

103^D CONGRESS
1ST SESSION

S. 1142

To improve counseling services for elementary school children.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 1993

Mr. HARKIN introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To improve counseling services for elementary school children.

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 “Elementary School
5 Counseling Demonstration Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) elementary school children are being sub-
9 jected to unprecedented social stresses, including
10 fragmentation of the family, drug and alcohol abuse,
11 child abuse, poverty, and violence, and experts indi-

1 cate that intervention at an early age is the most
2 beneficial;

3 (2) an increasing number of elementary school
4 children are exhibiting symptoms of distress, such as
5 substance abuse, emotional disorders, academic
6 underachievement, disruptive behavior, juvenile de-
7 linquency, and suicide;

8 (3) elementary school counselors, school psy-
9 chologists and school social workers can contribute
10 to the personal growth, educational development,
11 and emotional well-being of elementary school chil-
12 dren by providing professional counseling, interven-
13 tion, and referral services;

14 (4) the average ratio of elementary school coun-
15 selors to students is 1 to 1,000, the average ratio of
16 school psychologists to students is 1 to 2,500, and
17 the average ratio of school social workers to students
18 is 1 to 2,500;

19 (5) when there is 1 counselor to 1,000 students,
20 1 school psychologist to 2,500 students, and 1 school
21 social worker to 2,500 students, elementary school
22 counseling programs are seldom adequate;

23 (6) the Federal Government can help reduce
24 the risk of academic, social, and emotional problems
25 among elementary school children by stimulating the

1 development of model elementary school counseling
2 programs; and

3 (7) the Federal Government can help reduce
4 the risk of future unemployment and assist the
5 school to work transition by stimulating the develop-
6 ment of model elementary school counseling pro-
7 grams that include comprehensive career develop-
8 ment.

9 (b) PURPOSE.—It is the purpose of this Act to en-
10 hance the availability and quality of counseling services
11 for elementary school children by providing grants to local
12 educational agencies to enable such agencies to establish
13 effective and innovative elementary school counseling pro-
14 grams that can serve as national models.

15 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated \$10,000,000
17 for each of the fiscal years 1994, 1995, 1996, 1997, and
18 1998 to carry out this Act.

19 **SEC. 4. PROGRAM AUTHORITY.**

20 (a) IN GENERAL.—From amounts appropriated pur-
21 suant to the authority of section 3 in any fiscal year, the
22 Secretary shall make grants to local educational agencies
23 having applications approved under section 5 to initiate
24 or expand school counseling programs for elementary
25 school children.

1 (b) PRIORITY.—In awarding grants under this Act,
2 the Secretary shall give special consideration to applica-
3 tions describing programs that—

4 (1) demonstrate the greatest need for new or
5 additional counseling services among the children in
6 the elementary schools served by the applicant;

7 (2) propose the most promising and innovative
8 approaches for initiating or expanding elementary
9 school counseling; and

10 (3) show the greatest potential for replication
11 and dissemination.

12 (c) EQUITABLE DISTRIBUTION.—In awarding grants
13 under this Act, the Secretary shall ensure an equitable ge-
14 ographic distribution among the regions of the United
15 States and among urban, suburban, and rural areas.

16 (d) DURATION.—A grant under this Act shall be
17 awarded for a period not to exceed 3 years.

18 (e) MAXIMUM GRANT.—A grant under this Act shall
19 not exceed \$400,000 for any fiscal year.

20 **SEC. 5. APPLICATIONS.**

21 (a) IN GENERAL.—Each local educational agency de-
22 siring a grant under this Act 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 reason-
25 ably require.

1 (b) NOTIFICATION OF STATE EDUCATIONAL AGEN-
2 CY.—Before submitting an application to the Secretary in
3 accordance with subsection (a), a local educational agency
4 shall provide the State educational agency with an oppor-
5 tunity to review and comment on the program described
6 in such application. The comments of the State edu-
7 cational agency shall be appended to the application upon
8 submission of the application to the Secretary.

9 (c) CONTENTS.—Each application for a grant under
10 this Act shall—

11 (1) describe the elementary school population to
12 be targeted by the program, the particular personal,
13 social, emotional, educational, and career develop-
14 ment needs of such population, and the current
15 school counseling resources available for meeting
16 such needs;

17 (2) describe the activities, services, and training
18 to be provided by the program and the specific ap-
19 proaches to be used to meet the needs described in
20 paragraph (1);

21 (3) describe the methods to be used to evaluate
22 the outcomes and effectiveness of the program;

23 (4) describe the collaborative efforts to be un-
24 dertaken with institutions of higher education, busi-
25 nesses, labor organizations, community groups, so-

1 cial service agencies, and other public or private en-
2 tities to enhance the program and promote school-
3 linked services integration;

4 (5) describe collaborative efforts with institu-
5 tions of higher education which specifically seek to
6 enhance or improve graduate programs specializing
7 in the preparation of elementary school counselors,
8 school psychologists, and school social workers;

9 (6) document that the applicant has the person-
10 nel qualified to develop, implement, and administer
11 the program;

12 (7) describe how any diverse cultural popu-
13 lations would be served through the program;

14 (8) assure that the funds made available under
15 this Act for any fiscal year will be used to supple-
16 ment and, to the extent practicable, increase the
17 level of funds that would otherwise be available from
18 non-Federal sources for the program described in
19 the application, and in no case supplant such funds
20 from non-Federal sources; and

21 (9) assure that the applicant will appoint an ad-
22 visory board composed of parents, school counselors,
23 school psychologists, school social workers, other
24 pupil services personnel, teachers, school administra-
25 tors, and community leaders to advise the local edu-

1 cational agency on the design and implementation of
2 the program.

3 **SEC. 6. USE OF FUNDS.**

4 (a) IN GENERAL.—Grant funds under this Act shall
5 be used to initiate or expand elementary school counseling
6 programs that comply with the requirements in subsection
7 (b).

8 (b) PROGRAM REQUIREMENTS.—Each program as-
9 sisted under this Act shall—

10 (1) be comprehensive in addressing the per-
11 sonal, social, emotional, educational, and career de-
12 velopment needs of all students;

13 (2) use a developmental, preventive approach to
14 counseling;

15 (3) increase the range, availability, quantity,
16 and quality of counseling services in the elementary
17 schools of the local educational agency;

18 (4) ensure a team approach to school counsel-
19 ing by maintaining a ratio in the elementary schools
20 of the local educational agency that does not exceed
21 1 school counselor to 250 students, 1 school social
22 worker to 800 students and 1 school psychologist to
23 1,000 students;

1 (5) expand counseling services only through
2 qualified school counselors, school psychologists, and
3 school social workers;

4 (6) use innovative approaches to increase chil-
5 dren's understanding of peer and family relation-
6 ships, work and self, decisionmaking, academic and
7 career planning, or to improve social functioning;

8 (7) provide counseling services with the goal of
9 developing a highly skilled workforce through a
10 range of quality educational programs and work-re-
11 lated experiences that allow students to reach high
12 school graduation equipped to tackle immediately the
13 world of work, or to continue in some form of post-
14 secondary education or training, or both;

15 (8) provide counseling services that are well-bal-
16 anced among classroom group and small group coun-
17 seling, individual counseling, and consultation with
18 parents, teachers, administrators, and other pupil
19 services personnel;

20 (9) include inservice training for school coun-
21 selors, school social workers, school psychologists,
22 other pupil services personnel, teachers, and instruc-
23 tional staff;

1 (10) involve parents of participating students in
2 the design, implementation, and evaluation of a
3 counseling program;

4 (11) involve collaborative efforts with institu-
5 tions of higher education, businesses, labor organiza-
6 tions, community groups, social service agencies, or
7 other public or private entities to enhance the pro-
8 gram and promote school-linked services integration;

9 (12) ensure that school counselors, school psy-
10 chologists or school social workers paid from funds
11 made available under this Act spend at least 85 per-
12 cent of their total work time in activities directly re-
13 lated to the counseling process and not more than
14 15 percent of such time on administrative tasks that
15 are associated with the counseling program;

16 (13) provide supervision for professionals who
17 are hired under this Act by supervisors who are
18 school counselors, school social workers, and school
19 psychologists; and

20 (14) evaluate annually the effectiveness and
21 outcomes of the counseling services and activities as-
22 sisted under this Act.

23 **SEC. 7. NATIONAL ADMINISTRATION.**

24 (a) OFFICE OF PUPIL SERVICES.—

1 (1) IN GENERAL.—Title II of the Department
2 of Education Organization Act (20 U.S.C. 3411 et
3 seq.) is amended by adding at the end the following
4 new section:

5 “OFFICE OF PUPIL SERVICES

6 “SEC. 216. (a) There shall be in the Department of
7 Education an Office of Pupil Services, to be administered
8 by the Director of Pupil Services. Such Office shall be es-
9 tablished in accordance with section 405A of the General
10 Education Provisions Act.

11 “(b) The Director of Pupil Services shall be an indi-
12 vidual of recognized professional qualifications and experi-
13 ence in the field of pupil services.”.

14 (2) AMENDMENT TO THE GENERAL EDUCATION
15 PROVISIONS ACT.—Part A of the General Education
16 Provisions Act (20 U.S.C. 1221e et seq.) is amended
17 by inserting after section 405 the following new sec-
18 tion:

19 **“SEC. 405A. OFFICE OF PUPIL SERVICES.**

20 “(a) ESTABLISHMENT.—The Secretary shall estab-
21 lish an Office of Pupil Services (hereafter in this section
22 referred to as the ‘Office’).

23 “(b) FUNCTIONS OF THE OFFICE.—The Office shall
24 be responsible for—

25 “(1) administering, reviewing, and monitoring
26 pupil services programs, including the programs

1 funded under the Elementary School Counseling
2 Act; and

3 “(2) providing a national focal point for infor-
4 mation and technical assistance regarding the coun-
5 seling, personal, social, emotional, educational, ca-
6 reer development and psychological needs of elemen-
7 tary and secondary school children.”.

8 (b) DATA COLLECTION AND EVALUATION.—

9 (1) IN GENERAL.—The Director of the Office of
10 Pupil Services shall compile the evaluations of the
11 programs assisted under this Act and shall regularly
12 collect such data as the Secretary finds necessary to
13 develop a profile of the use and impact of funds pro-
14 vided under this Act.

15 (2) REPORT.—The Secretary shall issue a re-
16 port evaluating the programs assisted pursuant to
17 each grant under this section at the end of each
18 grant period, but in no case later than January 30,
19 1998.

20 (c) DISSEMINATION.—The Secretary shall make the
21 programs assisted under this Act available for dissemina-
22 tion, either through the National Diffusion Network or
23 other appropriate means.

24 (d) LIMIT ON ADMINISTRATION.—Not more than 5
25 percent of the amounts appropriated pursuant to the au-

1 thority of section 3 in any fiscal year shall be used to carry
2 out the provisions of this section, including the costs of
3 establishing the Office of Pupil Services.

4 **SEC. 8. DEFINITIONS.**

5 For purposes of this Act—

6 (1) the term “comprehensive” means, with re-
7 spect to counseling services, a program in which—

8 (A) a school counselor, school psychologist,
9 or school social worker uses a range of individ-
10 ual and group techniques and resources in a
11 planned way to meet the personal, social, emo-
12 tional, educational, and career development
13 needs of all elementary children in a school; and

14 (B) a school counselor, school psychologist,
15 or school social worker works directly with chil-
16 dren, families, teachers, and other school or
17 agency personnel to create an optimal positive
18 learning environment and personal growth op-
19 portunities for all children;

20 (2) the term “developmental” means, with re-
21 spect to a school counseling program, a systemati-
22 cally planned program that—

23 (A) provides appropriate school counseling
24 interventions to foster the social, emotional,

1 physical, moral, and cognitive growth of elemen-
2 tary school children;

3 (B) provides intervention services to help
4 children cope with family, social, emotional, and
5 academic problems; and

6 (C) supports and enhances the efforts of
7 families, teachers, and other school personnel to
8 provide children maximum opportunity to ac-
9 quire competence and skill in self-understanding
10 and appreciation, interpersonal interaction, edu-
11 cational achievement and literacy, and career
12 awareness and personal decisionmaking;

13 (3) the term “Director” means the Director of
14 the Office of Pupil Services in the Department of
15 Education;

16 (4) the term “elementary school” has the mean-
17 ing given such term in section 1471(8) of the Ele-
18 mentary and Secondary Education Act of 1965;

19 (5) the term “institution of higher education”
20 has the meaning given such term in section 1201(a)
21 of the Higher Education Act of 1965;

22 (6) the term “local educational agency” has the
23 meaning given such term in section 1471(12) of the
24 Elementary and Secondary Education Act of 1965;

1 (7) the term “parent” has the meaning given
2 such term in section 1471(14) of the Elementary
3 and Secondary Education Act of 1965;

4 (8) the term “pupil services personnel” has the
5 meaning given such term in section 1471(17) of the
6 Elementary and Secondary Education Act of 1965;

7 (9) the term “school counselor” means an indi-
8 vidual who has documented competence in counsel-
9 ing children and adolescents in a school setting and
10 who—

11 (A) possesses State licensure or certifi-
12 cation granted by an independent professional
13 regulatory authority;

14 (B) in the absence of such State licensure
15 or certification, possesses national certification
16 in school counseling or a specialty of counseling
17 granted by an independent professional organi-
18 zation; or

19 (C) holds a minimum of a master’s degree
20 in school counseling from a program accredited
21 by the Council for Accreditation of Counseling
22 and Related Educational Programs or the
23 equivalent;

24 (10) the term “school psychologist” means an
25 individual who—

1 (A) possesses a minimum of 60 graduate
2 semester hours in school psychology from an in-
3 stitution of higher education and has completed
4 1,200 clock hours in a supervised school psy-
5 chology internship, of which 600 hours shall be
6 in the school setting; and

7 (B) possess State licensure or certification
8 in the State in which the individual works; or

9 (C) in the absence of such State licensure
10 or certification, possess national certification by
11 the National School Psychology Certification
12 Board;

13 (11) the term “school social worker” means an
14 individual who holds a master’s degree in social
15 work and is licensed or certified by the State in
16 which services are provided or holds a school social
17 work specialist credential;

18 (12) the term “Secretary” means the Secretary
19 of Education;

20 (13) the term “State educational agency” has
21 the meaning given such term in section 1471(23) of
22 the Elementary and Secondary Education Act of
23 1965; and

24 (14) the term “supervisor” means an individual
25 who has the equivalent number of years of profes-

1 sional experience in such individual's respective dis-
2 cipline as is required of teaching experience for the
3 supervisor or administrative credential in the State
4 of such individual.

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