March 20, 2020

Re: COVID-19 Response

On behalf of the National Alliance of Specialized Instructional Support Personnel, we urge you to reject any effort to provide the Secretary of Education with blanket waiver authority for ESSA or IDEA. NASISP is a coalition representing more than one million Specialized Instructional Support Personnel (SISP). SISP professionals include school counselors, school nurses, psychologists, school psychologists, social workers and school social workers; occupational therapists, physical therapists; art, dance/movement, music therapists, and speech-language pathologists and audiologists. In addition, the major national organizations representing general and special education teachers and administrators are part of the coalition. The members of these national professional organizations provide and support a variety of school-based prevention, early identification, and intervention services that remove barriers to learning and assist students in becoming effective learners and productive citizens. SISP are integral to implementing school-wide initiatives that contribute to students’ readiness to learn and promote a more positive school environment.

We believe that the health and safety of our communities must come first, and that during this unprecedented time, schools, LEAs, and SEAs are rightly focused on protecting public health. We also believe that Congress can, and should, allow for some targeted flexibility in legal requirements to allow for creative problem solving and implementation of innovative solutions that ensure ALL of our nation’s students have access to learning opportunities while schools remained closed. The U.S. Department of Education (ED) has issued guidance in this regard on several issues, including the potential for targeted waivers from specific accountability and assessment requirements of the Every Student Succeeds Act (ESSA) as well as guidance on special education and civil rights protections. We support state and local leaders as they consider the unique needs of their communities as they respond to COVID-19 and work to develop appropriate learning opportunities for their students. However, we do not support a blanket waiver of IDEA protections for students with disabilities. Although service delivery for these students may look different than it would under normal circumstances, we support ensuring that districts have the ability to create solutions that help students make progress toward the goals and objectives outlined in a their IEP.

In addition, it is imperative that Congress provide additional and substantial funding to schools to help provide equitable access to the curriculum and specialized instructional support services for all students. Many systems lack the infrastructure to comprehensively and equitably support student learning in a digital environment, and we call on Congress to provide states with the necessary funding so that we may minimize the impact that COVID-19 has on student learning.
Thank you for your attention to the urgent matter. We are happy to speak further about how Congress can help states and local school districts best support their students during this pandemic. For further information, please feel free to contact Abe Saffer, NASISP Co-Chair (asaffer@aota.org) or Kelly Vaillancourt Strobach, NASISP Co-Chair (kvaillancourt@naspweb.org).

CC: The Honorable Betsy DeVos

Laurie VanderPloeg, Director, Office of Special Education Program