



NATIONAL
ASSOCIATION OF
SCHOOL
PSYCHOLOGISTS

CAPITOL HILL UPDATE

What is the latest with the roll out of IDEA 2004? OSEP released the final Part B Regulations on August 14th in time for the 2006 – 2007 school year. The Part B Regulations went into effect on October 14th. The educational community is still waiting on the release of the proposed Part C Regulations (covering ages birth to three) which are currently being reviewed by the Office of Management and Budget (OMB). OSEP is anticipating a release date of sometime this spring of the proposed Part C Regulations which will be followed by a period of public comment and review. Many States have developed or are in the process of developing their own special education regulations to reflect the changes in the federal statute and regulations.

IDEA 2004 Web Resources:

- **OSEP's IDEA 2004 website** – provides numerous resources related to IDEA and its implementing regulations including topic briefs, searchable version of the law and the regulations, model forms, video clips explaining the regulations, Dialogue Guide activities, and helpful Q & A's. <http://idea.ed.gov/>
- **IDEA 2004 Final Bill and Part B Final Regulations posted on the NASP website** – www.nasponline.org/advocacy/IDEAinformation.html
- **Regional Resource & Federal Center Network: National State Policy Database (NSPD)** allows users to locate and download full copies or specific sections of the federal and state special education regulations. www.rfcnetwork.org/content/view/347/382/
- **IDEA Partnership:** NASP, along with 55 national organizations, participates in a variety of cross-stakeholder activities to build capacity of states, districts and schools to improve results for students with disabilities. NASP has participated in numerous initiatives including the development of Dialogue Guides, RTI materials and resources, the Mental Health Community of Practice, etc. See website for IDEA and NCLB news, resources, and information on IDEA Partnership initiatives. www.ideapartnership.org
- **NASP's IDEA Information webpage** for IDEA 2004 information, news, and resources, legislative updates: <http://nasponline.org/advocacy/IDEAinformation.html>

What are key issues in the reauthorization of NCLB for Students with Disabilities? The Aspen Institute www.aspeninstitute.org recently released a report by the *Commission on No Child Left Behind (NCLB)*. In order to improve the accuracy and fairness of adequate yearly progress (AYP) determinations, it was recommended that states should be allowed to include achievement growth in AYP calculations (growth models). These calculations would enable schools to receive credit for students who are on track to becoming proficient within three years, based on the growth trajectory of their assessment scores. Another recommendation was to restrict the minimum subgroup size to no more than 20. Currently minimum N-sizes for subgroups, such as students with disabilities and English Language Learners, vary tremendously from state to state resulting in different outcomes for AYP calculations. A final recommendation directed at improving rules for AYP calculations was to amend the proposed 2 percent policy allowing students with disabilities to be assessed against modified achievement standards using modified assessments by reducing the cap to 1 percent. The report found insufficient basis both in testimony before the Commission and in research to support a 2 percent cap. **A copy of the Commission's report may be downloaded or ordered from the Aspen Institute's website.**

New Flexibility in Assessing Students with Disabilities under NCLB: On April 9, 2007, the U.S. Department of Education released final regulations that allow states flexibility in measuring the achievement of students with disabilities by allowing up to 2% of all students to take alternate assessments based on modified academic achievement standards for the purposes of AYP. Link to these regulations posted on the NASP website at: <http://www.nasponline.org/advocacy/>.

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Current Federal Legislative Alerts and Information

- **Adequate Funding for Education and School Mental Health Programs:** The President's FY 08 budget request reduces federal education spending by \$3.1 billion as compared to FY 07. His budget recommends the termination of the Elementary and Secondary School Counseling Program, the Mental Health Integration in the Schools grants, and the Dropout Prevention Program, and a cut to the Safe and Drug-Free Schools State Grants Program.
- **Full Funding of IDEA:** IDEA authorizes Congress to pay up to 40% of the expense of implementing IDEA. Compared to the FY 2007 level, the President's FY 08 budget reduces the federal contribution from 17.2 percent to 16.5 percent.
- **School-Based Mental Health Services for All Students:** The Elementary and Secondary School Counseling Program and the proposed Student Support Act (HR 171) are programs that provide grants to local school districts to build school mental health programs including allowing funds to hire school mental health personnel.
- **Medicaid Reimbursements for Schools:** Legislation has been introduced to set guidelines for providing and getting reimbursed for Medicaid services provided in schools including reimbursement of transportation and administrative costs.
- **Children's Mental Health Personnel Shortages:** The shortage of school psychologists is addressed through proposals that seek to recruit new professionals through loan forgiveness, scholarships, and higher education grant programs.
- **Mental Health Parity.** Every day families discover that they cannot get the care they need because their employer-provided health insurance sets arbitrary limits on mental health treatment. The Mental Health Parity Act seeks to rectify this inequity by requiring parity for mental health benefits as compared to other health benefits.
- **NASP Principles for the Reauthorization of NCLB.** NASP staff and leaders have worked to craft a set of guiding principles for the reauthorization of NCLB. NASP believes that these principles form the foundation for school mental health policies and student supports necessary to promote student success. It is critical that we ask our elected officials to include them in their NCLB reauthorization efforts.

NASP 2007 Public Policy Institute. The 2007 NASP/GWU Public Policy Institute (PPI) will be held July 15-20 in Washington, DC. NASP will partner with George Washington University to deliver the 2007 PPI. This year the PPI will feature a "Basic" training (July 15-18) and a "Comprehensive" training (July 15-10). The PPI is an essential training experience for any state interested in pursuing public policy initiatives that impact school psychology. Information and registration materials for the PPI can be found at <http://www.nasponline.org/advocacy/2007ppi.aspx> .

NASP Participates in a U.S. Congressional Briefing on School Mental Health Services and School-Wide Interventions. On March 15, 2007 NASP leaders participated in a joint congressional briefing at the U.S. Capitol on school-based mental health services and school-wide interventions. This briefing was part of a series being sponsored by the House and Senate Education Committees focusing on the nexus of NCLB and IDEA. Dr. Rivka Olley, President of the Maryland School Psychologists Association, and Dr. John Desrochers, NASP 2007 School Psychologist of the Year, presented their experiences providing school mental health services and school-wide interventions, including Positive Behavior Supports (PBS).

NASP Legislative and Advocacy Information. You can learn more about NASP legislative and advocacy activities by reading the "IDEA in Practice" and "Advocacy in Action" Communiqué columns. Additionally, by visiting the NASP advocacy website <http://www.nasponline.org/advocacy/index.aspx> you can find tools and resources, legislative information, advocacy materials and research, and send a letter to your elected officials at the NASP Advocacy Action Center <http://capwiz.com/naspweb/home/>.