

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

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Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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”.

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

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

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

3           (A) academic, cognitive, social-emotional,  
4 and identity development;

5           (B) mental and behavioral health; and

6           (C) physical health;

7           (2) meet the priorities described in paragraph  
8 (1) by intervening with equitable multi-tier systems  
9 of support;

10          (3) support measurable outcomes, which focus  
11 on continuous improvement instead of punitive  
12 measures;

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

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

20          (6) use evidence-based instructional materials,  
21 practices, programs, and resources to implement the  
22 practices described in paragraph (5);

23          (7) build expertise among trusted adults with  
24 respect to responding to the mental and behavioral  
25 health needs of students in elementary school and

1 secondary school communities, including teachers,  
2 administrators, specialized instructional support per-  
3 sonnel, paraprofessionals, other staff, parents, and  
4 caregivers; and

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

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

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

17 (2) fully fund comprehensive mental and behav-  
18 ioral health services in such elementary schools and  
19 secondary schools.

20 (c) CONSULTATION AND ASSISTANCE.—In estab-  
21 lishing the program under subsection (b), the Secretary  
22 shall—

23 (1) consult with nationally-recognized organiza-  
24 tions that identify, support, and advocate for evi-  
25 dence-based social-emotional learning policy and

1 practices and multi-tier systems of support within el-  
2 elementary schools and secondary schools;

3 (2) consult with nationally recognized organiza-  
4 tions—

5 (A) with expertise in child, adolescent, and  
6 developmental mental health; and

7 (B) that identify, support, and advocate  
8 for evidence-based prevention of, and interven-  
9 tion for, child trauma; and

10 (3) provide technical assistance to grant recipi-  
11 ents with respect to implementation and execution of  
12 activities under this section.

13 (d) APPLICATION.—

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

19 (A) a needs assessment;

20 (B) a plan to—

21 (i) during the grant period described  
22 in subsection (f), implement the activities  
23 described under subsection (h); and

1 (ii) after the conclusion of the grant  
2 period described in subsection (f), maintain  
3 such activities; and

4 (C) a cost assessment with respect to im-  
5 plementing the plan described in subparagraph  
6 (B).

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

9 (A) beginning on the date that the Sec-  
10 retary establishes the program under subsection  
11 (b); and

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

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

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

24 (1) serve high-poverty elementary schools and  
25 secondary schools; and

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

3           (A) provide such services within such ele-  
4 mentary schools and secondary schools; or

5           (B) provide an assurance, in the applica-  
6 tion submitted under subsection (d), that such  
7 local educational agency will use grant funds  
8 awarded under this section to implement such  
9 services within such elementary schools and sec-  
10 ondary schools.

11 (f) GRANT PERIOD.—

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

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

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

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

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

8 (2) Implementing, in consultation with teachers  
9 and school mental and behavioral health profes-  
10 sionals, evidence-based universal social-emotional  
11 learning programs, approaches, and supports, in-  
12 cluding by—

13 (A) incorporating principles of motivation  
14 and engagement and resiliency training into  
15 class instruction;

16 (B) promoting connections by establishing  
17 regular collaboration and communication be-  
18 tween and among students, parents, caregivers,  
19 and staff;

20 (C) promoting a safe, equitable, sup-  
21 portive, and healthy school climate that is ra-  
22 cially, culturally, developmentally, and linguis-  
23 tically responsive to encourage positive behavior  
24 and academic engagement;

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

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

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

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

19 (A) evidence-based and trauma-informed  
20 screening and referral to mental and behavioral  
21 health services;

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

24 (C) peer support groups;

25 (D) parent and caregiver engagement;



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

3 (F) by monitoring for evidence of food in-  
4 security, homelessness, neglect, and abuse, in-  
5 cluding with respect to disadvantaged students;  
6 and

7 (G) personalized learning experiences, ac-  
8 commodated, modifications, and technical sup-  
9 ports as appropriate for students.

10 (4) Implementing intensive supports, includ-  
11 ing—

12 (A) individualized intervention and support  
13 from school-based mental health services pro-  
14 viders;

15 (B) by hiring such school-based mental  
16 health services providers; and

17 (C) ongoing evidence-based and trauma-in-  
18 formed progress monitoring of students and  
19 intervention based on such monitoring.

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

22 (A) developing a healthy learning climate,  
23 including through positive classroom manage-  
24 ment, enhancing empathy and respect, and pro-  
25 moting a sense of belonging for students;

1 (B) integrating social and emotional learn-  
2 ing, motivation and engagement, and resiliency  
3 training into classroom instruction and prac-  
4 tices;

5 (C) the impact of adverse childhood experi-  
6 ences and traumatic experiences on the health  
7 and development of students;

8 (D) evidence-based and trauma-informed  
9 approaches to teaching and managing student  
10 behavior;

11 (E) racially, culturally, developmentally,  
12 and linguistically appropriate techniques for  
13 providing more agency to students;

14 (F) implicit bias and restorative justice  
15 practices; and

16 (G) racially, culturally, developmentally,  
17 and linguistically responsive teaching.

18 (i) EVALUATION.—

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

20 (A) not later than 1 year before the last  
21 day of the grant period described in subsection  
22 (f), enter into a contract with a nationally-rec-  
23 ognized educational evaluation institution or or-  
24 ganization; and

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

6 (i) a determination with respect to the  
7 sufficient ratio of school-based mental  
8 health services providers to students;

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

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

17 (iv) data on the mental and behavioral  
18 health outcomes of students, in the aggre-  
19 gate and disaggregated by—

20 (I) race and ethnicity;

21 (II) gender;

22 (III) sexual orientation;

23 (IV) status as an English learn-  
24 er; and

1 (V) status as a student with a  
2 disability; and

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

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

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

15 (j) CONTINUATION OF PROGRAM.—

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

20 (A) may continue or expand such program;

21 and

22 (B) if such program is expanded or contin-  
23 ued—

24 (i) shall allow a local educational  
25 agency that did not receive a grant under

1 the pilot program established under this  
2 section to apply for a grant in accordance  
3 with subsection (d)(1); and

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

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

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

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

24 (k) AUTHORIZATION OF APPROPRIATIONS.—There is  
25 authorized to be appropriated to carry out this section

1 \$20,000,000, for fiscal year 2022, to be available until ex-  
2 pended.

3 (l) DEFINITIONS.—In this section:

4 (1) ESEA TERMS.—The terms “Department”,  
5 “elementary school”, “English learner”, “evidence-  
6 based”, “local educational agency”, “multi-tier sys-  
7 tem of supports”, “paraprofessional”, “secondary  
8 school”, “Secretary”, and “specialized instructional  
9 support personnel” 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 MENTAL HEALTH SERVICES  
13 PROVIDER.—The term “school-based mental health  
14 services provider” includes a State-licensed or State-  
15 certified school counselor, school psychologist, school  
16 social worker, or other State licensed or certified  
17 mental health professional qualified under State law  
18 to provide mental health services to children and  
19 adolescents.