



March 26, 2010

The Honorable George Miller, Chairman
The Honorable John Kline, Ranking Member
Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Miller and Ranking Member Kline:

The National Alliance of Pupil Services Organizations (NAPSO) is pleased to offer the following recommendations for the reauthorization of the Elementary and Secondary Education Act.

NAPSO is a coalition of national professional organizations whose members provide and support a variety of school-based prevention and intervention services to assist students in becoming effective learners and productive citizens.

NAPSO organizations represent over a million members, including school counselors, school nurses, psychologists, school psychologists, social workers and school social workers; occupational therapists, physical therapists, art therapists, dance/movement therapists, and music therapists; speech-language pathologists and audiologists. In addition, we are joined in the coalition by the major national organizations representing general and special education teachers and pupil services administrators.

NAPSO promotes interdisciplinary practice and collaboration and advocates for ensuring access to quality services for all students. NAPSO member organizations are bound together by our common vision to bring all students across the country the programs and professional support services they need to ensure success in school.

Recommendations:

The term *pupil services personnel* is defined in the Elementary and Secondary Education Act (ESEA, as reauthorized under the No Child Left Behind Act, Sec. 9101, paragraph 36) as "school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services...." Further, the definition incorporates *related services* as defined in the Individuals with Disabilities Education Act (IDEA, Sec. 602, paragraph 22) and professions included through Department of Education clarifications of the non-exhaustive list. This category of professionals includes, among others, school counselors, school nurses, school psychologists, school social workers, occupational and physical therapists, speech language pathologists and audiologists, and creative arts therapists (music, dance/movement, art).

"Pupil services personnel" provide services that address barriers to learning and assist students to be successful in school. These vital services are focused on prevention and intervention activities that promote effective classroom teaching and learning. These professionals work collaboratively with teachers, administrators, and other school staff to ensure that students receive high quality instruction in response responsive to the diverse array of students' learning and developmental needs and challenges.

As Congress moves toward reauthorization of the Elementary and Secondary Education Act, the National Alliance of Pupil Services Organizations (NAPSO) urges consideration of the following key principles:

I. Clarify conflicting terminology, definitions, and roles of pupil/related services personnel.

NAPSO urges Congress to adopt one single term – "specialized instructional support personnel"— to be used in all education laws that reference these personnel. Services provided by these personnel, currently titled "pupil services," should conform and be titled "specialized instructional support services."

These personnel are known as "pupil services personnel" in the ESEA and as "related services personnel" in the IDEA, despite the fact that they are exactly the same professionals. This difference in terminology continues to cause confusion for school districts. Establishing one common statutory term would ease this confusion and would more accurately reflect the nature and purpose of the services that these professionals provide to students in schools.

NAPSO further urges Congress to make explicit in the ESEA definition that the list of services is not exhaustive.

The U.S. Department of Education consistently has interpreted, through the IDEA regulations, that the list of "related services personnel" is not exhaustive. Since the IDEA definition is incorporated by reference into the ESEA definition of "Pupil Services," this interpretation also should be incorporated explicitly into the ESEA. Specifically, if students require the services of other therapists or service providers to assist them to be successful, school districts, within reason, must provide those services.

Recommended language:

A. Title IX, Part A, Sec. 9101(36) – Change to read and renumber appropriately:

"(XX) Pupil Services Personnel; Pupil Services Specialized Instructional Support Personnel; Specialized Instructional Support Services.—

(A) ~~Pupil services personnel~~ Specialized instructional support personnel. The term ~~'pupil services personnel'~~ 'specialized instructional support personnel' means school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary corrective or supportive services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs."

(B) ~~Pupil services~~ Specialized instructional support services.—The term ~~'pupil services'~~ 'specialized instructional support services' means the services provided by ~~pupil services personnel~~ specialized instructional support personnel, including any other corrective or supportive services to meet student needs."

- B. Change all references to "pupil services personnel" in the Act to "specialized instructional support personnel" and all references to "pupil services" to "specialized instructional support services."**

Add "specialized instructional support personnel," as appropriate, in all future education legislation and program descriptions.

II. Establish an Office of Specialized Instructional Support Services within the U.S. Department of Education.

NAPSO urges Congress, under the ESEA, to direct the Secretary of Education to establish an Office of Specialized Instructional Support Services and to appoint a director and appropriate staff.

Rationale:

- **Provide leadership within the Department of Education for specialized instructional support personnel, programs, and services.**
 - This leadership would bring a “voice to the table” about the specialized instructional support programs and services that assist struggling learners and remove barriers to learning.
 - In order to ensure all students are successful, we must increase our assistance to struggling learners and students at risk for school failure. The direct services provided by specialized instructional support personnel are essential in this effort.
- **Create a leadership system similar in structure to many local school districts and state education agencies.**
 - Many local school districts and state education agencies currently have pupil services directors or profession-specific consultants or coordinators (e.g., school counseling directors) that plan, supervise and direct the activities of specialized instructional support personnel. These professionals help the educational agencies focus on the supports needed for struggling learners or students at risk for school failure.
 - The absence of this leadership at the national level compromises the ability of local and state educational agencies to promote specialized instructional support programs that have proven to be effective with the most difficult learners.
- **Improve cross-agency coordination of services and programs supporting struggling learners and students at risk.**
 - Creating this office would facilitate the development of a comprehensive, child-focused, multifaceted, and cohesive system of learning supports.
 - A goal of this office would be to provide the leadership needed to improve cross-agency coordination of programs (e.g., SAMHSA, DOJ, HRSA and the Department of Education), reduce gaps and inefficient redundancies in support services, streamline systems, and simplify and improve the understanding and participation of parents in their child’s comprehensive educational program.
 - The absence of leadership at the federal level limits the attention to these services and compromises the national communication and coordination of these services for all students in need.

Background:

Specialized instructional support personnel encompass a large number of staff categories with a broad set of responsibilities in schools. A number of State education agencies (SEAs) already

provide leadership for specialized instructional support services by employing coordinators and/or specific departments for all or various subsets of these professions.

The Assistant Secretaries for Special Education and Rehabilitative Services and for Elementary and Secondary Education currently have authority over these personnel through the IDEA and the ESEA. However, no specific point of contact – office or individual – within the U.S. Department of Education is assigned to administer, coordinate, or carry out programs and activities concerned with providing specialized instructional support services in schools or to work with State coordinators or with SEAs in general on issues related to specialized instructional support services.

The U.S. Department of Education should have an office and staff dedicated to providing technical assistance and a specific point of contact on these services for State and local education agencies.

Current Legislation:

Two bills currently in Congress include language establishing an Office of Specialized Instructional Support Services in the U.S. Department of Education: (1) "Positive Behavior for Safe and Effective Schools Act" (H.R. 2597; sponsor: Rep. Phil Hare); and (2) "Reducing Barriers to Learning Act" (H.R. 3800; sponsor: Rep. Dave Loebsack).

Organization:

The Office of Specialized Instructional Support Services will be under the supervision of the Director of Specialized Instructional Support Services. Since the functions of the Office are trans-disciplinary and affect all students K-12, the Director should report directly to the Deputy Secretary of Education, whose office currently coordinates the work of the Office of Elementary and Secondary Education (OESE), the Office of Innovation and Improvement (OII), the Office of English Language Acquisition (OELA), the Office of Special Education and Rehabilitative Services (OSERS), and the Office of Safe and Drug-Free Schools (OSDFS).

The Office of Safe and Drug-Free Schools should be subsumed under the proposed office, as most of the programs in OSDFS currently are staffed at the local level by specialized instructional support personnel. Several programs in OII, e.g., School Dropout Prevention and Mental Health Integration in Schools, would also most logically be placed under the new office.

Recommended language:

Add new Part B under Title X and reletter the current Parts B-E:

"Part B – Establishment

"Sec. XXX. Office of Specialized Instructional Support Services.

(a) Establishment.—There shall be, within the Office of the Deputy Secretary in the Department of Education, an Office of Specialized Instructional Support Services (hereafter referred to as the "Office").

(b) Purpose.—The purpose of the Office shall be to administer, coordinate, and carry out programs and activities concerned with providing specialized instructional support services in schools, delivered by trained, qualified specialized instructional support personnel, as defined in Sec. XXX of the Act.

(c) Director.—The Office established under subsection (a) shall be headed by a Director who shall be selected by the Secretary and report directly to the Deputy Secretary of Education.

(d) Activities.—In carrying out subsection (b), the Director shall support activities to—

(1) improve specialized instructional support services in schools in order to improve academic achievement and educational results for students;

(2) identify scientifically based practices in specialized instructional support services that support learning and improve academic achievement and educational results for students;

(3) provide continuous training and professional development opportunities for specialized instructional support personnel and other school personnel in the use of effective techniques to address academic, behavioral, and functional needs;

(4) provide technical assistance to local and state educational agencies in the provision of effective, scientifically based specialized instructional support services; and,

(5) coordinate specialized instructional support services programs and services in schools between the Department of Education and other federal agencies, as appropriate."

III. Ensure inclusion of specialized instructional support personnel throughout the ESEA as essential members of the school staff.

NAPSO urges Congress to acknowledge appropriately throughout the ESEA that specialized instructional support personnel are the critical link to school success for many students.

Input from specialized instructional support personnel into the development implementation of local education agency plans under Title I should be mandated. Currently consultation with specialized instructional support personnel is required only for development of State plans. Since specialized instructional support personnel provide direct services to students and consultative services to other staff members, their input is necessary to ensure the local district plan adequately addresses how these services will be provided.

As an example, recommended language:

Title I, Sec. 1112(d)(1) – Change to read:

"(d) Plan Development and Duration.—

(1) Consultation.—Each local educational agency plan shall be developed in consultation with teachers, principals, administrators (including administrators of programs described in other parts of this title), specialized instructional support personnel, and other appropriate school personnel, and with parents of children in schools served under this part."

NAPSO urges Congress to include specialized instructional support personnel in all high-quality professional development opportunities under the statute.

One of the components for improving student achievement under the American Recovery and Reinvestment Act requires "improvements in teacher effectiveness." NAPSO believes continuous improvement for *all school staff* is a key component in school reform and increased student success. Specialized instructional support personnel, as critical members of the school staff, should be afforded equal opportunities for ongoing, high-quality professional development. In a number of instances in ESEA, professional development for specialized instructional support personnel is included only "as appropriate," whereas participation by teachers and administrators is allowed without qualification. NAPSO believes Congress should ensure all staff members

working with students receive the most current on-going high-quality professional development and training.

Recommended language:

Title II – Change the following sections as indicated:

1. **Change title to read** – “Preparing, Training, and Recruiting High Quality Teachers, Principals, and Specialized Instructional Support Personnel”.
2. **Part A, Sec.2101, Purpose – Change paragraph (1) and add new paragraph (2); renumber current (2) as (3):**

"The purpose of this part is to provide grants to State educational agencies, local educational agencies, State agencies for higher education, and eligible partnerships in order to—

(1) increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom and highly qualified specialized instructional support personnel, principals and assistant principals in schools; and

(2) improve specialized instructional support services in schools in order to improve academic achievement and educational results for students; and”....

3. **Part A, Sec.2102, Definitions – Add new paragraph (7):**

“(7) Specialized Instructional Support Personnel.—The term ‘specialized instructional support personnel’ has the meaning given the term in Title IX, Part A, Section 9101, (xx).”

4. **Part A, Subpart 1, Sec.2112(b)(7)(A) – Change to read:**

"Sec. 2112. State Applications.

...

(b) Contents.—Each application submitted under this section shall include the following:

...

(7)(A) A description of how the State educational agency will ensure compliance with the requirements of professional development activities described in section 9101 and how the activities to be carried out under the grant will be developed collaboratively and based on the input of teachers, principals, specialized instructional support personnel, parents, administrators, paraprofessionals, and other personnel.”

5. **Part A, Subpart 1, Sec.2113(c), State Activities:**

Change paragraph (4) as follows:

"(c) State Activities.—The State educational agency...shall use the funds described in subsection (a)(3) to carry out one or more of the following activities...:

...

"(4) Developing and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining highly qualified teachers...principals and ~~pupil services personnel~~ specialized instructional support personnel. except that funds made available under this paragraph may be used for pupil services personnel only

(A) if the State educational agency is making progress...; and

~~(B) in a manner consistent with mechanisms...principals.~~

Add new paragraph (14) and renumber current (14)-(18):

"(14) Providing assistance to local educational agencies for the development and implementation of professional development programs for specialized instructional support personnel that promote professional growth and enable specialized instructional support personnel to effectively assist students to address barriers to learning and academic achievement."

NAPSO urges Congress to fully integrate specialized instructional support services into the educational system.

State and local education agency capacity should be increased to ensure integration of specialized instructional support services into the general education system. Other school personnel, including teachers and administrators, should be made aware of how to access and use the skills and knowledge of specialized instructional support personnel. Ultimately, increased school system capacity should define how specialized instructional support personnel coordinate and collaborate with other school personnel to ensure student success.

There are numerous other instances in ESEA where specialized instructional support personnel should be included along with the other school personnel. NAPSO will work with Congress to determine where inclusion of these important personnel would be appropriate and would most assist in improving student achievement.

Recommended language:

Title II – Change the following sections as indicated:

1. Part A, Subpart 2, Sec. 2122(b) – Change to read:

"Sec. 2122. Local Applications and Needs Assessment.

...

(b) Contents.—Each application submitted under this section shall be based on the needs assessment...and shall include the following:

...

(5) A description of the professional development activities that will be made available to teachers, ~~and principals,~~ and specialized instructional support personnel....

...

(7) A description of how the local educational agency, teachers, paraprofessionals, principals, specialized instructional support personnel, other relevant school personnel, and parents have collaborated in the planning of activities....

...

(9) A description of how the local educational agency will provide training, including the use of specialized instructional support personnel as trainers, to enable teachers to—

(A) teach and address the needs of students with different learning styles...;

(B) improve student behavior...;

(C) involve parents in their child's education; and

(D) understand and use data and assessments to improve classroom practice and student learning.

....
(c) Needs Assessment.—

...
(2) Requirements.—Such needs assessment shall be conducted with the involvement of teachers, including teachers participating in the programs under part A of title I, and specialized instructional support personnel, and shall take into account the activities that need to be conducted in order to give teachers the means, including subject matter knowledge and teaching skills, to give specialized instructional support personnel the resources, including professional growth opportunities, ~~and~~ to give principals the instructional leadership skills to help teachers, to provide students with the opportunity to meet challenging State and local student academic achievement standards."

2. Part A, Subpart 2, Sec. 2123(a)(3) – Add new subparagraph (4) and renumber current (4)-(10); add new subparagraph (12):

"Sec. 2123. Local Use of Funds.

(a) In general.—A local educational agency that receives a subgrant under section 2121 shall use the funds...to carry out one or more of the following activities...:

...
(4) Providing professional development activities that improve the knowledge of specialized instructional support personnel and that involve collaborative training with teachers, administrators, and other appropriate school personnel.

...
(12) Carrying out programs and activities promote and enhance the recruitment and retention of qualified specialized instructional support personnel."

Title IX, Part A, Sec. 9101(34) – Change to read:

"Sec. 9101. Definitions.

...
(34) Professional Development.—The term 'professional development'—
(A) includes activities that—

...
(iii) give teachers, principals, specialized instructional support personnel, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student academic achievement standards, including addressing barriers to academic achievement;

...
(ix) are developed with extensive participation of teachers, principals, parents, specialized instructional support personnel, and administrators of schools to be served under this Act;

(x) are designed to give teachers of limited English proficient children, other teachers and instructional staff, and specialized instructional support personnel the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

(xv) include instruction in ways that teachers, principals, ~~pupil services personnel~~ specialized instructional support personnel, and school administrators may work more effectively with parents...."

IV. Require schools to determine and to assure the availability of social and mental health services for their students as part of their school improvement plan.

NAPSO urges Congress to require schools to include in their school improvement plans the available school and community social and mental health services critical to supporting student success.

The Commission on No Child Left Behind (2007) asserted that it is critical to understand fully and to address comprehensively students' behavioral, social, and emotional needs in addition to their academic needs. The Commission cited comprehensive research which indicates students struggling with mental health concerns achieve at higher rates when schools identify and intervene early to address these problems. The Commission linked access to mental health services and improved student outcomes and recommended that, when creating their school improvement plans, schools should be required to determine the availability of school and community social and mental health services to support struggling students. NAPSO supports this recommendation and further maintains school improvement plans should include mechanisms for assuring access to such services along the full continuum of mental health care.

Recommended language:

Title I, Part A, Subpart 1, Sec. 1116 – Add new subparagraph (b)(3)(A)(iv) and re-number current (v)-(xi):

"Sec. 1116. Academic Assessment and Local Educational Agency and School Improvement.

...
(b) School Improvement.—

...
(3) School Plan.—

(A) Revised Plan.—After the resolution of a review under paragraph (2), each school identified...for school improvement shall...develop or revise a school plan....The school plan shall cover a 2-year period and—

...
(iv) describe the availability of social, behavioral, and mental health services in the school and the community to assist students in overcoming barriers to learning and achievement, including—

(I) staffing adequacy of school-employed mental health personnel, such as school counselors, school psychologists, and school social workers, in accordance with the recommended ratios found in Section 5421 (c) (2) (K) of this Act ;

(II) breadth of available school services including counseling, positive behavior supports, screening and assessment, intervention and skill development, and behavioral and instructional consultation;

(III) accessibility of school personnel and services to meet the needs of struggling students;

(IV) availability and accessibility of community social and mental health programs and qualified personnel capable of linking with schools to provide a full continuum of social and mental health support."

V. Require the public disclosure of the qualifications of specialized instructional support personnel working in Title I schools.

NAPSO urges Congress to extend the requirement that parents in Title I schools may request information regarding teacher qualifications to requests for information on specialized instructional support personnel qualifications.

The Elementary and Secondary Education Act currently requires that LEAs receiving Title I funds notify parents that they may request, and the agency will provide in a timely manner, information about their child's classroom teachers. At a minimum, information may be requested regarding State licensure and certification for grade level and subjects taught; emergency or provisional certification or waivers of those requirements; college majors and other graduate certificates or degrees; and, whether any services are being provided by paraprofessionals, and if so, their qualifications. In addition, Title I schools must provide parents timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified. These requirements also apply to special education teachers who teach core academic subjects in Title I schools.

NAPSO believes all children are entitled to receive services from qualified personnel. Including specialized instructional support personnel in this notification requirement is integral to empowering parents and assisting them to determine which schools and personnel can best serve their children. Schools and school districts that employ under- or unqualified personnel should be held publicly accountable.

Recommended language:

Title I, Part A, Subpart 1, Sec. 1111(h)(6)(A) – Change to read:

"(h) Reports.—

...

(6) Parents Right-to-Know.—

(A) Qualifications.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds...that the parents may request, and the agency will provide...on request (and in a timely manner), information regarding the professional qualifications of—

(i) the student's classroom teachers, including at a minimum...; and

(ii) any specialized instructional support personnel providing specialized instructional support services to the student."

VI. Identify students with learning and behavioral challenges early and provide targeted instruction and interventions.

NAPSO urges Congress to include specialized instructional support personnel in planning and implementing tiered intervention models.

Specialized instructional support personnel must be included in any language in ESEA that directs use of a tiered intervention model, as these professionals have the necessary training, skills and expertise to design and implement such interventions. These professionals have been part of student support teams in school districts across the country under a variety of names and configurations for many years. Student support teams examine barriers to academic success, develop and implement universal (first tier) and individualized interventions (additional tiers),

monitor student progress, and, as needed, provide more intensive interventions or recommend a comprehensive evaluation possibly resulting in special education services.

The 2004 reauthorization of the Individuals with Disabilities Education Act allowed school districts to use up to 15 percent of their federal IDEA State Grant (Part B) funds to develop and implement coordinated early intervening services for general education students not currently eligible for special education. The IDEA also provides that a process of "scientific, research-based interventions" may be used in addressing academic and behavioral challenges prior to a referral for special education services in the category of "specific learning disabilities." These interventions have become known generically as Response to Intervention (RTI).

NAPSO strongly recommends including language in the ESEA that ensures all students benefit from a tiered intervention model. Specialized instructional support personnel are specially trained to develop and implement tiered evidence-based interventions that address academic and behavioral challenges for all students and must be included in any language that directs the use of these intervention models.

Legislative Recommendations:

Add new subparagraph (iii) under Title I, Part A, Subpart 1, Sec. 1112(b)(1):

"Sec. 1112. Local Educational Agency Plans.

...

(b) Plan provisions.—

(1) In general.—In order to help low-achieving children meet challenging academic achievement standards, each local educational agency plan shall include—

...

(E) a description of how the local educational agency will coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as—

--

(iii) multi-tiered interventions, designed and implemented by a multi-disciplinary team including general and special education teachers and specialized instructional support personnel, as appropriate, for students who need additional academic and behavioral supports to succeed in the general education environment."

Add the following language to Title I, Part A, Subpart 1, Section 1115(c)(1)(C):

"Sec. 1115. Targeted Assistance Schools.

...

(c) Components of a Targeted Assistance School Program.—

(1) In general.—To assist targeted assistance schools and local educational agencies to meet their responsibilities to provide for all their students...the opportunity to meet the State's challenging student academic achievement standards..., each targeted assistance program...shall—

...

(C) use effective methods and instructional strategies, including, as appropriate, a process based on the child's response to evidence-based interventions, designed and implemented by a multi-disciplinary team including general and special education teachers and specialized instructional support personnel, as appropriate that are based on scientifically based research that strengthens the core academic program of the school...."

Add the following language to Title I, Part B (Reading First), Subpart 1, Section 1202(c)(7)(A)(ii)(II):

"Sec. 1202. Formula Grants to State Educational Agencies.

...
(c) Subgrants to Local Educational Agencies.—

...
(7) Local uses of funds.—

(A) Required uses.—Subject to paragraph (8), an eligible local educational agency that receives a subgrant under this subsection shall use the funds...to carry out the following activities:

...
(ii) Selecting and implementing a learning system or program of reading instruction based on scientifically based reading research that—

...
(II) provides ~~such~~ instruction and interventions to the children...served by the eligible local educational agency...such as a process based on the child's response to evidence-based interventions, designed and implemented by a multi-disciplinary team, including teachers and specialized instructional support personnel."

VII. Require States and local school districts to provide training for all school staff on the use of the principles of universal design for learning.

NAPSO urges Congress to incorporate the principles of universal design for learning as a fundamental feature of current and future education laws and policies.

Specialized instructional support personnel have incorporated UDL principles in their daily practices in schools, particularly focusing on addressing barriers that prevent student engagement in learning. They also support classroom teachers in implementing interventions that are universally designed to meet the needs of all students. Specialized instructional support personnel should receive training, in conjunction with other school staff, to further the appropriate use of UDL principles.

UDL is a framework and set of principles that provide flexibility in how information is presented, how students respond or demonstrate knowledge, and how students are engaged in learning. Focused on ensuring that *all* students have equal opportunities to learn, it allows educators to choose from a menu of tools and strategies embedded in the curriculum. Curriculum barriers are reduced, learning is supported, students gain knowledge, skills, and enthusiasm for learning, and their learning is validly assessed. Therefore, using UDL principles, States, districts and schools can better meet the goals of ESEA. UDL also complements existing school reform initiatives, such as Response to Intervention (RTI) and efforts to provide America's students with a 21st century education.

The Higher Education Opportunity Act included provisions on UDL. However, they will not result in effective UDL implementation without corresponding provisions related to elementary and secondary education.

Recommended language:**A. Title IX, Part A, Sec. 9101 – Add new definition:**

"Universal Design for Learning.—The term 'universal design for learning' means a scientifically valid framework for guiding educational practice that—

(A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and

(B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient."

B. Title II, Part A, Subpart 1, Sec. 2112(b) – Add new subparagraph (7) and renumber appropriately:

"(7) A description of how the State educational agency will use funds to provide training for teachers, administrators, and specialized instructional support personnel in the use of educational methods consistent with the principles of universal design for learning.

VIII. Maintain the current absolute priorities of small and medium-sized student support programs proposed for consolidation by the Secretary of Education.

Over the years Congress has created a variety of small and medium-sized student support programs in response to requests for federal support to build capacity at the state and local level for these programs. In most cases, the priorities of these programs clarify for school districts specific methods or models of improving practices and services to students. Over the years, these programs have provided millions of dollars to state education agencies and local school districts struggling to provide sufficient student support funding for programs dedicated to remedying barriers to learning and improving student outcomes. Examples of these types of programs include the Javits Gifted and Talented Education program, the Elementary and Secondary School Counseling Program, Even Start, and the Mental Health Integration grants.

NAPSO supports efforts by the U.S. Department of Education to improve program administration, efficiency, and accountability. We also support the broad goals outlined by the Department, including new priorities such as those outlined in Effective Teaching and Learning for a Complete Education, Successful, Safe and Healthy Students, and College Pathways and Accelerated Learning. However, the current proposal to consolidate small and medium-sized programs is based upon the assumptions that these programs are inefficient or ineffective simply because of their size and that creating a bigger program with broader priorities will be more efficient and better able to meet the needs of states and local educational agencies. Evidence does not exist to support the proposition that the size of a program is correlated with improved program efficiency or effectiveness. Additionally, the proposal to consolidate programs without assurances that the absolute priorities of existing programs will be maintained is equivalent to recommending the termination of programs without cause and could result in states and local educational agencies being confused about whether the priorities of these previously established programs should still be valued or pursued.

Recognizing that small and medium-sized programs in the U.S. Department of Education were created in response to public demand and the need to promote exemplary practices, NAPSO urges Congress to maintain the absolute priorities of programs currently proposed for consolidation and to maintain or increase levels of funding for these program's priorities.

We appreciate your serious consideration of these recommendations. Should you need further information or clarification, please feel free to contact Myrna Mandlawitz (mandlawitz@verizon.net, 202-686-1637), Dominic Holt (dholt@counseling.org, 703-823-9800, Ext. 242); or Stacy Skalski (sskalski@naspweb.org, 301-657-0270).

American Art Therapy Association
American Counseling Association
American Dance Therapy Association
American Federation of Teachers
American Music Therapy Association
American Occupational Therapy Association
American Psychological Association
American Physical Therapy Association
American School Counselor Association
American Speech-Language-Hearing Association
Council for Exceptional Children
International Association of Pupil Personnel Workers
National Association for College Admission Counseling
National Association of Pupil Services Administrators
National Association of School Nurses
National Association of School Psychologists
National Association of Social Workers
National Education Association
School Social Work Association of America