



Washington State Association of School Psychologists

WSASP Guidance for Special Education Evaluations during the COVID-19 Closure

April 2020

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Washington State Association of School Psychologists

Table of Contents

Introduction	3
Evaluation Guidance for Teams	4
What is best for the student?	4
What data is needed to complete the evaluation?	4
Is the parent/guardian or adult student comfortable proceeding with the evaluation?	5
Special Education Referrals	6
Initial Evaluations	6
Part C to B Transition (Age Of Three) Initial Evaluations	7
Establishing Eligibility for Specific Learning Disability (SLD)	7
Developmental Delay Expiration/Age Of Nine Re-Evaluations	8
Functional Behavior Assessments (FBAs)	8
Standardized Assessment	9
Observations	10
Collaborating With Other Professionals	11
Determining How to Proceed With an Evaluation	11
Logistical Concerns	13
Summary Statement	14
Appendix A: Additional Resources	15
Appendix B: Review of Existing Information Sources	15



Washington State Association of School Psychologists

Introduction

The Washington State Association of School Psychologists (WSASP) recognizes that in the current unprecedented times, all school staff are being asked to do our work in different ways. School psychologists have a long history of being flexible and focusing on the needs of our students, while adhering to strict legal requirements. It is with this focus on student needs that we have developed this guidance paper. With all schools in Washington closed for the remainder of this school year, students' learning and well-being are impacted. Students with disabilities, or with suspected disabilities, are even more at risk.

Much of our typical work as school psychologists involves observing students in their natural environment in the classroom and working with them one-to-one in order to understand their strengths and challenges cognitively, academically, and in social/emotional/behavioral areas. School psychologists are now trying to develop new ways to gather this same information indirectly from parents/guardians and teachers. School psychologists in Washington are taking into account guidance from the U.S. Department of Education (US DOE), the Office of Special Education Programs (OSEP), the Washington Office of the Superintendent of Public Instruction (OSPI), and the National Association of School Psychologists (NASP) to inform their practice. School psychologists must be mindful of the legal mandates, ethical requirements, requirements and limitations of confidentiality, issues of equity, and the need to make decisions based on valid and reliable data. WSASP encourages all school psychologists to continue to take our Child Find obligation seriously and ensure that students with disabilities are identified and provided the services they need, while maintaining the health and safety of students, staff, and families during this exceptional time.

As school psychologists, we are kind and caring, we try to help others, and we are flexible and solution-focused. During school closures, we have to use all of our coping skills and be prepared to be more flexible than ever before.

In this time of rapid change, please consult the WSASP Prior Written Notice e-newsletter for further updates and recommendations, in addition to new or updated OSPI guidance.



Washington State Association of School Psychologists

Evaluation Guidance for Teams

WSASP has provided guiding questions for evaluation teams to consider on a case-by-case basis for remaining initial evaluations or re-evaluations this year. In special education, each case is unique, and there is no one-size-fits-all answer. **These guiding questions are not intended to contradict or supersede rules being set by your district administration or OSPI, but are offered as a resource for your work within your district in determining how to best move forward. You should work with your administrators to determine how to proceed at this time.**

- What is best for the student?
- Does the team have means to access all the data *needed* to complete this evaluation?
- Is the parent or adult student comfortable proceeding with an evaluation during this time?

What is best for the student?

The evaluation team should consider if services are required to ensure that the student's needs are being met in their least restrictive environment. Initial evaluation teams are looking to establish eligibility. Re-evaluation teams may wish to consider adding a service, removing a service, or recommending a change of placement that was already in the process of consideration. Re-evaluation teams should also consider if the student continues to need specially designed instruction to make meaningful progress in the general education setting. Evaluation teams are also encouraged to consider the "stranger test." If the student moves to a new district, the receiving team should have adequate data in the existing paperwork to set up an appropriate program for this student.

What data is needed to complete the evaluation?

Evaluation teams are required to document evidence that a student demonstrates a need for specially designed instruction. Traditionally, there has been a reliance on individually administered standardized achievement tests in initial and re-evaluations across Washington State. While this has been our practice as school psychologists, it is not legally mandated that this testing be completed for most categories (See the [Establishing Eligibility for Specific Learning Disability \(SLD\)](#) section for guidance on how to proceed with initial SLD evaluations). This evidence can be built on relevant existing data. Evaluation teams should establish if the student is at grade level and able to access general education curriculum in the areas of concern. If the team collects data to demonstrate that the student is not meeting grade level expectations, student need may be established. See [Appendix B](#) for recommendations on existing information.



Washington State Association of School Psychologists

For initial evaluations, cognitive testing is only required for specific categorical determinations (developmental delay, specific learning disability in a severe discrepancy model, and intellectual disability). In most re-evaluation circumstances, cognitive testing is not required. It may be considered common practice to conduct cognitive assessments in order to validate previous testing by the team or to rule out one of those listed conditions when evaluating for another category; however, this is not legally mandated. School psychologists may wish to evaluate their practices to consider if cognitive testing is truly needed for each evaluation and what value additional testing is adding to the student's educational plan.

For assessment in the areas of adaptive, social-emotional, or behavior, school psychologists typically use direct observations or observational data in addition to survey or questionnaire data. Direct observation data may not be possible at this time and is not required to move forward with an evaluation. In addition to informal information gathering with team members, school psychologists should continue to have access to a variety of teacher, student, and parent/guardian questionnaires, which can be administered remotely online or as an interview. **WSASP encourages school psychologists to refrain from scanning and emailing the protocols to team members to complete, as this is a violation of copyright ([NASP Principles of Ethics, Standard II.5.3](#)). WSASP also encourages administrators to support school psychologists by providing appropriate tools needed to continue their work at this time.** Many test publishers are making their digital libraries easier to access during this crisis.

The Washington Administrative Code (WAC) requires a comprehensive evaluation in all areas of suspected disability, even those that are not commonly linked to the disability in question ([WAC 392-172A-03020](#) sections e and g). This may become a challenge if data is needed in a given area, including if a related service provider needs direct testing, but the rest of the evaluation team is able to move forward. Here, again on a case-by-case basis, evaluation teams must problem solve in a collaborative manner.

Is the parent/guardian or adult student comfortable proceeding with the evaluation?

Parents/guardians and adult students who are their own guardians have the right to decline proceeding during the COVID-19 Closure. If the evaluation team feels ready to proceed, but the guardian denies this, school teams are obligated to honor that. ([OSPI Q-A 3/24 E-1](#)). School psychologists should work with their district to determine how to document this decision, though a Prior Written Notice (PWN) may be the minimum that should be completed.



Washington State Association of School Psychologists

Special Education Referrals

If a student is referred for a special education evaluation during the COVID-19 closure, the school psychologist should contact the parent/guardian to identify and discuss the specific concerns. The school psychologist should use communication tools made available to them by their school district, including email, phone calls, online meeting platforms, or conference calls. A referral team meeting should also be scheduled, including the parent/guardian, administrator, special education teacher, school counselor, and general education teacher(s) to discuss what information is available. The general education teacher(s) should be able to speak to what skills and behavior were observed in the classroom. Parents/guardians can provide a developmental history, medical history, and an overview of academic skills and behavior. The administrator may be able to speak to any discipline concerns and provide additional information. The school counselor may have additional information about the family and the child.

The 25 school day timeline from the date of referral to the date of a decision is still a parameter for teams working in districts that are counting school days (see the [Logistical Concerns](#) section for more information). Referral teams have this time to gather data needed to make a decision on the question of referral. If the team is not able to obtain necessary information to make this determination, or is not able to hold a meeting, the referral team should determine and document how to proceed. The team may consider documentation stating why the 25 school day timeline is being delayed and that it will be initiated upon our return to traditional school; or, for school districts not yet counting school days, holding a referral meeting within 25 school days of returning to school. Either discussion should be documented in an email to the parent/guardian and through a PWN.

Finally, as with all processes conducted during the COVID-19 closure, if the parent/guardian or adult student does not consent to moving forward during this time, the team will not be able to proceed. See [Evaluation Guidance For Teams](#) for more information.

Initial Evaluations

If the referral team agrees that an evaluation is appropriate, and parent/guardian consent is obtained, school teams must then determine if they are able to proceed with the initial evaluation at this time or extend the evaluation until direct assessment can be completed. Evaluation teams are encouraged to use WSASP's [Evaluation Guidance for Teams](#) questions to determine if it is appropriate to proceed with an initial evaluation during the COVID-19 closure. More guidance is located in the [Determining How to Proceed with an Evaluation](#) section of this document.



Washington State Association of School Psychologists

Part C to B Transition (Age Of Three) Initial Evaluations

Part C to Part B transition refers to children transitioning from Early Intervention services (Part C) to Early Childhood Special Education (Part B) prior to the student's third birthday. OSPI has provided guidance in their document [Questions and Answers: Provision of Services to Students with Disabilities During School Closures for COVID-19](#). Although OSPI has provided a new allowable exception to the Indicator B-12 (Timely Part C to Part B Transition) report for the 2019-20 school year, IEP teams should consider whether completing this evaluation during the school closure is still possible. Students currently receiving Early Intervention (Part C) services are no longer eligible for services once they reach three years of age and, if eligible, cannot begin to receive Early Childhood Special Education (Part B) services until their transition evaluation and initial IEP are developed and completed.

District teams should consider moving forward with the evaluation if school staff are available, the parent/guardian is able to participate using distance technology options, and if the team can complete the evaluation safely using distance methods or following social distancing requirements. This may include virtual observations of parents/guardians with their child, use of data from Early Intervention services, and rating scale forms completed by early intervention specialists or parent/guardian. If evaluation data is available in some, but not all areas of suspected disability, school district teams may consider completing a partial evaluation at this time and completing a reevaluation when schools reopen if parental/guardian agreement is obtained and documented in advance, as further described in the [Determining How to Proceed with an Evaluation](#) section.

Establishing Eligibility for Specific Learning Disability (SLD)

Special consideration should be made by evaluation teams if looking to establish eligibility for specific learning disability (SLD) during an initial evaluation or re-evaluation. A majority of school districts are still working within the severe discrepancy model for SLD eligibility, with standardized cognitive and achievement testing required to determine eligibility.

The WACs allow for professional judgement in the determination of a SLD ([WAC 392-172a-03070](#)). Professional judgement is defined as determining that cognitive or achievement testing data is not representative of the learner. Documentation should include that assessment results were somehow invalid and include a secondary case of data to support eligibility. If the team has other data to support an eligibility determination, this is an appropriate use of professional judgement. Additionally, OSPI's [Identification of Students with Specific Learning Disabilities](#) document states on page 5 that professional judgement may be used "...when properly validated tests are unavailable." In these circumstances, as further outlined in the [Standardized Assessment](#) section, properly validated instruments may not be available, and the use of those tests may be invalid at this time. These reasons indicate that professional



Washington State Association of School Psychologists

judgement may reasonably be used in these circumstances, without attempted standardized testing.

Developmental Delay Expiration/Age Of Nine Re-Evaluations

Students currently eligible under the category of developmental delay should be re-evaluated if they turn nine prior to the start of the 2020-2021 school year. WSASP encourages evaluation teams to be thoughtful about what eligibility category the team suspects the student will qualify under and use WSASP's guiding questions to develop an evaluation plan.

If the team suspects a specific learning disability, the option to test to determine a severe discrepancy is not available at this time. As an alternative, teams may do as suggested in the [SLD section](#) of this guidance document and gather existing data to support the use of professional judgement. Evaluation teams may consider the use of data to support a lack of or insufficient response to intervention where specially designed instruction (SDI) provided under the developmental delay category was the intervention. The argument that the student has been receiving intensive intervention (their SDI) for a period of time and continues to be below grade level in that area can support the team's professional judgement that a severe discrepancy could not be obtained due to inability to assess at this time.

Functional Behavior Assessments (FBAs)

For students who are referred with concerns about behavior, or are up for a re-evaluation who have a Functional Behavior Assessment (FBA), and the team agrees that an FBA continues to be needed, evaluation teams will have to be flexible and creative in their problem solving. When updating an existing FBA, school psychologists may work with the evaluation team to add existing data, including progress monitoring from the current plan and details of what has and has not worked to support the student's behavior. If the team can collect sufficient data to provide a current functional behavior hypothesis, they may be able to proceed.

If the FBA is for a new behavior concern, the team may consider evaluating behavior without using the FBA protocol if there is insufficient data. The team may consider questionnaires, qualitative data, and intervention data. Teams may agree to a functional hypothesis without an FBA for the purposes of informing intervention. Evaluation teams cannot recommend a Behavior Intervention Plan be attached to the IEP without a FBA, but teams may recommend specially designed instruction in the area of behavior and that a FBA be completed if the student does not make improvement with SDI.

Finally, if the team agrees that a FBA is needed and there is insufficient data to complete one, please see the [guidance provided](#) for options on how to proceed with an intent to revise at a later date, file an extension, or delay the evaluation.



Washington State Association of School Psychologists

Standardized Assessment

School psychologists spend the vast majority of their assessment duties administering standardized tests. The term 'standardized' refers to the effort to have such tests administered and scored the same way every time. Questions are asked, directions are delivered, and queries are made in an identical manner for each administration. Most standardized tests are thus administered in a face-to-face manner. These demands make the administration of standardized testing particularly problematic with current social distancing protocols. The intent of this section is to identify the options for face-to-face testing and to clarify the reasons for WSASP's limited support for remote administration of standardized tests.

Providing cognitive assessments is a consistent role for school psychologists. The vast majority of these tests require face-to-face assessment with students. The value of administering these tests in the manner prescribed include:

- A high degree of reliability, making the test results more interpretable
- The opportunity to observe testing (problem-solving) behavior of the student
- The ability to maintain student confidentiality
- Extensive training in the administration and scoring of such tests
- Guaranteed equity for students, in terms of being able to access the test
- No other personnel, equipment, or new training necessary, with no demands on family members
- Availability of student and quiet environment free of distraction
- Ability to ensure professional ethical standards of test administration

Recently, the option of remotely-administered, online cognitive testing has surfaced due to the COVID-19 school closure. The provided list of **values** associated with face-to-face testing becomes a list of **concerns** if the cognitive assessment is conducted remotely. The WAC provides guidance about standardized assessments, stating that 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 ([WAC 392-172a-03020](#)). While school psychologists are trained to administer these assessments face to face, virtual assessment procedures and physical materials are different and require specific training. Most school psychologists lack adequate training to provide virtual assessment at this time. Existing testing kits and materials are not appropriate to use in a virtual assessment setting and are not valid when used in this manner.

Additionally, distractions that take place in the home, the availability of a trained adult to proctor materials in the home, lack of confidentiality, additional technology and psychologist training required, and prohibitive cost all result in a situation that may violate the [NASP Principles for Professional Ethics](#), and this may result in invalid results that do not reflect student ability level.



Washington State Association of School Psychologists

Virtual assessment could be a strategy adopted over time, but it will require significant investment in materials and training to be a viable option producing valid results.

There is a further and final consideration for the use of direct standardized assessment with students during this extraordinary time: we are all experiencing a time of crisis. Most school psychologists will refrain from testing students prior to a break, during preferred classes or activities, after a trauma in the family, or after a school crisis. School psychologists refrain from testing in these circumstances due to concerns that students do not perform their best under those emotionally trying circumstances. The COVID-19 pandemic is a school crisis, a home crisis, and a public health crisis. COVID-19 is extraordinary in how it has impacted everyone's daily lives. To administer a standardized assessment in this time and presume the results are generalizable to a student's typical ability may be unjustified. School psychologists must consider the appropriateness of any assessments we give in these circumstances.

WSASP recommends that school psychologists and evaluation teams carefully consider the need for current cognitive assessment as part of the current evaluation. The team should consider past data that may reflect current levels of cognitive functioning, as well as if the suspected disability category requires cognitive assessment. If such assessment is required, evaluation teams should consider those options outlined above in the [Determining How to Proceed With an Evaluation](#) section to complete the evaluation in the fall.

Observations

Many school psychologists promote the practice of observing each student they evaluate. Direct observations are common in school psychology practice and considered best practice in many situations; however, an observation is only legally required for an initial SLD evaluation ([WAC 392-172A-03075](#)). Observation is also noted in the Review of Existing Data section for evaluations and reevaluations ([WAC 392-172A-03025](#)). This indicates the team should consider "Observations by teachers and related services providers" as part of that review.

Regarding the required observation for SLD, the WAC states that the evaluation group can "use information from an observation in routine classroom instruction and monitoring of the student's performance that was done before the student was referred for an evaluation..." This suggests that if staff have observational information from an intervention process, that could be used in this situation. While the required observation is to help the team determine the 'access to adequate instruction' question, it is primarily focused on "the relevant behavior, if any, noted during the observation of the student and the relationship to that behavior to the student's academic functioning" ([WAC 392-172A-03080](#)).

If the evaluation team has already begun an evaluation with the intent to complete an observation, there may be some creative ways to fulfill this requirement. Teams may consider observing the student reading to a family member during an online conference, or observing if



Washington State Association of School Psychologists

the general education teacher is providing direct academic services through distance learning. Teams may also ask a teacher who has worked regularly with the student to provide general observational notes about how the student performed in class on a typical day. School psychologists could provide guiding questions about time spent on-task or the student's ability to work independently. The input would be based on the teacher's observation, not the school psychologist's.

The evaluation team, including the parent/guardian, may also discuss and agree to remove an observation from the evaluation plan. The decision to waive a component of the evaluation documented on the consent form must be documented in a PWN. The team should work to obtain written parent/guardian permission for this change, similar to other consent documentation procedures during this closure.

Collaborating With Other Professionals

School psychologists regularly chair evaluation teams and facilitate multi-disciplinary team meetings with other special education and general education staff members. WSASP recognizes that other educational staff associates (ESAs) that participate on these teams have separate codes of ethics for their professions, which are to be respected. These ethical requirements may not always align with WSASP's recommendation or guidance, especially regarding how and when to complete assessments for a comprehensive evaluation. The guidance WSASP has laid out applies to school psychologists only. **WSASP encourages school psychologists to engage in positive and productive conversation with team members and families in order to reach a mutual agreement about how to proceed on a case-by-case basis** ([NASP Principles for Professional Ethics, Principle III.3.](#)).

Determining How to Proceed With an Evaluation

Evaluation teams must make a good faith effort to complete evaluations prior to their expiration date where this is possible ([OSPI Q-A 3/24 E-4](#)). It is important to meet existing deadlines to serve our students appropriately. Using our time wisely is also an important consideration, since everything that is not completed now will have to be completed in fall 2020 in addition to the regular caseload. Keep in mind that the purpose of a re-evaluation is to determine continued need for special education and outline those needs, not to re-establish eligibility ([WAC 392-172A-03025](#)).

When answering the three guiding questions for an evaluation, many evaluations will be able to move forward. For others, it is possible that the team will determine they cannot proceed with an evaluation at this time. Teams may explore options within their district about how to document the decision to delay an evaluation. Options to consider include: completing an evaluation with the intention of completing a revision when direct assessment is again possible, opening an evaluation and file an extension, which OSPI has provided guidance for ([OSPI Q-A 3/24 E-1](#)), or



Washington State Association of School Psychologists

delaying the evaluation entirely. The extension can be used beyond the expiration date during the COVID-19 closure due to staff illness, parent/guardian non-consent, and/or inability to complete necessary direct assessment. OSPI is unable to systematically change IDEA, but will not be monitoring re-evaluation timelines during the school closure. “OSPI does not plan to identify issues of noncompliance through monitoring based on timelines that were missed as a result of the COVID-19 outbreak” ([OSPI Q-A 3/24 E-5](#)). OSPI has given districts 30 school days after the return to in-person instruction to complete paperwork that was not done due to the closure, including IEPs and re-evaluations ([OSPI Letter 3/18](#)).

The evaluation team may consider completing the re-evaluation now, without new standardized testing that is agreed to be necessary, with the intention to complete an assessment revision or new evaluation upon the return to school if the entire team, including the parent/guardian, agrees. This team decision should be documented clearly by stating that the team intends to complete an assessment revision when school resumes to update this area. This does mean the evaluation may not be comprehensive; however, it does address all areas of concern and provides a documented solution. This is acceptable if the team, including parent/guardian, is comfortable with the decision and it is documented.

Alternatively, if a member of the team is not comfortable completing an evaluation and parent/guardian agrees, the evaluation team may extend the re-evaluation process. WSASP encourages documentation of these conversations through a PWN and district-provided documentation forms. During this exceptional time, OSPI has indicated that evaluation teams may extend a triennial re-evaluation past the expiration date ([OSPI Q-A 3/24 E1 and E5](#)). For early re-evaluations, or those that are due to expire, teams may use the extension process with parental/guardian agreement ([WAC 392-172A-03015](#), section 3). In these cases, evaluation teams may wish to collect data that is available to them from team members who are most familiar with the student, such as social-emotional questionnaires or informal teacher input forms, to help inform the re-evaluation process in the fall. Data collection may be started after obtaining consent for the evaluation with the intention to extend that evaluation.

The third option is to delay the evaluation entirely. Evaluation teams should follow their district guidance for documentation, with a PWN at minimum. Evaluation teams are encouraged to consider gathering what data is able to be obtained from those who are most familiar with the student as soon as possible, to help inform the re-evaluation process when it is able to proceed. This may include the completion of social-emotional questionnaires or informal teacher input forms. With district and parent/guardian approval, this can be completed with written parent/guardian permission (as defined in this document) and when documented on a PWN outside of a re-evaluation process.



Washington State Association of School Psychologists

Logistical Concerns

When teams meet during the school closure, there are four logistical concerns that pertain to our processes and paperwork: obtaining written consent, the signature page typically signed at the time of meeting, school day timelines, and Federal Education Rights and Privacy Act (FERPA) protections during virtual meetings.

To obtain consent for an evaluation, OSPI is allowing written permission to include: email, digital or e-signature, digital photograph or scan of a parent/guardian signature on an applicable document, or district staff noting temporarily that consent was given verbally ([OSPI Q-A 3/24 E-7](#)). If the team proceeds with verbal consent, an attempt to mail the form and have it mailed back with written consent is recommended. There continues to be the option for proceeding without consent in the event that you are not able to get in touch with families during this time.

For obtaining signatures for evaluations, OSPI is encouraging districts to explore digital platforms to use for signatures; however, many districts are not able to support this. Teams should document team members in attendance and their method of participation. Meeting attendance can be documented on the signature page and should also be on the PWN. Please check with your district administrators to determine your local plan for these issues.

Clarification about what counts as a school day should come from the school district. If the school district is providing continuous learning opportunities, then they are likely to be considered school days. “If the district is providing instruction and student support to all students during the closure, including the provision of special education and related services as part of a comprehensive plan, then districts should treat such days as ‘school days’ for the purposes of meeting special education timelines” ([OSPI Q-A 3/24 E-5](#)). OSPI is not monitoring timelines missed as a result of COVID-19, but timelines may be a concern in some situations, such as with a due process filing.

Though we are in a time of crisis, our students are still entitled to their privacy. FERPA requires particular security around access to and sharing of special education information. This law, however, predates most social media and technology. OSPI has released information for districts to consider in how to proceed with online conference programs such as Zoom, which can be accessed [here](#). Companies are also providing users with information for how to arrange the settings of their programs for maximum security. WSASP encourages school psychologists to engage their districts in discussion to ensure student privacy before engaging in private conferences on platforms which may be insecure.



Washington State Association of School Psychologists

Summary Statement

In closing, WSASP encourages school psychologists and school teams to be flexible, collaborative, and thoughtful about supporting individual student needs during this time. If you have any questions that were not addressed through this document, [please submit your question using this form](#). Someone from WSASP's response team will respond within 24 hours. Questions and responses will be posted in the Prior Written Notice e-newsletter.

Our buildings will open again. We will get through this, together.



Washington State Association of School Psychologists

Appendix A: Additional Resources

- National Association of School Psychologists (NASP)
 - [Telehealth: Virtual Service Delivery Updated Recommendations](#)
 - [Principles for Professional Ethics](#)
 - [Ask the Experts Webinar Series](#)
- Washington Office of Superintendent of Public Instruction (OSPI)
 - [Questions and Answers: Provision of Services to Students with Disabilities During School Closures for COVID-19](#) (Cited as OSPI Q-A 3/24)
 - [Guidance Regarding IEP Reviews During Covid 19 3/18](#) (Cited as OSPI Letter 3/18)

Appendix B: Review of Existing Information Sources

WSASP has compiled a list of sources of existing information that school psychologists may wish to consider as part of their evaluation process, in lieu of new standardized assessment:

- State Assessment Data (e.g. SBA)
- District Progress Monitoring Data (STAR, Renaissance, EasyCBM, iReady, etc.)
- Review of current IEP goals and progress monitoring from report cards
- Input from general education teachers regarding individual student needs
- Input from special education teachers regarding individual student needs and progress toward IEP goals not reported at report cards
- Grading data from prior to school closures (e.g. percentage of missing assignments, performance on tests and quizzes) as well as transcript of classes taken and grades
- Summary of changes in services (e.g. if additional supports were added such as more time or check-in check-out before the school closure)
- Review of previous evaluation data (e.g. the student's performance at the time of their last full evaluation)
- Attendance history
- ELPA21 Testing Results (if appropriate)
- Office/Discipline referral data (if appropriate)
- Review of previous vision/hearing screenings
- Input from students and parent/guardian
- Review of pre-vocational skills (secondary)