



Association of School  
Psychologists of Pennsylvania  
Promoting best practices in school psychology.

4/7/20 – sent via email to caclancy@pa.gov

RE: Special Education Evaluations & Virtual Assessment

Dear Director Clancy,

I am writing on behalf of the Association of School Psychologists of Pennsylvania (ASPP) and over 1400 school psychologists practicing across the Commonwealth of Pennsylvania. In response to the COVID-19 pandemic, and in light of a declared national emergency, we recognize that the physical and psychological well-being of students, families, educators and communities are the immediate and overriding priority.

During this unprecedented time, ASPP is aware of the significant impact that mandatory school closures have on the learning and well-being of all children, and of the various ways districts are attempting to provide supplemental learning opportunities to students. Thus far, the U.S. Department of Education (USDOE) has issued various guidance documents, which include the Office of Special Education Programs (OSEP) interpretations regarding the IDEA and the Office for Civil Rights (OCR) interpretations regarding § 504/ADA. Regardless of how local districts and IUs proceed with regard to providing instruction, delivering FAPE, conducting IEPs or evaluations, etc., ASPP is deeply concerned about conducting evaluations during this turbulent time of crisis and the inherent difficulty in ethically, validly, and reliably administering certain types of measures virtually.

As we prepare for shifts in our service delivery, the COVID-19 pandemic presents unique challenges in regards to legal mandates, ethical assessment, and decision-making practices:

- Some direct services, such as counseling to address emotional difficulties associated with COVID-19, can be provided through virtual means. However, direct observation and certain assessments cannot be administered through means other than face-to-face. A comprehensive and individualized evaluation, initial or reevaluation, requires direct classroom-based observation of the student in the child's learning environment to document the child's academic performance and behavior in areas of difficulty (34 C.F.R. §300.310(a)). Not only is it not possible to conduct direct observations remotely, it is also not possible during the current virtual learning circumstances to observe students in their typical learning environment to determine and/or describe the student's performance in areas of difficulty.
- In reference to the federal guidelines, assessments and other evaluation materials used to assess a child must ensure the assessments or measures are reliable and valid, administered by trained and knowledgeable personnel, and administered in accordance with any instructions, including standardization protocols provided by the producer of the assessment to remain valid and reliable (34 C.F.R. §300.304(c)(1)).
- The preponderance of standardized tests (i.e., IQ tests, formal achievement tests) used in such evaluations are not designed to be administered virtually. The administration of such tests must be given through the means in which they were developed and

standardized. Deviations from standardization must be reported and, at times, can invalidate test results which could potentially impact eligibility determinations. **Therefore, evaluations that require in-person testing or observations should be postponed until school reopens.** For those few measures that could be administered virtually, additional factors would need to be considered to maintain test integrity. If the evaluation or reevaluation does not require in-person testing or observation, it may be completed while school is closed, with parent consent, and in accordance with your LEA guidance.

- If evaluations are to be conducted remotely, they should be conducted through platforms specifically designed for that purpose. Prior to administering a virtual assessment, additional in-person training of the evaluator, student, and adult facilitator (likely a parent/caregiver who is assisting the student at home) would be required for these tests. Due to “social distancing” and “stay home” restrictions related to COVID-19, this type of training is not able to be conducted at this time. The presence of additional individuals in the room may also lead to invalid results if their presence alters the results that would otherwise be obtained, thus causing the standardization of the test to be broken, and thereby rendering the assessment invalid.
- Furthermore, current circumstances may lead to validity issues which must be addressed when assessments are taking place in a time of heightened anxiety and uncertainty for youth, their families and caregivers, and school personnel. The likelihood of making inappropriate eligibility determinations based on invalid assessment data is high. Because students are likely to earn lower achievement test scores due to stress and anxiety related to the pandemic, this could lead to an over-identification of students with disabilities.
- Additionally, we have concerns regarding the ethics of attempting to complete virtual assessment of a student who may be experiencing a traumatic stress reaction to the COVID-19 pandemic. We may inadvertently be doing harm and increasing traumatic reactions by doing so.

With consideration of the ethical implications and responsible assessment practices, the Association of School Psychologists of Pennsylvania strongly recommends upholding the advice provided by the U.S. Department of Education, Office of Civil Rights, as follows, "If an evaluation of a student with a disability requires a face-to-face assessment or observation, the evaluation would need to be delayed until school reopens. Initial evaluations and re-evaluations that do not require face-to-face assessments or observations may take place while schools are closed, so long as a student's parent or legal guardian consents."

The mission of the Association of School Psychologists of Pennsylvania for ALL Pennsylvania students is to promote the learning, behavioral health, and mental health of all children and youth. In order to achieve our mission, we encourage the implementation of quality educational programs and services to enhance best practices in promoting academic achievement, positive behavior, social-emotional development, and mental health for Pennsylvania students and their families. Thus, we believe we have an ethical obligation to promote best practices in psychological assessment, especially during this time.

**We are asking the Pennsylvania Department of Education to endorse the position and notify LEAs that evaluations and assessment practices that require in-person testing or observations should be postponed until school reopens and not conducted using virtual assessment.**

Please feel free to contact me at one of the options below if you have any questions or require additional information.

Thank you for your consideration,

A handwritten signature in black ink, consisting of a large, loopy 'D' followed by a series of horizontal strokes that trail off to the right.

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