

Considerations for Special Education Evaluations in a Remote or Hybrid Learning Environment

Purpose

This document will outline current guidance concerning the administration of evaluations during the COVID-19 pandemic. This document will also provide considerations for LEA's and evaluators regarding the administration of evaluations.

Current OSEP Guidance

[Current OSEP Guidance](#) has stated that, as a general principle, during this unprecedented national emergency, public agencies are encouraged to work with parents to reach mutually agreeable extensions of time, as appropriate.

Initial Evaluations

An initial evaluation must be conducted within 60 days of receiving parental consent under IDEA, or within the state-established timeline within which the evaluation must be conducted. 34 C.F.R. § 300.301(c). Once the evaluation is completed, IDEA does not contain an explicit timeline for making the eligibility determination, but does require that the IEP be developed in accordance with 34 C.F.R. §§ 300.320-300.324 (34 C.F.R. § 300.306(c)(2)).

Reevaluation

A reevaluation of each child with a disability must be conducted at least every three years, unless the parents and the public agency agree that a reevaluation is unnecessary 34 C.F.R. § 300.303(b)(2). However, when appropriate, any reevaluation may be conducted through a review of existing evaluation data, and this review may occur without a meeting and without obtaining parental consent, unless it is determined that additional assessments are needed. 34 C.F.R. §300.305(a).

Current Vermont Agency or Education Guidance

This [FAQ](#) document answers recent questions from Local Education Agencies (LEAs) with respect to the COVID-19 pandemic. Special Education Technical Assistance is available 24 hours/day through the general email and voicemail system at AOE.SpecialEd@vermont.gov or (802) 828-1256.

Contact Information:

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Delay of Initial Evaluations due to COVID-19

Complicating factors stemming from COVID-19 is an acceptable reason for an initial evaluation delay. However, “COVID-19” is not an acceptable reason without also detailing the specifics of the situation – it must be an individualized determination. LEAs must complete the evaluation delay form stating the specific reason for not being able to complete the evaluation. Examples: social distancing required by staff health, student availability, vulnerability of a family member, or school closure.

SBE Rule 2362.2.1(c)(2) discusses using a review of existing data as the sole basis for the initial evaluation and if this data exists, a record review could be used to make an eligibility determination. In addition, SBE Rule 2362.2.1(d) states if the completion of the initial evaluation will be delayed for a period exceeding 60 days, the parent shall be given written notice of the delay and a schedule of evaluation activities. Such notice shall be sent to a parent before the expiration of the 60-day period.

Reevaluations

The team can agree to either use existing data (record review) and determine that the student will continue to be eligible; or the team will utilize virtual and electronic formats to complete the reevaluation. Should this not be possible, the team should consider using a Form 8 ([Agreement between Parents and Districts to Not Hold an Evaluation Meeting](#)) outlining a plan for re-evaluation when school resumes.

National Association of School Psychologists (NASP) Guidance

The Vermont Agency of Education supports the use of [NASP guidelines](#) to make determinations regarding administration of evaluations.

Assessments must be administered in the manner in which they were developed and validated. If adaptations are made for remote administration, there must be high-quality evidence that such adaptations produce results that are similarly reliable and valid to the face-to-face administration. Any such adaptations should be documented in the evaluation report.

Assessments should be administered remotely only on platforms designed for that purpose. Appropriate training is needed for both the school psychologist and any individual at home who assists the student. Even when appropriate supports are available, school psychologists should still identify and report any validity issues given the student’s level of anxiety, disruptions during the testing session, etc.

Although rating scales, interviews and possibly home-based observations could be conducted remotely, it is important to remember that students’ behavior during the time of school closure may not be typical for that student, which may reduce the utility of those assessments, particularly when planning interventions that may eventually be delivered when school resumes.

Some reevaluation decisions can be made based on data available prior to the school’s closure. School psychologists should carefully consider whether there is sufficient evidence to support

the continued need for special education services without further 1:1 testing for individual students.

If the evaluation or reevaluation cannot be completed safely, ethically and/or legally, school personnel should communicate with parents about this and request extensions to timelines until a date when the comprehensive evaluation can be completed with integrity.

Considerations on Conducting Evaluations

LEAs are advised to make a good faith effort to provide initial evaluations and reevaluations when possible, or with a parent's consent, a record review in place of an evaluation or reevaluation.

There are many considerations to make regarding the provision of evaluations. The safety of students, families and the evaluator is of the utmost importance. If CDC recommendations and guidelines cannot be maintained, the evaluation should not be conducted in person.

LEAs that anticipate exceeding the 60-day time frame must complete the evaluation delay form stating the specific reason for not being able to complete the evaluation. The parent shall be given written notice of the delay and a schedule of evaluation activities. Such notice shall be sent to a parent before the expiration of the 60-day period.

Considerations on Conducting Virtual Evaluations

Validity and Reliability

Tests that were not developed with the intention of being delivered virtually may not be valid or reliable under those conditions. Psychological evaluations are rigorously tested in order to be validated. If the test is to be considered valid and reliable under circumstances other than originally intended, more rigorous testing under the new condition must be performed. If the test has not been validated for a virtual platform, the results of the evaluation may not be accurate.

Testing Support

Assessment measures that are designed to be delivered using technology most often also involve human support for the student's use of technology. Training will be needed for the adult who is assisting the student at home. It is unlikely that appropriate supports can be developed quickly, so this will have to be taken into consideration when thinking about the timeline for completion.

Connectivity

If a test has strict restraints on how many times a direction is allowed to be repeated, or the time allotted for students to respond, then you may need to plan for what you will do if you experience connectivity issues including freezing, significant lag, feedback, etc.

Stress

Families may be experiencing increased stress due to the change of routine and lack of certainty about the future. This stress may also be affecting students in a similar manner. Stress inhibits working memory and can make it difficult for students to concentrate and hold information in their mind in order to work with it. This may affect the results of an evaluation.

Privacy

Despite the fact that [HIPPA requirements](#) have considerably reduced during the COVID-19 crisis, Privacy should still be a consideration when performing an evaluation. The student may have less privacy at home than they would in their evaluator's office at school. Students may feel added pressure to perform, or have difficulty expressing themselves freely. There may also be more opportunity for distractions and possible interruptions.

Considerations for Conducting In-Person Evaluations

Stress

As with virtual evaluations, stress can also affect the student while conducting evaluations in person. Younger students may be concerned about evaluators in facial coverings or more substantial Personal Protective Equipment (PPE) as well as their general environment due to coronavirus. The student may also be stressed about or distracted by their own facial covering or PPE.

Health Risks

Adhering to CDC guidelines is crucial for keeping people safe during in-person contact. Evaluators will have to consider how they will maintain appropriate distancing and sanitizing testing materials.

Personal Protective Equipment

Evaluators will need to consider their use, as well as the student's use of personal protective equipment (PPE), such as a cloth face covering, plastic face shield or nitrile gloves. If the use of PPE may in any way hinder the validity of the evaluation, this must be considered. As stated earlier, a student may be fearful of an evaluator wearing PPE or may be distracted by their own facial covering because they're uncomfortable. A facial covering may also muffle or distort the voice of the evaluator, so doing a sound check before beginning may indicate whether or not the evaluator can be understood by the student while wearing one.