Federal Public Policy and Legislative Platform

The vision of the National Association of School Psychologists (NASP) is that all children and youth access the learning, behavior, and mental health support needed to thrive in school, at home, and throughout life. NASP is committed to supporting the educational, social–emotional, and mental health needs of all students by advancing policy that provides adequate and equitable access to school psychologists through culturally responsive, comprehensive school psychological services aligned with the NASP Practice Model\(^1\) that: (a) foster positive, safe, affirming, welcoming, and inclusive environments for students, staff, and families; and (b) ensure a full continuum of evidence-based supports to meet the comprehensive needs of students. NASP affirms that all students are entitled to, and require, a comprehensive and well-rounded education that affirms and validates the diversity of their cultural and individual differences, fosters resilience, and facilitates well-being and positive academic and mental health outcomes. It is imperative that every policy, procedure, system, and structure is grounded in equity in access, opportunity, and outcomes to effectively serve all students.

At its core, education is a civil right, and while local and state policy and practice play a significant role in our public education system, the federal government can, and should, play a critical role in advancing educational equity by providing technical assistance and guidance to support state and local capacity to meet the comprehensive needs of all students by: (a) providing robust education and related investments; (b) supporting rigorous research, data collection and analysis, and dissemination of resources to support positive student outcomes; and (c) maintaining appropriate oversight and enforcement of all education and civil rights laws that advance equity and protect students from discrimination.

The NASP Federal Public Policy and Legislative Platform represents key policy goals, grounded in our position statements, resolutions, and strategic plan, to be achieved via Federal legislation, regulations, and guidance. Regulatory recommendations are based on the Fall 2023 Unified Agenda of Federal Regulatory and Deregulatory Actions for the U.S. Department of Education. This document reflects a comprehensive, but not exhaustive, set of policy goals that will drive the advocacy of the organization over the next year.

**Funding Priorities**

All levels of government have a responsibility to make robust investments in early childhood, K–12, and higher education. Robust federal investments are necessary to help build the capacity of states and local districts to address the needs of all students, meet federal education mandates, and uphold civil rights laws. Federal investments are especially critical for underserved and under-resourced schools and districts. Federal investments should help advance effective practices that promote educational equity, support student achievement and social–emotional learning, foster safe learning environments, support students’ mental and behavioral health, advance effective crisis prevention and response, and support the availability of fully prepared and properly credentialed teachers, school psychologists, other school-based mental health services providers, and specialized instructional support personnel. Equally important are federal investments to provide technical assistance, support data collection and reporting, and enable rigorous research and resource dissemination to advance best and emerging practices. NASP urges increased investments in federal programs and institutes that align with and advance our policy goals, including, but not limited to the following:

• Titles I-A, II-A, III-A, and IV-A of the ESSA
• Part B and C of the Individuals with Disabilities Education Act
• IDEA Part D State Personnel Development Grants
• IDEA Part D Personnel Preparation Grants
• Mental Health Service Professional Demonstration Grant Program
• School-Based Mental Health Services Grant Program
• Behavioral Health Workforce Education and Training Grant (HRSA)
• Mental Health Awareness and Training Grants (SAMSHA)
• Project AWARE
• Institute for Education Sciences, including:
  ▪ National Center for Education Research
  ▪ National Center for Special Education Research
  ▪ National Center for Education Statistics
  ▪ National Center for Education Evaluation and Regional Assistance
• STOP School Violence Program (only that which is administered by the Bureau of Justice Assistance)
• Statewide Family Engagement Centers
• IDEA Parent Training and Information Centers

NASP opposes federal investments for the purposes of increasing the number of police in schools and arming teachers or other school employees (except for properly commissioned law enforcement officers).

Remedy for Shortages in School Psychology

School psychologists are uniquely qualified members of school teams that support students’ abilities to learn and teachers’ abilities to teach. They apply expertise in mental health, learning, and behavior to help address the needs of students and schools. They help children and youth succeed academically, socially, behaviorally, and emotionally, and they partner with families, teachers, administrators, and other professionals to create safe, healthy, and supportive learning environments that strengthen connections between home, school, and the community. NASP recommends a ratio of one school psychologist for every 500 students to allow for the delivery of a full continuum of school psychological services. The national ratio for the 2021–2022 school year was 1:1,127, with some districts and states operating with ratios more than four times the recommendation. Shortages in school psychology, like shortages in other related education and mental health professions, have the potential to significantly limit the availability of high-quality services to students, families, and schools. Shortages include but are not limited to: an insufficient supply of qualified school psychologists, lack of school psychologists from diverse backgrounds, a need for increased access to graduate preparation opportunities aligned with NASP standards, and an insufficient number of positions within districts to meet the needs of students.

Legislative Priorities

Congress must pass legislation that:
• Establishes a grant program to support partnerships between institutions of higher education and state and local education agencies (SEAs and LEAs) to increase the number and diversity of fully prepared and properly credentialed school psychologists and other school mental health professionals. Such programs must also:
  ▪ Support the expansion of existing programs and the formation of new graduate education programs, including respecialization and retraining credentialing pathways that are aligned with NASP standards.
  ▪ Prioritize funding for partnerships seeking to serve rural communities, historically underserved areas, and locales with significant workforce shortages.

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- Prioritize funding for the formation of new or expansion of existing graduate education programs at Minority Serving Institutions or other institutions of higher education with demonstrated commitment to increasing the diversity of the school-based mental health providers workforce.
- Establishes a grant program to support efforts to recruit and retain school psychologists and other school mental health professionals in high needs LEAs, including those serving historically excluded and marginalized populations.
- Authorizes partnerships between the U.S. Department of Education and institutions of higher education to create tuition grants for students enrolled in graduate preparation programs in school psychology or other school mental health professions.
- Establishes a grant program to help institutions of higher education recruit and retain highly qualified faculty members to support the graduate preparation and clinical supervision of school psychology graduate students, in alignment with NASP Standards.
- Ensures that any federal grant program intended to increase or diversify the mental and behavioral health workforce explicitly and consistently includes school psychologists as eligible candidates for financial support.
- Reinstates subsidized federal student loans for graduate students.

Regulatory Priorities

- Clarify the types of federal financial aid available for professionals who enter respecialization or retraining programs in order to meet state credentialing requirements to practice as school psychologists.
- Ensure Federal data collections, including the Common Core of Data, maintain inclusion of full-time equivalent school psychologists as a distinct reporting category. Other federal data sets, including the Civil Rights Data Collection, should align data reporting categories and definitions with the Common Core of Data, to ensure more consistent and accurate data reporting and analysis of student outcomes.

Guidance and Informational Priorities

The U.S. Department of Education and other relevant agencies must:

- Prioritize technical assistance and guidance to support state and district efforts to recruit and retain school psychologists and other school mental health providers. Guidance and resources should be developed in collaboration with national professional organizations, and:
  - Provide examples and case studies of ways SEAs and LEAs have addressed workforce shortages, including examples of effective state and local policy.
  - Address strategies to promote increased racial, ethnic, and cultural diversity within the workforce.
  - Detail available federal funding sources that can be utilized to address workforce shortages.
- Convene an interagency task force focused on identifying short- and long-term federal strategies to improve access to school mental health services and address the workforce shortages.
- Provide resources and guidance to support the recruitment and retention of qualified faculty to support proper graduate education and clinical supervision of school psychology graduate students.

Equitable Access to a Well-Rounded, Uncensored, and Inclusive Public Education

All students must have equitable access to a high-quality, well-rounded, uncensored, and inclusive public education that affirms and values the diversity of cultural and individual differences, fosters resilience and overall well-being, enables critical thinking and respectful dialogue about complex topics, and prepares students for success in an increasingly diverse society. As such, NASP is strongly opposed to any effort that limits or prohibits developmentally appropriate discussion and formal curricula on critical topics, including: systemic racism, cultural responsiveness, diversity, social–emotional learning, sexual orientation, gender identity, and equity in both pre-K–12 and higher education. While equality focuses on ensuring that all individuals receive the same treatment, access to resources, and legal protections, equity ensures that the unique needs of each student (based on demographic characteristics, cultural background, identities, disability status, or ecological contexts) are met to facilitate achievement of similar outcomes. Equity does not mean taking something away from one student to benefit
another. Rather, equity ensures that policy and practice support all students (not just some) and that every student has access to fully prepared educators, school-employed mental health professionals, evidence-based comprehensive learning supports and interventions, and opportunities to be and feel successful, with careful attention given to students from historically marginalized backgrounds.

Comprehensive learning supports and interventions are most effective when provided within a multitiered system of supports (MTSS) that incorporates high-quality core curricula, prevention, and wellness promotion; universal screening to identify students at risk for academic, social, emotional, or behavioral difficulties; ongoing progress monitoring and data-based decision making; and the availability of a continuum of evidence-based interventions. Essential to this system are school-employed mental health professionals and other specialized instructional support personnel who collaborate with educators, administrators, families, and community providers to identify needs and provide appropriate services at individual, classroom, building, and district-wide levels.

**Legislative Priorities**

Congress must pass legislation that:

- Mandates full funding of Title I-A and the Individual with Disabilities Education Act.
- Authorizes funds to expand universal preschool and other high-quality early learning opportunities.
- Incentivizes evidence-based prevention, early identification practices, and interventions embedded within a multitiered system of supports, for students demonstrating developmental, academic, social–emotional, or mental and behavioral health (including adaptive behavior) delays or difficulties, including for students with disabilities.
- Directs close examination of existing federal funding formulas and other mechanisms by which federal funds are distributed to identify any needed changes to ensure federal funds are distributed equitably; reach schools and communities of greatest need; and do not contribute to segregation on the basis of race, ethnicity, or economic status or disparate access to federal resources.
- Incentivizes efforts to ensure that all students have equitable access to experienced and fully credentialed teachers who are serving in fields aligned with their areas of preparation.
- Incentivizes educator preparation and educational leadership programs to include a deep understanding of the history of racism and discrimination toward minoritized populations within education and modern-day policies and practices that perpetuate it in all preservice training.

NASP opposes legislation that would:

- Condition the receipt of federal funds on the prohibition or censorship of curricula, instruction, discussion, or professional development related to: equity, diversity, culturally responsive practices, cultural humility, systemic racism, mitigating implicit bias, social–emotional learning, or any other topic of relevance in K–12 schools and within the higher education system.
- Funnel federal education investments to pre-K–12 schools that lack public accountability, require the loss or declination of rights afforded to students or families, or enable discriminatory practices.

**Guidance and Informational Priorities**

The U.S. Department of Education, in collaboration with other federal agencies as appropriate, should:

- Highlight the role of school psychologists and other specialized instructional support personnel in materials that address literacy, social–emotional learning, school climate, and other factors that promote student learning.
- Expand existing focus to address teacher shortages to include efforts to address the shortages of all educators, including school psychologists and other specialized instructional support personnel.
- Provide information on the potential benefits and harms of mandatory grade retention policies and provide evidence-based strategies to support students’ academic progress.
Improve Outcomes for Students With Disabilities

School psychologists play a critical role in identifying and supporting students with disabilities to ensure their success. The Individuals with Disabilities Education Act (IDEA) makes clear that students identified as having a disability are entitled to a free, appropriate public education in the least restrictive environment. Although this has not been the case historically, today, most students who receive special education services are educated alongside their nondisabled peers, in part because, over time, federal education policy has sought to bridge the gap between the Elementary and Secondary Education Act and IDEA to ensure students with disabilities are properly included in all aspects of general education, held to high instructional standards, and properly included in school accountability systems. This has also been supported by efforts to address the pervasive achievement gap between students with disabilities and their nonidentified peers. The Supreme Court also affirmed that students with disabilities must have an Individualized Education Program (IEP) designed to enable progress toward challenging objectives. In addition to the recommendations throughout the platform, the following are necessary to help schools implement IDEA, ensure equal access to public education, and address the unique needs of students with disabilities.

Legislative Priorities

Congress must pass legislation that:
- Mandates full funding of the Individual with Disabilities Education Act.
- Requires any federally supported early learning or universal preschool programs to include students with disabilities and adhere to IDEA and other federal civil rights laws.
- Directs relevant federal research centers and provides increased investments to support rigorous research on topics including, but not limited to:
  ▪ valid models to accurately evaluate and identify students with a specific learning disability;
  ▪ use of high-leverage practices; and
  ▪ culturally responsive and effective universal screening, early identification, and intervention practices, including progress monitoring.
- Supports a successful transition to higher education by increasing availability of information on specific disability services at an institution of higher education and streamlining the process to access services and accommodations for students with disabilities.
- Authorizes increased and new investments to allow for improved preservice training and ongoing professional development to increase the capacity of all educators to provide high-quality instruction to meet the needs of students with disabilities and other students with diverse learning needs.

NASP opposes policy that promotes or incentivizes the use of the ability–achievement discrepancy model as an allowable method to identify a student with a specific learning disability as defined by IDEA.

Regulatory Priorities

Any update to Section 504 regulations must:
- Correct outdated terminology (e.g., handicap).
- Define substantial limitation using clear, observable, and measurable terms.
- Clarify, in plain language:
  ▪ the distinction between Section 504 obligations IDEA mandates, including evaluation procedures.
  ▪ the meaning of free appropriate public education and the differing LEA responsibilities under Section 504 and IDEA.
  ▪ Child find requirements, including:
    o appropriate identification of a student “regarded as having a disability.”
    o what constitutes a “temporary impairment” and “educational need.”
    o appropriate consideration of substance abuse in eligibility determination.
**Guidance and Informational Priorities**

- Issue guidance to support the inclusion of school psychologists as required members of school special education eligibility teams for students suspected of having a specific learning disability, as defined by IDEA.
- Subsequent guidance related to any revision to Section 504 regulations must:
  - Provide clarity as to what constitutes “related aids and services” under Section 504 and who is permitted to provide such services.
  - Clarify the difference between “aids and services” that produce equal results and those that provide equal opportunities.
  - Address appropriate documentation of ADHD for purposes of Section 504 eligibility.
  - Provide concise and clear language regarding discipline and manifestation determination under Section 504.
- Issue guidance for accommodations for students with disabilities at institutions of higher education.
- Provide guidance or technical assistance to facilitate improved utilization of progress monitoring data and other data gathered via the MTSS to facilitate decisions regarding eligibility for special education.
- Provide guidance and resources to promote valid, antiracist, culturally responsive methods of special education eligibility determination that reverse disproportionate classification of students from marginalized communities and racially minoritized populations as disabled.

**Safe, Supportive, Affirming, and Nondiscriminatory Learning Environments for All**

Safe and supportive learning environments are essential to students’ learning and well-being. Students who do not feel supported at school, or who cannot be their authentic selves, cannot learn to their fullest potential. Students’ ability to learn is improved when: schools consistently implement culturally affirming and sustaining practices that ensure students feel safe, welcomed, and accepted; every student has a trusting relationship with at least one adult in the building; schools implement positive and effective discipline practices; and bullying, harassment, and discrimination, of students, families, and staff, are not tolerated and are consistently addressed. Positive conditions for learning are shaped by the attitudes, expectations, policies, and practices of school personnel and must be intentionally established, measured, and maintained.

**Legislative Priorities**

Congress must pass legislation that:

- Promotes positive school climate and affirming learning environments, free of bullying, harassment, discrimination, and physical discipline for all students, families, and staff.
- Increases investments to reduce the use of exclusionary discipline practices through implementation of positive and effective discipline practices that may include restorative practices, trauma-informed services, and social–emotional learning.
- Expands existing civil rights law to expressly prohibit discrimination based on sex, sexual orientation, and gender identity in education and other areas of public accommodation.
- Protects students’ right to express their gender identity, use and be called by their preferred names and pronouns, and access school activities and facilities that are consistent with their gender identity.
- Requires LEAs to establish and enforce enumerated antibullying and harassment policies and practices.
- Prohibits the use of corporal punishment in pre-K–12 settings.
- Prohibits the use of zero tolerance discipline policies.
- Protects the ability of school psychologists, other school mental health professionals, and educators to maintain confidentiality when working with all students, except when the student discloses that they are at risk of harm to themselves or to others or if someone is harming them.
- Prohibits the use of seclusion, mechanical restraint, chemical restraint, and dangerous restraints that restrict breathing; and prevents and reduces the use of physical restraint in schools.
NASP opposes any effort or policy that:

- Promotes or requires the use of overly punitive, exclusionary discipline practices including those rooted in bias, stereotypes, and systemic racism (e.g., dress codes that punish students with certain hairstyles or who do not conform to gender stereotypes).
- Requires a school mental health provider or other educator to disclose personal health information about a student (e.g., gender identity or sexual orientation) without explicit consent from the student.
- Defines sex solely on the basis of biological sex.
- Allows the use of invasive and unnecessary medical exams to confirm a student’s sex as a requirement for participation in school sponsored or related activity.
- Prohibits school psychologists and other mental health professionals from discussing or providing information regarding sexual and romantic orientation to students, including those who may be questioning their sexual orientation or gender identity.

**Regulatory Priorities**

All final rules governing Title IX of the Education Amendments of 1972 must:

- Clearly acknowledge that sex discrimination includes discrimination on the basis of sexual orientation, gender identity, and gender expression.
- Expressly state that the use of categorical bans on participation in sports consistent with gender identity is a violation of Title IX.
- Rule out: “injury prevention” and “fairness in competition” as permissible justifications for restrictions on participation consistent with gender identity.
- Eliminate unnecessary and costly requirements for affirming one’s gender when considering sports participation eligibility and expressly prohibit any criterial that:
  - would force a student to disclose that they are transgender or gender diverse (TGD);
  - requires invasive medical examination or “sex testing;” or
  - allows for visual inspection of one’s anatomy.

Updates to FERPA must allow for clear processes that allow student records to reflect the student’s affirmed gender identity and, if applicable, their chosen name without requiring legal documentation of changes.

**Guidance and Informational Priorities**

- The U.S. Department of Education must, in conjunction with the final Title IX rule, issue guidance to school administrators, Title IX Coordinators, and others tasked with implementing the rule as intended. This guidance must:
  - Provide clarity regarding how the final Title IX rule intersects with or supersedes state law or local policy.
  - Describe how existing state laws not directly related to TGD sports participation could result in a violation of Title IX (e.g., laws prohibiting access to gender affirming medication).
  - Provide clarity and plain language examples as to what is and what is not considered an “important educational objective” in the context of Title IX.
- Develop and widely disseminate guidance and other resources to prevent 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, immigration status, or any other dimension of identity. Such resources must also contain strategies to address such behavior when it occurs, including a description of how to file a federal civil rights complaint.
- Maintain and widely disseminate resources that highlight evidence-based and culturally responsive efforts to prevent child abuse and human trafficking and to provide culturally responsive, trauma-informed, and gender-responsive care to victims.
Comprehensive School Safety and Crisis Response

NASP is committed to advancing school safety policies and practices that ensure the well-being of all students and staff, with particular attention to protecting the civil rights of those who experience inequity, racism, and injustice. Creating safe, secure, and peaceful schools free of violence in all forms requires a balance of physical and psychological safety. Highly restrictive physical safety measures alone (e.g., metal detectors, armed security) may cause students to feel less safe and more fearful at school, and it could undermine the learning environment. In contrast, comprehensive school safety is supported when schools combine reasonable physical security measures (e.g., visitor check in procedures, locked doors) with efforts to enhance psychological safety through positive school climate, improved student engagement, respectful and trusting relationships among students and staff, and support of overall student success. School safety and crisis teams should be multidisciplinary and trained to address the continuum of prevention, planning, response, and recovery with response and recovery building on ongoing positive behavior, risk assessment, safety, and mental health services.

Legislative Priorities

Congress must pass legislation that:

- Incentivizes evidence-based suicide prevention training for school staff and evidence-based, developmentally appropriate suicide prevention programming for students.
- Supports rigorous research to evaluate the effectiveness of school safety and violence prevention efforts.
- Enables schools, LEAs, and SEAs to develop and implement equitable and comprehensive school safety policy and practice that:
  - balance physical and psychological safety,
  - prevent violence,
  - facilitate identification of and appropriate interventions for students at risk of harm to self or others, and
  - facilitate ongoing review and practice of crisis preparedness and response protocols.
- Supports increased training and technical assistance on behavior threat assessment and management protocols and other efforts to prevent targeted school violence.
- Addresses the public health crisis of gun violence by:
  - requiring a comprehensive background check for all gun purchases,
  - banning weapons that can cause mass destruction in a short period of time, and
  - preventing those who are of immediate threat or danger to themselves or others from having access to firearms.
- Requires consistent data collection and public reporting related to school police at the federal, state, district, and school building levels, including data on school-initiated arrests and student discipline data disaggregated by race, gender, ethnicity, and disability status, as well as membership in other marginalized groups, and the intersection thereof.
- Protects the ability of schools and school personnel to conduct a suicide risk assessment or initiate a behavioral threat assessment, without prior parental consent, if there is reasonable concern a student is at risk of harm to self or others.

NASP opposes efforts that:

- Allow anyone other than a commissioned school resource officer (SRO) or other law enforcement officer to be armed on school grounds.
- Prevent or limit a school’s ability to address the needs of any student deemed to be at risk of harm to themselves or others.
- Overly harden schools or require physical security measures that are not evidence-based or that do not increase actual or perceived safety.
Regulatory Priorities

- The Civil Rights Data Collection should be amended to include data related to the use of threat assessments including, but not limited to:
  - number of threat assessments conducted;
  - demographic information—such as sex, race, ethnicity, disability status (including if served by IDEA or Section 504), sexual orientation, and gender identity—to allow for disaggregated data analysis;
  - composition of threat assessment team;
  - outcomes of the threat assessment; and
  - training provided to team members.
- Any revisions to FERPA or PPRA must:
  - Clearly permit schools and school personnel to conduct suicide risk assessments and initiate a behavioral threat assessment, without prior parental consent, if the student is deemed at risk of harm to self or others; as well as
    - maintain requirement of parental notification, as soon as is feasibly possible in aforementioned situations, and
    - maintain requirement of parental permission before provision of specific individualized services to a student to address identified risk.
  - Protect the ability of school psychologists to maintain “sole possession notes” that are intended to only serve as memory aides.
  - Provide clear guidance on how to maintain student privacy and proper access to and storage of educational records, including data gathered as part of a risk assessment, using online shared storage systems (e.g., Google, OneNote, OneDrive, SharePoint).

Guidance and Informational Priorities

The U.S. Department of Education and other relevant federal agencies should:

- Issue guidance regarding the intersection of civil rights laws and a school’s legal obligation to keep students safe and prevent acts of violence, including suicide.
- Release guidance on the proper role of school police in specific school safety activities and provide examples of comprehensive memoranda of understanding as outlined in the NASP Resolution on Policing in Schools.
- Ensure that any federal resource that addresses the use of behavior threat assessment and management (BTAM) includes the following:
  - appropriate and inappropriate uses of BTAM;
  - importance of multidisciplinary BTAM team that includes a school-employed mental health professional (e.g., school psychologist, school counselor, school social worker) and a member of a student’s IEP/Section 504 team (if applicable);
  - proper data storage to ensure records do not follow the student inappropriately;
  - guidance to ensure schools uphold civil rights laws and rights afforded to students served under IDEA in the BTAM process;
  - parameters for access to and use of a student’s educational record; and
  - appropriate/inappropriate role of law enforcement (including SROs) in the BTAM process.

Supporting Students’ Mental and Behavioral Wellness

Mental and behavioral health and wellness are critical to children’s and youth’s success in school and life. Schools are a natural and logical setting to provide mental health services, and they provide the ideal context for wellness promotion, prevention, and intervention, all of which directly affect learning and well-being. Comprehensive school mental and behavioral health services are most effective when embedded within an MTSS framework and when schools have adequate ratios of school psychologists, school counselors, and school social workers, coupled with effective and
collaborative community partnerships to provide supplemental services and promote access to community supports beyond the school day. Students must have access to evidence-based comprehensive mental and behavioral health services that affirm their identities and promote well-being. Equally important is supporting educator wellness and preventing burnout. Educator wellness is linked to more effective teaching, improved student learning and student wellness, and reductions in staff turnover and attrition. Supporting staff wellness is particularly critical following a crisis event when educators, especially school mental health providers who often provide significant support to school communities, may be at greater risk of secondary trauma.

**Legislative Priorities**

Congress must pass legislation that:

- Supports development, implementation, and evaluation of culturally responsive and sustaining comprehensive school mental health services.
- Promotes effective school–community partnerships, as outlined in this brief.
- Reduces disparities in access to mental health services among minoritized populations.
- Advances efforts to increase funding to support trauma-informed practices, social–emotional learning, and other evidence-based strategies to promote student wellness, in schools.
- Promotes family engagement in and understanding of the importance of school mental health services and empowers them to seek help when they have concerns about their child.

NASP opposes any effort to:

- Limit a school’s ability to provide mental and behavioral health care, including the use of universal screenings.
- Require school psychologists and other mental health professionals to share personal information without the student’s explicit consent (notwithstanding the limits of confidentiality).
- Enables punishment or discrimination of parents who seek or obtain gender affirming care for their child.
- Enables punishment for school staff who affirm students’ gender identities by using their preferred names and pronouns.
- Allow school and community health providers to deny services to gender diverse students.

**Guidance and Informational Priorities**

Federal agencies that award grants intended to improve school mental health service delivery through school–community mental health partnerships must ensure funded projects:

- 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.

**Promote Increased Family Engagement to Support Student Success**

School and student success is enhanced by positive and sustained family engagement, built upon a foundation of mutual trust, where educators, parents, families, and caregivers work together as equal partners who share responsibility for the learning and success of all students. In effective family–school partnerships, family diversity is celebrated, and family culture is embedded throughout school policy and practice. Authentic family engagement requires intentionality, shared commitment and accountability, and mutual understanding of roles and responsibilities, and it must include consideration of the views of all families within the school community in the decision-making process. Authentic family engagement includes opportunities for families to voice opposition to or concern with specific action as well as the right to review curricula and opt their child out of specific lessons or participation in specific activities; however, it does not entitle parents to demand specific practices or policy changes for all children that reflect their individually held beliefs. Opportunities for family engagement must be culturally and linguistically responsive and must account for

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4 Effective School Community Partnerships to Support School Mental Health, https://www.nasponline.org/x57108.xml
family life realities that might impede engagement, such as work schedules, childcare, and transportation, to ensure maximum participation for all families.

**Regulatory, Guidance, and Informational Priorities**

The U.S. Department of Education, in collaboration with other federal agencies as appropriate, should:

- Develop and disseminate resources highlighting a range of evidence-based models for effective family engagement.
- Ensure the importance of family engagement is highlighted in all relevant documents and resources.

**Robust Oversight and Enforcement**

The federal government has a responsibility to engage in proper oversight to ensure SEAs, LEAs, and other relevant entities comply with federal laws and regulations. This responsibility includes enforcement of existing law and policy; timely investigation of complaints and technical support for any needed remediation; data collection and reporting; and development and provision of guidance, resources, and technical assistance to help LEAs, SEAs, and educators understand and meet their responsibilities. Robust oversight is only possible when the Department of Education (and other relevant agencies), and the offices within it, are adequately staffed to engage in this work, and Congress must provide all federal agencies with the financial resources necessary to carry out this critical function, including those outlined below.

The U.S. Department of Education and other relevant agencies must:

- Maintain appropriate oversight at the SEA and LEA levels to hold schools accountable for:
  - meeting the academic, emotional, and behavioral needs of all student subgroups;
  - holding all students to high standards;
  - using alternative assessments based on alternate academic achievement standards (AA-AAAS) for only the students with the most significant cognitive disabilities, not to exceed 1% of the student population;
  - developing and implementing appropriately challenging and ambitious IEP goals that address a student’s specific needs and allow for inclusion in the general education setting to the maximum extent possible;
  - ensuring students with disabilities are instructed by appropriately credentialed educators and specialized instructional support personnel in the least restrictive environment, as is appropriate based on their specific needs;
  - addressing instances of disproportionality in special education referral or identification among students from racial and ethnic minoritized backgrounds; and
  - reporting all data in a manner that is accessible and easy to understand by families and the public.
- Enforce all civil rights laws that prohibit discrimination of students and staff (e.g., Americans with Disabilities Act, Sec. 504 of the Rehabilitation Act, IDEA, Title IV of the Civil Rights Act, Title IX of the Education Amendments Act of 1972).
- Routinely issue updated guidance to support policy and practice aligned with federal mandates.
- Routinely report data and provide evidence-based policy and practice strategies to address inequity in areas including, but not limited to: academic achievement, including high school completion rates; access to fully prepared teachers, school-based mental health services professionals, and other specialized instructional support personnel; access to advanced/AP courses; school climate; disproportionality in special education identification; use of exclusionary discipline; school safety and security practices; and student engagement with law enforcement. All data should be disaggregated by race/ethnicity, sex, gender identity, sexual orientation, and disability status and the intersection of these identities.
- Hold LEAs, SEAs, and other relevant entities accountable for correcting policy and practice to remedy any identified disproportionality in access, outcomes, or use of exclusionary disciplinary practices.