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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

# H. R.

To increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. CHU introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

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 “Increasing Access to  
5 Mental Health in Schools Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) BEST PRACTICES.—The term “best prac-  
2           tices” means a technique or methodology that,  
3           through experience and research related to profes-  
4           sional practice in a school-based mental health field,  
5           has proven to reliably lead to a desired result.

6           (2) ELIGIBLE GRADUATE INSTITUTION.—The  
7           term “eligible graduate institution” means an insti-  
8           tution of higher education that offers a program of  
9           study that leads to a masters or other graduate de-  
10          gree—

11                 (A) in school psychology that is accredited  
12                 or approved by the National Association of  
13                 School Psychologists’ Program Approval Board  
14                 (or its successor) or the Commission on Accred-  
15                 itation of the American Psychological Associa-  
16                 tion and that prepares students in such pro-  
17                 gram for the State licensing or certification ex-  
18                 amination in school psychology;

19                 (B) in school counseling that prepares stu-  
20                 dents in such program for the State licensing or  
21                 certification examination in school counseling;

22                 (C) in school social work that is accredited  
23                 by the Council on Social Work Education and  
24                 that prepares students in such program for the

1 State licensing or certification examination in  
2 school social work;

3 (D) in another school-based mental health  
4 field that prepares students in such program  
5 for the State licensing or certification examina-  
6 tion in such field, if applicable; or

7 (E) in any combination of study described  
8 in subparagraphs (A) through (D).

9 (3) ELIGIBLE PARTNERSHIP.—The term “eligi-  
10 ble partnership” means—

11 (A) a partnership between 1 or more low-  
12 income local educational agencies and 1 or more  
13 eligible graduate institutions; or

14 (B) in any region in which local edu-  
15 cational agencies may not have a sufficient ele-  
16 mentary school and secondary school student  
17 population to support the placement of all par-  
18 ticipating graduate students, a partnership be-  
19 tween a State educational agency, on behalf of  
20 1 or more low-income local educational agen-  
21 cies, and 1 or more eligible graduate institu-  
22 tions.

23 (4) INSTITUTION OF HIGHER EDUCATION.—The  
24 term “institution of higher education” has the  
25 meaning given such term in section 102 of the High-

1 er Education Act of 1965 (20 U.S.C. 1002), but ex-  
2 cludes any institution of higher education described  
3 in section 102(a)(1)(C) of such Act.

4 (5) LOCAL EDUCATIONAL AGENCY.—

5 (A) IN GENERAL.—The term “local edu-  
6 cational agency” means a public board of edu-  
7 cation or other public authority legally con-  
8 stituted within a State for either administrative  
9 control or direction of, or to perform a service  
10 function for, public elementary schools or sec-  
11 ondary schools in a city, county, township,  
12 school district, or other political subdivision of  
13 a State, or of or for a combination of school  
14 districts or counties that is recognized in a  
15 State as an administrative agency for its public  
16 elementary schools or secondary schools.

17 (B) ADMINISTRATIVE CONTROL AND DI-  
18 RECTION.— The term includes any other public  
19 institution or agency having administrative con-  
20 trol and direction of a public elementary school  
21 or secondary school.

22 (C) BUREAU OF INDIAN EDUCATION  
23 SCHOOLS.—The term includes an elementary  
24 school or secondary school funded by the Bu-  
25 reau of Indian Education but only to the extent

1 that including the school makes the school eligi-  
2 ble for programs for which specific eligibility is  
3 not provided to the school in another provision  
4 of law and the school does not have a student  
5 population that is smaller than the student pop-  
6 ulation of the local educational agency receiving  
7 assistance under this Act with the smallest stu-  
8 dent population, except that the school shall not  
9 be subject to the jurisdiction of any State edu-  
10 cational agency other than the Bureau of In-  
11 dian Education.

12 (D) EDUCATIONAL SERVICE AGENCIES.—  
13 The term includes educational service agencies  
14 and consortia of those agencies.

15 (E) STATE EDUCATIONAL AGENCY.—The  
16 term includes the State educational agency in a  
17 State in which the State educational agency is  
18 the sole educational agency for all public  
19 schools.

20 (6) LOW-INCOME LOCAL EDUCATIONAL AGEN-  
21 CY.—The term “low-income local educational agen-  
22 cy” means a local educational agency—

23 (A) for which not less than 20 percent of  
24 the students served by such agency are from  
25 families with incomes below the poverty line as

1 determined by the Bureau of the Census on the  
2 basis of the most recent satisfactory data avail-  
3 able; and

4 (B) that, as of the date of application for  
5 a grant under this Act, has ratios of school  
6 counselors, school social workers, and school  
7 psychologists to students served by the agency  
8 that are not more than 1 school counselor per  
9 275 students, not more than 1 school psycholo-  
10 gist per 500 students, and not more than 1  
11 school social worker per 250 students.

12 (7) PARTICIPATING ELIGIBLE GRADUATE INSTI-  
13 TUTION.—The term “participating eligible graduate  
14 institution” means an eligible graduate institution  
15 that is part of an eligible partnership awarded a  
16 grant under section 3.

17 (8) PARTICIPATING GRADUATE.—The term  
18 “participating graduate” means an individual who—

19 (A) has received a masters or other grad-  
20 uate degree in a school-based mental health  
21 field from a participating eligible graduate in-  
22 stitution and has obtained a State license or  
23 credential in the school-based mental health  
24 field; and

1 (B) as a graduate student of a school-  
2 based mental health field, was placed in a  
3 school served by a participating low-income  
4 local educational agency to complete required  
5 field work, credit hours, internships, or related  
6 training as applicable.

7 (9) PARTICIPATING LOW-INCOME LOCAL EDU-  
8 CATIONAL AGENCY.—The term “participating low-in-  
9 come local educational agency” means a low-income  
10 local educational agency that is part of an eligible  
11 partnership awarded a grant under section 3.

12 (10) SCHOOL-BASED MENTAL HEALTH  
13 FIELD.—The term “school-based mental health  
14 field” means each of the following fields:

15 (A) School counseling.

16 (B) School social work.

17 (C) School psychology.

18 (D) Any other field of study that leads to  
19 employment as a school-based mental health  
20 services provider.

21 (11) SCHOOL-BASED MENTAL HEALTH SERV-  
22 ICES PROVIDER.—The term “school-based mental  
23 health services provider” has the meaning given the  
24 term in section 4102 of the Elementary and Sec-  
25 ondary Education Act of 1965 (20 U.S.C. 7112).

1           (12) SECRETARY.—The term “Secretary”  
2 means the Secretary of Education.

3           (13) STATE EDUCATIONAL AGENCY.—The term  
4 “State educational agency” has the meaning given  
5 the term in section 8101 of the Elementary and Sec-  
6 ondary Education Act of 1965 (20 U.S.C. 7801).

7           (14) STUDENT SUPPORT PERSONNEL TARGET  
8 RATIOS.—The term “student support personnel tar-  
9 get ratios” means the ratios of school-based mental  
10 health services providers to students recommended  
11 to enable such personnel to effectively address the  
12 needs of students, including—

13                 (A) at least 1 school counselor for every  
14 250 students (as recommended by the American  
15 School Counselor Association and American  
16 Counseling Association);

17                 (B) at least 1 school psychologist for every  
18 500 students (as recommended by the National  
19 Association of School Psychologists); and

20                 (C) at least 1 school social worker for  
21 every 250 students (as recommended by the  
22 School Social Work Association of America).

23           (15) UNACCOMPANIED YOUTH.—The term “un-  
24 accompanied youth” has the meaning given such

1 term in section 725 of the McKinney-Vento Home-  
2 less Assistance Act (42 U.S.C. 11434a).

3 **SEC. 3. GRANT PROGRAM TO INCREASE THE NUMBER OF**  
4 **SCHOOL-BASED MENTAL HEALTH SERVICES**  
5 **PROVIDERS EMPLOYED BY LOW-INCOME**  
6 **LOCAL EDUCATIONAL AGENCIES.**

7 (a) GRANT PROGRAM AUTHORIZED.—From amounts  
8 made available to carry out this section, the Secretary  
9 shall award grants, on a competitive basis and after input  
10 from the peer review panel under subsection (d), to eligible  
11 partnerships, to enable the eligible partnerships to carry  
12 out pipeline programs to increase the number of school-  
13 based mental health services providers employed by low-  
14 income local educational agencies by carrying out any of  
15 the activities described by subsection (f).

16 (b) GRANT PERIOD.—A grant awarded under this  
17 section shall be for a 5-year period and may be renewed  
18 for additional 5-year periods upon a showing of adequate  
19 progress, as determined by the Secretary.

20 (c) APPLICATION.—To be eligible to receive a grant  
21 under this section, an eligible graduate institution, on be-  
22 half of an eligible partnership, shall submit to the Sec-  
23 retary a grant application. The application shall contain  
24 such information as the Secretary may require, includ-  
25 ing—

1           (1) an assessment of the existing (as of the  
2           date of application) ratios of school-based mental  
3           health services providers (in the aggregate and  
4           disaggregated by profession) to students enrolled in  
5           schools in each low-income local educational agency  
6           that is part of the eligible partnership; and

7           (2) a detailed description of—

8                   (A) a plan to carry out a pipeline program  
9                   to train, place, and retain school-based mental  
10                  health services providers in low-income local  
11                  educational agencies; and

12                   (B) the proposed allocation and use of  
13                  grant funds to carry out activities described in  
14                  subsection (f).

15       (d) PEER REVIEW PANEL.—

16           (1) ESTABLISHMENT OF PANEL.—The Sec-  
17           retary shall establish a peer review panel to evaluate  
18           applications submitted under subsection (c) and  
19           make recommendations to the Secretary regarding  
20           such applications.

21           (2) EVALUATION OF APPLICATIONS.—In mak-  
22           ing its recommendations, the peer review panel shall  
23           take into account the purpose of this Act and the  
24           application requirements under subsection (c), in-

1 including the quality of the proposed pipeline program  
2 described in subsection (c)(2)(A).

3 (3) CONSIDERATION OF PANEL'S RECOMMENDA-  
4 TION.—

5 (A) IN GENERAL.—The Secretary may  
6 award grants under this section to eligible part-  
7 nerships only after taking into consideration the  
8 recommendations of the peer review panel pro-  
9 vided under this subsection.

10 (B) EXPLANATION.—In any case where  
11 the Secretary decides to not follow the rec-  
12 ommendations of the peer review panel, the  
13 Secretary shall provide a written explanation of  
14 the decision to the panel and to the Committee  
15 on Health, Education, Labor, and Pensions of  
16 the Senate and the Committee on Education  
17 and Labor of the House of Representatives.

18 (4) MEMBERSHIP OF PANEL.—

19 (A) IN GENERAL.—The peer review panel  
20 shall include at a minimum the following mem-  
21 bers:

22 (i) One clinical, tenured, or tenure  
23 track faculty member at an institution of  
24 higher education with a current appoint-  
25 ment, as of the time of service on the

1 panel, to teach courses in the subject area  
2 of school counselor education.

3 (ii) One clinical, tenured, or tenure  
4 track faculty member at an institution of  
5 higher education with a current appoint-  
6 ment, as of the time of service on the  
7 panel, to teach courses in the subject area  
8 of school social worker education.

9 (iii) One clinical, tenured, or tenure  
10 track faculty member at an institution of  
11 higher education with a current appoint-  
12 ment, as of the time of service on the  
13 panel, to teach courses in the subject area  
14 of school psychology education.

15 (iv) One clinical, tenured, or tenure  
16 track faculty member at an institution of  
17 higher education with a current appoint-  
18 ment to teach courses in the subject area  
19 of teacher education.

20 (v) One individual with expertise in  
21 school counseling who works or has worked  
22 in public schools.

23 (vi) One individual with expertise in  
24 school social work who works or has  
25 worked in public schools.

1 (vii) One individual with expertise in  
2 school psychology who works or has  
3 worked in public schools.

4 (viii) One administrator who works or  
5 has worked for a low-income local edu-  
6 cational agency.

7 (ix) One qualified and effective teach-  
8 er who has substantial experience working  
9 for a low-income local educational agency.

10 (x) One community mental health pro-  
11 vider.

12 (B) CLINICAL FACULTY MEMBER.—At  
13 least 1 of the members described in subpara-  
14 graph (A) shall be a clinical faculty member.

15 (e) AWARD BASIS.—In awarding grants under this  
16 section, the Secretary shall—

17 (1) award the first 5 grants to eligible partner-  
18 ships from 5 different States; and

19 (2) give priority to eligible partnerships that—

20 (A) propose to use the grant funds to  
21 carry out the activities described under para-  
22 graphs (1) through (3) of subsection (f) in  
23 schools that have higher numbers or percent-  
24 ages of low-income students and students not  
25 achieving a proficient level of academic achieve-

1           ment, as determined by the State, on the an-  
2           nual assessments required under section  
3           1111(b) of the Elementary and Secondary Edu-  
4           cation Act of 1965 (20 U.S.C. 6311(b)) in com-  
5           parison to other schools that are served by the  
6           low-income local educational agency that is part  
7           of the eligible partnership;

8           (B) include 1 or more low-income local  
9           educational agencies that have fewer school-  
10          based mental health services providers, in the  
11          aggregate or for a particular school-based men-  
12          tal health field, per student than other eligible  
13          partnerships;

14          (C) include 1 or more eligible graduate in-  
15          stitutions that offer the greatest number of  
16          graduate programs in the greatest number of  
17          different school-based mental health fields; and

18          (D) propose to collaborate with other insti-  
19          tutions of higher education with similar pro-  
20          grams, including sharing facilities, faculty mem-  
21          bers, and administrative costs.

22          (f) USE OF GRANT FUNDS.—Grant funds awarded  
23          under this section may be used—

24                  (1) to pay the administrative costs (including  
25                  supplies, office and classroom space, supervision,

1 mentoring, and transportation stipends as necessary  
2 and appropriate) related to—

3 (A) having graduate students of programs  
4 in school-based mental health fields placed in  
5 schools served by participating low-income local  
6 educational agencies to complete required field  
7 work, credit hours, internships, or related train-  
8 ing as applicable for the degree, license, or cre-  
9 dential program of each such student; and

10 (B) offering required graduate coursework  
11 for students of a graduate program in a school-  
12 based mental health services field on the site of  
13 a participating low-income local educational  
14 agency;

15 (2) for not more than the first 3 years after a  
16 participating graduate receives a masters or other  
17 graduate degree from a program in a school-based  
18 mental health field, or obtains a State license or cre-  
19 dential in a school-based mental health field, to hire  
20 and pay all or part of the salary of the participating  
21 graduates working as a school-based mental health  
22 services provider in a school served by a partici-  
23 pating low-income local educational agency;

24 (3) to increase the number of school-based men-  
25 tal health services providers per student in schools

1 served by participating low-income local educational  
2 agencies, in order to work toward the student sup-  
3 port personnel target ratios;

4 (4) to recruit, hire, and retain culturally or lin-  
5 guistically under-represented graduate students of  
6 programs in school-based mental health fields for  
7 placement in schools served by participating low-in-  
8 come educational agencies;

9 (5) to recruit, hire, and pay faculty as nec-  
10 essary to increase the capacity of a participating eli-  
11 gible graduate institution to train graduate students  
12 in school-based mental health fields;

13 (6) to develop coursework that will—

14 (A) encourage a commitment by graduate  
15 students in school-based mental health fields to  
16 work for low-income local educational agencies;

17 (B) give participating graduates the knowl-  
18 edge and skill sets necessary to meet the needs  
19 of—

20 (i) students and families served by  
21 low-income local educational agencies; and

22 (ii) teachers, administrators, and  
23 other staff who work for low-income local  
24 educational agencies;

- 1 (C) enable participating graduates to meet  
2 the unique needs of students at risk of negative  
3 educational outcomes, including students who—
- 4 (i) are English language learners;
  - 5 (ii) have a parent or caregiver who is  
6 a migrant worker;
  - 7 (iii) have a parent or caregiver who is  
8 a member of the armed forces, including  
9 the National Guard, who has been de-  
10 ployed or returned from deployment;
  - 11 (iv) are homeless, including unaccom-  
12 panied youth;
  - 13 (v) have come into contact with the  
14 juvenile justice system or adult criminal  
15 justice system, including students currently  
16 or previously held in juvenile detention fa-  
17 cilities or adult jails and students currently  
18 or previously held in juvenile correctional  
19 facilities or adult prisons;
  - 20 (vi) have been identified as eligible for  
21 services under the Individuals with Disabil-  
22 ities Education Act (20 U.S.C. 1400 et  
23 seq.) or the Rehabilitation Act of 1973 (29  
24 U.S.C. 701 et seq.);

1 (vii) have been a victim to or wit-  
2 nessed domestic violence or violence in  
3 their community;

4 (viii) have been exposed to substance  
5 misuse at home or in the community; or

6 (ix) are foster care youth, youth aging  
7 out of foster care, or former foster youth;  
8 and

9 (D) utilize best practices determined by the  
10 American School Counselor Association, Na-  
11 tional Association of Social Workers, School So-  
12 cial Work Association of America, and National  
13 Association of School Psychologists and other  
14 relevant organizations;

15 (7) to provide tuition credits to graduate stu-  
16 dents participating in the pipeline program; and

17 (8) for similar activities to fulfill the purpose of  
18 this Act, as the Secretary determines appropriate.

19 (g) SUPPLEMENT NOT SUPPLANT.—Funds made  
20 available under this section shall be used to supplement,  
21 not supplant, other Federal, State, or local funds available  
22 for the activities described in subsection (f).

23 (h) REPORTING REQUIREMENTS.—

24 (1) IN GENERAL.—Each eligible partnership  
25 that receives a grant under this section shall prepare

1 and submit to the Secretary an annual report on the  
2 progress of the eligible partnership in carrying out  
3 the grant. Such report shall include a description  
4 of—

5 (A) actual service delivery provided  
6 through the grant funds, including—

7 (i) characteristics of the participating  
8 eligible graduate institution, including de-  
9 scriptive information on the educational  
10 model used and the actual academic pro-  
11 gram performance;

12 (ii) characteristics of graduate stu-  
13 dents participating in the pipeline program  
14 supported under the grant, including—

15 (I) performance on any examina-  
16 tions required by the State for  
17 credentialing or licensing;

18 (II) demographic characteristics;

19 and

20 (III) graduate student retention  
21 rates;

22 (iii) characteristics of students of the  
23 participating low-income local educational  
24 agency, including performance on any tests  
25 required by the State educational agency,

1 demographic characteristics, and pro-  
2 motion, persistence, and graduation rates,  
3 as appropriate;

4 (iv) an estimate of the annual imple-  
5 mentation costs of the pipeline program;  
6 and

7 (v) the numbers of students, schools,  
8 and graduate students participating in the  
9 pipeline program;

10 (B) outcomes that are consistent with the  
11 purpose of the grant program under this Act,  
12 including—

13 (i) internship and post-graduation  
14 placement of the participating graduate  
15 students;

16 (ii) graduation and professional career  
17 readiness indicators; and

18 (iii) characteristics of the partici-  
19 pating low-income local educational agency,  
20 including changes in the hiring and reten-  
21 tion of qualified and effective teachers and  
22 school-based mental health services pro-  
23 viders;

24 (C) the instruction, materials, and activi-  
25 ties being funded under the grant; and

1 (D) the effectiveness of any training and  
2 ongoing professional development provided—

3 (i) to students and faculty in the ap-  
4 propriate departments or schools of the  
5 participating eligible graduate institution;

6 (ii) to the faculty, administration, and  
7 staff of the participating low-income local  
8 educational agency; and

9 (iii) to the broader community of pro-  
10 viders of social, emotional, behavioral, and  
11 related support to students and to those  
12 individuals who train such providers.

13 (2) PUBLICATION.—The Secretary shall publish  
14 the annual reports submitted under paragraph (1)  
15 on the website of the Department of Education.

16 (i) EVALUATIONS.—

17 (1) INTERIM EVALUATIONS.—The Secretary  
18 may conduct interim evaluations to determine  
19 whether each eligible partnership receiving a grant  
20 under this section is making adequate progress as  
21 the Secretary considers appropriate. The contents of  
22 the annual report submitted to the Secretary under  
23 subsection (h) may be used by the Secretary to de-  
24 termine whether an eligible partnership receiving a  
25 grant is demonstrating adequate progress.

1           (2) FINAL EVALUATION.—The Secretary shall  
2           conduct a final evaluation to—

3                   (A) determine the effectiveness of the  
4                   grant program in carrying out the purpose of  
5                   this Act; and

6                   (B) compare the relative effectiveness of  
7                   each of the various activities described by sub-  
8                   section (f) for which grant funds may be used.

9           (j) REPORT.—Not earlier than 5 years nor later than  
10          6 years after the date of enactment of this Act, the Sec-  
11          retary shall submit to Congress a report containing—

12                   (1) the findings of the evaluation conducted  
13                   under subsection (i)(2); and

14                   (2) such recommendations as the Secretary con-  
15                   siders appropriate.

16          (k) AUTHORIZATION OF APPROPRIATIONS.—

17                   (1) IN GENERAL.—There is authorized to be  
18                   appropriated to the Secretary to carry out the pro-  
19                   gram under this section, \$200,000,000 for fiscal  
20                   year 2022 and for each succeeding fiscal year.

21                   (2) RESERVATION FOR EVALUATION.—From  
22                   the total amount appropriated to carry out this sec-  
23                   tion each fiscal year, the Secretary shall reserve not  
24                   more than 3 percent for evaluations under sub-  
25                   section (i).

1 **SEC. 4. STUDENT LOAN REPAYMENT FOR SCHOOL-BASED**  
2 **MENTAL HEALTH SERVICES PROVIDERS.**

3 (a) ESTABLISHMENT OF PROGRAM.—The Secretary  
4 shall establish and carry out a program to provide repay-  
5 ment of student loans made, insured, or guaranteed under  
6 parts B, D, and E of title IV of the Higher Education  
7 Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., and  
8 1087aa et seq.) to individuals who are employed by low-  
9 income local educational agencies as school-based mental  
10 health services providers.

11 (b) AGREEMENT.—In carrying out subsection (a), the  
12 Secretary shall enter into agreements with individuals to  
13 make payments in accordance with this section on the  
14 principal of, and interest on, any eligible loan and the indi-  
15 viduals agree to complete a 5-year period of consecutive  
16 employment by a low-income local educational agency as  
17 a school-based mental health services provider and facili-  
18 tate verification of such employment annually by the Sec-  
19 retary.

20 (c) ELIGIBLE INDIVIDUAL.—In order to be eligible  
21 under this section, an individual shall—

22 (1) be a recent graduate of an institution of  
23 higher education or a mid-career professional newly  
24 embarking on a career as a school-based mental  
25 health provider; and

1           (2) submit an application to the Secretary at  
2           such time, in such manner, and containing such in-  
3           formation as the Secretary may require.

4           (d) ELIGIBLE LOANS.—The loans eligible for repay-  
5           ment under this section include the following:

6           (1) Any Federal Family Education Loan under  
7           part B of title IV of the Higher Education Act of  
8           1965 (20 U.S.C. 1071 et seq.).

9           (2) Any Federal Direct Stafford Loan, Federal  
10          Direct PLUS Loan, or Federal Direct Unsubsidized  
11          Stafford Loan, or Federal Direct Consolidation  
12          Loan (as such terms are used in section 455 of the  
13          Higher Education Act of 1965 (20 U.S.C. 1087e)).

14          (3) Any Federal Perkins Loan under part E of  
15          title IV of the Higher Education Act of 1965 (20  
16          U.S.C. 1087aa et seq.).

17          (4) Any other Federal loan made, insured, or  
18          guaranteed under part B, D, or E of title IV of the  
19          Higher Education Act of 1965 (20 U.S.C. 1071 et  
20          seq., 1087a et seq., and 1087aa et seq.).

21          (e) PAYMENTS.—

22          (1) IN GENERAL.—The Secretary shall pay—

23                  (A) for each of the first 4 consecutive  
24                  school years of employment as a school-based  
25                  mental health services provider by a low-income

1 local educational agency completed,  $\frac{1}{5}$  of the  
2 principal of, and interest on, each eligible loan  
3 of the individual which is outstanding on the  
4 date the individual began such employment; and

5 (B) for the 5th consecutive year of such  
6 employment completed, the remainder of such  
7 principal and interest.

8 (2) MAXIMUM AGGREGATE.—The total amount  
9 of payments under this section to any individual  
10 shall not exceed \$200,000 in the aggregate.

11 (3) LIMITATION.—The failure by an individual  
12 to complete the full period of employment obligated  
13 pursuant to an agreement under subsection (b),  
14 taken alone, shall not constitute a breach of the  
15 agreement, so long as the individual completed in  
16 good faith any year or years of employment for  
17 which payments were made to the individual under  
18 paragraph (1). An individual who fails to complete  
19 the full period of employment obligated pursuant to  
20 an agreement under subsection (b) shall not be  
21 asked or required to pay back a payment received  
22 under such paragraph solely due to such failure.

23 (f) ADDITIONAL ELIGIBILITY PROVISIONS.—

24 (1) CONTINUED ELIGIBILITY.—Any individual  
25 who is employed by a local educational agency that

1 meets the requirements of section 2(6) in the 1st  
2 year of the 5-year period of consecutive employment  
3 required under this section, but in a subsequent year  
4 fails to meet such requirements, may continue em-  
5 ployment by such local educational agency and shall  
6 be eligible for loan repayment under this section.

7 (2) DOUBLE BENEFITS.—A borrower may, for  
8 the same employment, receive a benefit under both  
9 this section and the public service loan forgiveness  
10 program under section 455(m) of the Higher Edu-  
11 cation Act of 1965 (20 U.S.C. 1087e(m)). Each year  
12 of receipt of a benefit under this section shall be  
13 considered 12 months of payments for the purposes  
14 of such public service loan forgiveness program.

15 (3) RECONSIDERATION.—In any case where the  
16 Secretary has determined that a recipient of assist-  
17 ance under this section has failed or refused to com-  
18 ply with the employment obligation in the agreement  
19 under subsection (b), the recipient may request that  
20 the Secretary reconsider such initial determination  
21 and may submit additional information to dem-  
22 onstrate satisfaction of the employment obligation.  
23 Upon receipt of such a request, the Secretary shall  
24 reconsider the determination in accordance with this

1 paragraph not later than 90 days after the date that  
2 such request was received.

3 (g) DIRECTORY.—The Secretary shall maintain a di-  
4 rectory that lists the local educational agencies that meet  
5 the requirements of section 2(6).

6 (h) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated to the Secretary such  
8 sums as may be necessary to carry out the program under  
9 this section.

10 **SEC. 5. FUTURE DESIGNATION STUDY.**

11 (a) IN GENERAL.—The Secretary shall conduct a  
12 study to identify a formula for future designation of re-  
13 gions with a shortage of school-based mental health serv-  
14 ices providers to use in implementing grant programs and  
15 other programs such as the programs established under  
16 this Act or for other purposes related to any such designa-  
17 tion.

18 (b) BASIS OF FORMULA.—The formula described in  
19 subsection (a) shall be based on the latest available data  
20 regarding an area served by a low-income local educational  
21 agency on—

22 (1) the number of residents under the age of 18  
23 in such area;

24 (2) the percentage of the population of such  
25 area with incomes below the poverty line;

1           (3) the percentage of residents age 18 or older  
2           in such area who have earned secondary school di-  
3           plomas;

4           (4) the percentage of students in such area who  
5           are identified as eligible for special education serv-  
6           ices;

7           (5) the youth crime rate in such area;

8           (6) the current number of full-time-equivalent  
9           and active school-based mental health services pro-  
10          viders employed by the low-income local educational  
11          agency in such area, in the aggregate and  
12          disaggregated by profession;

13          (7) the number of students in such area in mili-  
14          tary families with parents in the Armed Forces (in-  
15          cluding the National Guard and Reserves) who have  
16          been alerted for deployment, are currently deployed,  
17          or have returned from a deployment in the previous  
18          school year; and

19          (8) such other criteria as the Secretary con-  
20          siders appropriate.

21          (c) REPORT.—Not later than 2 years after the date  
22          of enactment of this Act, the Secretary shall submit to  
23          Congress a report containing the findings of the study  
24          conducted under subsection (a).