



Every Student Succeeds Act

Key Issues for ASHA Members



AMERICAN
SPEECH-LANGUAGE-
HEARING
ASSOCIATION

Table of Contents

Every Student Succeeds Act Introduction and Overview	1
Implementation Timeline.....	3
State Plans.....	6
Funding Analysis.....	8
Alternate Achievement Standards for Students With the Most Significant Cognitive Disabilities (1%)	11
Specialized Instructional Support Personnel (SISP)	13
Literacy	15
Early Intervening Services and Multi-Tiered Systems of Support.....	17
Professional Learning	19
Professional Accountability.....	22
Dyslexia	24
Early Childhood Grants	26
ASHA Staff Contacts.....	28

Every Student Succeeds Act Introduction and Overview

In December 2015, President Barack Obama signed the Every Student Succeeds Act (ESSA), Public Law 114-95, into law. This new major federal K–12 law replaces the No Child Left Behind Act (NCLB). ESSA allows for greater flexibility for states to create their own accountability systems, academic goals, reporting, and other requirements. Although the 2016–2017 school year is a transitional year from NCLB to ESSA, ESSA will take full effect beginning with the 2017–2018 school year. ESSA contains many new opportunities for ASHA’s school-based audiologists and speech-language pathologists (SLPs) to

- consult with state and local leaders when developing their state plan;
- access more professional learning opportunities;
- play a greater role in literacy in the early grades; and
- develop more comprehensive early intervening and multi-tiered systems of support (MTSS) for struggling students.

ESSA requires states to develop new plans for how they will implement the law. The law requires the state to consult with various stakeholders, including those representing specialized instructional support personnel (SISP)—a designation that includes audiologists and SLPs, among other school-based professionals. Therefore, ASHA members will have the opportunity to play an important role in providing information to the states as they develop their plans related to professional learning, literacy, and early intervening services and assessments of children with disabilities.



This analysis contains 11 key topic areas that ASHA members should pay close attention to as the law is implemented at the state and local levels:

1. Implementation Timeline
2. State Plans
3. Funding Analysis
4. Alternate Achievement Standards for Students With the Most Significant Cognitive Disabilities (1%)
5. Specialized Instructional Support Personnel (SISP)
6. Literacy
7. Early Intervening Services and Multi-Tiered Systems of Support
8. Professional Learning
9. Professional Accountability
10. Dyslexia
11. Early Childhood Grants

Each topic area comprises (a) a general overview section with citations from ESSA; (b) a description of the impact that these provisions may have on ASHA members; and (c) additional resources. Where appropriate, vignettes or scenarios will be provided to help members understand how the law may affect them as practitioners.

This document also contains a listing of key ASHA staff in case members feel the need to reach out for additional guidance. In addition, there is a listing of some key external resources that ASHA members can explore to better understand the broader impact of ESSA.

Resources

- *Every Student Succeeds Act (ESSA)*. U.S. Department of Education.
<http://www2.ed.gov/policy/elsec/leg/essa/index.html>

Implementation Timeline

General Overview and Citations

ESSA will gradually take effect over a 20-month period. Although the ESSA's predecessor, NCLB, was authorized for 6 years (2002–2007), the new law was authorized for only 4 years (2017–2020). Many members of Congress were frustrated that it took an additional 7 years to reauthorize the law and purposely shortened the authorization period to better ensure that Congress takes another look at the law sooner rather than later.

Timeline

There are several important dates that ASHA members need to know about as ESSA gets implemented at the state and local levels.

January 2016–July 2016

State departments of education (also referred to as “Departments”) and/or state school boards meet with stakeholders to develop and then submit new state plans to the U.S. Department of Education.

April 2016–July 2016

Local education agency academic year (AY) 2016–2017 budgets are formulated.

July 1, 2016

Federal education formula grants (such as Title I ESSA, IDEA Part B) go out to the states.

August 1, 2016

Federal waivers that had been granted to states for relief under NCLB become null and void.

August 2016–September 2016

Transition year from NCLB to ESSA. States submit final ESSA implementation plans to the U.S. Department of Education.

October 1, 2016

Federal education competitive grants authorized under ESSA go out.

July 1, 2017

Fiscal year (FY) 2017–2018 begins.

August 2017–September 2017

ESSA's “meaningful differentiation” accountability system of state-established academic standards, testing, and outcomes takes effect for AY 2017–2018.



Section Highlights

Here are the key sections of ESSA that lay out the transition from NCLB to ESSA:

- Title I, Section 4 of ESSA outlines the transition from NCLB to ESSA and also the termination of state waivers received from the U.S. Department of Education.
- Title I, Section 5 of ESSA outlines some of the effective dates for the major programs contained within the law.
- Title I, Section 1002, lays out the Authorization for Appropriations (funding) for FYs 2017–2020.

ASHA Member Impact

ASHA members should already be engaged with their state policymakers, other SISIP organizations, administrators, principals, and teaching organizations within their states. Failing to engage with these groups will cede decision making on key policy areas.

What Can Members Do?

Because the implementation of ESSA is scheduled to occur quickly—with the transition/implementation plan from NCLB to ESSA beginning with the AY 2016–2017, and with the responsibility for developing these plans falling squarely with the states—ASHA members have a real opportunity to ensure that services and supports provided by audiologists and SLPs under ESSA are acknowledged and included.

- Members are encouraged to contact their consultant within their State Education Agency (SEA) (also known as State Department of Education or State Department of Public Instruction) and review the State Department of Education website to determine the process and timelines that their state has identified to implement the new law.
- Members are encouraged to reach out to their state association and volunteer, if appropriate, to serve on committees and task forces to help develop the state plan.

The state association is encouraged to approach the Department and volunteer to serve on one or more committees to develop implementation guidelines so that audiology and speech-language pathology services, as well as other SISIP services, are included.

Vignette

Polly Anna is a school-based SLP in Ohio. She wants to advocate for an expanded role in literacy within her school district. Polly contacted her state association to coordinate her efforts with theirs, scheduled a meeting with her principal to explain some of the new aspects of the law, and registered for e-mail updates on the State Department of Education's website. She also recruited additional school-based SLPs who will be creating resources and procedures designed to help other SLPs expand their role in literacy. Now, Polly can actively engage local and state decision makers on expanding the role of the SLP in literacy.

Resources

- *Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions*. U.S. Department of Education. <http://www2.ed.gov/policy/elsec/leg/essa/faq/essa-faqs.pdf>
- *ASHA State-by-State*. American Speech-Language-Hearing Association. <http://www.asha.org/advocacy/state/>
- *School Advocacy Resources*. American Speech-Language-Hearing Association. http://www.asha.org/slp/schools/schools_resources_advocacy/
- *Every Student Succeeds Act (ESSA)*. Ohio Department of Education. <http://education.ohio.gov/Topics/Every-Student-Succeeds-Act-ESSA>

State Plans

General Overview and Citations

Title I, Section 1111, State Plans, is the core of ESSA. With the shift in authority from the federal level to the state level, each state will contribute to the development of its own plan as well as implementation.

The critical elements of the plan are:

- State Academic Standards and Assessments (including the timing and frequency of testing)
- Alternate Academic Achievement Standards for Student with the Most Significant Cognitive Disabilities
- English Language Proficiency Standards
- Establishment of Long-Term Goals
- Annual Measurable Indicators
- Annual Meaningful Differentiation
- Charter Schools and Public School Choice
- Targeted Supports and Improvement

Finally, Section 1111 (e) Prohibition, contains a long list of items that the U.S. Secretary of Education is prohibited from doing, including adding any new requirements or criteria that are inconsistent with or outside the scope of ESSA.



ASHA Member Impact

As part of the law, states will need to develop new plans on how they will implement ESSA. The law requires that the state consults with various stakeholders, including those representing *specialized instructional support personnel* (SISP). This group includes audiologists and speech-language pathologists. Therefore, state associations and local ASHA members have the opportunity to play an important role in providing information to the states as they develop their plans related to professional development, literacy, and early intervening services and assessments of children with disabilities.

State plans can be developed through both the regulatory and legislative process—either way you or your state association needs to be at the table. You may need to develop new relationships with legislators and agency personnel. In the past, you may have worked exclusively with special education administrators; now, you will need to engage with the State Education Department’s general education division. Individuals at the State Departments of Education or who work on education policy at the legislative level may not understand the important role that audiologists and speech-language pathologists play in working with struggling learners, as well as the importance of early intervening services in supporting this vulnerable student population.

What Can Members Do?

Members can do one or all of the suggested actions listed below:

- Contact their state association and encourage the leadership to contact the State Department of Education to express an interest in serving on the committee that will develop the state’s ESSA implementation plan. Members who are knowledgeable and actively engaged in MTSS can volunteer to represent the association membership by serving on the committee themselves.
- Familiarize themselves with the law (using this guide) to determine how they might be able to assist their district administration with interpretation and implementation of the state plan.

Vignette

Terry Law, a school-based SLP and president of the state speech-language-hearing association, reached out to the association’s lobbyist and contact at the State Department of Education to express the state association’s interest in serving on the state panel tasked with implementing ESSA. The state association pointed out the important and extensive role of SISPs in general education. The Department agreed to include a state association member on the panel and the state association appointed a member who helped develop the MTSS program in her district.

ASHA Resources

- *State Advocacy Resources*. American Speech-Language-Hearing Association. <http://www.asha.org/Advocacy/state/State-Advocacy-Resources/>

Funding Analysis

General Overview and Citations

Although many programs have authorized funding levels throughout ESSA, Title I accounts for 60% of all of the funding authorized in the law. For example, Title I, Section 1002, Authorization of Appropriations, authorizes \$15 billion for Title I in FY 2017 and increases to \$16.1 billion in FY 2020. Total funding for all ESSA programs is expected to increase only 6% between FY 2017 and FY 2020. Total authorized ESSA levels are as follows:



- FY 2017 = \$24,540,409 (+\$596,349 over FY 2016 appropriation, +2.5%)
- FY 2018 = \$25,053,614 (+\$513,205 over FY 2017 authorization, +2.1%)
- FY 2019 = \$25,566,819 (+\$513,205 over FY 2018 authorization, +2.0%)
- FY 2020 = \$26,080,025 (+\$513,206 over FY 2019 authorization, +2.0%)

ESSA permits states and local education agencies (LEAs) the flexibility to use funds from Title I as well as the Individuals with Disabilities Education Act (IDEA) to develop innovative, evidence-based approaches to assist struggling learners in general education with the use of SISPs. Additional funding streams in ESSA—such as MTSS and Professional Learning—are available and are described in subsequent sections of this resource.

ESSA includes a new pilot program to ensure that resources are distributed equitably and to drive more dollars to the students who are in the most need. This includes

- giving LEAs (initially, up to 50 LEAs to be approved by the U.S. Secretary of Education) flexibility to consolidate a significant share of state and local education funding—along with certain federal dollars—to create a single school funding system based on weighted per-pupil allocations for low-income students, students with disabilities, ELLs, and otherwise disadvantaged students;
- requiring LEAs to use weights that allocate substantially more funding to students who are at an educational disadvantage than to other students;
- protecting high-poverty schools by ensuring that they receive more per-pupil funding, under a demonstration agreement, than they received the prior year;
- providing that funding must be based on actual per-pupil expenditures—personnel and non-personnel—to ensure equitable support for high-need schools;
- requiring LEAs to provide assurances that they developed—and will implement—their demonstration proposals in consultation with teachers, parents, community leaders, and other stakeholders; and

- prohibiting funding from following students (i.e., no “portability” or “backpack funding”).

ASHA Member Impact

ASHA members should bear in mind that (a) federal support of regular education accounts for less than 10% of all funds, with states and local governments providing the remaining 90%, and (b) these funds support the academic environment of students with disabilities (SWD) as part of the general education population. Remember, SWD are, first and foremost, students who receive a regular education. Second, and equally important, they are students who require additional academic supports in order to access the general curriculum.

The new “allowable use” of funds for SISPs throughout ESSA will enable ASHA members at the state and local levels to advocate for and access better professional development opportunities and have a greater role in literacy instruction in their schools. An “Allowable Use of Funds” provision in a statute enables the entity (state or school district) receiving funds under a specific program to use the funds for one or more of the listed allowable uses but does not require that they do so. However, with such modest increases in funding and a relatively low level of support from the federal government, states and school districts may not opt to flex these funds for anything other than basic services.

Flexibility of Funding Streams

Audiologists and SLPs are often called upon to assist learners who are struggling and are often asked to provide important, valuable services to help students access the general curriculum. They can also be instrumental in designing learning systems for students. Although some of these students are eventually identified for services under IDEA, others are not. Struggling learners who are not identified for special education and specialized instructional supports may continue to need support in a typical education classroom.

ESSA permits states and LEAs the flexibility to use both Title I and IDEA funding streams to develop innovative, evidence-based approaches to assist struggling learners in general education with the use of SISPs.

What Can Members Do?

Members can do one or all of the suggested actions listed below:

- Members can suggest representatives from their SEA to visit or learn about those programs/models where SISPs are working effectively in the general education population. Developing a presentation to share with the state association and the Department will help decision makers visualize the importance of including SISPs in early intervening programs.

- Members can remind the SEA that ESSA funds can be used for audiology and speech-language pathology services. State association representatives serving on Department committees that are in the process of developing ESSA implementation guidelines need to provide the Department with guidance on why ESSA funds should be used for SISP personnel who work with learners who are struggling academically. The member representatives should explain that although all students are first and foremost general education students, those students who are placed in special education may require additional services and supports that are funded under IDEA. ESSA funding is appropriate for students in the general education population that have not been identified as needing IDEA services; therefore, funding for programs to support learners who are struggling academically—including those needing SISP services—should come from the ESSA budget.
- Members can also request that ESSA funds be used for appropriate professional development for all personnel—including SISPs—working with students in the general education population.

Vignette

Susie Smith, a school-based SLP, has a large special education caseload. She realizes that in addition to the students on her caseload, there are many students in general education who are struggling with academic, early literacy, and communication issues. Susie recently learned that ESSA allows school districts to use general education funds for SISP services. She knows that, in her district, very little IDEA funding is available for her to assist learners who are struggling academically. Susie approached her administration to explain the importance of her role in serving *all* students—not just those identified under IDEA. She persuades her administrator to use ESSA funds to allow her and other SISPs to serve on MTSS/early intervening teams in her school district. Over time, she and her colleagues begin to see a reduction in the number of students referred for more intensive special education services.

Resources

- *ASHA's School Finance Committee*. American Speech-Language-Hearing Association. <http://www.asha.org/About/governance/committees/CommitteeSmartForms/School-Finance-Committee/>
- *ESEA Reauthorization: Every Student Succeeds Act (ESSA) Authorization of Appropriations*. National Education Association. <http://www.nea.org/assets/docs/ESSA-%20Authorization-of-Appropriations.pdf>
- *ESEA Reauthorization: Every Student Succeeds Act (ESSA) Authorization of Appropriations Compared to Current Appropriations*. National Education Association. <http://www.nea.org/assets/docs/ESSA-%20Authorization-Appropriations-Compared-to-2016-Appropriations.pdf>
- *Department of Education Funding: Key Concepts and FAQ*. Congressional Research Service. <https://www.fas.org/sgp/crs/misc/R44477.pdf>
- State Education Agencies Communication Disabilities Council (SEACDC). <http://www.seacdc.org/index.html>

Alternate Achievement Standards for Students With the Most Significant Cognitive Disabilities (1%)



General Overview and Citations

ESSA, Title I, Section 1111 establishes the content of state plans that must be filed with the U.S. Secretary of Education in order to receive federal funding. Subparagraphs (b)(1)(E) and (2)(D) of Section 1111 identify the elements of an alternative academic assessment system for students with the most significant cognitive disabilities if a state opts to have such a system. If a state opts to develop a system for assessing these students, that state cannot assess more than 1% of the total student population without meeting various requirements, including securing a waiver from the U.S. Secretary of Education and having the student's individualized education program (IEP) designate that alternate standards will be used for that student.

ASHA Member Impact

ASHA members should engage with administration members from their State Department of Education on developing their state plans. ASHA supports the alternate achievement standards for students with the most significant cognitive disabilities and would encourage states to opt to have such a system in place. ASHA members can play a role in aiding their states and LEAs by modifying their NCLB-era alternative achievement standards to comply with ESSA.

Alternate achievement standards is an expectation of performance that differs in complexity from grade-level achievement standards. If a state chooses to create alternate achievement standards, the state is not limited to setting a single alternate achievement standard. If, however, the state chooses to define multiple alternate achievement

standards, then (a) it must employ commonly accepted professional practices to define the standards; (b) it must document the relationship among the alternate achievement standards as part of its coherent assessment plan; and (c) it must include in the 1% cap proficient scores resulting from all assessments based on alternate achievement standards.

What Can Members Do?

ASHA members are encouraged to take one or all of the following actions:

- Work with their state association to ensure that communication disorders are understood and addressed in decision making in regards to students with significant cognitive disabilities.
- Participate on teams creating or selecting the alternative achievement standards and assessments.
- Help administrators and human resource leaders to understand the importance of hiring audiologists and SLPs who have earned the ASHA Certificate of Clinical Competence (CCC).
- Share ASHA's public relations campaign, *The Power Behind ASHA Certification*, with decision makers.

Vignette

Sara Langdon, a school-based SLP, volunteered with her state association to contribute to the development of a state plan for the alternate achievement standards. A team was formed, and Sara helped the team better understand the role that language plays in students' college and career readiness. Standards were developed that addressed communication as well as academic issues.

Resource

- *The Power Behind ASHA Certification*. American Speech-Language-Hearing Association. <http://ashacertified.org/>

Specialized Instructional Support Personnel (SISP)

General Overview and Citations

ESSA renamed the category of school-based qualified professionals, which includes audiologists and SLPs, from *pupil services personnel* to *specialized instructional support personnel*. (Title VIII, General Provisions, Section 8002, Definitions, paragraph 47). In fact, the phrase *specialized instructional support personnel* appears 49 times throughout ESSA. SISPs are encouraged to educate state and local education policy leaders on their roles and value in schools as well as the services that they provide to students with and without disabilities.



ASHA Member Impact

Audiologists are uniquely qualified to understand the impact of hearing loss on classroom learning, and they have the knowledge and skills to recommend specific strategies and technology to meet the individual communication, academic, and psychosocial needs of students with hearing disorders. Audiologists perform comprehensive, educationally relevant hearing evaluations and make recommendations to enhance communication access and learning. They evaluate and make recommendations for the use of hearing aids, cochlear implants, and personal, classroom, and other hearing assistive technology. They provide their expertise in collaboration with teachers and other school personnel to monitor and improve student outcomes in the educational environment.

SLPs provide early intervention, preschool, and school-based services to children. SLPs who work in the schools are uniquely qualified to contribute in a variety of ways to provide assessment and intervention in both general and special education settings across the learning continuum. They offer expertise in the language basis of literacy and learning as well as social communication, and they have experience with collaborative approaches to instruction and intervention. SLPs use student outcomes data when making decisions related to instruction and eligibility.

The switch from *pupil services personnel* to *specialized instructional support personnel/ services* indicates that this is a change in name only and does not imply any change in professional status by Congress. According to ESSA, school-based audiologists and SLPs must be “qualified professionals” who are involved in “providing assessment, diagnosis, counseling, education, therapeutic, and other necessary services as part of a comprehensive program to meet student needs.”

What Can Members Do?

ASHA members can take one or both of the following actions:

- Members can use ASHA’s website to educate school administrators about the role of audiologists and SLPs in ESSA. They should also explain how the term *specialized instructional support personnel* (SISP) is included in ESSA and how it describes the expertise and breadth of knowledge of service providers who are available and able to work with struggling learners in general education as well as those identified in IDEA.
- Members can explain that the term *specialized instructional support personnel* reflects the wide range of providers who provide academic support to students in the classroom.

Vignette

Stephen L. Perry, CCC-SLP, works as a *pupil services* provider in a school district. He believed that the term *pupil services* was an obstacle to him, impeding him from delivering the full range of roles and responsibilities of school-based SLPs. He feels that *specialized instructional support personnel* (SISP) better demonstrates his work. He met with his building administrator, special education director, and assistant superintendent to discuss the new term used in ESSA as well as the full range of his roles and responsibilities. They were happy to learn about his knowledge and skills that could be applied to supporting literacy, assisting with various child find screenings, and collaborating with classroom teachers within the MTSS system.

Resources

- *Who Are Qualified Providers?* American Speech-Language-Hearing Association. <http://www.asha.org/public/add-benefits/providers/>
- *School Setting*. American Speech-Language-Hearing Association. <http://www.asha.org/slp/schools/>
- *School Setting Resources for Audiologists*. American Speech-Language-Hearing Association. <http://www.asha.org/aud/SchoolAudiologists/>
- Education Audiology Association. <https://edaud.org/>
- National Alliance of Specialized Instructional Support Personnel. <http://www.nasisp.org>
- *Roles and Responsibilities of Speech-Language Pathologists in Schools (2010)*. American Speech-Language-Hearing Association. <http://www.asha.org/SLP/schools/prof-consult/guidelines/>

Literacy

General Overview and Citations

ESSA, Title II, Subpart 2, Literacy Education for All, Results for the Nation (LEARN), Sections 2221–2226, authorizes the U.S. Secretary of Education to award competitive grants to states to develop, enhance, and implement comprehensive literacy instruction plans to improve literacy instruction for students who are at risk. Subgrants to eligible entities will support (a) high-quality early literacy initiatives for children from birth through kindergarten and (b) literacy initiatives for children in kindergarten through grade 5 as well as for children in grades 6 through 12. The Secretary may also reserve funds to award competitive grants under Section 2226 to support innovative approaches to literacy, which may include programs to support school libraries, early literacy services (including pediatric literacy programs), and programs that regularly provide high-quality books to children.

SISPs are referenced several times in Subpart 2 of ESSA. SISP is the category of school-based professionals that includes both audiologists and SLPs. The inclusion of SISPs in Subpart 2 enables and empowers ASHA’s school-based members to advocate for a greater role in the delivery of literacy services in the schools.



Member Impact

ESSA makes it clear that audiologists and SLPs can be both the recipients and providers of “high-quality professional development” in literacy within their schools. Further, local school districts need to “coordinate the involvement” of audiologists and SLPs “in the literacy development of children.” In addition, ESSA requires school districts that receive funds under this subpart to train audiologists and SLPs “as appropriate” to “evaluate high-quality kindergarten through grade 5 . . . and . . . grades 6 through 12” literacy initiatives. Finally, ESSA allows the use of these funds to provide time for literacy staff (including audiologists and SLPs) to “meet to plan comprehensive literacy instruction.”

What Can Members Do?

ASHA members can take one or both of the following actions:

- Members can share with administrators and staff their knowledge of early literacy and how school-based SLPs are an integral part of a team working on literacy goals. This can be achieved through training, team building, goal development, and service delivery.
- State associations and members serving on ESSA implementation teams can develop information to share regarding the important role that SLPs play in early literacy.

Vignette

In June 2011, U.S. Representative Duncan D. Hunter (R–CA) met with ASHA members, school staff, and students at Vista Grande Elementary School in San Diego, California. Representative Hunter spent more than an hour at the school, observing Claudia Dunaway, CCC-SLP, while she facilitated an academic talk and critical thinking in an inclusive classroom. He spoke with the students and then met with school district staff. Representative Hunter learned more about the innovative ways in which professionals in special education and general education settings work together to support all students when given the flexibility to do so. ASHA members offered to serve as an expert resource for the Congressman and pledged to work with him in the future (see “Congressman Visits ASHA Member in San Diego,” *The ASHA Leader*, September 2011, Vol. 16, p. 44; <http://leader.pubs.asha.org/article.aspx?articleid=2293408>).

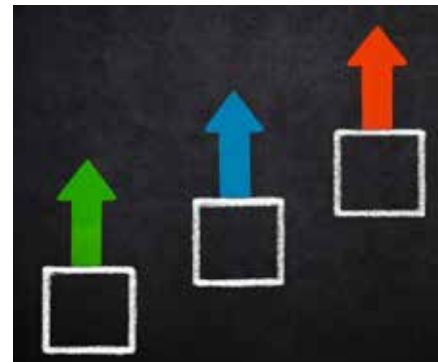
Resources

- *ASHA’s Literacy Gateway (Reading and Writing)*. American Speech-Language-Hearing Association. <http://www.asha.org/topics/literacy/>
- *Technical Report: Roles and Responsibilities of Speech-Language Pathologists With Respect to Reading and Writing in Children and Adolescents*. American Speech-Language-Hearing Association. <http://www.asha.org/policy/TR2001-00148/>

Early Intervening Services and Multi-Tiered Systems of Support

General Overview and Citations

ESSA explicitly grants states and LEAs the flexibility to use the funding they receive through the law to be, “coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act.” LEAs get this flexibility through three ESSA sections: (a) Title I, Section 1008, Schoolwide Programs; (b) Title I, Section 1009, Targeted Assistance Schools; and (c) Title IV, Section 4108, Activities to Support Safe and Healthy Schools.



To further emphasize Congressional intent on coordination and flexibility between ESSA and IDEA, negotiators of the final bill included “report language,” stating,

“It is the Conferees’ intent that all programs and schoolwide services and activities funded under this Act (ESSA) are coordinated with similar services and activities under the Individuals with Disabilities Education Act, especially when specifically authorized, such as with early intervening services and positive behavioral interventions and supports.” (ESSA, Conference Report 114-354)

Member Impact

Audiologists and SLPs are often called upon to assist learners who are struggling and to provide important and valuable services to help students access the general curriculum. Audiologists and SLPs can also be instrumental in designing learning systems for students. Although some of these students are eventually identified for services under IDEA, others are not. Learners who struggle and who are not identified for special education and specialized instructional supports may continue to need support in the general education classroom. States and LEAs typically use limited IDEA funds to support learners who struggle in the general education environment. This practice is not an effective use of IDEA funds because these funds were designed to meet the needs of children with disabilities. Fortunately, ESSA permits states and LEAs the flexibility to use both Title I and IDEA funding streams to develop innovative, evidence-based approaches to assist struggling learners in general education with the use of SISPs.

Struggling learners benefit from receiving *coordinated early intervening services* (CEIS), which are services provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3). ESSA supports the provision of these services through MTSS. These students are those who are not currently identified as needing special education or specialized instructional support but who need additional academic and behavioral supports to succeed in a general education environment. In some cases, CEIS may result in the child not being identified as needing special education and specialized instructional support, which could ultimately save districts money, time, and resources.

CEIS is authorized and funded under IDEA—even though the children who benefit from these services are in the general education environment. Therefore, IDEA funds are used to enhance that general education experience, which is not IDEA’s primary focus. Even though IDEA is currently underfunded, some schools are required to provide CEIS under IDEA. SISPs, such as SLPs, are typically funded under IDEA with school districts using ESSA funds for “regular educators” even though specialized instructional support services personnel working with struggling students in general education. New authorities provided by ESSA allow schools and LEAs the needed flexibility to use general education funds for these personnel.

What Can Members Do?

Members can take any of the following actions:

- Just as described in the vignette about Sally, below, members can explain the importance of providing speech-language pathology services to struggling students in general education.
- Members can describe the importance of a comprehensive team, including audiologists, SLPs, and other SISPs and providers, in meeting the needs of students in general education.
- Members are encouraged to inform administrators that although ESSA allows for the flexibility in funding CEIS services, SISP services in general education should be provided through tapping a combination of funds or ESSA funds rather than through using IDEA funds.

Vignette

Sally L. Perkins, CCC-SLP, already provides coordinated early intervening services to struggling learners in the elementary school where she works. Sally has struggled to meet the needs of both the student who receives CEIS/MTSS as well as those who have IEPs on her caseload. After reading the related sections in ESSA, Sally aims to work with other service providers and present a plan to her principal and administrators to use some of their school’s Title I and Title IV funding to enhance service delivery for learners who are struggling. Part of that plan is to coordinate with the district’s literacy curriculum to provide early screenings and interventions to readers who are struggling.

Resources

- *Early Intervening Services: What IDEA '04 Says*. American Speech-Language-Hearing Association. <http://www.asha.org/Advocacy/federal/idea/04-law-early-services/>
- *Early Intervening Services: Funding Implications for Audiologists*. American Speech-Language-Hearing Association. <http://www.asha.org/uploadedFiles/advocacy/schoolfundadv/EarlyInterveningServicesAud.pdf>
- *Early Intervening Services: Funding Implications for Speech-Language Pathologists*. American Speech-Language-Hearing Association. <http://www.asha.org/uploadedFiles/advocacy/schoolfundadv/EarlyInterveningServicesSLP.pdf>

Professional Learning

General Overview and Citations

ESSA, Title II, Preparing, Training, and Recruiting High-Quality Teachers, Principals, or Other School Leaders, is the primary section for professional learning and training opportunities for educators in the regular education space. Through ASHA's advocacy, along with other allied school-based professional groups, the term *specialized instructional support personnel* or *SISPs* now appears 14 times in that title. This is a significant accomplishment because ASHA members will now be able to access more and appropriate professional learning opportunities through their respective school districts.



Member Impact

ASHA's school-based members often state that the professional learning opportunities offered to them by their school districts are primarily geared toward the classroom teacher, are not counted toward state licensure requirements, and do not meet ASHA's membership renewal requirements. ESSA opens the door—a little—to new and focused professional learning opportunities.

Title II of ESSA sets up a system where states apply for federal funds and pass that funding on to local school districts. When both the state and local school district are developing their application for Title II funding, they must “meaningfully consult” with SISP. This provides an opportunity for ASHA members to educate and advocate for “appropriate” professional learning opportunities.

Title II lists 21 “types” of activities for which states and local school districts can use their funding. This includes “providing training for all school personnel including . . . specialized instructional support personnel . . . regarding how to prevent and recognize child sexual abuse.”

Title II also contains the new Literacy Education for All, Results for the Nation (LEARN) literacy program. Local school districts that receive funding through this program must use a portion of it to “carry out high-quality professional development opportunities for . . . specialized instructional support personnel” and “coordinate the involvement of . . . specialized instructional support personnel (as appropriate) . . . in literacy development for children.” An allowable use of funds (not required) under the LEARN section of Title II is for “providing time for teachers (and other literacy staff, as appropriate, such as school librarians or specialized instructional support personnel) to meet to plan comprehensive literacy instruction.” ASHA was the organization that specifically advocated for the inclusion of “specialized instructional support personnel (as appropriate)” in this section. ASHA members should let their local and state policy leaders know that this reference was specifically placed into the law to include SLPs in the literacy activities at their schools.

Finally, one dedicated funding stream in Title II establishes a “comprehensive center on students at risk of not attaining full literacy skills due to a disability” (e.g., dyslexia). One of the purposes of the comprehensive center is to “identify or develop evidence-based professional development for teachers . . . specialized instructional support personnel” to better understand early indicators of dyslexia, to use evidence-based screening, and to implement evidenced-based instruction. (See the Dyslexia section of this document for additional information.)

Professional Learning Should Be Afforded to All School-Based Educators

The law emphasizes opportunities for professional learning and training of educators, including SISP, such as school-based audiologists and SLPs. It is important that these professionals have access to the same professional learning experiences as general educators but that they also have access to specialized professional learning that contributes to their development of unique skills.

Audiologists, SLPs, and other SISP are essential members of the school team. SLPs and other SISP work collaboratively with teachers, principals, and administrators to support students who are struggling and to provide direct and indirect services for students who are diagnosed with disabilities and who are struggling in their education. To truly achieve a “world-class” education for our students, these professionals (i.e., audiologists, SLPs, and other SISP) should be eligible for all related professional learning opportunities.

What Can Members Do?

Members can take any or all of the following actions:

- With new opportunities to be engaged in specialized professional learning, members can advocate to participate in professional learning activities that further their ability to provide high-quality services to students in general education.
- Members can offer to provide training to staff about the important role that SLPs play in early literacy development.

- Members can approach their local administrators to identify funding sources for additional specialized opportunities for professional learning.
- Members can work with administrators, state associations, and legislators to get the Performance Assessment of Contributions and Effectiveness of Speech-Language Pathologists (PACE) adopted in their state and/or work setting.

Vignette

Some of ASHA's school-based members have reported the lack of appropriate professional learning opportunities offered by the districts where they work. The flexibility included in ESSA allows school districts to use their Title II professional learning funds on SISPs and enables ASHA members to pursue new opportunities to receive appropriate professional learning in their respective districts.

Sonya Louisa Perez, CCC-SLP, was already an active member of her school's literacy team; however, she saw an opportunity to do more. She worked with her colleagues and proposed to her district administrators a professional learning program for preschool, kindergarten, and first grade teachers to help them identify key warning signs of students who struggle to master age-appropriate reading skills. In the end, Perez's team developed a "top 10" list of warning signs and a corresponding webinar that teachers could watch.

Resources

- *Continuing Education*. American Speech-Language-Hearing Association. <http://www.asha.org/ce>
- *Special Interest Group 16, School-Based Issues*. American Speech-Language-Hearing Association. <http://www.asha.org/SIG/16/default>
- *Performance Assessment of Contributions and Effectiveness of Speech-Language Pathologists (PACE)*. American-Speech-Language-Hearing Association. <http://www.asha.org/Advocacy/state/Performance-Assessment-of-Contributions-and-Effectiveness/>

Professional Accountability

General Overview and Citations

In ESSA, Title I, Section 1111, State Plans, requires states to “make public any methods or criteria the State is using to measure teacher, principal, or other school leader effectiveness.” In ESSA, the term *effectiveness* replaces the term *highly qualified* that was used in NCLB.

Member Impact

Under the old NCLB law, school districts were required to hire “highly qualified teachers.” Further, under the waiver system implemented by the U.S. Department of Education, states were required to have teacher accountability systems in place. In response to many inquiries from ASHA members who were concerned about being evaluated on their performance as SLPs based upon teaching criteria, ASHA developed the PACE. PACE for SLPs was developed to be used as an accountability measure of the instructional contributions of school-based SLPs. It comprises the PACE Self-Reflection Tool, the PACE Observation Form, and the PACE Matrix.

ESSA now “allows” states and school districts to measure educators’ “effectiveness,” which may provide a new opportunity for ASHA members to advocate for the adoption of the PACE model.



What Can Members Do?

Members can take any or all of the following actions:

- Members can advocate for evaluation processes that reflect the roles and responsibilities of audiologists and SLPs (e.g., PACE).
- If the district/state is unable to adopt the PACE, then members can provide components of the PACE resource that could be used in the evaluation process (e.g., PACE Observation Form; PACE Matrix).
- Members can provide administrators with resources that contain information about the roles and responsibilities of audiologists and SLPs in the schools. This would enable administrators to better understand the basis on which evaluations should be conducted.

Vignette

Sam L. Pau, a school-based SLP, reviewed ESSA and was pleased to learn about the increased flexibility provided for evaluating the effectiveness of educators. Sam discussed this with the other district SLPs, formed a team, and met with the administrative staff to propose the PACE evaluation system for SLPs. They felt that the discussion also provided the opportunity to help administrators better understand the full range of SLPs' roles and responsibilities. The district administrators agreed to do a 1-year pilot project using the PACE and discussed the possibility of developing a similar system for other SISPs. Sam also met with his state association's education committee to request its support and advocacy to have the PACE adopted statewide.

Resources

- *Performance Assessment of Contributions and Effectiveness of Speech-Language Pathologists (PACE)*. American-Speech-Language-Hearing Association. <http://www.asha.org/Advocacy/state/Performance-Assessment-of-Contributions-and-Effectiveness/>
- *The Power Behind ASHA Certification*. American-Speech-Language-Hearing Association. <http://ashacertified.org/>
- *Profession Issues Statement: Roles and Responsibilities of Speech-Language Pathologists in Schools*. American Speech-Language-Hearing Association. <http://www.asha.org/policy/PI2010-00317/>

Dyslexia

General Overview and Citation

Title II, Section 2244, Technical Assistance and National Evaluation, requires the U.S. Secretary of Education to establish “a comprehensive center on students at risk of not attaining full literacy skills due to a disability.” The stated purpose of the comprehensive center is to carry out the following roles:

- (1) Identify or develop evidence-based assessment tools for identifying students who are at risk of not attaining full literacy skills due to a disability, including:
 - a. dyslexia impacting reading or writing, or
 - b. developmental delay impacting reading, writing, language processing, comprehension, or executive functioning.
- (2) Identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students.
- (3) Provide families of such students with information to assist such students.
- (4) Identify or develop evidence-based professional learning for teachers, paraprofessionals, principals, other school leaders, ***and specialized instructional support personnel*** to:
 - a. understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading or writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;
 - b. use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and
 - c. implement evidence-based instruction designed to meet the specific needs of such students.
- (5) Disseminate the products of the comprehensive center to regionally diverse SEAs, LEAs, regional educational agencies, and schools, including, as appropriate, doing so through partnerships with other comprehensive centers.



ASHA Member Impact

Senator William “Bill” Cassidy (R-LA) is a strong proponent of additional research and services for students with dyslexia. This comprehensive center is the final result of his work. ASHA worked with the Senator’s office throughout the reauthorization process to ensure a role for our school-based members. ASHA’s school-based members can see more activity from the U.S. Department of Education, where this center will be housed, on literacy and dyslexia in the future. In addition, ASHA will continue to ensure that key ASHA members in the area of dyslexia are engaged with this center and its work.

What Can Members Do?

Members can take any or all of the following actions:

- Members can provide information and resources to their administrators on reading and literacy development.
- Members can advocate to be part of the team working with student who have reading disabilities.
- Members can provide education and training to other educators and administrators on the distinct roles of school-based SLPs treating students with reading disabilities.
- Members can help parents and staff understand the impact that communication disorders may have on the development of reading skills.

Vignette

Research has indicated that children with dyslexia initially had poor reading comprehension but caught up to their typical peers by 10th grade. Children with speech-language impairments or speech-language impairments/dyslexia, on the other hand, maintained their deficits in reading comprehension across grades. These later results highlight the importance of early identification and remediation of speech-language impairments by ASHA’s school-based members—an action that may have more significant long-term consequences than late-diagnosed dyslexia.

Sonya Lee Pollack, a school-based SLP, developed a presentation for educators to explain the signs of dyslexia, its relationship to reading comprehension, and potential strategies and accommodations that could be implemented in the general educational environment. She was able to share this during an in-service program of all elementary and reading specialists. It began a productive conversation with staff, resulting in a more collaborative approach to supporting students with dyslexia.

Resources

- *Language-Based Learning Disabilities (Reading, Spelling, and Writing)*. American Speech-Language-Hearing Association. <http://www.asha.org/public/speech/disorders/LBLD>
- *Understanding the Difference Between Auditory Processing, Speech and Language Disorders, and Reading Disorders*. American Speech-Language-Hearing Association. <http://www.asha.org/uploadedFiles/Resource-for-DoJ-10-2014.pdf>

Early Childhood Grants

General Overview and Citations

Title IX, Section 9212, Preschool Development Grants, of the ESSA authorizes the Secretary of Health and Human Services (HHS) to offer grants to states “to develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing programs of early childhood care and education in a mixed delivery system across the State designed to prepare low-income and disadvantaged children to enter kindergarten and to improve transitions from such system into the local educational agency or elementary school that enrolls such children.” ESSA authorizes up to \$250 million annually in fiscal years 2017–2020 for these grants.

ESSA also ensures that federal funds can be allocated for early childhood education programming by clarifying that states, school districts, and schools can spend ESSA dollars to improve early childhood education programs. These provisions apply to various titles, including Title I, Title II (supports for teachers and school leaders), and Title III (programs serving English learners).

Member Impact

There is growing support in the form of new funding and policies for early childhood education. The ability of educators to identify and close learning gaps while a child is still very young is critically important for that child’s future success. The federal government is encouraging the better coordination of services through programs such as Head Start, IDEA Part C, and Child Care Development Block Grants.

It is often during the early years that families and caregivers first suspect a problem and may share their concerns with qualified professionals, such as audiologists and SLPs. The identification process includes (a) screening; (b) examination for the presence of risk indicators and protective factors; (c) systematic observations; and, if indicated, (d) a comprehensive evaluation. Information from the identification process is the basis for making decisions about the need for further services and supports.

The purpose of early identification is to determine which children have developmental problems that may be obstacles to learning or that place children at risk. Development in infants, toddlers, and preschoolers is characterized by broad variability in rates and patterns of maturation. For some children, differences and delays in abilities are temporary and are resolved during the normal course of development. For other children, delays may persist in different domains of functioning, necessitating the child’s referral for targeted screening and/or comprehensive evaluation. It is not in the child’s best interests to “wait and see” or hope that the child will “grow out of” his or her problems. Conversely, it is important to guard against the premature identification of a disability, especially if high-quality learning opportunities have not been provided.

What Can Members Do?

Members can take one or both of the following actions:

- Members can encourage their state association to have an active presence with the State Department of Education and Health so that they can be aware of grants and other opportunities to work collaboratively with other SISPs.
- Members can seek opportunities to work with funding system administrators to advocate for better access and coordination of care.

Vignette

Stacey L. Peterson, CCC-SLP, feels lucky to be working in a school-district that has a decent early childhood program, but Stacey had some ideas on how to make the program even better. After hearing about the passage on grants in ESSA and that there was the possibility of flexible funding, she met with her preschool colleagues, developed a plan, and approached her supervisors. Stacey recommended training early childhood providers with additional training in screening incoming children for language and literacy proficiencies. The outcomes of these screenings would be connected with early intervention, early intervening, and early literacy efforts already established in the school.

Resources

- *Preschool Language Disorders*. American Speech-Language-Hearing Association. <http://www.asha.org/public/speech/disorders/Preschool-Language-Disorders/>
- *Early Intervention: Infants, Toddlers, and Preschoolers*. American Speech-Language-Hearing Association. <http://www.asha.org/slp/clinical/EarlyIntervention/>
- *School-Based Service Delivery*. American Speech-Language-Hearing Association. <http://www.asha.org/slp/schools/prof-consult/service>

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