



WSPA Response to Extended School Closure and Evaluation Timelines Due to COVID-19

The Wisconsin School Psychologists Association (WSPA) recognizes that the emergence of COVID-19 and the resulting extended school closures have produced uncharted territory and unprecedented circumstances in the delivery of educational services to all children. Many educators are being asked to make academic and instructional decisions that could potentially have rippling effects. Federal and State governments have provided some guidance around the many issues educators are facing during this time and we recognize that school psychologists are faced with the delicate balance of meeting legal and ethical requirements of IDEA, responding to administrators' direction, and upholding students' best interest.

During this unprecedented time, WSPA is keenly aware of the significant impact that mandatory school closures are having on the learning and well-being of all children, educators, and parents. We are in the midst of a crisis that impacts each individual in unique ways. As school psychologists, we are well trained to meet the current challenges we face and uniquely positioned to provide helpful guidance and leadership in terms of assessment, consultation with teachers, and direct services to students for our respective school districts during this time. WSPA encourages all school psychologists to utilize their training to provide a wide range of services to help schools and districts to meet the needs of students, families, and communities.

Of utmost importance and priority during this pandemic and resulting school closure is for school psychologists to utilize all their skills, especially related to assessment, crisis management, and the provision of mental health services.

As we shift the education service delivery from a face-to-face to a virtual format, we are charged with continuing to provide instruction, delivering FAPE, and conducting IEPs and evaluations. WSPA recognizes that there are unique legal and ethical concerns among school district professionals around meeting the federally protected rights of students during this time. The Wisconsin Department of Public Instruction (DPI) has provided guidance around how to continue with evaluations and eligibility decision-making given the current circumstances, while also meeting federally mandated timelines for evaluations [here](#). WSPA recognizes the challenges this may present and that a one-size-fits-all approach would likely not be effective; districts will have unique needs.

With consideration of the ethical implications and responsible assessment practices, the Wisconsin School Psychologists Association 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." With this in mind, we offer the following recommendations in consideration of our current circumstances:

1. Current guidance from DPI indicates that evaluations, as well as meetings about eligibility and Individualized Education Plans (IEPs), can continue virtually, assuming that parents/guardians agree. Additionally, this guidance indicates that public agencies are encouraged to work with parents to reach mutually agreeable extensions of time for evaluations. **The fact that we are in the midst of a crisis cannot be overstated when considering the validity and reliability of any assessment completed during this time.** Please keep in mind, if evaluators choose to administer assessments during this time and/or by virtual means, they are using norms that are simply not applicable to our current situation. This calls to question the validity of any assessment results as well as the decisions based upon those results.
2. Comprehensive school-based evaluations used to make eligibility determinations require direct observations and many further require face-to-face test administration in order to provide a reliable and valid picture of a child's performance in an educational setting. There is no simple translation of these assessment tasks to the virtual environment in which schools are now operating. Current assessment tools have not been standardized to be given virtually and thus their ability to predict future performance is compromised. In addition, it is impossible to control for students' environments while delivering assessments virtually without trained support in the student's environment. These deviations and compromises from standard practices need to be considered by the IEP teams when making decisions based on these assessment practices.
3. If the team decides to conduct remote evaluations, they should be conducted through platforms and practices specifically designed for that purpose. Best practices dictate that prior to administering a one-to-one virtual assessment requiring participation responses, additional training of the evaluator and adult facilitator (likely a parent/caregiver who is assisting the student at home) would be required to adequately administer these tests. Due to "social distancing" and "stay-at-home" restrictions related to COVID- 19 as well as the mental health challenges present in society at this time, it is unlikely that this type of training could be conducted at this time. Additionally, the presence of additional individuals in the room may be problematic as their presence may alter the results that would otherwise be obtained, thus causing the standardization of the test to be broken, and thereby compromising the decisions that could be made based on the resulting test scores.
4. Comprehensive evaluations also require direct observations of students in the educational environment. Observations conducted through a virtual setting would provide a distorted picture of the student's skills and abilities as compared to the regular learning environment.
5. In considering a decision for a Specific Learning Disability (SLD) for an individual child, the hallmark of the evidence for the presence of this disability in Wisconsin is the response to two scientifically or research-based interventions with fidelity. While

we know that school professionals are all doing the best they can with the virtual platform, it is almost impossible to ensure that any interventions and/or progress monitoring are being implemented with fidelity. Many of the interventions and progress monitoring tools are not designed to be implemented virtually.

School psychologists are critical members of school evaluation teams and can help guide their teams to legal and ethical decisions based on relevant data and evidence of learning concerns. School psychologists, based on their graduate education in measurement and statistics, are in a unique position to help districts understand the applicability and the concerns of the use of standardized assessments to make educational decisions during a crisis such as this. To determine if an assessment can proceed, a school psychologist, within the context of the education team, should gather and synthesize information from multiple sources to make decisions about legal, ethical, and valid testing practices. In the case that a team determines that conducting an evaluation is in the best interest of the student, we have included a link to Wisconsin Legislation [here](#) which outlines our legal obligation when conducting an evaluation in Wisconsin. Please take the time to review this document to ensure your districts and teams are within the legal requirements bound to us by state legislation.

Endorsed by the WSPA Executive Board on May 18, 2020