

Federal Public Policy and Legislative Platform for the First Session of the 115th Congress (2017–2018)

The vision of the National Association of School Psychologists (NASP) is that all children and youth thrive in school, at home, and throughout life. NASP committed to ensuring that all students—whatever their race, ethnicity, religion, socioeconomic status, gender (including identification and expression), sexual orientation, disability status, language proficiency or immigration status—receive a high-quality public education in a positive, safe, supportive, and inclusive educational environment that is free of bullying, harassment, discrimination, and violence and promotes student learning.

Critical to this effort is ensuring adequate and equitable access to school psychologists and comprehensive school psychological services.

This 2017–2018 Public Policy and Legislative Platform represents overarching policy goals and recommendations that support the mission and vision of NASP, promote the guiding principles articulated in *Ready to Learn, Empowered to Teach* and NASP Position Statements, and help advance the NASP Key Initiatives. The platform also includes specific legislative and/or regulatory goals for the first session of the 115th Congress. This document will be periodically updated to reflect new legislation or policy proposals relevant to our platform. Although this document is specific to federal policy issues, state school psychology associations could adapt these goals to fit the specific advocacy and policy goals of their states and local districts.

I. Remedy the shortages in school psychology.

Key Policy Goals

- Ensure Congress, the Department of Education, and other relevant agencies prioritize technical assistance and guidance to assist state and district efforts to *recruit and retain* school psychologists. This includes a long-term and sustained commitment to align staffing ratios with recommendations generated from national professional organizations to allow for the delivery of a full range of services.
- Expand Health Service Corps Loan Forgiveness grants to include licensed and/or certified school psychologists.
- Secure Congressional appropriations to allow for loan forgiveness of school psychologists as granted under the Public Service Loan Forgiveness Program.
- Encourage Congress and/or the Department of Education and relevant credentialing bodies to create pathways to grant credentialing reciprocity for school psychologists across state lines, such as the Nationally Certified School Psychologist certificate, to help remedy the shortages in rural and other underserved areas.

- Maintain, at a minimum, level funding for Behavioral Health Workforce Grants, administered by HRSA, which provides financial support for school psychology interns with a specific focus on those serving in rural or underserved communities.
- Amend federal data collections, such as the CRDC and other data collected by the National Center for Education Statistics, to collect and report data on the number of FTE ‘school psychologists.’ Further, these collections should be amended to require the reporting of FTE school psychologists, employed by the school district. Current data collections aggregate several professions into one category, resulting in the misrepresentation of available service professionals.
- Advance legislation that increases access to fully certified and/or licensed school psychologists.
- Restrict, minimize, or limit alternate or emergency credentialing that allow related professionals to supplant school psychologists when providing school psychological services.

Supporting Legislation

Increased Student Achievement Through Increased Student Support Act

This legislation directs the Secretary of Education to award competitive, renewable, 5-year grants to partnerships between low-income local educational agencies (LEAs) and schools offering graduate programs in school counseling, social work, or psychology to increase the number of program graduates employed by low-income LEAs.

II. Increase access to comprehensive school mental and behavioral health services.

Key Policy Objectives:

- Secure adequate funding for Title I, Title II, and Title IV of the Every Student Succeeds Act.
- Advance legislation that increases access to comprehensive school and community mental health services, and reduce disparities in mental health service delivery, especially among underserved populations.
- Promote efforts to implement Mental Health First Aid and other relevant professional development for educators.
- Advance efforts to increase funding to support trauma informed practices in schools.
- Direct the Departments of Education, Health and Human Services, and other relevant federal agencies to provide incentives, guidance, and technical assistance for school districts to prioritize a multitiered system of support (MTSS) framework that includes both academic and mental and behavioral health services (including trauma-informed practices). This guidance should emphasize the importance of access to school-employed mental health professionals (e.g., school psychologists, school social workers, school counselors) that can provide a comprehensive range of services within the school context, ranging from direct individual-level services to systems-level prevention and intervention services.
- Ensure federal grants intended to improve school mental health service delivery, including the Full Service Community Schools program, advance school community mental health partnerships that:
 - supplement, not supplant, existing school based services;
 - clearly articulate the roles of school-employed and community-employed mental health professionals; and

- foster coordination and collaboration between school and community mental health professionals.
- Demonstrate, through guidance from the Department of Education and other relevant agencies, how various funding streams can be used to provide ongoing, high-quality professional development related to effective delivery of high-quality comprehensive mental health services.
- Ensure school psychologists are properly recognized as qualified providers of mental and behavioral health in statute, regulation, and credentialing policy at the federal, state, and local levels.
- Protect Medicaid and the Children’s Health Insurance Program to ensure that low income children have access to comprehensive health care that includes mental and behavioral health.
- Direct the Center for Medicaid and Medicare Services to update the Administrative Claiming Technical Assistance Guide, published in 1995, to reflect language in the Patient Protection and Affordable Care Act that school psychologists are qualified providers of mental and behavioral health services. Further, the guide should clarify that this language, “*Medicaid regulations require that provider qualifications be uniform and standard. This means that states cannot have one set of provider qualifications for school providers and another set of provider qualifications for all other providers,*” does not mean that school psychologists, and other school professionals need to be credentialed to provide services in the school AND community setting in order to be considered a qualified provider of Medicaid services.
- Direct the Center for Medicare and Medicaid Services to issue guidance and technical assistance on how states can leverage the reversal of the Free Care rule to expand access to mental and behavioral health services in schools.
- Elevate the role of school psychologists as mental and behavioral health providers in relevant materials published by the Department of Education, relevant agencies, and federally funded technical assistance centers.

Supporting Legislation

Mental Health in Schools Act

The Mental Health in Schools Act would provide funding for public schools across the country to partner with local mental health professionals to establish on-site mental health care services for students.

III. Ensure all students have access to comprehensive learning supports provided within an integrated service delivery system (e.g., MTSS).

Key Policy Objectives

- Maintain regulatory language in relevant education legislation that allows federal funds to be used to implement MTSS and other tiered systems of support.
- Direct the Department of Education to release guidance for schools and districts about how to utilize specialized instructional support personnel to help support the needs of all students, improve school climate, and improve school and student success.
- Promote efforts to improve intra-agency collaboration that facilitates systemic collaboration at the state and local level.
- Advance efforts that facilitate the education of the whole child.

- Promote legislation/regulation that improves access to comprehensive and high-quality literacy and mathematics instruction.
- Ensure that school psychologists and other specialized instructional support personnel are explicitly mentioned in legislation and other specific grant programs intended to address literacy, social–emotional learning, school climate, and other factors that promote student learning.
- Maintain funding for the Technical Assistance Center for Positive Behavior Interventions and Supports and the National Center for Systemic Improvement to facilitate the implementation and scaling up of evidence-based efforts to improve comprehensive service delivery, student learning, and student well-being.
- Advance efforts to create an Office of Specialized Instructional Support Personnel within the Department of Education to facilitate coordinated and integrated service delivery for all students in schools and local education agencies.

Supporting Legislation

Reducing Barriers to Learning Act

This legislation would establish an Office of Specialized Instructional Support Personnel and create a grant program for State Education Agencies to build the capacity of local education agencies to develop programs and train personnel dedicated to removing barriers to learning.

IV. Ensure school environments are safe and supportive for all students.

Key Policy Objectives

- Advance legislation that extends existing antidiscrimination and harassment protections to explicitly include real or perceived gender identity, gender expression, and sexual orientation.
- Reject efforts to rescind protections offered to transgender students under Title IX, as articulated in the guidance released by the Department of Education Office of Civil Rights in May 2016.
- Maintain funding for SAMHSA to convene the National LGBTQI-2S Workgroup.
- Continue the existing efforts of the Department of Education and other relevant agencies to designate resources to help implement evidence-based, school-wide policies and practices that reduce bullying, harassment, violence, and discrimination for *all* students.
- Reject efforts to abolish Gun Free School Zones.
- Reject legislation that seeks to allow anyone other than a commissioned school resource office (SRO) or other law enforcement official to be armed on school grounds.
- Support legislation that seeks to prevent people who are of an immediate threat of danger to themselves or others from having access to firearms.
- Oppose efforts that seek to systematically discriminate against children or youth on the basis of race, ethnicity, religion, socioeconomic status, gender, gender identification, gender expression, sexual orientation, disability status, language proficiency, or immigration status.
- Support efforts to ensure a stable education for homeless youth and children in foster care.
- Support efforts to prevent human trafficking and provide trauma informed and gender responsive care to victims.
- Maintain funding for the Comprehensive School Safety Initiative, operated by the National Institutes of Justice.

Supporting Legislation

Safe Schools Improvement Act

The Safe Schools Improvement Act would require all schools receiving federal funds authorized by the Elementary and Secondary Education Act to adopt codes of conduct specifically prohibiting bullying and harassment, including on the basis of race, color, national origin, sex, disability, sexual orientation, gender identity, and religion. SSIA would also require that states report data on bullying and harassment to the Department of Education.

Student Nondiscrimination Act

The Student Non-Discrimination Act (SNDA) prohibits public schools from discriminating against any student on the basis of actual or perceived sexual orientation or gender identity. In addition, SNDA prohibits discrimination against any student because of the actual or perceived sexual orientation or gender identity of a person with whom a student associates or has associated.

V. Promote evidence-based comprehensive school safety and crisis response efforts.

- Employ effective, positive school discipline within federal and state policies that: (a) functions in concert with efforts to address school safety and climate; (b) is not simply punitive (e.g., zero tolerance); (c) is clear, consistent, and equitable; and (d) reinforces positive behaviors. Using security personnel or SROs primarily as a substitute for effective discipline policies does not contribute to school safety and can perpetuate the school-to-prison pipeline.
- Allow for blended, flexible use of funding streams in education and mental health services at the federal, state, and local levels to support effective school safety.
- School safety strategies must balance physical and psychological safety measures. Reasonable physical security such as locked doors, lighted hallways, and visitor check-in systems must be combined with efforts to promote a positive school climate and trust among staff, students, and families where students feel connected and part of a close-knit and caring community, and in which they feel empowered to report any safety concerns.
- Require a comprehensive, whole-school approach to effective school safety through integration of school climate, effective discipline, social–emotional learning, positive behavior, mental health, and academics through a multitiered system of supports (MTSS) and problem-solving model.
- Include school mental health services as an essential component of creating and sustaining safe schools. This includes social–emotional learning, mental wellness, resilience, and positive connections between students and adults, to create a school culture in which students feel safe and empowered to report safety concerns, which is proven to be among the most effective school safety strategies.
- Create frameworks that require school safety plans be consistently reviewed and practiced. Training, planning, and professional development should encompass ongoing prevention and early intervention efforts as well as response and recovery plans in the event the unpreventable occurs.
- Maintain funding for the National Center on Safe Supportive Learning Environments.

VI. Improve outcomes for students with disabilities.

- Ensure Congress fulfills their promise to provide 40% of the additional costs needed to meet federal mandates required by IDEA.
- Ensure Congress and the Department of Education hold states and districts accountable for ensuring all students are held to high standards as articulated in ESSA and IDEA.
- Maintain the disaggregated data reporting requirement mandated within NCLB and continued in ESSA, which ensures schools are meeting the academic, emotional, and behavioral needs of all student subgroups.
- Support initiatives that seek to engage parents and community members to develop meaningful, ambitious, and comparable indicators to measure the progress of students with disabilities.
- Include instances of seclusion and restraint in federal discipline data collection and reports.
- Recognizing the continuum of necessary supports for those students with the most severe disabilities to those with more frequent and everyday needs (e.g., ADHD), seek to secure federal funding should match the level of student need specifically for research-based intervention.
- Ensure that any legislation/regulation intended to improve student outcomes promotes the use of evidence-based methods for the early identification of students with disabilities, including response to intervention, while discouraging and/or not allowing methods that may produce biases or inaccurate results (e.g., cognitive–achievement discrepancy).
- Support increased investment in early intervention and prevention programming (e.g., MTSS, PBIS) that will reduce the number of students identified with disabilities, thus saving later resources.

Supporting Legislation

IDEA Full Funding Act

This legislation would provide funding that fulfills Congress' promise to provide 40% of the additional funds needed to meet the mandates under the Individuals with Disabilities Education Act.

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