



NATIONAL ASSOCIATION OF
School Psychologists

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Honorable John King, Acting Secretary
U.S. Department of Education
400 Maryland Avenue, SW, Room 3E306
Washington, DC 20202

Re: Implementing Programs Under Title I of the Elementary and Secondary Education Act— Docket ID ED–2015–OESE–0130

On behalf of the National Association of School Psychologists (NASP), thank you for the opportunity to provide feedback regarding the Every Student Succeeds Act. NASP represents 25,000 school psychologists who work with students, families, teachers, administrators, and the community to meet the academic, social, emotional, mental and behavioral health needs of *all* students. The Every Student Succeeds Act sets the stage to ensure that all students have access to a comprehensive and rigorous curriculum, high-quality instruction, and comprehensive learning supports that are essential to successful learning. As such, NASP is hopeful that ESSA will result in improved opportunity and outcomes for *all* students.

ESSA replaces the current overly punitive, narrow focus on students' performance on high stakes testing with a comprehensive accountability system that values school climate and safety and other indicators of school quality; requires evidence-based interventions for low performing schools, including comprehensive learning supports to students who are most at risk of school failure; recognizes comprehensive school based mental health services, including prevention and early intervention, as an evidence-based whole school improvement and targeted intervention strategy; and authorizes significant investments for states and districts to implement initiatives meet the academic, social, emotional, and mental and behavioral health needs of all students. School psychologists have specific expertise in these areas and we look forward to working with states, districts, and individual schools to implement and scale up comprehensive systems of learning supports for all students.

The intent of ESSA will only be realized through effective implementation of the law at the state and local level. We ask the Department to issue regulations, guidance, and technical assistance on specific provisions outlined below to assist states as they transition from No Child Left Behind to the Every Student Succeeds Act.

Accountability Systems

NASP has long advocated for the inclusion of indicators of school quality, like school climate and safety, when determining school success. Many schools and districts use this data to drive school improvement plans, but using this data for accountability purposes is new territory for the majority of our nation's districts. We ask the Department to provide clarification to ensure that indicators of school quality are meaningful, are related to improved achievement and student success, and can drive effective improvement efforts. We also ask that the Department provide further explanation about the requirement that the indicators of school quality be 'valid, reliable, and comparable'. The validity and reliability of various measurements of school quality vary, as does the appropriate use of the data obtained by these measures. Certainly, school quality measurement should be efficient, usable, psychometrically sound, and provide data to meaningfully inform school decision-making. However, not all measurements that meet these criteria produce disaggregated data, as required by ESSA, that are appropriate to be included in an accountability system. The Department should provide appropriate guidance to ensure that states: 1) select evidence based indicators of school

quality; 2) utilize appropriate measurements of these indicators and valid interpretation of the data; 3) and utilize data to drive school improvement efforts and identify critical areas in need of improvement.

Secondly, we ask for clarity of the terms: “much greater” and “consistently underperforming”. ESSA requires that academic factors carry a “much greater” weight than indicators of school quality. What constitutes ‘much greater’ and how will appropriate balance be safeguarded to ensure we don't return to the practice of basing important decisions on a single high-stakes test score? We also ask for clarification regarding the identification of schools with subgroups of students considered ‘consistently underperforming.’ States and districts, and ultimately our students, would benefit from guidance regarding appropriate criteria to determine that subgroup of students, or an entire school is ‘consistently underperforming.’

It is important that the Department allow appropriate flexibility for states and districts to design new and innovative systems- but it imperative that appropriate parameters are set to ensure that accountability systems, and school improvement plans, address the needs of ALL students, especially those who are typically ‘left behind’ including students with disabilities, students in poverty, and racial and ethnic minorities. We do not believe the law prevents the Department from issuing regulations or guidance related to these components of the state accountability system.

Consultation

We commend Congress for requiring meaningful consultation with various stakeholder groups in the development of various state and local plans to improve student outcomes. The Department should clarify in writing the expectation that consultation is to be *meaningful and ongoing*, not simply a response to a nearly final document. The Department should clarify that it is not enough for an SEA or an LEA to simply inform stakeholders of its activities; they must engage in joint problem solving and decision making with stakeholders and provide numerous opportunities for public input. Further, the Department should clarify expectations for SEAs and LEAs to provide appropriate notice, in multiple venues, for stakeholder feedback in the development of state and local plans.

School Support and Improvement Activities

Schools identified for comprehensive support and improvement must complete a school level needs assessment, including identification of resource inequity, to guide the development of a support and improvement plan. We ask that the Department specify the minimum data that needs to be collected as part of such needs assessment. In many schools, underperformance and poor outcomes are the combined result of a myriad of issues in the school and in the community. Often, schools are so overwhelmed that they attempt to address specific concerns in isolation without looking at how various systems are (or aren't) working together to create barriers to student success. The Department should provide guidance to states and districts regarding the process of conducting needs assessments and using the results to drive effective planning and interventions. Importantly, the Department should offer Technical Assistance to SEAs to improve their capacity to support the needs of the LEAs.

Timelines for Improvement

ESSA requires SEAs and LEAs to periodically review and monitor improvement plans for schools identified for Comprehensive Support and Improvement and Targeted Support and Improvement, respectively. We ask the Department to issue regulations clarifying what constitutes as monitoring and periodic review, including what professionals should be involved in this review and monitoring process. Further, ESSA requires LEAs to take additional action with schools identified for Targeted Support and Improvement who fail to successfully implement a school improvement plan. This additional action is required “after a number of years determined by the local educational agency.” NASP is concerned that this will prevent LEAs and individual schools from taking swift action to implement effective interventions to improve student outcomes. We cannot permit schools to let certain groups of students fail for long periods of time without consequence.

The purpose of Title I, including these programs, is to ‘provide all children significant opportunity to receive a fair, equitable, and high quality education, and to close achievement gaps.’ Lack of regulation for school improvement

activities leaves much open to interpretation and could result in inconsistent application of the law, as well as inequitable educational opportunities for students.

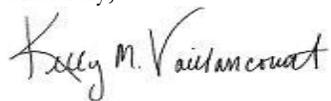
Specialized Instructional Support Personnel

We are pleased that ESSA contains numerous explicit references regarding the importance of specialized instructional support personnel (SISP) and services. SISP includes a full complement of professionals including school psychologists, who work with all students to help remove barriers to learning. School psychologists, and other SISP, consult with administrators, teachers, and families. They are integral to implementing school-wide initiatives such as multi-tiered systems of supports, positive behavior interventions and supports, social emotional learning programs, college and career planning, and violence and bullying prevention. Although the term ‘specialized instructional support personnel’ has been included in introduced legislation and has been a part of the education jargon for some time, ESSA marks the first time this term is codified in law. Therefore, we urge the Department to issue guidance and technical assistance materials regarding effective utilization of specialized instructional support personnel and services. ESSA requires consultation and collaboration with these professionals in the development and implementation of local and state Title I plans as well as school improvement efforts. Titles II and IV contain several provisions regarding these professionals as well. Development of this guidance has been a long-standing, multi-year request from NASISP and given the focus on SISP and SISP services, we believe this guidance is now necessary to help states and districts transition from NCLB to ESSA.

ESSA places a renewed focus on the issue of resource equity, including access to school personnel. All students must have access to effective teachers and school administrators. However, it is equally important that students have access to school psychologists and other specialized instructional support personnel who provide comprehensive learning supports and can facilitate coordination and collaboration with community providers for students with the most significant needs. Unfortunately, these personnel and the services they provide are often the first to be cut during tough budget negotiations. With direction from The Department, schools would be better informed of the long-term value of SISP and how these professionals improve school and student outcomes.

Thank you for the opportunity to provide comments regarding Title I of the Every Student Succeeds Act. NASP looks forward to working with the Department to develop appropriate regulations and guidance that will ensure effective implementation of the law. Please contact Kelly Vaillancourt Strobach, (kvaillancourt@naspweb.org) with questions or additional information.

Sincerely,



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National Association of School Psychologists