2029.

1 **SEC. 5. RULE.**

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

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