

Federal Public Policy and Legislative Platform for the 116th Congress (2019–2021)

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 is 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—are included in a high-quality public education. Furthermore, NASP is dedicated to ensuring that all children have positive, safe, supportive environments that promote learning and are free of bullying, harassment, discrimination, and violence that promotes student learning and well-being.

Critical to this effort is ensuring adequate and equitable access to school psychologists and culturally competent, comprehensive school psychological services including: consultation and collaboration with families, teachers, and administrators to support student learning; development and delivery of interventions and support to support student’s academic achievement, social–emotional learning, and mental and behavioral health; school-wide practices to promote a safe and supportive learning environment; and crisis prevention, intervention, and response.

This 2019–2021 Public Policy and Legislative Platform represents overarching policy goals and recommendations that support the mission and vision of NASP, and it promotes the guiding principles articulated in *Ready to Learn, Empowered to Teach* and NASP’s position statements. Further, this platform outlines policy objectives designed to help advance the NASP strategic goals.¹ The platform also includes specific legislative and regulatory/subregulatory guidance goals for the 116th Congress as well as our goals for the implementation of two major federal education laws: the Every Student Succeeds Act and the Individuals with Disabilities Education Act. NASP commits to working with Congressional appropriators to ensure maximum federal investments in Title I, II, and IV of the Every Student Succeeds Act (ESSA); full funding of the Individuals with Disabilities Education Act (IDEA); and other grants and programs (some of which are explicitly included in this document) necessary for achieving our policy priorities. This document will be periodically updated to reflect newly introduced legislation or policy proposals relevant to our platform. Although this platform is specific to federal policy, state school psychology associations can adapt these goals to fit the specific advocacy and policy goals of their states and local districts.

¹ NASP’s strategic plan, adopted by the Leadership Assembly on September 16, 2017, is available at <https://www.nasponline.org/x41409.xml>

I. Remedy the personnel shortages in school psychology.

- 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. NASP supports staffing ratios that allow for the delivery of a full range of services and promotes efforts to increase the diversity of the workforce in order to match an increasingly diverse student population.
- Expand Health Service Corps Loan Forgiveness grants and other federal efforts to expand the availability of the behavioral health workforce 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.
- Expand the focus of the Higher Education Act to include efforts to recruit and retain a qualified and diverse workforce of school psychologists.
- 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.
- Increase funding for Behavioral Health Workforce Grants, administered by HRSA, which provide 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 Common Core of Data and other relevant collections maintained by the National Center for Education Statistics, to collect and report data on the number of FTE ‘school psychologists’ employed in states and districts across the country.
- Advance legislation that provides funds to help states increase access to fully certified and/or licensed school psychologists, especially in high need and hard to staff districts.
- Work with the Department of Education to pilot a grant program to create university–district partnerships that help recruit and train school-employed mental health professionals and create a pipeline to high need districts.
- Restrict, minimize, or limit alternate or emergency credentialing that allows related professionals to supplant school psychologists when providing school psychological services.

II. Ensure school and community environments are safe and supportive for all students.

- 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.
- Advance legislation that extends existing antidiscrimination and harassment protections to explicitly include real or perceived gender identity, gender expression, and sexual orientation.
- Advance efforts to ensure that Title IX of the Education Amendments of 1972 is interpreted to include protection of transgender and gender diverse youth.
- Maintain funding for SAMHSA to convene the National LGBTQI2-S Workgroup.
- Support a federal ban on conversion/reparative therapy for youth.
- 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 regardless of their race, ethnicity, religion, socioeconomic status, gender (including identification and expression), sexual orientation, disability status, language proficiency or immigration status.

- Reject efforts to abolish Gun Free School Zones.
- Support efforts to rigorously enforce existing gun laws.
- Advance legislation that requires a comprehensive background check for all gun purchases.
- Advance legislation to ban weapons that can cause mass destruction in a short period of time.
- Support legislation (e.g., Red Flag Laws) that seeks to prevent people who are of an immediate threat or danger to themselves or others from having access to firearms.
- Reject legislation that seeks to allow anyone other than a commissioned school resource officer (SRO) or other sworn law enforcement official to be armed on school grounds.
- Support efforts and investments to expand availability of scientific research about gun violence.
- Permanently eliminate the Dickey Amendment, which prohibits the use of federal funds to conduct scientific research about gun violence.
- Support efforts to ensure a stable education for homeless youth and children in foster care.
- Support evidence-based efforts to prevent child abuse and human trafficking and provide trauma-informed and gender-responsive care to victims.
- Work with relevant federal agencies and national organizations to promote policy and best practices to support evidence-based threat assessment policy and practice; mental health evaluations and re-entry plans, including ongoing mental and behavioral health support for students identified as being of imminent threat to themselves or others; and enhanced student access to mental health supports in schools and communities.
- Support funding for high-quality, evidence-based, and job-embedded professional development for educators, specialized instructional support personnel, and other relevant staff in areas including but not limited to: antibullying, harassment, and discrimination efforts; evidence-based threat assessment and management procedures; school-based violence prevention; and positive discipline strategies.
- Support efforts to prohibit the use of seclusion, chemical restraints, and mechanical restraints.
- Support efforts to restrict the use of physical restraint to instances when there is a threat of imminent danger to students and/or staff.

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

- Advance legislation that increases access to comprehensive school *and* community mental health services and reduces 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 to identify students with potential mental health concerns and refer them to appropriate school-employed mental health service providers and facilitate referrals to appropriate community-based service providers to support a comprehensive continuum of care.
- Support efforts that require evidence-based suicide prevention training for school staff and evidence-based, developmentally appropriate suicide prevention programming for students.
- Advance efforts to increase funding to support evidence-based, trauma-informed practices in schools.

- Support investments to help schools and school districts implement evidence-based universal screening for mental and behavioral health concerns.
- 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) who 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.
- Protect the existing structure of Medicaid and the Children’s Health Insurance Program to ensure that low income children have access to comprehensive healthcare 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, federally funded technical assistance centers, and publications by national organizations.

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

- Promote efforts that provide funding and technical assistance to help schools and districts establish and maintain a positive school climate.
- Support efforts to expand access to high-quality early childhood education opportunities.
- Maintain existing statutory and regulatory language in current 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 school psychologists and other 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 levels.
- Advance efforts that facilitate the education of the whole child.
- Promote legislation/regulation that improves access to a comprehensive, rigorous, high-quality, and well-rounded curriculum that includes evidence-based 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.
- Increase 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.

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

- Support federal legislation, regulation, and other policy that promote the use of effective, positive school discipline that: (a) functions in concert with efforts to address school safety and climate; (b) is not overly punitive (e.g., zero tolerance); (c) is clear, consistent, and equitable; (d) teaches and reinforces positive behaviors; (e) is not discriminatory nor results in the disproportionate use of exclusionary discipline with certain populations; and (f) does not contribute to the school-to-prison pipeline.
- Reject efforts that seek to increase zero tolerance policies and the use of exclusionary discipline (e.g., suspensions and expulsions).
- Support policies that prohibit school resource officers (SROs) and other school-based law enforcement from having any role in student discipline.
- 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.
- Promote comprehensive school safety efforts that emphasize both physical and psychological safety.
- Reject efforts to overly harden schools or require physical security measures that do not increase actual or perceived safety.

- Support efforts that promote 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.
- Ensure school mental health services, including social–emotional learning, mental wellness, resilience, and positive connections between students and adults, are an essential component of any comprehensive school safety effort.
- Support investments in training, planning, and professional development to 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.
- Maintain funding for Project SERV, which helps school districts recover after a crisis event.

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.
- Maintain data collection efforts to identify and intervene with schools that are disproportionately using exclusionary discipline practices with students with disabilities.
- 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.
- Support efforts to ensure that students with disabilities are educated within the least restrictive environment as is appropriate for their specific needs.
- 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 that matches 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 within a multitiered system of support, while discouraging or not allowing methods that may produce biased or inaccurate results (e.g., ability–achievement discrepancy method of identifying students with a learning disability).
- Support increased investment in early intervention and prevention programming that will reduce the number of students identified with disabilities, thus saving later resources and optimizing student outcomes.

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