



**Josh Kaul**  
**Wisconsin Attorney General**

**P.O. Box 7857**  
**Madison, WI 53707-7857**

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**NEWS FOR IMMEDIATE RELEASE**

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**AG Kaul Sues U.S. Department of Education Over School Mental Health Cuts**

MADISON, Wis. – Attorney General Josh Kaul announced that late Monday, Wisconsin joined a multistate lawsuit against the U.S. Department of Education for illegally cutting congressionally approved funding for mental health programs in K-12 schools.

“This funding can help keep schools safe and help students succeed,” said AG Kaul. “This cancellation of grants that support mental health services in schools is awful policy and it’s unlawful.”

The coalition argues that the Department of Education unlawfully issued non-continuation notices of two nationwide programs designed to increase access to school-based mental health professionals and to address long-standing shortages of counselors, psychologists, and social workers in K-12 schools. The cuts affect hundreds of thousands of students across the country and would significantly reduce implementation of key mental health initiatives.

These programs were first established after the tragic school shooting in Parkland, Florida, and expanded after the school shooting in Uvalde, Texas, when a bipartisan Congress appropriated \$1 billion in order to permanently bring 14,000 mental health professionals into the schools that needed it the most. The programs have delivered. According to the National Association of School Psychologists (NASP), grantees served nearly 775,000 students and hired nearly 1,300 school mental health professionals during the first year of funding. NASP also found a 50% reduction in suicide risk at high-need schools, decreases in absenteeism and behavioral issues,

and increases in positive student-staff engagement based on data from sampled programs.

The Department of Education awarded grants spanning a five-year project period and makes yearly decisions to continue each grant's funding. Under its regulations, the Department of Education is supposed to consider the grantees performance when deciding whether to continue funding.

The Wisconsin Department of Public Instruction (DPI) had just begun rolling out a five-year, federally funded project when the Department of Education issued a non-continuation notice in April. DPI has reported that 59 percent of Wisconsin high school students experienced at least one mental health challenge in the last year and that current student-to-provider ratios remain significantly above national recommendations. DPI's plan under the grant included training new providers, expanding teleservices, and partnering with universities to build long-term mental health pipelines. The grant was set to run through 2029, but with Department of Education funding now cut, DPI will lose over eight million dollars in future support. As a result, the agency has frozen all grant activities and withdrawn planned subgrants.

The University of Wisconsin-Madison had been awarded a multi-year grant to train 24 school psychology graduate students who would work in high-need schools after graduation. To date, 19 students have been recruited into the program and are on track to graduate. But with funding now set to unexpectedly end mid-school year, UW-Madison projects a loss of over \$2.8 million and warns that students may not be able to finish their degrees or may not be able to afford to work in the schools that need them most without the tuition and stipend support from this grant.

The Department of Education's non-continuation notices provided no individualized explanation, relying instead on vague claims that the grants conflicted with the Administration's policy preferences. The complaint alleges that the Department of Education's funding cuts violate the Administrative Procedure Act and the U.S. Constitution. The attorneys general ask a federal judge to rule the funding cuts are illegal and seek an injunction rescinding the non-continuation decisions impacting grant recipients in the plaintiff states.

Joining AG Kaul in filing this lawsuit are the attorneys general of California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, New Mexico, New York, Nevada, Oregon, Rhode Island, and Washington. A copy of the complaint is available [here](#).