Evaluation Considerations During COVID-19

As of the publication of this document, there has been no waiver of federal timelines related to special education compliance. Therefore, evaluation timelines will continue to apply for compliance reporting purposes. However, LEAs should prioritize the health and safety of students and their families, along with their staff, over meeting compliance deadlines. When timelines are not able to be met due to the current COVID issue, please be sure to document the reason. This document contains both statutory guidance as well as best practices for implementation in the provision of instruction and educational supports to students with disabilities. These materials were developed with input from local LEAs from across Texas.

Evaluations

LEA receives a request for a Full and Individual Initial Evaluation (FIIE):

Until normal school operations resume, it is recommended that the website of each school in an LEA prominently display the contact details for the individual on campus (the LEA's special education director or an LEA administrative employee) that a parent/guardian member should contact to request an evaluation for special education.

- ☐ If an LEA receives a written parent request for an FIIE, the 15 school-day timeline to respond as described in TEC 29.004(c) still applies.
- ☐ Under no circumstances should an LEA attempt to delay obtaining written parental consent to evaluate until the LEA resumes normal operations, nor should the LEA decline to evaluate solely because of the inability of the LEA to complete the evaluation on time.
- ☐ If written consent is received, discuss with parents that priority must be given to health and safety of everyone and that face-to-face evaluations will not be conducted during any closures nor while social distancing continues to be enforced by local, state, or federal authorities. LEAs should carefully document these communications with parents.
- ☐ LEAs should make a good faith effort to complete relevant components of the evaluation, to the extent practicable, given limitations on face-to-face evaluation. For example, in most cases a review of existing evaluation data (REED) process could be initiated to determine what, if any, additional data is needed to make an eligibility determination. **See *table at the end of this document for sample evaluation components that could be completed remotely.***

LEA received consent to evaluate prior to closure but the evaluation is not complete:

Until normal school operations resume, LEAs should review the evaluations currently in process and/or initiated but not completed by having the multidisciplinary evaluation team and other qualified professionals determine the following:

- ☐ Which, if any, of the components of the evaluation have been completed and/or initiated.
- ☐ If any components of the evaluation can be completed remotely, without face-to-face interaction. ***See table at the end of this document for possible evaluation activities that can be completed remotely.*** The LEA **should:**

- Communicate with parents to discuss any components that have been identified for completion remotely that require parent participation (e.g. conducting phone interview with parent, mailing rating scales for completion)
- If the parent consents, complete all components that can be reasonably and practicably completed remotely

If the LEA cannot complete all components of an FIIE during a closure related to the pandemic as it would have in typical circumstances an LEA **should**:

☐ Consider what additional general education interventions and supports may be initiated for students based on the suspected disability(ies) or evaluation information collected thus far. Create a plan to provide intervention and ensure they are carefully documented by the team and communicated to parents

☐ Contact the parents in order to:
- Communicate that completion of the evaluation must be delayed until normal operation resumes. Develop a plan with the parents that reflects completing the FIIE as soon as possible
- Determine any interventions and supports that will be provided in the interim.
- Document communication with parents regarding the plan for FIIE completion when normal operations resume.

Carefully document all stages of this process, from the receipt of initial consent to what remains for completion in order to finish the FIIE as required.

Other Considerations:

If the LEA cannot complete all components of an FIIE during a closure related to the pandemic as it would have in typical circumstances, eligibility determinations will likely be delayed. Special education eligibility determinations for students should not be made without consideration of all relevant data points that would be provided in an FIIE. Eligibility decisions, and any subsequent IEP development decisions require consideration of all relevant data in order to ensure that sound decisions are made in the best interest of the student [34 CFR 300.306].

A Review of Existing Evaluation Data (REED)

A REED, as part of an initial evaluation, if appropriate, and as part of any reevaluation, requires the ARD committee members and other qualified professionals to review existing evaluation data, such as evaluations and information provided by the parents, assessment results, and classroom observation. Based on this review and parental input, the ARDC must identify what, if any additional data is needed to complete the evaluation or reevaluation process. For additional information and guidance on REEDs please see the **TEA Technical Assistance Guide: Child Find and Evaluation.**

Documenting and Tracking Timelines

Because of the timing of the pandemic and district closures, in which many LEAs were on spring break either before or after the directive to close took place, it will also be important to track the school days that have occurred between the receipt of consent and the completion of the evaluation report.

As a reminder, the school days provided by TEC 29.004 do not apply when districts are coded as "Closed, Preparing," or "Closed, Temporary," as no educational services or instructional supports were provided to any student. Documentation of school days will be important when determining evaluation due dates under TEC

29.004(a1), related to timelines for FIIEs when written consent are received at least 35 but less than 45 school days before the end of the school year

Evaluation Components

Conducting components of an evaluation that can be reasonably completed within timelines, including reviews of existing evaluation data, will best position the LEA for a timely completion of the full report once traditional school resumes. The following table serves as a resource to assist LEAs in thinking through various areas of evaluations (initial and reevaluations) that could potentially be completed remotely. This is a sample of various components and not an exhaustive list.

Area of Evaluation	Review of Existing Evaluation Data (REED) and other components that can often be completed remotely *(not an exhaustive list)*	Evaluation components that often require standardize assessment/ face-to-face *(not an exhaustive list)*
Reason for Referral	☐ Results from any student support team discussions/meetings ☐ Current supports in place that specifically address the concern(s) ☐ Documentation from parent's request ☐ Outside evaluation(s)	
Language/ Communication	☐ Home Language Survey indications (if an English Learner (EL), include relevant Language Proficiency Assessment Committee (LPAC) data) ☐ Student's native language ☐ Student's language of instruction ☐ Parent information ☐ Teacher(s) information, including description of how the student's receptive and expressive language skills impact classroom performance ☐ Informal language samples	☐ Student's level of language proficiency, including reason for language of evaluation ☐ Articulation, receptive & expressive language, pragmatic language, and/or dysfluency evaluations ☐ Communication assessment for deaf or hard of hearing
Physical	☐ Vision and hearing screening ☐ Parent information, including developmental history of student ☐ Any medical condition and medications ☐ Any hospitalizations ☐ School nurse's description of student's health, including if student receives any health services ☐ Teacher's description of student's fine and gross motor abilities and how learning may be impacted ☐ PE teacher's information, including degree to which student can participate in physical activities ☐ Physician's report of an Orthopedic Impairment, Other Health Impairment,	☐ Physical therapy evaluation ☐ Occupational therapy evaluation ☐ Adapted PE evaluation ☐ Otological assessment ☐ Audiological assessment ☐ Ophthalmologist's or optometrist's visions report ☐ Functional vision evaluation ☐ Learning media assessment ☐ Orientation & mobility evaluation

	and/or Traumatic Brain Injury (if student is a current patient)	
Sociological	☐ Parent Information, including relevant family history ☐ Teacher Information ☐ Previous educational opportunities, including any gaps in education (i.e., attendance records, moves, transfers) ☐ Guardianship documents and/or other legal documents ☐ Explanation of cultural and lifestyle factors influencing learning and behavior ☐ Explanation of any critical factors which could impact the student's classroom performance ☐ Explanation of cultural, environmental and economic exclusionary factors and relevant data used to rule them out	
Relevant Classroom Observation(s)		☐ Observation(s) of student in school setting(s) in areas of concern
Emotional/ Behavioral	☐ Parent input on behavior ☐ Teacher input on behaviors which impede the student's learning or the learning of others ☐ School counselor information ☐ Discipline records ☐ Reports from outside agencies ☐ Private evaluations ☐ Report of hospitalizations for mental health issues ☐ Some rating scales can be conducted virtually ☐ Behavior rating scales from multiple sources ☐ Intervention and progress monitoring data for any social, emotional, or behavioral tiered supports	☐ Self-report measures/confidential student interviews
Academic/ Developmental	☐ Parent information ☐ Teacher information ☐ Student's grades over time (more than just a list of current grades) ☐ History of state assessment (grades K-12: e.g. STAAR, TPRI) results, including the class average, which describes the student's level of performance in the enrolled grade level curriculum (criterion referenced)	☐ Individually administered tests of academic achievement in areas of suspected disability including listening comprehension, oral expression, basic reading skill, reading fluency, reading comprehension, math reasoning, math calculation, written expression ☐ Individually administered tests for the condition(s) of dyslexia, dysgraphia, and/or dyscalculia

	☐ History of local assessment (grades K-12: e.g. benchmark, reading fluency, rubrics) results, including the class average and district expectations, which describes the student's level of performance in the enrolled grade level curriculum (curriculum based) ☐ List of interventions, aligned to student's individual need, and specific progress monitoring data that identifies the student's rate of learning or response to the intervention(s) ☐ Any Accelerated Instruction (AI) or Intensive Program on Instruction (IPI) the student has participated in to include progress monitoring results (applicable for any student not successful with state assessments grades K-12-i.e. STAAR, TPRI) ☐ Record of Section 504 accommodations and their effectiveness ☐ Dyslexia screening and/or services provided and progress monitoring results ☐ In the case of reevaluation, progress on annual goals over time	
Cognitive/Adaptive Behavior	☐ Parent information about student's functional skills at home and in the community ☐ Teacher information about student's functional skills at school ☐ Rating scales	☐ Individually administered tests of cognitive abilities or processes
Assistive Technology	☐ Parent information ☐ Teacher information ☐ Description of any available technology all students utilize as an available resource ☐ Any technology accommodations provided	☐ Formal assistive technology evaluation completed by multi-disciplinary team