



August 18, 2025

Submitted via Regulations.gov

Hayley B. Sanon
Principal Deputy Assistant Secretary and Acting Assistant Secretary
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Re: ED-2025-OESE-0152; Proposed Rule, School-Based Mental Health Services Grant Program.

Dear Ms. Hanon:

On behalf of the more than three million members of the National Education Association (NEA), we write in response to the Department of Education’s proposed rule, “School-Based Mental Health Services Grant Program” (SBMH) published in the Federal Register on July 17, 2025. Specifically, we write in strong opposition to paragraph (d) of the proposed program requirements because the language relies on vague, undefined terms, raises serious constitutional concerns, and undermines the very mental health supports that students need to succeed. Paragraph (d) would prohibit funds from being used to promote or endorse “(1) gender ideology, (2) political activism, (3) racial stereotyping, or (4) hostile environments for students of particular races” and we urge the Department to strike this language from the final rule.

As written, the proposed rule uses terms so broad that no clear standard exists for what would be prohibited. This creates uncertainty for educators and mental health professionals and risks chilling the delivery of services, especially when those services involve discussion of race, gender, or identity. Professionals trained to support student well-being must be able to determine the scope and content of their work based on their expertise, professional requirements, and ethical obligations, not on ambiguous political criteria. Limiting that professional judgment not only threatens students’ and educators’ First Amendment rights but also conflicts with the ethical standards of the mental health field.

Students thrive in learning environments where they feel safe, respected, and included. That means schools must be able to address issues of race, gender, and identity openly and constructively. When policies shut down these conversations, they do not protect students, they risk isolating them, dismissing their experiences, and damaging the trust between students and the adults who support them.

The need for culturally responsive mental health support is urgent. Data from the American Psychological Association shows that only 5% of psychologists are Black and only 8% are Hispanic. Students often seek help from professionals who share, or deeply understand, their lived experiences. If the goal of this program is to expand access to school-based mental health services, the proposed restriction would have the opposite effect, by chilling districts from pursuing opportunities to recruit and retain a diverse workforce and worsening existing disparities in representation.

All students, regardless of race, gender identity, sexual orientation, or background, should have access to mental health providers who affirm their identities and understand the cultural context of their lives. When these supports are missing, students may feel invisible, unsafe, or unwelcome, which in turn harms their mental health, attendance, and engagement in learning.

Under proposed definitions, the current definition of “credentialed” excludes many highly qualified professionals, including school counselors, social workers, and psychologists who are essential to a comprehensive support system. We urge the Department to broaden this definition so that schools, particularly those serving high numbers of Black, Latinx, Indigenous, and low-income students, can hire the professionals best suited to meet their students’ needs.

By investing in a culturally responsive, inclusive mental health workforce, the Department can help create schools where every student feels seen, valued, and supported. We welcome the opportunity to share additional expertise and resources to help advance this goal. NEA urges ED to revise language in the final rule to reflect the feedback shared in this comment letter. If you have any questions, please contact me or Bianca Singh at BSingh@nea.org.

Sincerely,

A handwritten signature in black ink that reads "Daaiyah Bilal-Threats". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Daaiyah Bilal-Threats
Senior Director, Education Policy and Implementation Center
National Education Association