

117TH CONGRESS
1ST SESSION

S. 2730

To direct the Secretary of Education to establish a pilot grant program to develop, implement, and evaluate comprehensive mental health services programs in elementary schools and secondary schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2021

Mr. PADILLA (for himself and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To direct the Secretary of Education to establish a pilot grant program to develop, implement, and evaluate comprehensive mental health services programs in elementary schools and secondary schools, 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 “Comprehensive Mental
5 Health in Schools Pilot Program Act of 2021”.

1 **SEC. 2. MENTAL HEALTH PILOT GRANT PROGRAM.**

2 (a) PURPOSES.—The purposes of the program estab-
3 lished under this section are to—

4 (1) prioritize, with respect to all elementary
5 school and secondary school students—

6 (A) academic, cognitive, social-emotional,
7 and identity development;

8 (B) mental and behavioral health; and

9 (C) physical health;

10 (2) meet the priorities described in paragraph
11 (1) by intervening with equitable multi-tier systems
12 of support;

13 (3) support measurable outcomes, which focus
14 on continuous improvement instead of punitive
15 measures;

16 (4) ensure equitable access to high-quality, safe,
17 and supportive learning environments;

18 (5) integrate the teaching of social, emotional,
19 and cognitive learning skills and competencies
20 throughout all aspects of the elementary school and
21 secondary school environments, including through
22 standalone measures;

23 (6) use evidence-based instructional materials,
24 practices, programs, and resources to implement the
25 practices described in paragraph (5);

1 (7) build expertise among trusted adults with
2 respect to responding to the mental and behavioral
3 health needs of students in elementary school and
4 secondary school communities, including teachers,
5 administrators, specialized instructional support per-
6 sonnel, paraprofessionals, other staff, parents, and
7 caregivers; and

8 (8) hire a full complement of mental and behav-
9 ioral health professionals to ensure an appropriate
10 ratio of students to such professionals.

11 (b) IN GENERAL.—Not later than 90 days after the
12 date of the enactment of this Act, the Secretary shall es-
13 tablish a pilot grant program to award grants, on a com-
14 petitive basis, to local educational agencies to—

15 (1) establish, develop, implement, and evaluate
16 a comprehensive, multi-tier system of support with
17 respect to mental and behavioral health services pro-
18 grams in elementary schools and secondary schools
19 served by such local educational agencies; and

20 (2) fully fund comprehensive mental and behav-
21 ioral health services in such elementary schools and
22 secondary schools.

23 (c) CONSULTATION AND ASSISTANCE.—In estab-
24 lishing the program under subsection (b), the Secretary
25 shall—

1 (1) consult with nationally recognized organiza-
2 tions that identify, support, and advocate for evi-
3 dence-based social-emotional learning policy and
4 practices and multi-tier systems of support within el-
5 ementary schools and secondary schools;

6 (2) consult with nationally recognized organiza-
7 tions—

8 (A) with expertise in child, adolescent, and
9 developmental mental health; and

10 (B) that identify, support, and advocate
11 for evidence-based prevention of, and interven-
12 tion for, child trauma; and

13 (3) provide technical assistance to grant recipi-
14 ents with respect to implementation and execution of
15 activities under this section.

16 (d) APPLICATION.—

17 (1) IN GENERAL.—To be eligible for a grant
18 under this section, a local educational agency shall
19 submit to the Secretary an application at such time,
20 in such manner, and containing such information as
21 the Secretary may require, including—

22 (A) a needs assessment;

23 (B) a plan to—

1 (i) during the grant period described
2 in subsection (f), implement the activities
3 described under subsection (h); and

4 (ii) after the conclusion of the grant
5 period described in subsection (f), maintain
6 such activities; and

7 (C) a cost assessment with respect to im-
8 plementing the plan described in subparagraph
9 (B).

10 (2) TIMING.—A local educational agency may
11 only submit an application during the period—

12 (A) beginning on the date that the Sec-
13 retary establishes the program under subsection
14 (b); and

15 (B) ending on the date that is 120 days
16 after the date described in subparagraph (A).

17 (3) NOTIFICATION PERIOD.—The Secretary
18 shall notify each local educational agency that sub-
19 mits an application under this subsection of the deci-
20 sion to award, or not award, a grant to such agency
21 not later than 90 days after the date that is the
22 final day of the period described in paragraph
23 (2)(B).

1 (e) PRIORITY.—In awarding grants under this sec-
2 tion, the Secretary shall give priority to local educational
3 agencies that—

4 (1) serve high-poverty elementary schools and
5 secondary schools; and

6 (2) with respect to the services described in
7 paragraphs (3) and (4) of subsection (h)—

8 (A) provide such services within such ele-
9 mentary schools and secondary schools; or

10 (B) provide an assurance, in the applica-
11 tion submitted under subsection (d), that such
12 local educational agency will use grant funds
13 awarded under this section to implement such
14 services within such elementary schools and sec-
15 ondary schools.

16 (f) GRANT PERIOD.—

17 (1) DURATION.—A grant awarded under this
18 section shall be for a period of 4 consecutive aca-
19 demic years.

20 (2) BEGINNING OF GRANT PERIOD.—The grant
21 period described in paragraph (1) shall begin on the
22 date that is the first day of the first academic year
23 beginning after the Secretary notifies each local edu-
24 cational agency under subsection (d)(3).

1 (g) SUPPLEMENT NOT SUPPLANT.—Grant funds
2 provided under this section shall be used to supplement,
3 not supplant, other Federal, State, or local funds available
4 to carry out the activities described in subsection (h).

5 (h) GRANT USES.—A local educational agency shall
6 use grant funds awarded under this section for the fol-
7 lowing activities:

8 (1) Evaluating the needs of the elementary
9 schools and secondary schools served by such local
10 educational agency with respect to the activities de-
11 scribed in paragraphs (2) through (4).

12 (2) Implementing, in consultation with teachers
13 and school mental and behavioral health profes-
14 sionals, evidence-based universal social-emotional
15 learning programs, approaches, and supports, in-
16 cluding by—

17 (A) incorporating principles of motivation
18 and engagement and resiliency training into
19 class instruction;

20 (B) promoting connections by establishing
21 regular collaboration and communication be-
22 tween and among students, parents, caregivers,
23 and staff;

24 (C) promoting a safe, equitable, sup-
25 portive, and healthy school climate that is ra-

1 cially, culturally, developmentally, and linguis-
2 tically responsive to encourage positive behavior
3 and academic engagement;

4 (D) establishing racially, culturally, devel-
5 opmentally, and linguistically appropriate evi-
6 dence-based trauma-informed and trauma-com-
7 petent practices to support students and staff;

8 (E) establishing evidence-informed psycho-
9 logical supports for students and staff to pro-
10 mote a sense of agency, safety, calmness, self-
11 efficacy, mindfulness, and coping skills; and

12 (F) adopting positive, non-punitive, restor-
13 ative policies to address challenging behaviors,
14 discipline, and de-escalation, focused on devel-
15 oping, maintaining, and repairing relationships
16 in place of utilizing retributive and exclusionary
17 practices.

18 (3) Implementing targeted interventions that
19 are equitable for all students and that support emo-
20 tional management, goal setting, and establishing
21 routines and consistency, including—

22 (A) evidence-based and trauma-informed
23 screening and referral to mental and behavioral
24 health services;

1 (B) small groups for support, problem-solv-
 2 ing, and strengthening collaborations;

3 (C) peer support groups;

4 (D) parent and caregiver engagement;

5 (E) periodic check-in meetings with stu-
 6 dents during the regular school day;

7 (F) by monitoring for evidence of food in-
 8 security, homelessness, neglect, and abuse, in-
 9 cluding with respect to disadvantaged students;
 10 and

11 (G) personalized learning experiences, ac-
 12 commodated, modifications, and technical sup-
 13 ports as appropriate for students.

14 (4) Implementing intensive supports, includ-
 15 ing—

16 (A) individualized intervention and support
 17 from school-based professionals;

18 (B) by hiring such school-based profes-
 19 sionals; and

20 (C) ongoing evidence-based and trauma-in-
 21 formed progress monitoring of students and
 22 intervention based on such monitoring.

23 (5) Providing professional development for
 24 teachers and other school staff with respect to—

1 (A) developing a healthy learning climate,
2 including through positive classroom manage-
3 ment, enhancing empathy and respect, and pro-
4 moting a sense of belonging for students;

5 (B) integrating social and emotional learn-
6 ing, motivation and engagement, and resiliency
7 training into classroom instruction and prac-
8 tices;

9 (C) the impact of adverse childhood experi-
10 ences and traumatic experiences on the health
11 and development of students;

12 (D) evidence-based and trauma-informed
13 approaches to teaching and managing student
14 behavior;

15 (E) racially, culturally, developmentally,
16 and linguistically appropriate techniques for
17 providing more agency to students;

18 (F) implicit bias and restorative justice
19 practices; and

20 (G) racially, culturally, developmentally,
21 and linguistically responsive teaching.

22 (i) EVALUATION.—

23 (1) IN GENERAL.—The Secretary shall—

24 (A) not later than 1 year before the last
25 day of the grant period described in subsection

1 (f), enter into a contract with a nationally-rec-
2 ognized educational evaluation institution or or-
3 ganization; and

4 (B) not later than 1 year after the conclu-
5 sion of the grant period described in subsection
6 (f), coordinate with such institution or organi-
7 zation to provide an evaluation of the pilot
8 grant program, including—

9 (i) a determination with respect to the
10 sufficient ratio of school-based profes-
11 sionals to students;

12 (ii) information with respect to the
13 practices used by local educational agencies
14 to improve the mental and behavioral well-
15 being of students;

16 (iii) information with respect to in-
17 creased competencies among teachers and
18 other school staff on social and emotional
19 learning and trauma-informed practices;

20 (iv) data on the mental and behavioral
21 health outcomes of students, in the aggre-
22 gate and disaggregated by—

23 (I) race and ethnicity;

24 (II) gender;

25 (III) sexual orientation;

1 (IV) status as an English learn-
2 er; and

3 (V) status as a student with a
4 disability; and

5 (v) a recommendation as to whether
6 such program should be continued or ex-
7 panded.

8 (2) PUBLICATION.—The Secretary shall make
9 the evaluation required under paragraph (1) publicly
10 available on the website of the Department.

11 (3) REPORT.—Not later than 60 days after the
12 completion of the evaluation required under para-
13 graph (1), the Secretary shall submit to Congress a
14 report on the outcome of the pilot grant program,
15 including a recommendation with respect to con-
16 tinuing or expanding the program.

17 (j) CONTINUATION OF PROGRAM.—

18 (1) APPLICATIONS.—If the evaluation required
19 under subsection (i)(1) contains a recommendation
20 that the pilot grant program should be continued or
21 expanded, the Secretary—

22 (A) may continue or expand such program;
23 and

24 (B) if such program is expanded or contin-
25 ued—

1 (i) shall allow a local educational
2 agency that did not receive a grant under
3 the pilot program established under this
4 section to apply for a grant in accordance
5 with subsection (d)(1); and

6 (ii) shall allow a local educational
7 agency that received a grant under the
8 pilot program established under this sec-
9 tion to apply for a renewal of such grant
10 for an additional period of 4 consecutive
11 academic years.

12 (2) EVALUATION.—Not later than 1 year after
13 the first grant is awarded or renewed after the con-
14 tinuation or expansion of the program, the Secretary
15 shall coordinate with the institution or organization
16 described in subsection (i)(1)(A) to provide an eval-
17 uation of the renewal of the pilot grant program.

18 (3) PUBLICATION.—The Secretary shall make
19 the evaluation required under paragraph (2) publicly
20 available on the website of the Department.

21 (4) REPORT.—Not later than 60 days after the
22 completion of the evaluation required under para-
23 graph (2), the Secretary shall submit to Congress a
24 report on the progress of the renewal or expansion
25 of the program.

1 (k) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$20,000,000, for fiscal year 2022, to be available until ex-
4 pended.

5 (l) DEFINITIONS.—In this section:

6 (1) ESEA TERMS.—The terms “Department”,
7 “elementary school”, “local educational agency”,
8 “multi-tier system of supports”, “secondary school”,
9 and “Secretary” have the meanings given such
10 terms in section 8101 of the Elementary and Sec-
11 ondary Education Act (20 U.S.C. 7801).

12 (2) SCHOOL-BASED PROFESSIONAL.—The term
13 “school-based professional” means a behavioral spe-
14 cialist or mental health specialist.

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