

106TH CONGRESS
1ST SESSION

S. 1443

To amend section 10102 of the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

IN THE SENATE OF THE UNITED STATES

JULY 27, 1999

Mr. HARKIN (for himself, Mrs. LINCOLN, Mr. WELLSTONE, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend section 10102 of the Elementary and Secondary Education Act of 1965 regarding elementary school and secondary school counseling.

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 and Sec-
5 ondary School Counseling Improvement Act of 1999”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) elementary and secondary school children
9 are being subjected to unprecedented social stresses,

1 including fragmentation of the family, drug and al-
2cohol abuse, violence, child abuse, and poverty;

3 (2) an increasing number of elementary and
4 secondary school children are exhibiting symptoms of
5 distress, such as substance abuse, emotional dis-
6orders, violent outbursts, disruptive behavior, juve-
7nile delinquency, and suicide;

8 (3) between 1984 and 1994, the homicide rate
9 for adolescents doubled, while the rate of nonfatal
10 violent crimes committed by adolescents increased by
11 almost 20 percent;

12 (4) according to the National Institute of Men-
13tal Health, up to one in five children and youth have
14 psychological problems severe enough to require
15 some form of professional help, yet only 20 percent
16 of youth with mental disorders or their families re-
17ceive help;

18 (5) the Institute of Medicine has identified psy-
19chological counseling as the most serious school
20 health need for the normal development of our Na-
21tion's children and youth;

22 (6) school counselors, school psychologists, and
23 school social workers can contribute to the personal
24 growth, educational development, and emotional
25 well-being of elementary and secondary school chil-

1 dren by providing professional counseling, interven-
2 tion, and referral services;

3 (7) the implementation of well designed school
4 counseling programs has been shown to increase stu-
5 dents' academic success;

6 (8) the national average student-to-counselor
7 ratio in elementary and secondary schools is 531 to
8 1, and the average student-to-psychologist ratio is
9 2300 to 1;

10 (9) it is recommended that to effectively ad-
11 dress students' mental health and development
12 needs, schools have 1 full-time counselor for every
13 250 students, 1 psychologist for every 1,000 stu-
14 dents, and 1 school social worker for every 800 stu-
15 dents;

16 (10) the population of elementary and sec-
17 ondary school students in the United States is ex-
18 pected to increase dramatically during the 5 to 10
19 years beginning with 1999;

20 (11) the Federal Government can help reduce
21 the risk of academic, social, and emotional problems
22 among elementary and secondary school children by
23 stimulating the development of model school coun-
24 seling programs; and

1 (12) the Federal Government can help reduce
2 the risk of future unemployment and assist the
3 school-to-work transition by stimulating the develop-
4 ment of model school counseling programs that in-
5 clude comprehensive career development.

6 (b) PURPOSE.—It is the purpose of this Act to en-
7 hance the availability and quality of counseling services
8 for elementary and secondary school children by providing
9 grants to local educational agencies to enable such agen-
10 cies to establish or expand effective and innovative coun-
11 seling programs that can serve as national models.

12 **SEC. 3. SCHOOL COUNSELING.**

13 Section 10102 of the Elementary and Secondary
14 Education Act of 1965 (20 U.S.C. 8002) is amended to
15 read as follows:

16 **“SEC. 10102. ELEMENTARY SCHOOL AND SECONDARY**
17 **SCHOOL COUNSELING DEMONSTRATION.**

18 “(a) COUNSELING DEMONSTRATION.—

19 “(1) IN GENERAL.—The Secretary may award
20 grants under this section to local educational agen-
21 cies to enable the local educational agencies to estab-
22 lish or expand elementary school and secondary
23 school counseling programs.

1 “(2) PRIORITY.—In awarding grants under this
2 section, the Secretary shall give special consideration
3 to applications describing programs that—

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

7 “(B) propose the most promising and inno-
8 vative approaches for initiating or expanding
9 school counseling; and

10 “(C) show the greatest potential for rep-
11 lication and dissemination.

12 “(3) EQUITABLE DISTRIBUTION.—In awarding
13 grants under this section, the Secretary shall ensure
14 an equitable geographic distribution among the re-
15 gions of the United States and among urban, subur-
16 ban, and rural areas.

17 “(4) DURATION.—A grant under this section
18 shall be awarded for a period not to exceed three
19 years.

20 “(5) MAXIMUM GRANT.—A grant under this
21 section shall not exceed \$400,000 for any fiscal year.

22 “(b) APPLICATIONS.—

23 “(1) IN GENERAL.—Each local educational
24 agency desiring a grant under this section shall sub-
25 mit an application to the Secretary at such time, in

1 such manner, and accompanied by such information
2 as the Secretary may reasonably require.

3 “(2) CONTENTS.—Each application for a grant
4 under this section shall—

5 “(A) describe the school population to be
6 targeted by the program, the particular per-
7 sonal, social, emotional, educational, and career
8 development needs of such population, and the
9 current school counseling resources available for
10 meeting such needs;

11 “(B) describe the activities, services, and
12 training to be provided by the program and the
13 specific approaches to be used to meet the
14 needs described in subparagraph (A);

15 “(C) describe the methods to be used to
16 evaluate the outcomes and effectiveness of the
17 program;

18 “(D) describe the collaborative efforts to
19 be undertaken with institutions of higher edu-
20 cation, businesses, labor organizations, commu-
21 nity groups, social service agencies, and other
22 public or private entities to enhance the pro-
23 gram and promote school-linked services inte-
24 gration;

1 “(E) describe collaborative efforts with in-
2 stitutions of higher education which specifically
3 seek to enhance or improve graduate programs
4 specializing in the preparation of school coun-
5 selors, school psychologists, and school social
6 workers;

7 “(F) document that the applicant has the
8 personnel qualified to develop, implement, and
9 administer the program;

10 “(G) describe how any diverse cultural
11 populations, if applicable, would be served
12 through the program;

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

21 “(I) assure that the applicant will appoint
22 an advisory board composed of parents, school
23 counselors, school psychologists, school social
24 workers, other pupil services personnel, teach-
25 ers, school administrators, and community lead-

1 ers to advise the local educational agency on the
2 design and implementation of the program.

3 “(c) USE OF FUNDS.—

4 “(1) IN GENERAL.—Grant funds under this sec-
5 tion shall be used to initiate or expand school coun-
6 seling programs that comply with the requirements
7 in paragraph (2).

8 “(2) PROGRAM REQUIREMENTS.—Each pro-
9 gram assisted under this section shall—

10 “(A) be comprehensive in addressing the
11 personal, social, emotional, and educational
12 needs of all students;

13 “(B) use a developmental, preventive ap-
14 proach to counseling;

15 “(C) increase the range, availability, quan-
16 tity, and quality of counseling services in the
17 schools of the local educational agency;

18 “(D) expand counseling services only
19 through qualified school counselors, school psy-
20 chologists, and school social workers;

21 “(E) use innovative approaches to increase
22 children’s understanding of peer and family re-
23 lationships, work and self, decisionmaking, or
24 academic and career planning, or to improve so-
25 cial functioning;

1 “(F) provide counseling services that are
2 well-balanced among classroom group and small
3 group counseling, individual counseling, and
4 consultation with parents, teachers, administra-
5 tors, and other pupil services personnel;

6 “(G) include inservice training for school
7 counselors, school social workers, school psy-
8 chologists, other pupil services personnel, teach-
9 ers, and instructional staff;

10 “(H) involve parents of participating stu-
11 dents in the design, implementation, and eval-
12 uation of a counseling program;

13 “(I) involve collaborative efforts with insti-
14 tutions of higher education, businesses, labor
15 organizations, community groups, social service
16 agencies, or other public or private entities to
17 enhance the program and promote school-linked
18 services integration;

19 “(J) evaluate annually the effectiveness
20 and outcomes of the counseling services and ac-
21 tivities assisted under this section;

22 “(K) ensure a team approach to school
23 counseling by maintaining a ratio in the ele-
24 mentary schools and secondary schools of the
25 local educational agency that does not exceed 1

1 school counselor to 250 students, 1 school social
2 worker to 800 students, and 1 school psycholo-
3 gist to 1,000 students; and

4 “(L) ensure that school counselors, school
5 psychologists, or school social workers paid
6 from funds made available under this section
7 spend at least 85 percent of their total
8 worktime at the school in activities directly re-
9 lated to the counseling process and not more
10 than 15 percent of such time on administrative
11 tasks that are associated with the counseling
12 program.

13 “(3) REPORT.—The Secretary shall issue a re-
14 port evaluating the programs assisted pursuant to
15 each grant under this subsection at the end of each
16 grant period in accordance with section 14701, but
17 in no case later than January 30, 2003.

18 “(4) DISSEMINATION.—The Secretary shall
19 make the programs assisted under this section avail-
20 able for dissemination, either through the National
21 Diffusion Network or other appropriate means.

22 “(5) LIMIT ON ADMINISTRATION.—Not more
23 than five percent of the amounts made available
24 under this section in any fiscal year shall be used for
25 administrative costs to carry out this section.

1 “(d) DEFINITIONS.—For purposes of this section—

2 “(1) the term ‘school counselor’ means an indi-
3 vidual who has documented competence in coun-
4 seling children and adolescents in a school setting
5 and who—

6 “(A) possesses State licensure or certifi-
7 cation granted by an independent professional
8 regulatory authority;

9 “(B) in the absence of such State licensure
10 or certification, possesses national certification
11 in school counseling or a specialty of counseling
12 granted by an independent professional organi-
13 zation; or

14 “(C) holds a minimum of a master’s de-
15 gree in school counseling from a program ac-
16 credited by the Council for Accreditation of
17 Counseling and Related Educational Programs
18 or the equivalent;

19 “(2) the term ‘school psychologist’ means an in-
20 dividual who—

21 “(A) possesses a minimum of 60 graduate
22 semester hours in school psychology from an in-
23 stitution of higher education and has completed
24 1,200 clock hours in a supervised school psy-

1 chology internship, of which 600 hours shall be
2 in the school setting;

3 “(B) possesses State licensure or certifi-
4 cation in the State in which the individual
5 works; or

6 “(C) in the absence of such State licensure
7 or certification, possesses national certification
8 by the National School Psychology Certification
9 Board;

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

15 “(4) the term ‘supervisor’ means an individual
16 who has the equivalent number of years of profes-
17 sional experience in such individual’s respective dis-
18 cipline as is required of teaching experience for the
19 supervisor or administrative credential in the State
20 of such individual.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this section
23 \$100,000,000 for fiscal year 2000 and such sums as may
24 be necessary for each of the 4 succeeding fiscal years, of
25 which \$60,000,000 shall be available for each fiscal year

1 to establish or expand elementary school counseling pro-
2 grams.”.

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