

117TH CONGRESS  
1ST SESSION

# S. 1390

To amend the Elementary and Secondary Education Act of 1965 to improve mental health services for students, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 27, 2021

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to improve mental health services for students, and for other purposes.

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 “Youth Mental Health  
5 Services Act of 2021”.

6 **SEC. 2. SUPPORTING MENTAL HEALTH.**

7 (a) STATE USE OF FUNDS.—Section 4104(b)(3)(B)  
8 of the Elementary and Secondary Education Act of 1965  
9 (20 U.S.C. 7114(b)(3)(B)) is amended—

1 (1) in clause (iii), by striking “and” at the end;

2 and

3 (2) by adding at the end the following:

4 “(v) improving the mental health serv-  
5 ices available to students, which may in-  
6 clude—

7 “(I) identifying and dissemi-  
8 nating best practices for mental  
9 health first aid;

10 “(II) assisting in the establish-  
11 ment or implementation of emergency  
12 planning, which may include emer-  
13 gency response teams to address  
14 emergencies at schools;

15 “(III) establishing or identifying  
16 agreements with local health agencies,  
17 including nonprofit, public, and pri-  
18 vate mental health agencies and insti-  
19 tutions, to improve coordination of  
20 services; and

21 “(IV) telehealth services; and”.

22 (b) LOCAL EDUCATIONAL AGENCY APPLICATIONS.—  
23 Section 4106(e)(1) of the Elementary and Secondary Edu-  
24 cation Act of 1965 (20 U.S.C. 7116(e)(1)) is amended—

1           (1) in subparagraph (D), by striking “and” at  
2 the end;

3           (2) by redesignating subparagraph (E) as sub-  
4 paragraph (F); and

5           (3) by inserting after subparagraph (D), the  
6 following:

7                   “(E) if applicable, how funds will be used  
8 for activities related to providing mental health  
9 services under section 4108; and”.

10       (c) ACTIVITIES TO SUPPORT THE EFFECTIVE USE  
11 OF TECHNOLOGY.—Section 4109 of the Elementary and  
12 Secondary Education Act of 1965 (20 U.S.C. 7119) is  
13 amended—

14           (1) in subsection (a)—

15                   (A) in paragraph (5), by striking “and” at  
16 the end;

17                   (B) in paragraph (6), by striking the pe-  
18 riod at the end and inserting “; and”; and

19                   (C) by adding at the end the following:

20                           “(7) providing technology to improve mental  
21 health services.”; and

22           (2) in subsection (b)—

23                   (A) by striking “A local” and inserting the  
24 following:

25                           “(1) IN GENERAL.—A local”; and

1 (B) by adding at the end the following:

2 “(2) EXCEPTION.—The limitation described in  
3 paragraph (1) shall not apply to technology infra-  
4 structure that is also used for mental health serv-  
5 ices.”.

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