



NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS

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*Enhancing the mental health and
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Honorable John Kline
Chairman, Committee on Education and the Workforce
House of Representatives
Rayburn House Office Building 2181
Washington, D.C. 20515

Honorable George Miller
Ranking Member, Committee on Education and the Workforce
House of Representatives
Rayburn House Office Building 2181
Washington, D.C. 20515

Dear Chairman Kline and Ranking Member Miller:

On behalf of the National Association of School Psychologists (NASP), we thank you for the opportunity to share our comments and recommendations on the upcoming reauthorization of the Elementary and Secondary Education Act (ESEA), also known as the "No Child Left Behind Act (NCLB)."

NASP represents more than 26,000 school psychologists who work with students, educators, and families to support the academic achievement, positive behavior, and mental wellness of all students, especially those who struggle with barriers to learning. School psychologists are typically credentialed by State Departments of Education, employed by school districts, and have special training and expertise in the integration of education, learning, child development, and mental health. School psychologists provide a broad array of services to general education and special education students including: direct interventions such as counseling, interventions (academic, behavioral, and crisis), and social emotional skill development; assessment of student academic progress, and the assessment of cognitive, behavioral, and social-emotional needs; and consultation with parents, teachers and school administrators. School psychologists have specialized training in school systems, learning, child development, and mental health, as well as expertise in research-based strategies and outcomes evaluation. School psychologists work with parents and educators to help shape:

- Individualized strategies that promote student success
- Prevention and early intervention programs
- Safe, healthy classroom and school environments
- School-wide mental health, behavior, and academic supports
- Home-school-community collaboration

Services provided by school psychologists include assessment, prevention and intervention, individual and group counseling, crisis response, consultation, case management, progress monitoring, school-wide needs assessments, and program design and evaluation.

The reauthorization of the ESEA poses a tremendous opportunity for education policy makers. It is an opportunity that should be fundamentally driven by the commitment that every student be ready to learn and every teacher empowered to teach. From pre-kindergarten through high school graduation, children need to be healthy, supported, and focused when they come to school.

All children possess tremendous potential and deserve access to comprehensive, rigorous curricula and high quality instruction. Too often, though, they come to class struggling with life challenges that can create barriers to learning—and teaching—as well as undermine school climate. Left unaddressed, issues such as learning difficulties, poor mental

and physical health, cultural and linguistic differences, and socioeconomic or family problems can significantly impede student and school success. Even the most highly skilled teachers cannot help children achieve their fullest potential unless such barriers to learning and instruction are remedied. Teachers cannot do this alone and it is counterproductive to expect this of them. The educational environment presents unique opportunities to address barriers, but only when services are available that support the whole child. Effective student support services enable teachers, administrators, and parents to know how best to ensure that students are ready and able to learn. They also guide progress monitoring and accountability measures that inform better instruction and provide a comprehensive picture of student and school achievement.

NASP has identified a set of guiding principles designed to steer educational reform efforts including the reauthorization of ESEA. These principles are summarized in this letter and comprehensively detailed in our *Ready to Learn, Empowered to Teach: Excellence in Education for the 21st Century* document available at <http://www.nasponline.org/advocacy/readytolearn.aspx>. While many factors contribute to effective education such as school infrastructure, technology, and professional advancement opportunities for educators, these principles recommend action designed to lower or remove barriers to learning by addressing instruction, behavior, and mental health. NASP firmly believes that the issues involved are not ancillary to education but rather central to the supportive educational process necessary to prepare all of America's children for academic success, healthy development, and responsible citizenship. Toward that end, NASP offers these principles, comments and recommendations as our priority concerns.

Guiding Principles for the Reauthorization of ESEA

The National Association of School Psychologists (NASP) urges the U.S. Department of Education to incorporate the following principles into their recommendations for the reauthorization of the Elementary and Secondary Education Act (ESEA). While the following list of principles is not considered exhaustive, we firmly believe that the principles outlined below form the foundation for school mental health policies and student supports necessary to achieving success at home, in school, and in life for all of America's children.

1. Combine high expectations for achievement with appropriate individualized instruction across curricula that reflect the knowledge and skills required to succeed in the 21st Century and that provide truly equal educational opportunities for all students.

Key Policy Objectives:

- Maintain high expectations and provide academic rigor across the spectrum of academic and life skills curricula.
- Ensure access to high quality instruction that meets the individual learning needs of all students.
- Ensure that instruction, assessment, and interventions are responsive to students' individual backgrounds and circumstances, including culture and language.
- Monitor individual student progress frequently and over time to ensure learning and to make decisions about appropriate interventions.
- Align and ensure the consistency of related principles in IDEA and ESEA.

Research demonstrates that high expectations correlate with high achievement (Jussim, Smith, Madon, & Palumbo, 1998; Weinstein, 2002). This holds true across the spectrum of academic and life skills necessary to becoming a healthy, productive, and responsible adult. A commitment to high expectations must extend beyond math and reading to include the sciences and social sciences, foreign languages, fine arts, physical and mental health, and work readiness skills. A comprehensive 21st Century education also teaches students social-emotional competencies, self-control, problem-solving and conflict resolution skills, the ability to access and evaluate the validity of information, and the ability to thrive in an increasingly competitive global economy.

2. Provide sufficient student support services to meet the needs of the whole child in order to promote healthy learning and development.

Key Policy Objectives:

- Ensure access for all children to support services to address the spectrum of barriers caused by health, behavioral, psychological, and environmental problems that can prevent students from being ready and able to learn.

- Provide appropriately trained professionals to help lower barriers to learning and to provide support needed by teachers.
- Promote research-based alternative to grade retention and social promotion such as multi-tiered, problem-solving models that provide evidenced-based instruction and interventions across academic, behavioral, and social-emotional domains.
- Extend supports to include high quality early childhood and after-school programming for at-risk children and youth.
- Coordinate services across a continuum of care that integrates schools, families, and community providers.

Students must be physically, socially, emotionally, and behaviorally ready and able to learn in order to succeed in school. Unfortunately, many struggle with barriers that impede learning and teaching. Relevant research indicates that family risk factors are associated with poor performance in school-aged children and are also linked with lower proficiency in early reading, math skills, and general knowledge (U.S. Department of Education, National Center for Education Statistics, 2000). One in five children and adolescents will experience a significant mental health problem that can interfere with their educational achievement during their school years (U.S. Department of Health and Human Services, 1999). Also, teachers cite student behavior and attitude, lack of student motivation, poor school climate, and lack of adequate support among the top reasons for leaving the profession (Ingersoll, 2001).

Despite these challenges, we know that there are proven strategies to address such barriers in ways that are appropriate to and supportive of the mission and purpose of schools. For example, longitudinal studies provide strong empirical evidence that interventions that strengthen students' social, emotional, and decision-making skills also positively impact their academic achievement. The outcomes are higher standardized test scores and better grades (e.g., Fleming, Haggerty, Brown, Catalano, et al., 2005). Effective student supports include mental health services, emphasize prevention and early intervention, actively engage families, and incorporate strength-based approaches such as positive behavioral supports, social-emotional learning, and response to intervention.

3. Expand accountability systems to reflect a comprehensive picture of students' and schools' performance rather than relying primarily on high-stakes testing.

Key Policy Objectives:

- Broaden accountability measures to include multiple indicators of student achievement, including those related to behavior, physical and mental health, and wellness.
- Ensure that measures are adapted to be valid and reliable for all student subpopulations.
- Use ongoing accountability measures to inform instruction, intervention, and school-wide improvement efforts.
- Include rates and effectiveness of home-school-community collaboration as part of school accountability measures.
- Base high-stakes decisions only on the use of multiple methods of data collection that have been validated for the intended purposes.

As stewards of our most important national resource, schools need to be accountable to the public, and especially to families, regarding the quality of instruction and other services they provide. However, schools are not one-dimensional in either their purpose or functioning, and neither should be outcome measures. Student performance assessments and school accountability systems must move from an overwhelming reliance on standardized tests of student achievement to the use of multiple indicators of student outcomes that also monitor progress toward life goals along with health, behavior, and well-being.

Outcomes should be measured by assessing growth over time and using systems that are valid and reliable for subpopulations, including those representing culturally and linguistically diverse groups, development across different ages, geographic regions, and school communities. As with individual student progress monitoring, systemic school improvement efforts should look at academic factors related to school success and those that contribute to positive learning environments and school climates, including connectedness, school safety, and the supports needed by struggling learners. Assessing measures of parent involvement and community collaboration—both of which markedly contribute to achievement—provides a clearer picture of overall school functioning. Use of comprehensive data in decision-making allows school leaders to channel resources into the most cost-effective and sustainable approaches to bolster student success in ways that are most appropriate for their school community.

4. Build the capacity for instructional excellence that empowers teachers to teach creatively and effectively.

Key Policy Objectives:

- Create smaller classrooms and improved student/staff ratios based upon research data, which specify how these are directly linked to meeting the needs of and improving outcomes for all students.
- Provide professional support personnel to help lower barriers to learning and teaching.
- Invest in rigorous, career-long training that includes opportunities for all educators to receive continuing professional development across a spectrum of learning objectives and areas of professional functioning.
- Promote strong, supportive school leadership and opportunities for peer-to-peer consultation, problem solving, assessment, and intervention.

Every child deserves access to high quality instruction from teachers who are able to address his or her individual learning needs. Instructional excellence depends on rigorous and career-long training, adequate student-staff ratios, access to student resources and supports, effective leadership, and opportunities for collaborative problem-solving. Equally important, a school's commitment must extend beyond teachers to other key school personnel who are essential to student achievement and positive behavioral outcomes. Teachers cannot be held *solely* accountable for student outcomes. It is imperative to make a national commitment to top-notch *educator* quality, training, and performance through an investment in professional development that includes classroom-based strategies for ongoing progress monitoring and response-to-intervention methods; prevention of school failure; and specific academic, social-emotional, and behavioral strategies for struggling students.

5. Provide federal leadership that facilitates evidence-based practice and well-coordinated, fully funded federal policies.

Key Policy Objectives:

- Fully fund educational mandates such as IDEA and ESEA.
- Strengthen emphasis on *school-based* research to identify evidence-based practices that are effective and efficient in the dynamic and multifaceted context of schools.
- Promote sharing of knowledge and effective practices across states, encouraging policies that promote equity and innovative as well as exemplary programs.
- Establish leadership at the federal level for advancing specialized instructional and student support services.

The federal government is best positioned to provide leadership that directs and supports the movement of state policy toward educational equity, evidence-based practices, and the development and promotion of exemplary and sustainable programs. Of critical importance are sufficient funding, effective research, best practice dissemination, and coordinated leadership. Full funding for IDEA and ESEA is critical to lowering barriers to learning and maintaining high, equitable standards for all children. There is also a significant need for well-controlled research studies in these natural settings, which carefully evaluate fidelity with which the specific intervention is implemented. Finally, federal leadership should further promote the importance of meeting the needs of the whole child. A specified office and personnel exclusively dedicated to promoting instructional support programs and services ("pupil services" or "related services") to assist struggling learners is recommended.

Specific Recommendations

Recommendation 1: NASP recommends requiring schools to determine and to assure the availability of social and mental health services for their students as part of their school improvement plan.

The Commission on No Child Left Behind (2007) has asserted that it is critical to fully understand and to comprehensively address students' behavioral, social, and emotional needs in addition to their academic needs. In their report, the NCLB Commission cites the comprehensive research indicating that students struggling with mental health concerns achieve at higher rates when schools identify and intervene with these problems early. The Commission links access to mental health services to improved student outcomes and recommends that, when creating their school improvement plan, schools should be required to determine the availability of school and community social and mental health services to support struggling students. NASP concurs and further maintains that

school improvement plans should include mechanisms for assuring access to such services along the full continuum of mental health care

Examples for Recommended Legislative Language:

- In Title I, Part A, Subpart 1, Sec. 1116 – Add new subparagraph (b)(3)(A)(iv) and re-number current (v)-(xi):

"Sec. 1116. Academic Assessment and Local Educational Agency and School Improvement.

(b) School Improvement.—

(3) School Plan.—

(A) Revised Plan.—After the resolution of a review under paragraph (2), each school identified...for school improvement shall...develop or revise a school plan....The school plan shall cover a 2-year period and—

(iv) describe the availability of social, behavioral, and mental health services in the school and the community to assist students in overcoming barriers to learning and achievement, including—

(I) staffing adequacy of school-employed mental health personnel, such as school counselors, school psychologists, and school social workers, in accordance with the recommended ratios found in Section 5421 (c) (2) (K) of this Act ;

(II) breadth of available school services including counseling, positive behavioral supports, screening and assessment, prevention and early intervention, intervention and skill development, and behavioral and instructional consultation;

(III) accessibility of school personnel and services to meet the needs of struggling students;

(IV) availability and accessibility of community social and mental health programs and qualified personnel capable of linking with schools to provide a full continuum of social and mental health support."

Recommendation 2: NASP recommends encouraging states to use Title I funds to support the use of positive behavioral interventions and supports in schools.

Positive Behavioral Interventions and Support (PBIS) is an empirically validated, functionally based approach used to promote positive behaviors and eliminate challenging behaviors by replacing them with prosocial skills, when they occur. Research indicates that schools employing system-wide interventions for problem behavior prevention have reduced office discipline referrals by 20-60%, and have increased student academic engagement and achievement. NASP supports the increased use of evidenced-based programs to increase positive behavior and decrease the often ineffective and harmful use of zero-tolerance policies and practices. The Individuals with Disabilities Education Act (IDEA) recommends the use of PBIS for students with challenging behaviors. Section 1003 of ESEA authorizes states to reserve up to 2-4% of Title I funds for school improvement to meet the state's responsibilities under Section 1116 and 1117. Additionally, Section 1114 authorizes LEA's to use funds for school wide programs. Amending Sections 1003, 1114, 1116 and 1117 to include implementation of school wide PBIS will permit states to use their Title I state reservations funds to promote and support such initiatives and will increase the likelihood that these funds will be used for this purpose.

Examples for Recommended Legislative Language:

1. Section 1003: School Improvement

In paragraph (b) relating to uses of funds, add a new (3):

(3) (the state) may allocate funds to develop and implement coordinated, early intervening services (including positive behavior supports) for all students, including those who have not been identified as needing special education but who need additional academic and behavioral support to succeed in a general education environment. These funds shall be aligned with funds authorized under the Individuals with Disabilities Education Act, Part B, Section 613 (f). Such funds shall be used to supplement, and not supplant, funds made available under the IDEA for these activities and services.

2. Section 1114: School-wide Programs

(b)(1)(B)(iii), relating to strategies to address the needs of all children, renumber paragraphs (bb) and (cc) as (cc) and (dd) and add a new paragraph (bb) to include the use of positive behavior supports:

(bb) improve the learning environment in the school, including the implementation of positive behavioral supports, in order to improve academic outcomes for students.

3. Section 1116: Academic Assessment and Local Educational Agency and School Improvement

In paragraph (b)(4)(B) relating to technical assistance add a new (iii) and renumber (iii) as (iv) as (iv) and (v):

(iii) shall include assistance in implementation of school-wide positive behavioral supports and other approaches with evidence of effectiveness for improving the learning environment in the school;

4. Section 1117: School Support and Recognition

In paragraph (a)(3), relating to technical support, add to the list of technical assistance (TA) centers:

any technical assistance center on school-wide positive behavioral supports funded under Part D, Section 665(b) of the Individuals with Disabilities Education Act.

In paragraph (a)(5)(B) relating to functions of school support teams, add a new (iii) and renumber (iii) and (iv) as (iv) and (v):

(iii) review the number of discipline referrals in the school and the overall school climate and engagement of families, and use that information to assist the school to implement school-wide positive behavior supports and/or other early intervening services;

Recommendation 3: NASP recommends including the National Center for Response to Intervention's (NCRTI) essential components of RTI and infusing an 'evidence-based intervention model' throughout ESEA to improve access to early intervening services, early identification and improved academic and social-emotional learning outcomes for all students and to ensure all available resources are appropriately targeted to serve all struggling learners as early as possible. Additionally, we recommend that ESEA's reauthorization include language specifically addressing a definition of Universal Design for Learning (UDL) and related general assurances and grants, research opportunities, educational technology, and provisions that reflect UDL principles in the four elements of the curriculum (goals, instructional materials, teaching methods and assessments).

IDEA now includes important provisions that encourage states and school districts to use high quality, research based interventions as a part of the special education identification process. This process, commonly known as Response to Intervention (RTI) or Multi-tiered System of Supports (MTSS), is a multi-tiered approach to providing services and evidence-based interventions at increasing levels of intensity, typically through general education, to students who struggle with academics or behavior. According to the National Center on Response to Intervention (2010) there are four essential components of RTI: 1) a school-wide, multi-level instructional and behavioral system for preventing school failure; 2) screening; 3) progress monitoring; and 4) data-based decision making for instruction, movement within the multi-level system, and disability identification (in accordance with state law.) We recommend that these components be included in the reauthorized ESEA so that there is clear alignment between the statute and the Department of Education's federally funded national technical assistance center guiding this work.

In this process, students participate in universal screening for academic and behavioral concerns. Students who are identified as being at risk for school failure due to potential academic or behavioral issues are then targeted to receive evidenced-based interventions. The progress students make at each stage of intervention is closely monitored. Results of this monitoring are used to make decisions about the need for further research-based instruction and/or intervention in general education, in special education or both. The RTI process has the potential to limit the amount of academic failure that any student experiences and to increase the accuracy of special education identification. Its

use may also reduce the number of children who are mistakenly identified as having learning disabilities when their learning problems are actually due to cultural differences or lack of adequate instruction. Information and data gathered by an RTI process can lead to earlier identification of children who have true disabilities and are in need of special education services.

In addition, RTI is complemented by Universal Design for Learning (UDL). UDL is a set of principles in designing curriculum that provides all individuals with equal opportunities to learn. Grounded in research of learner differences and effective instructional settings, UDL principles call for varied and flexible ways to present information, plan and execute learning tasks, and engage in learning. UDL provides a framework to decrease barriers to learning while maintaining high achievement expectations for all students, including students with disabilities and students who are limited English proficient. Although the use of UDL was first thought to only apply to students with disabilities, it has the potential to increase the academic progress of all students by allowing curriculum to be flexible and customizable to each individual student in both general education and special education settings.

The IDEA 2004 also allows up to 15 percent of special education funds to be used for the provision of 'early intervening services' (Sec. 613(f)) for students who have academic or behavioral difficulties but are not identified as having a disability. Now, struggling learners can receive intervention as early as kindergarten and first grade instead of waiting until they experience a prolonged and significant period of academic failure. While this is an option for all schools, it is a requirement for schools identified as having over-identification of culturally and linguistically diverse students in special education. By further aligning IDEA and ESEA resources are effectively targeted to the students most in need and those most at-risk academically and behaviorally.

Examples for Recommended Legislative Language:

- Add new subparagraph (iii) under Title I, Part A, Subpart 1, Sec. 1112(b)(1):

"Sec. 1112. Local Educational Agency Plans.

(b) Plan provisions.—

(1) In general.—In order to help low-achieving children meet challenging academic achievement standards, each local educational agency plan shall include—

...

(E) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as—

--

(iii) multi-tiered interventions, designed and implemented by a multi-disciplinary team including general and special education teachers and specialized instructional support personnel, as appropriate, for students who need additional academic and behavioral supports to succeed in the general education environment."

- Add the following language to Title I, Part A, Subpart 1, Section 1115(c)(1)(C):

"Sec. 1115. Targeted Assistance Schools.

...

(c) Components of a Targeted Assistance School Program.—

(1) In general.—To assist targeted assistance schools and local educational agencies to meet their responsibilities to provide for all their students...the opportunity to meet the State's challenging student academic achievement standards..., each targeted assistance program...shall—

...

(C) use effective methods and instructional strategies, including, as appropriate, a process based on the child's response to evidence-based interventions, designed and implemented by a multi-disciplinary team including general and special education teachers and specialized instructional support personnel, as appropriate ~~that are based on scientifically based research~~ that strengthens the core academic program of the school...."

- Add the following language to Title I, Part B (Reading First), Subpart 1, Section 1202(c)(7)(A)(ii)(II):

"Sec. 1202. Formula Grants to State Educational Agencies.

...

(c) Subgrants to Local Educational Agencies.—

...

(7) Local uses of funds.—

(A) Required uses.—Subject to paragraph (8), an eligible local educational agency that receives a subgrant under this subsection shall use the funds...to carry out the following activities:

...

(ii) Selecting and implementing a learning system or program of reading instruction based on scientifically based reading research that—

...

(II) provides such instruction and interventions to the children...served by the eligible local educational agency....such as a process based on the child's response to evidence-based interventions, designed and implemented by a multi-disciplinary team, including teachers and specialized instructional support personnel. "

- Add a definition of Multi-Tiered Systems of Supports (MTSS) and designate the implementation of MTSS as an allowable use of funds for preventing academic failure into various parts of Title I.

Part H, Subpart 2, Sec. 1821 add:

"(3) MULTI-TIERED SYSTEMS OF SUPPORTS.—The term 'multi-tiered system of supports' means a comprehensive system of differentiated supports that includes these four essential components:

(A) a school-wide, multi-level instructional and behavioral system for preventing school failure;

(B) screening;

(C) progress monitoring; and

(D) data-based decision making for instruction, movement within the multi-level system, and disability identification (in accordance with state law.)

Part H, Subpart 2, Sec. 1822 (b) (1) add:

"(K) implementing multi-tiered systems of supports;

- Add the following definition of Universal Design for Learning. Infused references to UDL into professional development activities for teachers and other school staff, curriculum design and implementation expectations, educational technology provisions, and research and training grant opportunities.

The term universal design for learning from Section 103(a)(24) of the Higher Education Opportunity Act of 2008 reads as follows and should be incorporated in ESEA:

UNIVERSAL DESIGN FOR LEARNING.--The term `universal design for learning' means a scientifically valid framework for guiding educational practice that--

`` (A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and

`` (B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient."

Recommendation 4: NASP recommends measuring and reporting “school climate and culture” indicators in accordance with the model being proposed by the U.S. Department of Education.

Bringing out the best in students and schools requires more than rigorous curriculum and quality instruction. These are central factors in school success, but even the best teachers will face barriers to teaching if the school climate is not supportive and students are not ready and able to learn. Positive and personalized learning environments, a cohesive school community, and student wellness are integral to connectedness, safety, behavior, attendance, socialization, and learning—all of which directly impact achievement. Research supports that changing a school's climate and connectedness for the better is associated with increases in student performance in reading, writing, and mathematics (Spier, Cai, & Osher, 2007; Spier, Cai, Osher, & Kendziora, 2007). The attention that school gives to the climate and culture for learning must be intentional and purposeful and clearly articulated in ESEA.

School climate is defined by student, staff, and family perceptions of their connectedness to, value within, and the benefits of belonging to the school community. Positive school climates reflect a caring and personalized school environment that is associated with improved student behavior, well-being, and academic achievement. Negative school climate is associated with risk factors such as absenteeism, poorer school performance, behavior and discipline problems, increased violence, and dropping out. NASP supports explicit recognition of the major components of a school climate model articulated by Assistant Secretary Kevin Jennings (December, 2009): Connectedness, Safety, and Environment.

- Add “school climate and culture indicators” throughout ESEA such as to the list of discretionary indicators gathered by the state as part of AYP, TITLE I PART A SUBPART 1 SEC. 1111(a)(2)(C)(vii)

SEC. 1111 (a) (2) (C) (vii) in accordance with subparagraph (D), at the State's discretion, may also include other academic indicators, as determined by the State for all public school students, measured separately for each group described in clause (v), such as achievement on additional State or locally administered assessments, decreases in grade-to-grade retention rates, attendance rates, indicators of the school's climate and culture, and changes in the percentages of students completing gifted and talented, advanced placement, and college preparatory courses.

Recommendation 5: Growth models must be used in combination with status models as a meaningful way of assuring schools get credit for student improvement over time and to ensure all students are held to high expectations.

Growth models are relevant and important indicators of the effectiveness of schools and are generally more informative than standardized assessments that measure a student's performance at one moment in time vs. their growth in response to instruction received over time. Growth models allow every stakeholder including students, parents, and educators to recognize individual progress. Growth models ensure that each school is held accountable for adequately increasing the academic achievement of all students. Monitoring the ongoing academic progress of individual students provides authentic measurement overtime. Progress monitoring through assessments could then be used to inform the practices of educators to meet the current needs of students. Most importantly growth models allow for students and parents to be knowledgeable about individualized growth over time and in response to instruction.

Examples for Recommended Legislative Language:

- Add growth model approaches to the AYP system that take into consideration the progress students make from year to year when calculating AYP.

To TITLE I PART A SUBPART 1 SEC. 1111(b)(2)(C)

Add references to the assessment of student growth over time where needed such as Section 1111 (b)(2)(C)(iii) and (xii)

NEW (iii):

(iii) measure the individual growth and progress of all students over consecutive years of schooling;

Renumber (iv)-(xv) as appropriate

(xii) produce individual student interpretive, descriptive, and diagnostic reports that report student growth over time, consistent with clause (iii) that allow parents, teachers, and principals to understand and address the specific academic needs and growth of students, and include information regarding achievement on academic assessments aligned with State academic achievement standards, and that are provided to parents, teachers, and principals, as soon as is practicably possible after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand;

Recommendation 6: NASP recommends directing the Secretary of Education to establish an Office of Specialized Instructional Supports within the U.S. Department of Education.

The purpose of creating this office would be to provide leadership within the Department of Education that is dedicated to promoting specialized instructional support programs and services ("pupil services" as defined in ESEA and "related services" as defined in IDEA) and that assist struggling learners. Many local school districts and state education agencies currently have this level of leadership in place. However, as noted in "Preventing Mental, Emotional, and Behavioral Disabilities Among Young People: Progress and Possibilities" completed by the Institute of Medicines in March of 2009, there is a clear absence of such a position at the federal level, which limits the communication and coordination of national efforts associated with services that promote academic success for all students. This office would facilitate the development of a comprehensive, child-focused, multifaceted, and cohesive system of learning supports. The ancillary goal is to improve cross-agency coordination among SAMHSA, DOJ, HRSA, and DOE, reduce gaps and inefficient redundancies in support services, streamline systems, and simplify and improve the understanding and participation of parents in their child's comprehensive education and care.

Examples for Recommended Legislative Language:

"Sec. XXX. Office of Specialized Instructional Support Personnel.

(a) Establishment.—There shall be, within the Office of the Deputy Secretary in the Department of Education, an Office of Specialized Instructional Support Services (hereafter referred to as the "Office").

(b) Purpose.—The purpose of the Office shall be to administer, coordinate, and carry out programs and activities concerned with providing specialized instructional support services in schools, delivered by trained, qualified specialized instructional support personnel, as defined in Sec. XXX of the Act.

(c) Director.—The Office established under subsection (a) shall be headed by a Director who shall be selected by the Secretary and report directly to the Deputy Secretary of Education.

(d) Activities.—In carrying out subsection (b), the Director shall support activities to—

(1) improve specialized instructional support services in schools in order to improve academic achievement and educational results for students;

(2) identify scientifically based practices in specialized instructional support services that support learning and improve academic achievement and educational results for students;

(3) provide continuous training and professional development opportunities for specialized instructional support personnel and other school personnel in the use of effective techniques to address academic, behavioral, and functional needs;

(4) provide technical assistance to local and state educational agencies in the provision of effective, scientifically based specialized instructional support services; and,

(5) coordinate specialized instructional support services programs and services in schools between the Department of Education and other federal agencies, as appropriate."

Recommendation 7: NASP recommends the continued explicit authorization of the Elementary and Secondary School Counseling Program (ESSCP) priorities and continued dedicated funding for this program including increases in appropriations.

The U.S. Department of Education recently released the "Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act". This blueprint offers a more comprehensive, meaningful focus on what is essential to

helping all children learn to their fullest potential and is consistent with many of the guiding principles presented in the NASP's *Ready to Learn, Empowered to Teach: Excellence in Education for the 21st Century*.

In particular, NASP strongly supports the Department's commitment to meeting the needs of diverse learners, including children with disabilities, those who are disadvantaged, and English Language Learners. NASP also commends the Department for recognizing that school climate and social-emotional learning are central to academic success. Research and experience have long demonstrated that school engagement and student achievement improve when schools promote positive school climates, teach students interpersonal social skills and positive behavior, and support their emotional well-being. The broader mandate for the Office of Safe and Drug Free Schools (OSDFS) to foster successful, safe and healthy students is essential to creating drug and violence free schools and to promoting student achievement. We believe that meeting the needs of all students requires responding to the "whole child", providing effective individualized instruction, ensuring inclusive and effective learning environments, and building genuine school-family collaboration.

NASP appreciates the Department of Education's intention to improve administrative efficiency and foster innovation through changes in funding structures. However, we are deeply concerned about the proposed consolidation of funding for small and medium size programs that meet specific priority needs, such as supporting student mental health. Small and medium size programs, like the Elementary and Secondary School Counseling Program, were created in response to public demand and the need to promote exemplary practices that are appropriate to the school setting. NASP urges Congress to maintain the absolute priorities of these programs currently proposed for consolidation and to maintain or increase levels of funding for these programs' priorities.

The Elementary and Secondary School Counseling program (ESSCP) helps school districts to establish or expand school-based counseling services provided by qualified state licensed or certified school counselors, school psychologists, school social workers, or appropriately qualified psychiatrists and psychologists. The program helps improve school safety and increase student academic achievement by expanding student access to counseling services and school mental health interventions. It is imperative that this program continue to be explicitly recognized and that the program's goals be prioritized for schools. Without this level of recognition, especially in a time of tightening budgets for school districts, it is possible that schools could lose sight of the importance of school counseling programs as critical academic and social-emotional supports for all students. Additionally, with the passage of NCLB, Congress expanded the name of this program to include secondary schools. However, a funding trigger within the statute requires all funds up to \$40 million to be directed to elementary schools. In order for the services outlined in this program to respond to the growing needs of middle and high schools, the program must be funded at higher levels. There is a significant demand for the support provided by this program as evidenced by the number of applications received when the program is competed every two years. The existing level of funding is only able to provide support for roughly 10% of the applications received. Currently, ESSCP is funded at \$55 million; we respectfully request that funding for ESSCP increase to a minimum of \$80 million so that a significant effort can be made to meet the needs of elementary and secondary schools.

Examples for Recommended Legislative Language:

The ESSCP is authorized under the Fund for the Improvement of Education, Title V, Section 5421, No Child Left Behind Act of 2001, P.L. 107-110 and we support its continued authorization and increased funding to a minimum of \$80 million so that secondary students might equally benefit from this program.

Recommendation 8: NASP recommends that the ratio of student to school psychologist detailed in Title V, Part D: Fund for the Improvement of Education, be adjusted to reflect the language recently adopted in our updated professional practice standards outlined in the "Model for Comprehensive Integrated School Psychological Services" (National Association of School Psychologists, Adopted by the NASP General Assembly, March 6, 2010)

NASP recently completed a three-year process of comprehensively reviewing and updating our professional standards to reflect new findings and changes in research and practice that have occurred since our last revision of these standards in 2000. This process resulted in an updating of our standards associated with our student to school psychologist ratio. We request that this language replace the previously used language that is currently in ESEA. The new language adopted in Organizational Guideline 3.2 of this model states: "...The student to school psychologist ratio

should, generally, not exceed 1000 to one. However, when school psychologists are providing comprehensive and preventive services (i.e., evaluations, consultation, individual/group counseling, crisis response, behavioral interventions, etc), this ratio should not exceed 500 to 700 students for every one school psychologist in order to ensure quality of student outcomes.” (p. 15) We recommend that adoption of this language be made in Subpart 2, Sec. 5421—*Elementary and Secondary School Counseling Programs* as it is clear that the services to be delivered in comprehensive school counseling program are consistent with the comprehensive and preventive services identified in our model for practice.

Example for Recommended Legislative Language:

- Revise Title V, Part D, Subpart 2, Section 5421 (c)(2)(K) to reflect new language adopted by the National Association of School Psychologists regarding appropriate student to school psychologists ratios in schools

“(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 ~~4000 students~~ 500-700 students; and

Connections to 111th Congress Proposed Legislation:

Several pieces of legislation introduced in the 111th Congress includes language that addresses many of these priorities. NASP recommends that language from these bills be infused into the reauthorized language where appropriate:

Increased Student Achievement Through Increased Student Support Act H.R. 1361, S. 538 (NASP Guiding principles 1 and 2; NASP Recommendations 1, 3)

- Awards grants for partnerships between low-income local education agencies (LEAs) and schools offering graduate programs in school psychology, school counseling, and school social work to increase the number of program graduates employed and retained by low-income LEAs.

Reducing Barriers to Learning Act H.R. 3800 (NASP Guiding principles 1 and 2; NASP Recommendations 2, 3, and 6)

- Establishes an Office of Specialized Instructional Support Services in the Department of Education and provides grants to state education agencies to provide leadership and supports to reduce barriers to learning, including any social, emotional, behavioral, physical, environmental, or academic factors that substantially interfere with a student's ability to achieve academically.

Safe Schools Improvement Act H.R. 2262 (NASP Guiding principle 3; NASP Recommendations 2, 3 and 4)

- Amends the Safe and Drug Free Schools and Communities Act to include bullying and harassment prevention programs.

Graduation for ALL Act H.R. 4122 (NASP Guiding principles 1, 2 and 3; NASP Recommendation 3)

- Incorporates ways to assist children who are at-risk of dropping out of school including using early warning indicators and using evidence-based interventions to increase graduation.

Positive Behavior for Safe and Effective Schools Act H.R. 2597 (NASP Guiding principle 2; NASP Recommendations 2 and 3)

- Amends the Elementary and Secondary Education Act (ESEA) of 1965 to increase implementation of school-wide positive behavioral supports.

Academic Social and Emotional Learning Act H.R. 4223 (NASP Guiding principle 2; NASP Recommendations 2 and 3)

- Amends the ESEA of 1965 to include Social and Emotional learning in schools.

Bullying and Gang Reduction for Improved Education Act H.R. 1589 (NASP Guiding principle 3; NASP Recommendations 2, 3 and 4)

- Amends the ESEA of 1965 to add bullying and gang prevention to the violence and drug abuse prevention activities.

Thank you for your consideration of these comments and recommendations regarding the reauthorization of the Elementary and Secondary Education Act. NASP welcomes the opportunity to work with you and the other committee members in assisting with the revision of this vital piece of legislation. For further information, please contact Stacy Skalski, NASP Director of Public Policy, at sskalski@naspweb.org.

Sincerely,



Susan Gorin, CAE
Executive Director