



Colorado Society of School Psychologist: Guidance Document

Special Education Evaluations & Virtual Assessment During the COVID-19 Global Pandemic

The complex and rapidly changing nature of the COVID-19 pandemic has required significant adjustments and modifications to service delivery and evaluations in both educational and clinical contexts. The Colorado Society of School Psychologists (CSSP) recognizes that the physical and psychological well-being of students, families, and educators are the immediate and overriding priority. We also recognize that this unprecedented crisis has created unique legal and ethical challenges for school psychologists, particularly as it relates to meeting the federally protected rights of students under IDEA. Given school closures and the shift toward virtual learning and telehealth, providers across the state have indicated a need for guidance regarding special education evaluations and eligibility decision-making in the context of the pandemic.

To date, both federal and state entities have issued guidance to support providers through these difficult times. Of particular relevance is a document released by the [Office of Civil Rights \(OCR\)](#), which states the following: “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. 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.” This same guidance is upheld by the [National Association of School Psychologists](#). Additionally, the [Colorado Department of Education \(CDE\)](#) expands on these standards, stating that “during this COVID-19 national emergency, screenings and evaluations for children referred under Part C shall, if completed, be through virtual means only following HIPAA and FERPA requirements.” They advise the same approach be followed for Part B evaluations.

In consideration of this guidance, **CSSP strongly discourages the initiation or continuation of Part C and Part B evaluations that require individual, standardized in-person assessments and observations.** With school closures and social distancing measures in place, face-to-face assessments are unethical, and in some contexts, illegal. Such in-person contact threatens the physical health of providers, students, and families alike and this risk of harm is directly acknowledged by OCR and other federal entities.

With that in mind, CSSP understands that in special education, each case is unique and there is no one-size-fits-all approach. As a result, we encourage providers to consider all relevant legal and ethical issues and use the guiding questions below to determine how to proceed with each unique evaluation.

Guiding Questions for School Teams

The following questions are not intended to contradict or supersede rules being set by district administration, but are offered as a resource when determining how to best move forward. For each of the following, providers are encouraged to consult with the child's IEP team and administration.

Guiding questions: Evaluation

- What is best for the student?
- Does the team have means to access adequate data to complete a sufficiently comprehensive evaluation in order to determine eligibility?
- Is the parent or adult student comfortable proceeding with an evaluation during this time?
- Can the evaluation tools and tests be administered as standardized?
- Will modifying test materials and procedures to achieve physical distancing jeopardize test security?
- Have considerations of equity been discussed? For example, does the child and family have equitable access to stable internet connection, virtual general education instruction, functional and reliable technology; and, do they have the technological literacy skills necessary to participate in special education evaluation tasks and/or school psychological services?

Guiding questions: Eligibility Decision-Making

- Is the evaluation sufficiently comprehensive?
- Is the student's performance due to a lack of appropriate instruction?
- Is the student's performance due to environmental or socioeconomic factors?
- Do the results reflect the student's functioning and needs in the school setting? Or are the results impacted by psychological, economic, and other stressors associated with the pandemic?
- Is appropriate caution being used when interpreting results?

Concerns and Considerations

- A comprehensive and individualized evaluation requires direct classroom-based observation of the student in his or her natural learning environment (34 C.F.R. §300.310(a)). Given school closures and social distancing requirements, it is impossible to gather evidence via remote observation about a child's performance in described areas of difficulty.
- Standardized assessments (i.e., IQ tests, formal achievement tests) are not designed to be administered virtually and such tests must only be given through the means in which they were developed. Deviations from standardization must be reported and, at times, can invalidate test results which could potentially impact eligibility determinations.
- 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 would be

required; however, due to social distancing, these types of training are not currently available.

- Providers across our state serve a diverse community of learners, many of whom are English language learners. When considering equitable, valid, and reliable evaluations, virtual administration of assessments will lead to additional barriers to performance and likely result in invalid outcomes.
- 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. Furthermore, 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. Invalid test results could lead to an over-identification of students with disabilities and special education teams should carefully consider the impact that the pandemic has on their body of evidence.
- It is essential that legal and ethical guidelines related to student privacy be followed as methods for service delivery and evaluation move to virtual platforms. All platforms must be compatible with HIPAA and FERPA regulations.

In summary, the Colorado Society of School Psychologists (CSSP) believes that all children receive the academic, social, and emotional supports needed to be successful in the classroom. In order to achieve our mission, we believe we have an ethical obligation to promote best practices in psychological assessment, especially during this time. **CSSP strongly encourages teams to follow the guidance provided by the U.S. Department of Education, OCR, NASP and CDE and recommends that all evaluations requiring in-person assessment or observations be postponed until schools re-open.** For those evaluations not requiring in-person assessment or observation, we encourage IEP teams to use the guiding questions listed above when determining how to best move forward with each unique case.

CSSP acknowledges that because the circumstances of the COVID-19 pandemic are evolving rapidly, other challenges may also evolve. CSSP is committed to providing revised or extended recommendations as new federal and state guidelines emerge.