

School Social Work and Related Services as Delineated within Federal Law

Portions of federal education law pertaining to school social work are excerpted and included in this document.

For more information from the School Social Work Practice Guide visit:
http://sspw.dpi.wi.gov/sspw_sswguide

Elementary and Secondary Education Act (ESEA), also known as No Child Left Behind (NCLB)

20 USC 6322. Sec. 1102B. Coordination Requirements.

(a) In general. Each local education agency receiving assistance under this part shall carry out the activities described in subsection (b) with Head Start agencies and, if feasible, other entities carrying out early childhood development programs such as the Early Reading First program.

(b) Activities. The activities referred to in subsection (a) are activities that increase coordination between the local educational agency and a Head Start agency and, if feasible, other entities carrying out early childhood development programs, such as the Early Reading First program, serving children who will attend the school of the local educational agency, including:

(2) establishing channels of communication between school staff and their counterparts (including teachers, social workers, and health staff) in such Head Start agencies or other entities carrying out early childhood development programs such as the Early Reading First program, as appropriate, to facilitate coordination of programs;

20 USC 2171. Sec. 4151. Definitions.

(9) School based mental health provider. The term “school based mental health provider” includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such services to children and adolescents.

(10) School personnel. The term “school personnel” includes teachers, principals, administrators, counselors, social workers, psychologists, nurses, librarians, and other support staff who are employed by a school or who perform services for the school on a contractual basis.

20 USC 7245. Sec. 5421. Elementary and Secondary School Counseling Programs.

(a) Grants authorized.

2) Special consideration. In awarding grants under this section, the Secretary shall give special consideration to applications describing programs that:

(A) demonstrate the greatest need for new or additional counseling services among children in the school served by the local educational agency, in part by providing information on current ratios of students to school counselors, students to school social workers, and students to school psychologists;

(c) Use of Funds.

(2) Requirements.

(D) expand counseling services through qualified school counselors, school social workers, school psychologists, other qualified psychologists, or child and adolescent psychiatrists;

(G) include in-service training appropriate to the activities funded under this Act for teachers, instructional staff, and appropriate school personnel, including in-service training in appropriate identification and early intervention techniques by school counselors, school social workers, school psychologists, other qualified psychologists, and child and adolescent psychiatrists;

(K) ensure a team approach to school counseling in the schools served by the local educational agency by working toward ratios recommended by the American School Health Association of one school counselor to 250 students, one school social worker to 800 students, and one school psychologist to 1,000 students; and

(L) ensure that school counselors, school psychologists, other qualified psychologists, school social workers, or child and adolescent psychiatrists paid from funds made available under this section spend a majority of their time counseling students or in other activities directly related to the counseling process.

(e) Definitions.

(5) the term “school social worker” means an individual who:

(A) holds a master’s degree in social work from a program accredited by the Council on Social Work Education; and

(B)(i) is licensed or certified by the State in which services are provided; or

(ii) in the absence of such State licensure or certification, possesses a national credential or certification as a school social work specialist granted by an independent professional organization.

(f) Report. Not later than 2 years after assistance is made available to local education agencies under subsection (c), the Secretary shall make publicly available a report:

(1) evaluating the programs assisted pursuant to each grant under this subpart; and (2) outlining the information from local educational agencies regarding the ratios of students to:

(A) school counselors;

(B) school social workers; and

(C) school psychologists.

20 USC 7442. Sec. 7122. Professional Development for Teachers and Education Professionals.

(a) Purposes. The purposes of this section are:

(2) to provide training to qualified Indian individuals to enable such individuals to become teachers, administrators, teacher aides, social workers, and ancillary educational personnel;

20 USC 7801. Sec. 9101. Definitions.

Except as otherwise provided, in the Act:

(36) Pupil services personnel; pupil services.

(A) Pupil services personnel. The term “pupil services personnel” means school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

(B) Pupil services. The term “pupil services” means the services provided by pupil services personnel.

Sec. 4115. Authorized activities.

(b) Local education agencies activities.

(2) Authorized activities. Each local educational agency, or consortium of such agencies, that receives a subgrant under this subpart may use such funds to carry out activities that comply with the principles of effectiveness described in subsection (a), such as the following:

(E) Drug and violence prevention activities that may include the following:

(vii) Expanded and improved school-based mental health services related to illegal drug use and violence, including early identification of violence and illegal drug use, assessment, and direct or group counseling services provided to students, parents, families, and school personnel by qualified school-based mental health service providers.

(x) Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use of drugs.

Part B - 21st Century Community Learning Centers

Sec. 4201. Purpose; definitions.

(a) Purpose. The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that:

(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet State and local student academic achievement standards in core academic subjects, such as reading and mathematics;

(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students;

Sec. 5131. Local Uses of Funds.

(a) Innovative assistance programs. Funds made available to local educational agencies under section 5112 shall be used for innovative assistance programs, which may include any of the following:

(14) Expansion and improvement of school-based mental health services, including early identification of drug use and violence, assessment, and direct individual or group counseling services provided to students, parents, and school personnel by qualified school-based mental health services personnel.

Subpart 2 - Elementary and Secondary School Counseling Programs
Sec. 5421. Elementary and Secondary School Counseling Programs.

(a) Grants authorized.

(2) Special consideration. In awarding grants under this section, the Secretary shall give special consideration to applications describing programs that:

(A) demonstrate the greatest need for new or additional counseling services among children in the schools served by the local educational agency, in part by providing information on current ratios of students to school counselors, students to school social workers, and students to school psychologists;

(c) Use of Funds.

(2) Requirements. Each program funded under this section shall:

(A) be comprehensive in addressing the counseling and educational needs of all students;

(B) use a developmental, preventive approach to counseling;

(C) increase the range, availability, quantity, and quality of counseling services in the elementary schools and secondary schools of the local educational agency;

(D) expand counseling services through qualified school counselors, school social workers, school psychologists, other qualified psychologists, or child and adolescent psychiatrists;

(E) use innovative approaches to increase children's understanding of peer and family relationships, work and self, decision-making, or academic and career planning, or to improve peer interaction;

(F) provide counseling services in settings that meet the range of student needs;

(G) include in-service training appropriate to the activities funded under this Act for teachers, instructional staff, and appropriate school personnel, including in-service training in appropriate identification and early intervention techniques by school counselors, school social workers, school psychologists, other qualified psychologists, and child and adolescent psychiatrists;

(H) involve parents of participating students in the design, implementation, and evaluation of the counseling program;

(I) involve community groups, social service agencies, or other public or private entities in collaborative efforts to enhance the program and promote school-linked integration of services;

(J) evaluate annually the effectiveness and outcomes of the counseling services and activities assisted under this section;

(K) ensure a team approach to school counseling in the schools served by the local educational agency by working toward ratios recommended by the American School Health Association of one school counselor to 250 students, one school social worker to 800 students, and one school psychologist to 1,000 students; and

(L) ensure that school counselors, school psychologists, other qualified psychologists, school social workers, or child and adolescent psychiatrists paid from funds made available under this section spend a majority of their time counseling students or in other activities directly related to the counseling process.

ss. 300.34 Related services.

(a) *General. Related services* means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also includes school health services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the IEP of the child, social work services in schools, and parent counseling and training.

(c) *Individual related services terms defined.* The terms used in this definition are defined as follows:

(2) *Counseling services* means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

(7) *Parent counseling and training* means:

- (i) Assisting parents in understanding the special needs of their child;
- (ii) Providing parents with information about child development; and
- (iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.

(14) *Social work services in schools* includes:

- (i) Preparing a social or developmental history on a child with a disability;
- (ii) Group and individual counseling with the child and family;
- (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;
- (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and
- (v) Assisting in developing positive behavioral intervention strategies.

20 USC 1432. Sec. 632. Definitions.

As used in this part:

(4) Early intervention services. – The term “early intervention services” means developmental services that:

(E) include:

(xi) social work services;

(F) are provided by qualified personnel, including:

(vi) social workers;