

May 25, 2016

The Honorable John B. King, Jr.
Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202

Dear Secretary King:

The American Occupational Therapy Association (AOTA) is pleased to offer comments in response to the Department of Education's request for input on non-regulatory guidance to assist states and districts in implementing the Every Student Succeeds Act (ESSA). AOTA is the national professional association representing the interests of more than 213,000 occupational therapists, students of occupational therapy, and occupational therapy assistants. The practice of occupational therapy is science-driven, evidence-based, and enables people of all ages to live life to its fullest by promoting health and minimizing the functional effects of illness, injury, and disability.

Recommendations for Non-Regulatory Guidance:

1. Address the critical roles of specialized instructional support personnel (SISP) and the importance of a team approach to ensuring student success.

Occupational therapy practitioners (OT) are one of the professions under the definition of "specialized instructional support personnel" (SISP). They have expertise in promoting the function and engagement of all children in their everyday routines to support school participation. Addressing activities of daily living, rest and sleep, play, education, and social development are key components of occupational therapy practice. The profession is rooted in concepts related to promoting meaningful participation, optimum development, and engagement within natural contexts or least restrictive environments, core principles in early childhood and school practice.

Occupational therapy practitioners can assume a leadership role in schools to support student participation in both academic and functional performance and social participation. They possess specific knowledge and skills that aid in facilitating successful learning environments for students. They are skilled in activity and environmental analysis and modifications that promote occupational performance. During team decision making and data gathering in both general and special education, they can provide valuable information about underlying factors that influence school participation, such as neuromuscular factors, sensory processing, social participation, and mental health.

School districts have traditionally not utilized professionals such as occupational therapy practitioners to work with students in general education. SISP are included fully throughout ESSA, in professional development, state and local planning, and in schoolwide and targeted programs. OT skills, including modifying the learning environment, promoting participation in all learning and social activities, and addressing mental health challenges, can assist *all* students to engage more fully and be more successful

in school. The team approach to meeting students' needs allows teachers to focus on direct instruction, with SISP helping to ensure students are ready and available for learning.

2. Address the role of occupational therapy practitioners in early learning and transition.

Occupational therapy practitioners are key players in early education. OTs foster important developmental milestones, including learning to pay attention and follow simple instructions; learning to cope with disappointment or failure; reducing extraneous environmental stimuli, such as noise for a child who is easily distracted; building skills for sharing, taking turns, and playing with peers; using toys and materials in both traditional and creative ways; and participating in age appropriate daily routines.

In addition, OTs work on ensuring smooth transitions from preschool settings to kindergarten and elementary school. Under ESSA Schoolwide programs, local plans must include a description of the strategies the school will use to assist preschoolers in those transitions [Sec. 1114(b)(7)(A)(iii)(V)]. In Targeted Assistance programs, schools and districts are required to "coordinate with and support the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of title II, or State-run preschool programs to elementary school programs" [Sec. 1115(b)(2)(C)]. With OTs' functions in serving children with disabilities under the Individuals with Disabilities Education Act (IDEA) early childhood programs, their role in supporting transition to preschool and elementary is firmly established. Those skills should be utilized to assist all children and their families to prepare for the next phase of learning.

3. Provide guidance on the role of SISP, including occupational therapy practitioners, in multi-tier systems of supports (MTSS).

MTSS is defined for the first time in ESSA: "A comprehensive continuum of evidence-based, systemic practices to support a rapid response to students' needs, with regular observation to facilitate data-based instructional decision making" [Title IX, Sec. 8002(33)]. Use of tiered interventions has grown since the concept was codified in the IDEA in 2004. These models, providing increasingly intensive behavioral and academic supports, can assist all struggling learners and help to distinguish which students most appropriately require services beyond general education to succeed. With this new addition to the law, school districts will need more specific knowledge about how to appropriately utilize all staff to ensure better student outcomes.

SISP have specialized training in developing and delivering tiered interventions. Under an MTSS model, occupational therapy can offer valuable strategies and interventions along the tiered continuum of intensity. For example, in Tier 1, the OT may conduct a workshop for educators for professional development on sensory processing, conduct handwriting screenings for all kindergarten students, make recommendations associated with classroom management, or provide new teachers with support when developing classroom routines.

In Tier 2, the OT may recommend seating modifications to benefit small groups of struggling students to promote better student outcomes, suggest alternative or adapted materials (easel for writing, electronic tablet) to promote participation and performance of struggling learners, explore environmental triggers to behaviors in daily routines, or investigate student preferences in activities to assist with

motivation. In Tier 3, the OT may recommend sensory strategies for a specific child as needed or make recommendations related to organizational strategies to a team concerned about a student's ability to complete and turn homework assignments in on time.

The occupational therapy practitioner could also be involved in collecting progress monitoring data related to these interventions to determine their efficacy and support the team to make adjustments to the interventions as needed. In addition to collecting progress monitoring data, the OT can work with school teams to analyze the data and make recommendations related to when a student or group of students would benefit from receiving more intensive intervention in a different tier.

AOTA appreciates the opportunity to provide these recommendations for non-regulatory guidance. To reiterate, it is critically important the Department assist school districts to understand how a multi-disciplinary team approach brings greater expertise to bear on all students' educational and social and emotional needs and improves student outcomes.

If you have any questions or need further information please contact Heather Parsons, AOTA Director of Legislative Advocacy, at hparsons@aota.org.

Sincerely,

A handwritten signature in cursive script that reads "Heather Parsons".

Heather Parsons
AOTA Director of Legislative Advocacy