

Family Q&A on Evaluation/Reevaluation During COVID-19

The purpose of this document is to answer several frequently asked questions that families of students with disabilities have had during the COVID-19 Pandemic.

Note: LEA is referred to throughout this document. A Local Educational Agency (LEA) is a school district, charter school, or other educational entity responsible for providing free, appropriate, public education in accordance with Pennsylvania Department of Education statutes, regulations, and policies with or without support from other agencies.

Q: *Have the deadlines to evaluate/reevaluate my child been waived due to the pandemic?*

A: The US Department of Education did not recommend waivers for evaluation and reevaluation timelines nor did Congress advance any legislation to relieve LEAs from evaluation and reevaluation timelines. As a result, Title 22/Chapter 14 of the Pennsylvania Code continues to govern evaluation and reevaluation requirements for students with disabilities during the COVID-19 pandemic.

Evaluations and reevaluations must be completed and the evaluation report presented to parents or guardians no later than 60 calendar days after receiving written parental consent for the evaluation. Summer calendar days do not count.

"[i]f 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 (for in person instruction). Evaluations and reevaluations 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." LEAs may conduct a review of existing evaluation data and use virtual evaluation tools.

LEAs "are encouraged to work with parents and guardians to reach mutually agreeable extensions of time, as appropriate." LEAs may obtain informed consent from parents and guardians to extend the 60-day timeline. LEAs and parents should make every effort to complete evaluations and reevaluations with as little delay as possible.

Q: *Are there additional supports and services my child's school can access?*

A: An LEA may consider the provision of additional supports and services for a student prior to the completion of an initial evaluation to ensure access to their educational program during the COVID-19 school closures.

Q: *Which standardized tests may be administered virtually, versus in person?*

A: If standardized tests such as cognitive assessments, or formal achievement tests 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 to be considered valid and reliable.

If there are standardized tests such as cognitive assessments or formal achievement tests designed to be administered virtually, LEAs should consider the impact of environmental or other factors which could compromise the validity of the results.

Therefore, evaluations that require in person testing or observations should be postponed until the school deems it safe for staff and students for in person testing.

Q: *Are there other resources I can access to learn more about the evaluation/reevaluation process?*

A: Yes, there are several family-friendly resources to assist you with understanding the laws, your and your child's rights regarding evaluation/reevaluation for special education services.

Resources (Links):

Reference

Pennsylvania Department of Education. *Pennsylvania Department of Education Bureau of Special Education Guidance on Evaluations & Reevaluations*. [Online]. Available: <https://www.education.pa.gov/K-12/Special%20Education/FAQContact/Pages/Guidance-on-Evaluations-and-Reevaluations.aspx>

PaTTAN Publications

The Special Education Evaluation/IEP Process (Family-Initiated Request and LEA-Initiated Request)

The Special Education Reevaluation/IEP Process (Family-Initiated Request and LEA-Initiated Request)

Special Education Timelines

Special Education Forms

Agreement to Waive Reevaluation (Annotated)

Evaluation Report (School Age, Annotated)

Prior Written Notice for Initial Evaluation and Request for Consent Form (School Age, Annotated)

Prior Written Notice for Reevaluation and Request for Consent Form (School Age, Annotated)

Reevaluation Report (School Age, Annotated)

The Peal Center

A Family's Guide to Understanding Annotated Evaluation and Reevaluation Reports

Part 1: A Family's Guide to Understanding Annotated Evaluation and Reevaluation Reports

Part 2: Permission to Evaluate Form for the Initial Evaluation

Part 3: Evaluation Process and Report

Part 4: Summary of Findings, Review of Evaluation and Follow-up

Part 5: Reevaluation Process

The Education Law Center

The Right to Special Education in Pennsylvania: A Guide for Parents and Advocates



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