



## School Psychology Practice during COVID Series #1 - Assessment Guidance

### I. Introduction: Need for Evaluation and Relevant State and Federal Guidelines

On March 13, 2020, Governor Newsom signed Executive Order N-26-20 requiring the California Department of Education (CDE) to issue guidance for Local Educational Agencies (LEAs) responding to COVID-19 issues. This included ensuring students with disabilities (SWD) receive a free appropriate public education (FAPE) consistent with their individualized education program (IEP) and meeting other procedural requirements under the Individuals with Disabilities Education Act (IDEA) and California law. Following that, many districts believed that Senate Bill 117 protected them from special education timelines. However, the bill made clear that “it is not waiving requirements imposed by federal law.” CDE has since posted frequent [Special Education guidance updates for COVID-19](#).

*What is the impact of school site closures on special education monitoring timelines and processes?*

As of July 2020, the federal government has not waived the federal requirements under the IDEA [which includes Child Find 20 US Code 1412]. The CDE and State Board of Education (SBE) are working with the US Department of Education (USDOE) to determine what flexibilities or waivers may be issued in light of the extraordinary circumstances. At this time, Congress has not passed any additional waiver authority concerning the FAPE and Least Restrictive Environment (LRE) requirements of IDEA, reiterating that learning must continue for all students during the COVID-19 national emergency. USDOE continues to provide [updates and Special Education guidance for COVID-19](#).

Given this information, CASP understands that school psychologists feel the pressure of a tsunami building. Assessments not completed during school closure and regularly scheduled assessments will all need to be completed whether doors open physically or virtually. During the time of distance learning, some schools are taking the opportunity to do assessments in one on one settings using safety precautions determined by their given county, as allowed under [Executive Order N-33-20](#):

“In some exceptional situations, LEAs may need to provide certain supports and services to individual students in-person in order to maintain students’ mental/physical health and safety for the purpose of supporting the student in accessing the alternative options for learning being offered (e.g. distance learning). With that said, alternative service delivery options should seek to comply with federal, state, and local health official’s guidance related to



physical distancing, with the goal of keeping students, teachers and service providers safe and healthy as the primary consideration.” 04-09-2020

In such cases, service providers may be considered “Essential Critical Infrastructure Workers” under Executive Order N-33-20. “Workers supporting public and private childcare establishments, pre-K establishments, K-12 schools, colleges, and universities for purposes of distance learning, provision of school meals, or care and supervision of minors to support essential workforce across all sectors” are on this list. To review the list of “Essential Critical Infrastructure Workers”, see the [California Coronavirus \(COVID-19\) Response](#).

The purpose of this paper is to provide resources for school psychologists during this unique time. It provides a summary of methods required for evaluations, both in-person and virtual assessment considerations, and a reminder of the legal and ethical guidelines mandated by both our state and national professional organizations.

## **II. Methods that are Required for Assessment**

As LEAs and school psychologists grapple with determining if a student meets and/or continues to meet eligibility for SPED, a clear understanding of the legal language related to evaluation and reevaluation is helpful. Federal laws (e.g. 20US Code 1414[1]) and interpretation by the Federal Register (i.e. 34CFR 300.304) both use the term “evaluation” to describe the overriding responsibility of LEAs to determine initial and continued eligibility for special education services.

Prior to COVID, many LEAs and school psychologists used the terms “evaluation”, “assessment”, and “testing” interchangeably in practice, even though they are in fact related but not identical practices. In published literature, evaluation, assessment, and testing have all been described separately indicating not synonymous practices following the distinction in the law. This means that “evaluation” and “assessment” are both broader activities and that both can be conducted without “testing”.

This attention to the three (3) terms is not mere semantics but serves to support LEAs and school psychologists to meet the letter and spirit of the law and to exercise best practice. Prior to COVID, interchanging the 3 terms was common and typically without consequence (i.e. the requirement for an evaluation typically meant a battery of tests). However, given the validity concerns with both virtual and in-person testing, it is critical to consider alternative ways to ‘evaluate’ children. In particular, “evaluation” and “assessment” are possible practices even if “testing” cannot and should not occur. The following chart summarizes the explanations of the 3 terms and their implication for practice.



Term	Appear in Law <sup>1</sup>	Explanation	Practice
<b>Evaluation</b>	Yes	The process of systematically reviewing data within a team process to make determination about SPED services.	LEA convene an IEP meeting and review data related to SPED services. Can be face to face or virtual.
<b>Assessment</b>	Yes	Qualified personnel collect data (quantitative and/or qualitative) using different methods which will be used in the team process to make determination about SPED services.	Multi-disciplinary team members use both quantitative and qualitative data collection methods to provide best data for team decision.
<b>Testing</b>	No	Qualified personnel using psychometric instruments to collect quantitative data as part of an assessment to be used in the team evaluation process.	SP using norm-referenced standardized tests.

[1] It is beyond the scope of this paper to fully describe laws and their interpretations. Readers are encouraged to consult [IDEA](#) for detailed wording.

### III. What Can Be Done: Assessment Considerations

#### Triennial Evaluations

Re-evaluations for students in special education occur at a minimum every 3 years. As you are planning for the backlog of re-evaluations from the 2019-2020 school year as well as the triennials due in fall 2020, consider the following:

- Do you have enough data through qualitative data means (review of records, interviews, etc.) to document continued presence of a disability and the need for specialized academic services to access the core curriculum?



- *Example:* You have a student with an eligibility classification of Intellectual Disabilities. Your student was identified for special education in preschool and this is the second triennial for the student. You may have enough previous standardized data and align with current informal data to continue the eligibility.
- Are there any new concerns that have been brought up for the student that need to be addressed? These concerns may have been documented prior to school shutdowns or during distance learning in spring 2020. If so, all new concerns need to be addressed in the assessment.
  - *Example:* You have a student with an eligibility classification of Other Health Impairment due to attentional concerns. Before the school closures, teachers were concerned about a lack of engagement and withdrawal from friends. During distance learning in spring 2020, teachers indicated that he did not show up consistently. Parents are concerned about anxious and depressed comments from the student. Additional assessment (extensive record review, multiple interviews, use of appropriate rating scales, etc.) may be warranted to examine social-emotional concerns and possible consideration under the classification of Emotional Disturbance.

### Initial Evaluations

Many school districts are focusing on the backlog of initial assessment referrals from spring 2020. In addition, new referrals are likely to occur in fall 2020 and, due to child find, need to be addressed.

- For backlogged assessments, determine what data was gathered before and during school closure. What additional information is needed to determine if a disability exists?
- New requests for assessment that were either obtained during school closure or at the beginning of fall 2020 cannot be ignored. Follow your district's guidelines and procedures. Best practices would include gathering the important people either virtually or in-person to discuss the concerns, examine previous data, document previous interventions and accommodations, and determine if an assessment for special education consideration is needed.
- The National Association of School Psychologists (NASP) published, "[The Pandemic's Impact on Special Education Evaluations and SLD Identification](#)" during summer 2020. This paper promotes the use of Response to Instruction and Intervention (RtI) for purposes of SLD identification. While there is merit to examining student needs including benchmark assessments, good teaching, and the use of evidence-based intervention programs, most school districts were not using RtI with fidelity prior to school closures. Some school districts may be looking at ways to implement the



systems required to do RtI with fidelity for this fall; however, these systems take much time to implement. Most school districts have backlogged assessments and assessments due within the first semester of school. It would be unreasonable and illegal to put off assessments to wait until RtI practices are put into place.

### Assessment

Some school districts are providing in-person instruction to students while other districts are providing distance learning and still others are providing a hybrid. In addition to knowing how instruction will be delivered, it is important to determine the school district's current policies on in-person testing and/or virtual assessments for special education consideration. Some schools, even though they are providing 100% distance learning, are allowing in-person assessments through "appointments."

As with best practice in assessment pre-COVID, data collection should encompass all available data sources and not just from tests in order to draw the defensible conclusions about student strengths and potential disabilities. With COVID restrictions in place where test data might not be available or have questionable validity with modified administration procedures, data from extensive record review and carefully structured interviews will be vital to obtain. Some general guidance related to data gathering from records, interviews, and observations is as follows:

- An extensive review of records can yield useful data about the student's previous and current functioning levels (e.g. as comparison). Electronic school records should be readily available for review which can identify the student's functioning prior to school closure and can establish if the student's difficulties are "chronic" in nature and/or establish the rate of growth. More current records since school closure, including student grades and written assignments along with teacher notes regarding participation in online instruction, will yield insights about student performance and quality of thinking abilities. Reviewing records from outside service providers, if any, will also help to determine performance and/or progress and identify the amount and type of intervention as well as reveal the student's response to these interventions.
- Interview as a source of data during COVID restrictions should be formal and structured (e.g., use an interview guide or a published instrument) in order to gain the best insights from informed respondents such as teachers, parents, and/or caretakers. Questions should be tailored to the "assessment questions" to be answered about the student. For example, if it is an initial SPED assessment, questions should be directed (or instrument selected) to seek evidence of difficulties that reflect a psychological process deficit or adaptive behavior or social-emotional behaviors, etc. With older students, interviewing them could identify useful



information for cross validation. As always, to counter confirmatory bias, it is best practice to also inquire about situations where the student is successful.

- Observation data collected during COVID restrictions that can convey meaningful information will be challenging. A possible setting for observation data is to drop into virtual classrooms to observe student participation and/or interaction with others. Even more so than in pre-COVID times, understanding the teacher expectations of the class session before observing in order to properly interpret such observation data is crucial. Multiple observations in different subject areas (e.g. in both successful and unsuccessful subjects) will likely yield the most reliable set of data. This observation data will be further enhanced if the teacher is asked to comment on the data for accuracy.

*If your district has decided to do **in-person testing** with students, here are suggestions for proper preparation & safety procedures. However, always check and adhere to your district's and county's guidelines which should be referencing the state and CDC guidelines.*

- BEFORE:
  - Consider scheduling assessment appointments when other students are not receiving instruction on the same area of campus.
  - Identify a large office space or classroom to allow for appropriate social distancing between school psychologist/assessor and student - with open door(s) and/or windows for ventilation/air circulation.
  - Maintain a student contact log for contact tracing purposes.
  - Consider additional informed consent procedures for parents to acknowledge risk of in-person testing (see references for sample).
  - Consider temperature checks prior to entering school.
  - Ensure all testing material is thoroughly cleaned.
  - Designate a safe waiting area for parents or ask them to wait outside or in car.
- DURING:
  - Consider use of an air purifier with HEPA filter and UV light sanitizer to minimize germs only if you can close doors and windows of office.
  - Student and school psychologist/assessor to hand sanitize at start and end of session.
  - Provide face coverings for school psychologist/assessor and student during sessions (*use transparent mask for students with hearing impairments or other needs*).



## CALIFORNIA ASSOCIATION OF SCHOOL PSYCHOLOGISTS RESOURCE PAPER

- Consider use of a plexiglass divider or clear barrier in between student and assessor.
  - Provide new/cleaned writing utensils for each student in a Ziploc bag and have student put all used utensils and materials in the bag at end of testing.
  - Adhere to safe distancing protocol in testing room (i.e. only sit on designated chair and no moving furniture, no shaking hands, try not to touch face & sanitize immediately after if so).
  - Develop plans for breaks (have a designated place for snacks and/or water, a designated area where student can walk/move, and where to use the restroom).
  - Consider the use of clear film on each testing flip book/paper materials to allow for cleaning after each student's use.
  - If appropriate, consider use of test material with limited hands-on materials/manipulatives.
- AFTER:
    - Follow district/state cleaning protocols after every test session for the room, the test manipulatives and restroom, waiting, and hallway areas. See [‘Disinfecting testing materials’](#) resource for helpful tips.
    - School psychologist/assessor can consider wearing gloves when scoring the individual protocols.
    - If student or family member tests positive for the virus, parent agrees to immediately inform school psychologist/assessor as well as school psychologist/assessor to immediately inform family if staff tests positive for the virus.
    - Document in your testing section the safety precautions that were used (masks, plexiglass, etc.) and include a validity statement if you believe any of the safety procedures may have an impact on the interpretation of results (using a mask during phonological processing tasks, for example).

If your school district is requiring all assessments to be completed **virtually**:

- There are some assessment tools that have been used virtually (WJ series, RAIT, TOGRA, RIAS and RIST, as examples). Consider:
  - Does the student have the correct technology to participate?
  - Will the home's internet/WiFi service be consistent for the entire testing session?
  - Can the student be in a room free from distractions and other people?
  - Some previous studies and uses of these tools were primarily for students in remote areas. In those situations, students were often still in a school setting



and a trained paraprofessional was seated near the student. Since this is not possible, please determine the feasibility of using remote assessments while the student is in the home setting.

- Some remote assessments require screen share capability. Does your district allow for screen sharing?
- Other remote tools require training prior to use. Please make sure to determine if this is required.
- Review the information from the American Psychological Assessment (APA) “[How to do psychological testing via telehealth.](#)”
- Document in the testing section how all assessments were completed. Include a validity statement if you believe any results and/or interpretation of the results were impacted by the virtual assessment.
- Remember that you will need to defend your report if questions are raised. Make sure that you can.

### Frequently Asked Questions

#### *What do we do about interrupted evaluations?*

- Many of us were part-way through an assessment when the school closures began and worry about being interrupted again if a second closure is necessary.
- Others may be inheriting partial evaluations from last year.
- Answers may vary for this question by publisher, district, etc.
  - One publishing company suggested that if you were in the middle of giving a cognitive test in mid-March, it is reasonable to score the subtests already given based on the age of the student at the time, and then administer the rest of the test upon return, scoring those sections based on current age norms.
  - If your subtests that create composite scores were administered at different times (March and then the fall), do not score/report composite scores.
  - It may also be reasonable to believe that if a student had average skills in a processing area prior to quarantine, it is most likely that he/she would still be in the average range upon return. Cross-validating with current interview information may be helpful to confirm skill levels.
  - Academically, this question becomes a little more complicated.
    - If your academic test has an alternate form (KTEA Form A and B or WJ-ACH Form A and B) it may be appropriate to start again with a new academic battery (alternative form). As students will likely have lost





some academic skills based on time away from school/instruction, gathering updated information will be needed.

- Review any updated resources regarding “COVID Slide” to know how much this may apply to the student. Parents and teachers can confirm the student’s motivation and participation level during school closure and available distance education.
- Rating scales and observations likely need to be updated upon return as well.

*How do we determine eligibility for students during this time? How do we rule out lack of appropriate instruction as an exclusionary factor?*

- DATA.
  - Use all the data you can collect from **both** before the school closure and during as well.
    - If you are testing a student beyond Kindergarten, you have over a years’ worth of data before the school closure. For those that work with middle school and high school students, you have a plethora of data to help you make decisions.
    - What did universal screening and progress monitoring data tell you about the student’s performance before the school closure?
    - Consider the contribution of both qualitative and quantitative data available to you. Help consumers understand the value and limitations of both.
  - Consult with the general education or special education teacher to learn about how the student did during distance education.
    - Did the student participate consistently during distance learning?
    - What did distance learning look like for your school?
    - What were the expectations for the students during distance learning?
    - All of this will be important to document in the psychoeducational report.
  - Consult with the parent/caretaker to learn about how the student did during distance education.
    - What was the student motivation during distance learning?



- Did student participate consistently, including completing homework as required?
  - How were other siblings (if any) doing academically during distance learning?
  - How does the parent/caretaker compare the student's overall academic achievement before and during distance learning?
  - Were either parent or a caretaker available to help student if needed?
- The team needs to consider all data available when moving ahead with eligibility determinations.
  - Gather information about what it was like for the family during the school closures in spring 2020.
  - Remember that “lack of appropriate instruction” as an exclusionary factor (as with ALL exclusionary factors) is an exclusionary factor if it is the PRIMARY reason for the profile. For all students, distance learning is contributing to their present levels. The question to answer is whether it is the **primary** reason.

*How can we trust the validity of the results of tests given after school closure?*

Test scores are always data pieces that need to be taken into consideration along with other data sources. This was true before school closures and is true currently. Just because schools were closed does not automatically indicate that all data is invalid. It is the responsibility of the IEP team to examine all data to make decisions.

#### **IV. What Should Not Be Done: State and National Professional Guidelines**

It is necessary for school psychologists and Licensed Educational Psychologists (LEPs) to adhere to Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA), as well as the ethical guidelines provided by our associations when considering options for tele-assessment and testing. According to [NASP Principles for Professional Ethics](#) (2010), the Foundations of School Psychologists' Service Delivery includes Legal, Ethical, and Professional Practice.

While test makers are actively conducting research to increase the validity and reliability of tele-assessments, we must continue to conduct our assessments in ethical ways that are consistent with well documented and valid empirical research for the assessments we are currently utilizing.

CASP has provided answers to questions regarding the appropriateness of certain methods of delivery of an assessment provided remotely. The questions and answers have been



grouped into two categories; 1) Ethical Testing Practices and Test Security and 2) Confidentiality

### *Ethical Testing Practices and Test Security*

In attempts to think beyond traditional methods of testing students in a 1-on-1 setting, many have asked if they can:

- Use phone cameras to: present hard copies of protocols and stimulus books, conduct tele-assessments, and see students working with manipulatives.
- Leave test protocols and stimulus books at doorsteps of the client and watch them retrieve the testing materials from a distance, have parents/clients promise to shred unused protocol and stimulus pages, and mail the blocks for the Block Design on the WISC-V to families/clients to use for tele-assessments.

Still, additional questions included whether or not to use test publishers' recommendations to conduct tele-assessments and if parents can serve as the proctor during remote assessments.

**The answer to these questions is No.** Below are the relevant rationales and guidelines from both our state and national school psychology associations:

The California Association of School Psychologists Code of Ethics: Licensed Educational Psychologists (CASP, October 2015), section III. Professional Practice-Public Settings, section D (7), focuses on upholding copyright laws for publications and reproduction of materials. [California Association of School Psychologist Code of Ethics for LEPs.](#)

National Association of School Psychologists: [Principles for Professional Ethics](#) (NASP, 2010), the overarching theme of Principle II is Professional Competency and Responsibility.

- Principle II.3 stresses maintaining the highest standard for responsible practice in educational and psychological assessment, with Standards II.3.2 and II.3.5 both focusing on using assessment techniques and practices that are research-based and meet professional standards for accuracy and validity.
- Principle II.5 emphasizes the school psychologists' responsibility to use the materials while respecting the intellectual property rights of the test makers. Standard II.5.1 explicitly states that it is the school psychologist who must maintain test security, preventing the release of its specific content as it would consequently invalidate the use of the instrument. Meaning, the burden of test security lies with the school psychologist, not parents, students, or adult clients.



[Board of Behavioral Sciences Statutes and Regulation of Relating to The Practice of Educational Psychology](#) (BBS, January 2020), Chapter 13.5, Article 5, section 4989.54. Unprofessional Conduct, subsection (s) highlights the inappropriateness of reproducing, describing, or providing access to any psychological test to anyone other than those with professional interests who are expected to safeguard the use of the instrument.

Test publishers, such as Pearson, have provided information for psychologists to make informed decisions when conducting tele-assessment. However, Pearson explicitly states, “It should not be interpreted as a requirement or recommendations to conduct assessment via tele practice” (Pearson. (n.d.).

[Administering the Wechsler Intelligence Scale for Children, Fifth Edition \(WISC-V\) via tele practice\)](#)

Currently, Pearson has explicitly stated that the WISC-V materials may only be used with Q-global and Q-interactive. Any other tele-assessment use of the WISC-V is not recommended. “This includes, but not limited to, scanning the paper stimulus books, digitizing the paper record forms, holding the stimulus books physically up in the camera’s viewing area, or uploading a manual onto a shared drive or site” (Pearson. (n.d.).

[Administering the Wechsler Intelligence Scale for Children, Fifth Edition \(WISC-V\) via tele practice\)](#)

According to the Pearson website on the use of blocks for the WISC-V Block Design, “It is not recommended to allow a parent/guardian/caretaker to present blocks for Block Design, nor to attempt to have the examinee scramble or present their own blocks” (Pearson. (n.d.).

[Administering the Wechsler Intelligence Scale for Children, Fifth Edition \(WISC-V\) via tele practice\)](#)

### *Confidentiality*

In the spirit of gathering information and communicating with families, many have questioned whether they can:

- Use regular, unencrypted, email to send observation videos, copies of the protocols and stimulus book pages to and receive completed intakes from parents/clients, and have parents/clients promise to shred the materials.
- Use social media platforms or unprotected video methods to complete tele-assessments.



**The answer to these questions is No.** Below are the relevant rationales and guidelines from both our state and national school psychology associations:

School psychologists must continue to maintain client confidentiality even through a pandemic. If your school district has directed you to use tele-assessment, then the platform you use must be specifically used for tele-assessment purposes, be HIPAA compliant, and must provide you with a Business Associate Agreement (BAA). A BAA, part of the HIPAA Privacy Rule, is a written arrangement that specifies each party's responsibility when it comes to Protected Health Information (PHI) of the student.

[Business Associates](#)

Dropbox will provide a BAA; however, you must obtain the BAA before any file containing PHI is uploaded to a Dropbox account.

Best practices are to use encrypted emails for communication with clients when using PHI if you are using email outside of a school district provided email platform.

[The Board of Behavioral Sciences Statutes and Regulation of Relating to The Practice of Educational Psychology](#) (BBS, January 2020), Chapter 13.5, Article 5, section 4989.54. Unprofessional Conduct, subsection (q), emphasizes the need to maintain confidentiality of all information that has been received from a client in confidence during treatment and testing.

The California Association of School Psychologists [Code of Ethics: Licensed Educational Psychologists](#) (CASP, October 2015), section III. Professional Practice-Public Settings, section D (6), stresses the need to ensure confidentiality by using secure fax locations and encrypted email.

*Disclaimer*

Currently school psychologists in California are using the best available practices in an unprecedented time. New information being released may supersede the information here and it is up to the practitioner to stay informed. It is incumbent on the school psychologist to regularly review guidance from state and national organizations, CDC, and district specific resources. This document does not contain legal advice and should not be relied upon to establish the regulatory provision of services by public or privately licensed and/or certifiable practitioners in any jurisdiction.



## V. References & Resources

[APA Sample Consent Form](#)

[Disinfecting Testing Materials from Pearson](#)

[Remote Administration of WJ Cognitive](#)

[Tips for Remote Assessment Using Riverside Insights Clinical Products](#)

[Pearson's Tele practice and the WISC-V](#)

[Tele-autism assessment: University of Washington Consultation Group](#)

[Vanderbilt Kennedy Center Tele-ASD Peds Materials](#)

[APA-Understanding psychological testing and assessment](#)

[20 U.S. Code § 1414 - Evaluations, eligibility determinations, individualized education programs, and educational placements](#)

[34 CFR § 300.304 - Evaluation procedures. | CFR | US Law | LII / Legal Information Institute](#)

Hass, M. & Leung, B. (in review). When you can't R.I.O.T, R.I.O: Tele-assessment for School Psychologist.

California Association of School Psychologists. (August 2020). CASP School Psychology Practice during COVID Series - #1: Assessment Guidance. Sacramento, CA.

Resource Paper Writing Group Members:

James Hiramoto, Ph.D. - Writing Team Chair

Gina Beaman, Psy.D.

Danielle Christy, M.A.

Brian Leung, Ph.D.

Jenny Ponzuric, M.A.