



## **Virtual Service Delivery in Response to COVID-19 Disruptions**

### ***Position Paper: Evaluation Guidance***

In an effort to ensure public safety, New Jersey has instituted a shelter in place order and public schools are to remain closed until at least May 15. While distance learning can and should take place, standardized testing should not. The New Jersey Association of School Psychologists strongly discourages the continuation of incomplete evaluations or the initiation of new evaluations that require in-person testing and/or observation. Eligibility decision-making specific to any newly initiated or partially completed evaluations should be postponed until school is back in session and testing may be completed. Eligibility decision-making specific to evaluations completed prior to the closure should be considered within the context of the current pandemic and with parental consent, IEP team may elect to postpone eligibility decisions until school is in session.

Further, the instruments used by school psychologists (cognitive ability/intelligence tests, processing tests, neuropsychological tests, achievement tests, etc.), have not been normed or validated to be used under these conditions. NJASP opposes the remote administration (in students' homes with parent proctors) of cognitive assessments and other diagnostic tests for which there is insufficient published, peer reviewed evidence documenting equivalence to the face to face administration format. Deviations from standardization often invalidate the results of these tests, potentially impacting eligibility decision-making.

#### ***Primary Question: How should evaluations, initial and reevaluations, occur?***

**Evaluations, initial or re-evaluation, that require in-person testing and/or observations should be postponed until school reopens.**

- Comprehensive evaluations and the tools that are used for completing comprehensive evaluations require direct observation and face-to-face administration in order to be considered reliable and valid.
- 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)).

- 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. For those few measures that could be administered virtually, additional factors would need to be considered to maintain test integrity
- Without credible evidence documenting equivalence to face-to-face administration, we have no valid norms appropriate for the current remote testing context. Additionally, remote test administration would require standardized technology and other conditions that cannot be met in many families' homes at this time (e.g., 15-inch screens, multiple cameras, trained proctors, orientation for students, high functioning video and audio capacity, stable internet connections, a quiet, private space, and steps to protect fidelity and test security). Moreover, testing students in the context of severely disrupted routines, elevated stress, and in the presence of family members would raise further questions about the reliability and validity of scores.
- The current unprecedented circumstances may lead to validity issues - how can we ascertain whether or not we are truly capturing "typical" performance of our students when conducting evaluations? And, what is the urgency in attempting to do so during a global pandemic when the primary need is 'safety'? To attempt to make eligibility decisions at a time of such heightened anxiety and uncertainty is at best, impractical and unprofessional, and at worse, unethical and arguably, not legal.

Consistent with the [U.S. Department of Education, Office of Civil Rights guidance](#), NJASP urges administrators, service-providers, and families to accept that evaluations that require in-person components will need to be delayed until after school reopens to ensure adequate reliability, validity, and standardization. Evaluations or reevaluations that do not require any additional in-person testing or classroom observations, may be completed while school is closed, with parental consent and in accordance with LEA guidance. We encourage federal and state officials to issue reasonable waivers and guidance regarding expectations for timelines for completing delayed evaluations when schools reopen. NJASP also recommends that school psychologists and districts document reasons for delays and plans for addressing delays when schools reopen.

### **Additional questions related to evaluation procedures:**

- ***Can I complete an initial evaluation without in-person testing or observation?***

No. The initial evaluation requires a *multi-disciplinary assessment in all areas of suspected disability*, conducted by at least two members of the CST, and includes a minimum of one structured observation by one evaluator. Further, the parent has signed consent on the evaluation plan that has delineated specific evaluation procedures, most likely standardized tests and other evaluation procedures. Even if your evaluation plan calls for no standardized testing, which is unlikely, it will be difficult, if not impossible, to obtain reliable functional assessment (academic or behavioral) and/or RTI data in order to make a valid eligibility decision.

- ***What if the parent is ok with amending the evaluation plan?***

No. Even if a structured observation was already conducted prior to closing, the amended evaluation plan is unlikely to fulfill mandates of Protection in Evaluation Procedures {N.J.A.C. 6A:14-2.5}, in particular, {6A:14-2.5 (b) 7} “sufficiently comprehensive”.

- ***What about re-evaluations?***

If a re-evaluation does not require in-person testing or observation(s), it may be completed when school is closed with parent consent. However, if the IEP team has determined that additional data, including in-person observations and/or testing, is required in order to determine student needs {6A: 14-3.8 (b) 2} then the CST should postpone the evaluation.

Further, the IEP team should not determine that “no additional data are needed to determine whether a student continues to be a student with a disability” *solely* because of the school closure. Following a review of existing data, when determining whether or not additional data is needed in order to make an eligibility decision, the IEP team should apply the same due diligence during the closure as they would if school was in session. In other words, although the IEP team may be “code compliant” with “no testing”, making such an eligibility decision without complete data just because that is “all you can do now” may not be in the best interest of the student and in conflict with professional ethics.

Caveat: Even if the team agrees that “no additional data are needed”, the team must have access to the “existing evaluation data on the student”. If complete records are not available to the team due to school closures, then the team will not have the data necessary in order to make a determination regarding whether a child continues to be a student with a disability, and re-evaluation should be postponed. Ethical principles related to assessment practices are clear that a review of records should “utilize a representative sample of records and explain the basis for, and the limitations of, their recommendations.” (NASP 2010 Principles for Professional Ethics, p 7)

- ***What if one member of the team has completed their evaluation but another team member was not able to before the school closure?***

Depending on which team members are involved, it may be possible to complete the CST evaluation in order to determine eligibility if the outstanding evaluation does not require in-person testing or an observation per the evaluation plan. For example, if the School Psychologist and Learning Consultant have completely finished their assessments and the Social Worker is able to complete their assessment without an in-person meeting or observation, then the team can schedule an eligibility and/or IEP meeting via audio or video conference with the parent consent.

We oppose making eligibility decisions based on incomplete CST evaluations (eg., 2 CST assessments completed but another team member's assessment not completed) or based on partial data obtained from a specific assessment (eg., school psychologist completed half of the evaluation prior to closing). An incomplete evaluation is not in accordance with procedures outlined in the administrative code {6A: 14-3.4}.

- **Should we hold an eligibility/initial IEP meeting if all evaluations are complete?**

[U.S. Department of Education, Office of Civil Rights guidance](#) says that IEP teams are not required to meet in person while schools are closed but IEP meetings can be held via audio or video conferencing with parent consent. (Parents may elect to wait until a face to face meeting can occur.) However, even though the IEP team *can* meet virtually in order to determine eligibility and develop an initial IEP, it does not mean that the IEP team *should* meet during a pandemic.

Eligibility decision-making specific to evaluations completed prior to the closure should be considered within the context of the current pandemic, and, with parental consent, the IEP team may elect to postpone eligibility decisions until school is in session. Again, these are unprecedented circumstances, and a time when important decisions might be best put on hold. School psychologists should be cognizant that there may be extraordinary circumstances that may impact parents' ability to provide fully informed consent for services during this crisis. School psychologists are ethically obligated to act in the best interest of the student and each team will need to carefully decide which course of action, holding or postponing eligibility decisions, is most appropriate. NJASP encourages school psychologists to err on the side of caution and postpone critical decisions if there is any concern.

- ***What about remote testing? Should school psychologists be conducting any initial or triennial testing that has been designed and normed to be administered in person?***

No. NJASP opposes the remote administration (in students' homes with parent proctors) of cognitive assessments and other diagnostic tests for which there is insufficient published, peer reviewed evidence documenting equivalence to the face to face administration format. The instruments used by school psychologists (cognitive ability/intelligence tests, processing tests, neuropsychological tests, achievement tests, etc.), have not been normed or validated to be used under these conditions

Deviations from standardization often invalidate the results of these tests, potentially impacting eligibility decision-making.

According to N.J.A.C. 6A: 14-3.4 (f), “each evaluation of the student shall:” “Apply standards of validity, reliability, and administration for each assessment by trained personnel in accordance with the protocols and instructions of the producer of the assessment.” Standardized test(s) shall be: “i. individually administered; ii. valid and reliable; iii. Normed on a representative population; and iv. Scored as either standard score with standard deviation or norm referenced scores with a cutoff score.

- **Standardization and Norms:**

The administration of tests must be given through the means in which they were developed and standardized. The preponderance of standardized tests (i.e., IQ tests, formal achievement tests) used in such evaluations are not designed to be administered virtually. Tests are dependent on a method of administration and normed on that standardized method. Deviations from the standardized method mean that the norms derived from the standardized method are not directly applicable. Without credible evidence documenting equivalence to face-to-face administration, we have no valid norms appropriate for the current remote testing context. Deviations from standardization must be reported and, at times, can invalidate test results which could potentially impact eligibility determinations.

- **Technology and Environment:**

Additionally, remote test administration would require standardized technology and other conditions that cannot be met in many families’ homes at this time (e.g., 15-inch screens, multiple cameras, trained proctors, orientation for students, high functioning video and audio capacity, stable internet connections, a quiet, private space, and steps to protect fidelity and test security). Moreover, testing students in the context of severely disrupted routines, elevated stress, and in the presence of family members would raise further questions about the reliability and validity of scores. Likewise, other components typically conducted in-person, such as classroom observations, cannot be conducted in a meaningful way at this time.

- **Training**

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. Additionally, 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.

- **Ethical guidance**

NASP's (2010) *Principles for Professional Ethics* calls for use of "assessment techniques that the profession considers to be responsible, research-based practice" and "the selection of assessment instruments that are reliable and valid for the child and the purpose of the assessment" (p. 7). School psychologists should use technically sound instruments, which are used for the purposes for which the assessments or measures are valid and reliable, and, which are administered by trained and knowledgeable personnel.

***In the current context, remote administration of cognitive and other assessments designed for in-person administration would represent a clear violation of IDEA mandates and of professional and ethical test administration standards.***

- ***But, I see online test company(s) saying their tests are reported to be reliable and valid. Can we use these companies?***

No. When districts are unable to find school psychologists to provide in-person services, due to school psychology shortages in hard to fill areas (e.g., rural, urban), third party companies have responded to the demand to deliver school psychology telehealth services. Historically, New Jersey has not faced such shortage challenges necessitating the consideration of virtual assessment administration in lieu of in-person service delivery. Currently, NJ districts typically do not have the capability, nor have they conducted evaluations this way. In addition to the legal, ethical, and professional practice concerns, a switch to a third party telehealth assessment platform would strain school budgets and personnel. Although the current health crisis renders in-person assessment impossible, this is a temporary closure, and face-to-face evaluations can take place once schools reopen.

Currently, few publishers have systems set up for telehealth. Even the third party providers (e.g, Presence Learning) who have been given the exclusive rights to develop online administration of the Woodcock-Johnson IV assessments, require a trained on-site proctor to be in the room with the students to verify technology, ambient environmental conditions, and verify confidentiality/privacy conditions. The examinee's side requires a stable high speed internet connection, a very specific physical and mechanical set-up, including two high quality cameras, a headset with microphone, and a mouse (not a trackpad). A HIPAA compliant platform must be used. Additionally, even if the logistical issues could be addressed for assessment instruments that *may* be able to be utilized virtually, many school professionals are not typically trained or competent in the virtual delivery of assessment tools. As such, continuing evaluations would be a violation of N.J.A.C. 6A: 14-3.4 (f). Additionally, the technological requirements are not available to all homes, hence, precluding equitable access to the service.

- ***Since we already use the Q-Interactive/Q-Global systems, can we administer our assessments that way?***

No. Pearson and its Q-Interactive/Q-Global systems were designed to use technology to

administer assessments, but virtual delivery through telehealth was not the primary intent. Although Pearson has recently issued “guidance” for telepractice considerations, NJASP does not support this practice due to problems with the standardization and normative sample, privacy and confidentiality concerns, and significant reliability and validity issues.

Further rationalization for not engaging in remote test administration under current circumstances is evident. In examining guidance from Pearson which states, “During the COVID-19 pandemic, however, the only facilitator available may be someone in the examinee’s home. If using an onsite facilitator who is not in a professional role (e.g., parent/guardian), the examiner should use their professional judgment about the capacity of the facilitator to perform the required functions correctly and without interfering in the testing session.” This exercise of professional judgment places the school psychologist in the inappropriate position of having to evaluate not only the parent’s level of competence with technology from a distance, but the parent’s ethics as well (e.g., will this parent be able to stop themselves from helping their child who is struggling with an answer.)

“If the onsite facilitator is a parent/guardian, follow the guidelines outlined in the administration and scoring manual regarding the presence of a parent or guardian in the room to ensure adherence to standard administration procedures. As specified in the manual [“As a rule, no one other than you and the child should be in the room during testing. Try to administer the test to the child without an accompanying adult (e.g., parent or guardian) present. Some children may be accustomed to being alone with a stranger and may be fearful or shy. On rare occasions, and at your discretion, an accompanying adult may be permitted in the room to facilitate testing. Advise him or her to sit quietly (preferably reading) in the background and out of the child’s view. Instruct the accompanying adult to remain silent throughout the test and to refrain from urging the child and from repeating or rewording any questions. If necessary, assure the parent or guardian that you will meet with him or her after testing to answer questions and to discuss the child’s performance.” page 21 of WISC-V Administration and Scoring Manual], it is very rare that the parent/guardian stays in the room during testing.” ] Given the current physical restrictions, there is no way for a school psychologist to be certain that “The parent/guardian may only make audiovisual adjustments and, if deemed appropriate, manage response booklets,” or be able to ensure, “The onsite facilitator can play an even more limited role without managing response booklets if necessary. For example, the facilitator may operate audiovisual equipment only.”

- ***What can school psychologists do regarding Special Education assessments and IEP Eligibility meetings in the meantime?***

Cognitive assessment and other in-person evaluation components can resume when the current disaster subsides, enabling assessments to be administered as they were designed. School psychologists can provide higher-impact services now, and, as always, should be supported in their efforts to maintain high quality, ethical service delivery practices.

While a district is in shelter in place, we recommend that the school psychologist consult with

district/school administrators to determine assessment priority. Some possibilities to consider:

1. Complete as much of any open signed initial and triennial assessments you are able, which may include background review, writing observations and interviews that have already been conducted, and completing reports of assessment results that have already been collected.
2. Complete triennial assessments that can be conducted as a record review (only if you have full access to the students' records and all relevant data), per district policy and parent consent.
3. Contact parents of the students with open evaluations to inform them of the status of the evaluation and what they can expect moving forward. Speak with your director/supervisor regarding providing prior written notice to the parent regarding the proposed action(s).
4. Consider your existing data assessment data that was collected prior to the closure. This may include review of records and/or interventions, classroom observations, curriculum based measures, testing, etc. Although the team may not have all the information required in order to make eligibility decisions, your data and expertise may be helpful in consultation with teachers and parents/guardians as they partner in the remote learning process.

Although NJ school psychologists spend a good portion of their time completing assessments, school psychologists possess the training and expertise to support students, families, teachers, and school staff in other meaningful ways. Currently, many school psychologists are supporting SEL and student mental health via the provision of remote counseling and consultative services. Cognitive assessment and other in-person evaluation components can resume when the current disaster subsides, enabling assessments to be administered as they were designed. In the meantime, there may be opportunities for school psychologists to utilize their expertise in the [ten domains of school psychology practice](#) in support of positive student outcomes through school and parent consultation, collaboration on system wide interventions including plans for school reentry and trauma response, community and family partnerships, remote crisis intervention planning, self-study and professional development for staff, and dissemination of self-care resources for staff and families, among other potential activities.

## Resources

- [Connecting with children and adolescents via telehealth during COVID-19](#)
- [COVID-19 and K-12 Students with Disabilities: Initial Guidance](#)
- [Guiding the Education Community Through the COVID-19 Pandemic](#)
- [NASP Webinar on Wading through a Sea of Ambiguity: Charting a Course for Special Education Services during a Pandemic](#)
- [NASP Webinar on When One Door Closes Another Opens: School Psychologists Providing Telehealth Services](#)
- [New Jersey Specific Guidance for Schools & Districts](#)
- [Preparing for a Pandemic Illness: Guidelines for School Administrators and School Crisis Response Teams](#)
- [Preparing for Infectious Disease Epidemics: Brief Tips for School Mental Health Professionals](#)
- [Professional Ethics](#)
- [Providing Special Education and Related Services to Students with Disabilities During Extended School Closures as a Result of CO](#)
- [Regulations \(Federal & State\)](#)
- [Responding to COVID-19: Brief Action Steps for School Crisis response Teams](#)
- [Strategies for Engaging and Supporting Parents During the Pandemic](#)
- [Strategies for Supporting Teachers Delivering Remote Instruction](#)
- [Telehealth-Virtual service delivery Updated recommendations](#)
- [USDOE COVID-19 “Coronavirus” Information and Resources for Schools and School Personnel](#)
- [USDOE Fact Sheet: Impact of COVID-19 on Assessments and Accountability under the Elementary and Secondary Education Act](#)
- [USDOE Guidance for IDEA Service Delivery FAQ for School Psychologists](#)
- [USDOE Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak](#)
- [Virtual Service Delivery in Response to COVID-19 Disruptions](#)

### Resources: State Association Guidance

NJASP is very appreciative of all the excellent resources and information developed by other state associations. We have borrowed liberally from NASP and other state associations in developing a guidance document specifically for New Jersey school psychologists.

- [Alabama Association of School Psychologists](#) Alabama White Paper - Guidance for IDEA Evaluation Services During COVID-19 Crisis Response
- [Association of School Psychologists of Pennsylvania \(ASPP\)](#) 4/7/20 – sent via email to [caclancy@pa.gov](mailto:caclancy@pa.gov) RE: Special Education Evaluations & Virtual Assessment Dear Director Clancy.
- [California Association of School Psychologists](#) California Association of School Psychologists CoVid-19 Assessment Paper

- [Florida Association of School Psychologists](#) Call to Action: Evaluations, Eligibility, & Timelines in a Pandemic
- [Louisiana School Psychological Association - Home](#) LSPA COVID-19 Service Delivery Position Statement
- [Michigan Association of School Psychologists - Home](#) MASP COVID Assessment Letter
- [Texas Association of School Psychologists](#) TASP SPED Evaluation Timeline Response Letter to TEA
- [Washington State Association of School Psychologists - Home](#) WSASP Guidance for COVID-19 Closure