

115TH CONGRESS
2D SESSION

S. 2513

To improve school safety and mental health services.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2018

Mr. ALEXANDER (for himself, Mr. BLUNT, Ms. COLLINS, Mr. CASSIDY, Mr. ROBERTS, Mr. YOUNG, Mr. RUBIO, Mr. CORKER, Mr. SCOTT, Mr. CORNYN, Mr. GRASSLEY, Mr. GRAHAM, and Mr. ISAKSON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To improve school safety and mental health services.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “School Safety and Mental Health Services Improvement
6 Act of 2018”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DEPARTMENT OF EDUCATION

Sec. 101. Supporting Safer Schools.

1 (b) DEFINITIONS.—Section 4102 of the Elementary
2 and Secondary Education Act of 1965 (20 U.S.C. 7112)
3 is amended—

4 (1) in paragraph (5)(B), by inserting “and pre-
5 vention of gun violence” after “school safety”;

6 (2) by redesignating paragraphs (7) and (8) as
7 paragraphs (8) and (9), respectively; and

8 (3) by inserting after paragraph (6) the fol-
9 lowing:

10 “(7) SCHOOL SAFETY INFRASTRUCTURE IM-
11 PROVEMENTS.—The term ‘school safety infrastruc-
12 ture improvements’ means improvements to the
13 physical facility and technology of a school to pre-
14 vent intruders from entering a school, ensure stu-
15 dents and school personnel may safely enter the
16 school building and exit during an emergency, or
17 protect the life and well-being of students and school
18 personnel, including—

19 “(A) physical improvements to the school
20 to prevent and deter unauthorized access to the
21 school, including locks, double entry systems,
22 hardened entrances, and interior and exterior
23 video surveillance systems;

1 “(B) security doors, automatic locks, secu-
2 rity glass, alarm systems, metal detectors, and
3 sensor systems;

4 “(C) emergency communications systems,
5 including wireless and geographically precise
6 mobile alert systems;

7 “(D) perimeter fencing;

8 “(E) emergency exit systems;

9 “(F) duress or panic systems;

10 “(G) emergency tip lines; and

11 “(H) any other physical improvements
12 where the primary purpose is to improve or en-
13 hance school safety.”.

14 (c) FORMULA GRANTS TO STATES.—Section 4103 of
15 the Elementary and Secondary Education Act of 1965 (20
16 U.S.C. 7113) is amended by striking “section 4112” and
17 inserting “section 4113”.

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

21 (1) in clause (iii), by striking “and” after the
22 semicolon; and

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

24 “(v) improving the safety and security
25 of schools, including through school safety

1 infrastructure improvements, which may
2 include—

3 “(I) identifying and dissemi-
4 nating best practices for school safety
5 infrastructure improvements;

6 “(II) assisting in the establish-
7 ment or implementation of emergency
8 planning, which may include emer-
9 gency response teams to address
10 emergencies at schools;

11 “(III) establishing or identifying
12 agreements with local law enforcement
13 and health agencies, including non-
14 profit, public, and private mental
15 health agencies and institutions, to
16 improve coordination of services and
17 identify threats to the safety of stu-
18 dents and school personnel; and

19 “(IV) school safety infrastructure
20 improvements; and”.

21 (e) LOCAL EDUCATIONAL AGENCY APPLICATIONS.—
22 Section 4106 of the Elementary and Secondary Education
23 Act of 1965 (20 U.S.C. 7116) is amended—

24 (1) in subsection (d)(1)(B), by inserting “, in-
25 cluding school safety infrastructure improvements to

1 prevent or respond to incidents of violence” after
2 “environment.”; and

3 (2) in subsection (e)—

4 (A) in paragraph (1)—

5 (i) in subparagraph (D)—

6 (I) by striking “4109” and in-
7 serting “4110”; and

8 (II) by striking “and” after the
9 semicolon;

10 (ii) by redesignating subparagraph
11 (E) as subparagraph (F); and

12 (iii) by inserting after subparagraph
13 (D), the following:

14 “(E) if applicable, how funds will be used
15 for activities related to supporting school safety
16 infrastructure improvements under section
17 4109; and”; and

18 (B) in paragraph (2)—

19 (i) in subparagraph (D), by inserting
20 “or 4109” after “4108”; and

21 (ii) in subparagraph (E)—

22 (I) by striking “section 4109(a)”
23 and inserting “section 4110(a)”; and

1 (II) by striking “section
2 4109(b)” and inserting “section
3 4110(b)”.

4 (f) ACTIVITIES TO SUPPORT SAFE AND HEALTHY
5 STUDENTS.—Section 4108 of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 7118) is amend-
7 ed—

8 (1) in the matter preceding paragraph (1), by
9 striking “Subject to” and inserting the following:

10 “(a) IN GENERAL.—Subject to”;

11 (2) in subsection (a)(5)—

12 (A) in subparagraph (B), in the matter
13 preceding clause (i), by striking “4111” and in-
14 serting “4112”; and

15 (B) in subparagraph (E), by striking
16 “4111” and inserting “4112”; and

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

18 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion shall be construed to—

20 “(1) prevent Federal or local law enforcement
21 from detaining or arresting an individual who could
22 otherwise be detained or arrested for an alleged vio-
23 lent offense; or

1 “(2) otherwise interfere with Federal or local
2 law enforcement’s discretion to investigate legitimate
3 threats to school safety.”.

4 (g) ACTIVITIES TO SUPPORT THE EFFECTIVE USE
5 OF TECHNOLOGY.—Section 4110 of the Elementary and
6 Secondary Education Act of 1965 (20 U.S.C. 7281), as
7 redesignated by subsection (a), is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (5), by striking “and”
10 after the semicolon;

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

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

14 “(7) providing technology to improve school
15 safety.”; and

16 (2) in subsection (b)—

17 (A) by striking “RULE” and all that fol-
18 lows through “agency” and inserting the fol-
19 lowing: “RULE.—”

20 “(1) IN GENERAL.—A local educational agen-
21 cy”; and

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

23 “(2) EXCEPTION.—The limitation described in
24 paragraph (1) shall not apply to technology infra-

1 structure that is also a school safety infrastructure
2 improvement.”.

3 (h) PROJECT SERV.—Section 4631(b)(4) of the Ele-
4 mentary and Secondary Education Act of 1965 (20 U.S.C.
5 7281(b)(4)) is amended by striking the period at the end
6 and inserting “, except where the primary purpose of the
7 construction, renovation, or repair is to restore the learn-
8 ing environment or improve or enhance school safety.”.

9 (i) TECHNICAL AMENDMENTS TO THE TABLE OF
10 CONTENTS.—The table of contents in section 2 of the Ele-
11 mentary and Secondary Education Act is amended by
12 striking the items relating to sections 4109, 4110, 4111,
13 and 4112 and inserting the following:

“Sec. 4109. Activities to support school safety and prevent violence against stu-
dents or school personnel.

“Sec. 4110. Activities to support the effective use of technology.

“Sec. 4111. Supplement, not supplant.

“Sec. 4112. Rule of construction.

“Sec. 4113. Authorization of appropriations.”.

14 **SEC. 102. VIOLENCE PREVENTION AND MENTAL HEALTH**
15 **SUPPORT.**

16 (a) STATE USES OF FUNDS.—Section 2101(c)(4)(B)
17 of the Elementary and Secondary Education Act of 1965
18 (20 U.S.C. 6611(c)(4)(B)) is amended—

19 (1) by redesignating clause (xxi) as clause
20 (xxiv); and

21 (2) by inserting after clause (xx) the following:

1 “(xxi) Supporting efforts to increase
2 the professional development that is evi-
3 dence-based (to the extent the State, in
4 consultation with local educational agencies
5 in the State, determines that such evidence
6 is reasonably available) for teachers, prin-
7 cipals, school leaders, and other school per-
8 sonnel in mental health awareness, violence
9 prevention, crisis response, de-escalation
10 techniques and anger management tech-
11 niques, positive behavioral interventions
12 and supports, bullying and harassment
13 prevention, and other similar programs de-
14 signed to reduce and prevent school vio-
15 lence.

16 “(xxii) Assisting local educational
17 agencies in—

18 “(I) developing and implementing
19 professional development that is evi-
20 dence-based (to the extent the State,
21 in consultation with local educational
22 agencies in the State, determines that
23 such evidence is reasonably available)
24 on violence prevention programs and

1 emergency response and notification
2 systems; and

3 “(II) improving school climate.

4 “(xxiii) Developing agreements be-
5 tween local educational agencies, law en-
6 forcement agencies, and health agencies,
7 including nonprofit, public, and private
8 mental health agencies and institutions, to
9 improve coordination of services and to
10 identify, respond to, and prevent threats to
11 the safety of students and school per-
12 sonnel.”.

13 (b) LOCAL USES OF FUNDS.—Section 2103(b)(3) of
14 the Elementary and Secondary Education Act of 1965 (20
15 U.S.C. 6613(b)(3)) is amended—

16 (1) in subparagraph (I)—

17 (A) in clause (ii), by inserting “, including
18 mental health services,” after “services”; and

19 (B) in clause (iii), by striking “and public
20 or private mental health organizations” and in-
21 serting “, public or private mental health orga-
22 nizations, and local law enforcement agencies,
23 to improve the coordination of services and to
24 identify, respond to, and prevent threats to the
25 safety of students and school personnel”;

1 (2) in subparagraph (O), by striking “and”
2 after the semicolon;

3 (3) by redesignating subparagraph (P) as sub-
4 paragraph (R); and

5 (4) by inserting after subparagraph (O) the fol-
6 lowing:

7 “(P) reducing the ratio of students to
8 counselors to improve the ability of schools to
9 address the academic and social and emotional
10 needs of students and school personnel through
11 the recruiting and hiring of school-based mental
12 health services providers, as defined in section
13 4102(6);

14 “(Q) developing and implementing profes-
15 sional development that is evidence-based (to
16 the extent the State, in consultation with local
17 educational agencies in the State, determines
18 that such evidence is reasonably available) for
19 teachers, specialized instructional support per-
20 sonnel, principals, school leaders, and other
21 school personnel in violence prevention, mental
22 health awareness, threat de-escalation methods,
23 and positive behavioral interventions and sup-
24 ports, and supporting bullying and harassment
25 prevention programs, and other similar pro-

1 grams designed to reduce and prevent school vi-
2 olence and improve the school climate for all
3 students; and”.

4 (c) TEACHER AND SCHOOL LEADER INCENTIVE
5 FUND GRANTS.—Section 2212(e)(2)(D) of the Elemen-
6 tary and Secondary Education Act of 1965 (20 U.S.C.
7 6613(e)(2)(D)) is amended—

8 (1) in clause (i)(III), by striking “or” after the
9 semicolon;

10 (2) in clause (ii), by striking the period at the
11 end and inserting “; or”; and

12 (3) by inserting after clause (ii) the following:

13 “(iii) school-based mental health serv-
14 ices providers (as defined in section
15 4102(6)) who improve the climate of the
16 school.”.

17 (d) SUPPORTING EFFECTIVE EDUCATOR DEVELOP-
18 MENT.—Section 2242(a) of the Elementary and Sec-
19 ondary Education Act of 1965 (20 U.S.C. 6672(a)) is
20 amended—

21 (1) in paragraph (1), by inserting “school-based
22 mental health services providers (as defined in sec-
23 tion 4102(6)),” after “teachers,”; and

1 (2) in paragraph (5), by inserting “school-based
2 mental health services providers (as defined in sec-
3 tion 4102(6)),” after “teachers,”.

4 **TITLE II—DEPARTMENT OF**
5 **HEALTH AND HUMAN SERVICES**

6 **SEC. 201. CHILDREN AND VIOLENCE.**

7 Section 581 of the Public Health Service Act (42
8 U.S.C. 290hh) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) by inserting “and technical assist-
12 ance” after “support”; and

13 (ii) by inserting “, including programs
14 designed to provide mental health and sub-
15 stance use disorder assessments, crisis
16 intervention training, counseling, treat-
17 ment, and referral to a continuum of serv-
18 ices including emergency psychiatric care,
19 community support programs, inpatient
20 care, and outpatient programs” after “chil-
21 dren”;

22 (B) in paragraph (3), by inserting “, which
23 may include improved coordination with the
24 Project SERV program under section 4631 of

1 the Elementary and Secondary Education Act
2 of 1965,” after “assistance”; and

3 (C) in paragraph (5), by inserting “and
4 maintain” after “establish”;

5 (2) in subsection (c)—

6 (A) in paragraph (2)—

7 (i) by redesignating subparagraphs
8 (D) through (F) as subparagraphs (E)
9 through (G), respectively;

10 (ii) by inserting after subparagraph
11 (C) the following:

12 “(D) crisis intervention training”; and

13 (iii) in subparagraph (E), as so redesi-
14 gnated, by striking “alcohol and drug
15 abuse” and inserting “alcohol and other
16 substance use disorder”; and

17 (B) in paragraph (3), by striking “sub-
18 paragraphs (D), (E), and (F)” and inserting
19 “subparagraphs (D), (E), (F), and (G)”;

20 (3) by striking subsection (e);

21 (4) by redesignating subsections (f) through (h)
22 as subsections (e) through (g), respectively;

23 (5) in subsection (f), as so redesignated, by in-
24 serting “or maintain” after “establish”; and

1 (6) in subsection (g), as so redesignated, by
2 striking “2002 and 2003” and inserting “2019
3 through 2023”.

4 **SEC. 202. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL**
5 **AND NATIONAL SIGNIFICANCE.**

6 Section 520A(e) of the Public Health Service Act (42
7 U.S.C. 290bb–32(e)) is amended by adding at the end the
8 following:

9 “(4) **AT-RISK YOUTH.**—The Secretary shall, as
10 appropriate, disseminate information to recipients of
11 grants, contracts, and cooperative agreements under
12 this section regarding training for appropriate school
13 personnel on techniques and supports needed to
14 early identify children with, or at risk of, mental ill-
15 ness, and regarding the use of referral mechanisms
16 to link such children to intervention services, includ-
17 ing treatment and prevention services. Such infor-
18 mation shall include best practices for collaboration
19 between behavioral and mental health professionals
20 and law enforcement for assisting at-risk youth who
21 have a history of interactions with law enforcement
22 or the criminal justice system.”.

1 **SEC. 203. SUPPORTING CRISIS RESPONSE SYSTEMS FOR**
2 **CHILDREN AND YOUTH.**

3 Section 520F of the Public Health Service Act (42
4 U.S.C. 290bb–37) is amended—

5 (1) in subsection (a)(1), by inserting “, which
6 may include improved coordination with the Project
7 SERV program under section 4631 of the Elemen-
8 tary and Secondary Education Act of 1965” before
9 the semicolon; and

10 (2) in subsection (b)(2)—

11 (A) in subparagraph (A), by inserting
12 “local educational agencies (as defined in sec-
13 tion 8101 of the Elementary and Secondary
14 Education Act of 1965),” after “service pro-
15 viders,”; and

16 (B) in subparagraph (B), by inserting “,
17 including local educational agencies (as so de-
18 fined),” after “entities”.

19 **SEC. 204. STUDIES ON CHILDREN AND ADOLESCENTS AT**
20 **RISK OF DEVELOPING MENTAL ILLNESS.**

21 The Secretary of Health and Human Services may
22 conduct, or support, studies on children and adolescents
23 who are at significant risk of developing, show early signs
24 of, or have been diagnosed with mental illness, including
25 a serious emotional disturbance. Such studies, including
26 services research studies, shall examine—

1 Human Services, the Attorney General, the Secretary of
2 Homeland Security, the Secretary of the Interior, or their
3 designees, and such other Federal officials as may be des-
4 ignated by the President.

5 (c) CHAIR.—The Task Force shall be chaired by the
6 Secretary of Education.

7 (d) ACTIVITIES OF THE TASK FORCE.—The Task
8 Force shall carry out the following activities:

9 (1) Convene at least 2 public meetings—

10 (A) to consult with students, parents,
11 teachers, specialized school support personnel,
12 school officials, and other relevant stakeholders
13 on identifying problems and proposing solutions
14 to improve school safety and prevent school vio-
15 lence;

16 (B) which—

17 (i) shall be noticed not later than 30
18 days in advance; and

19 (ii) if practicable, shall be electroni-
20 cally streamed in real time; and

21 (C) a recording of which shall be made
22 publicly available on the Department of Edu-
23 cation’s website.

24 (2) Make recommendations, after consulting
25 with relevant stakeholders, to States, local edu-

1 cational agencies, and schools on policies and proce-
2 dures to improve the safety of all schools, including
3 recommendations on school safety infrastructure im-
4 provements, as defined by section 4102(7) of the El-
5 elementary and Secondary Education Act of 1965 (20
6 U.S.C. 7112) (as added by section 101(b)(3)). The
7 recommendations shall include a full listing of all
8 available Federal grant opportunities, across Federal
9 agencies, related to improving school safety and
10 mental health services for students.

11 (3) Review interagency procedures to improve
12 coordination, and assess current barriers, between
13 schools and health agencies, including nonprofit,
14 public, and private mental health agencies and insti-
15 tutions, and Federal, State, and local law enforce-
16 ment to identify individuals at risk of committing vi-
17 olence and provide treatment or prevent violent out-
18 breaks.

19 (4) Identify best practices in preventing violence
20 in schools, including bullying and harassment pre-
21 vention programs, positive behavioral interventions
22 and supports, response-to-intervention systems, con-
23 flict prevention and de-escalation methods, anger-
24 management training, and other measures to im-
25 prove school climate.

1 (5) Make recommendations to State and local
2 educational agencies on model agreements between
3 local educational agencies, law enforcement agencies,
4 and health agencies, including nonprofit, public, and
5 private mental health agencies and institutions, to
6 improve coordination of services and identify, re-
7 spond to, and prevent threats to the safety of stu-
8 dents and school personnel, which shall include best
9 practices on coordination regarding the mental
10 health services available to students upon suspension
11 or expulsion.

12 (e) REPORT.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Chair shall
15 submit to the Committee on Health, Education,
16 Labor, and Pensions and the Committee on Appro-
17 priations of the Senate and the Committee on Edu-
18 cation and the Workforce and the Committee on Ap-
19 propriations of the House of Representatives, a re-
20 port on—

21 (A) activities conducted under this section;

22 and

23 (B) Federal barriers to coordination
24 among schools, State and local health agencies
25 (including nonprofit, public, and private mental

1 health agencies and institutions), and Federal,
2 State, and local law enforcement.

3 (2) PUBLICLY AVAILABLE.—The report de-
4 scribed under this subsection shall be made publicly
5 available, including on the website of the Depart-
6 ment of Education.

7 (f) TERMINATION.—The Task Force established
8 under this section shall terminate on the date that is 1
9 year after the date of enactment of this Act.

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