

# COVID19 - ASSESSMENT AND REPORT WRITING

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# Learnings

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Review of the legal requirements and components for a speech and language evaluation and report

Identify the impact of COVID19, school closures, and return to school, on the assessment and reporting process

Recommendation for language to include in the Speech and Language Report to address COVID19's impact.

## Disclosure

Stipend from Lavi Institute for this presentation

## Disclaimer

I am not a lawyer!



# Let's Begin at the Beginning

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All Handicapped Children Act (Public Law 94-142)

Protecting the rights of children with disabilities

Individuals with Disabilities Education Improvement Act (IDEA, 2004)

## 6 Basic Principals

Free and appropriate public education (FAPE)

Least Restrictive Environment (LRE)

An individualized education program (IEP)

Procedural rights and due process

Nondiscriminatory assessment

Parent participation



**Learning Knows No Bounds**

# Extraordinary Times – How will we get it all done?!

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- Record Review



*If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the public agency must notify the child's parents of—*

(U.S.C. Title 20 §1440 (c)(4))

# Suggested Hierarchy for Planning Timelines for Assessments

(Hatch & Cesario, Attorney's at Law, Strategies for Overcoming COVID-19 Challenges, 6/16/20)

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- Eligible students with serious health or emotional issues.
- Eligible students experiencing significant regression.
- Students who will likely qualify for special education and related services
- Eligible students who appear to need a change in placement, especially to a more restrictive setting, and/or more services, modifications or accommodations.
- Students who may not likely qualify, for example students who were assessed last year and found not eligible.
- Triennial assessments for students who educational programs will likely not change as a result of the reassessments.
- The purpose of the IEP meeting is only to discuss progress.
- Students whose needs may be currently met through a Section 504 plan.
- Students who may no longer be eligible.

# Remember – Additional Considerations

(Hatch & Cesario, Attorney's at Law, Strategies for Overcoming COVID-19 Challenges, 6/16/20)

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- Consider asking parents of student who fall in the lower priority categories to agree to extend the assessment or IEP deadline in writing. It may also be appropriate to suggest delaying assessments until students have had a chance to acclimate after returning to school. Agreements to postpone assessment or IEP tem meetings should mention that parents are not required to agree to an extension, among other key provisions.
- Ask parents whether they are willing to amend their child's annual IEP and waive the meeting if the LEA send them a proposed addendum.



## Federal law (20 USC §1414(b)) requires school districts to do the following:

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1. Use a variety of assessment tools and strategies to obtain relevant, functional and developmental information and academic instruction;
2. Include information provided by the parent that may assist in determining whether the child is a child with a disability and the content of the child's IEP;
3. Include information related to enabling the child to be involved in and progress in the general curriculum, or, for preschool children, to participate in appropriate activities;
4. Not use any single procedure as the sole criterion for determining whether a child is a child with a disability or determining an appropriate educational program for the child, and to use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.



# Eligibility Under Speech-Language Impairment (SLI)

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- SLI one of 14 eligibility categories for special education and related services.

- Three prongs for eligibility:

- (1) Have an impairment, that
- (2) results in an education impact, that
- (3) requires specially designed instruction

[\(34 CFR S300.8\)](#)



- IDEA Definition for SLI:

“a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment , that adversely affects a child’s **educational performance**” [\(34CFR S300.8\(a\)\(11\)\)](#) (

- All educational decisions are made by IEP team.

## State Law

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REMEMBER

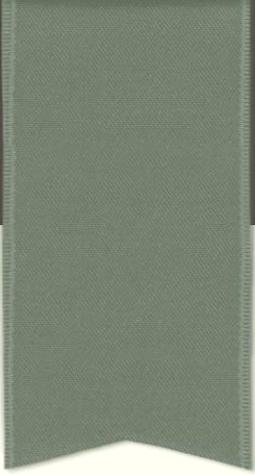
*States cannot provide fewer protections than Federal Law,  
but can increase those protections*

**CHECK YOUR STATE LAWS!**

## ASHA GUIDELINES (2004)

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- Case history, including medical status, education, socioeconomic, cultural, and linguistic backgrounds and information from teachers and other related service providers
- Patient/client/student and family interview
- Review of auditory, visual, motor, and cognitive status
- Standardized and/or non-standardized measures of specific aspects of speech, spoken and non-spoken language, cognitive-communication, and swallowing function, including observations and analysis of work samples
- Selection of standardized measures for speech, language, cognitive-communication, and/or swallowing assessment with consideration for documented ecological validity and cultural sensitivity
- Identification of potential for effective intervention strategies and compensations
- Follow-up services to monitor communication and swallowing status and ensure appropriate intervention and support for individuals with identified speech, language, cognitive-communication, and/or swallowing disorders

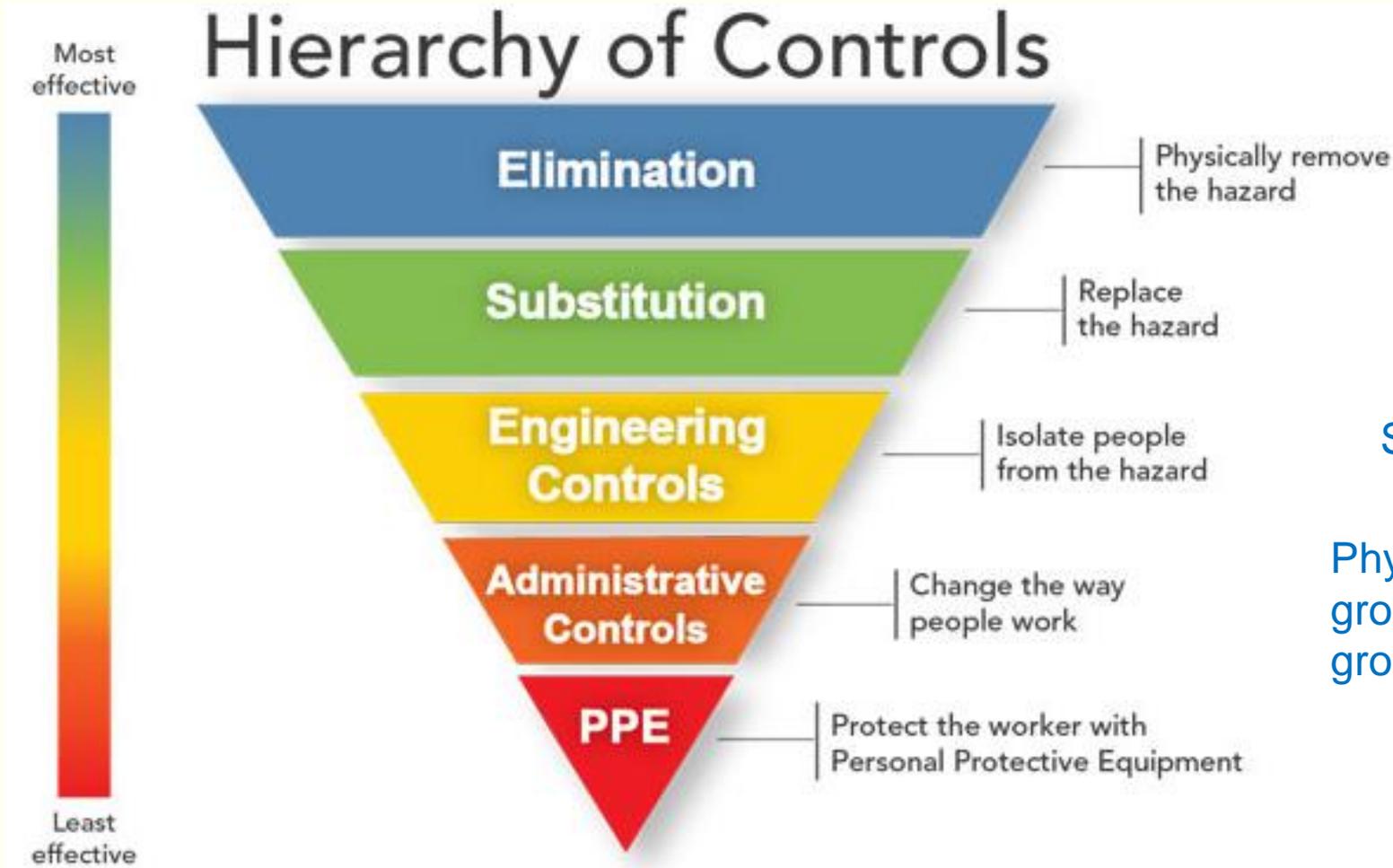


# COVID19 GENERAL CONSIDERATIONS DURING ASSESSMENT

In person or via telepractice



# PHYSICAL SAFETY



Stay at Home; Telepractice

Physical distancing, smaller groups, work outside, bubble groups, etc.

Use of face masks, face shields, protective barriers, use of hand sanitizers, etc

# TELEPRACTICE

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## Ethical and legal requirements are the same as in-person HIPPA/FERPA

- ASHA is a great resource to address telepractice assessment:
  - Identify any components of an evaluation or assessment procedure that is waived or revised, such as requirements for norm-referenced or criterion-referenced tools
  - Considerations for non-standardized assessments should be reflected when the client does not fit the norming sample
  - Clinical opinion and functional information obtained by using the client's natural environment, observation (live or recorded), and family/caregiver reports
  - Opportunity or benefit of pre-conferencing with families/caregivers to help gather materials needed for assessment, such as manipulatives or sample videos



Need to do your due diligence and be prepared

# TELEPRACTICE - Basic Considerations

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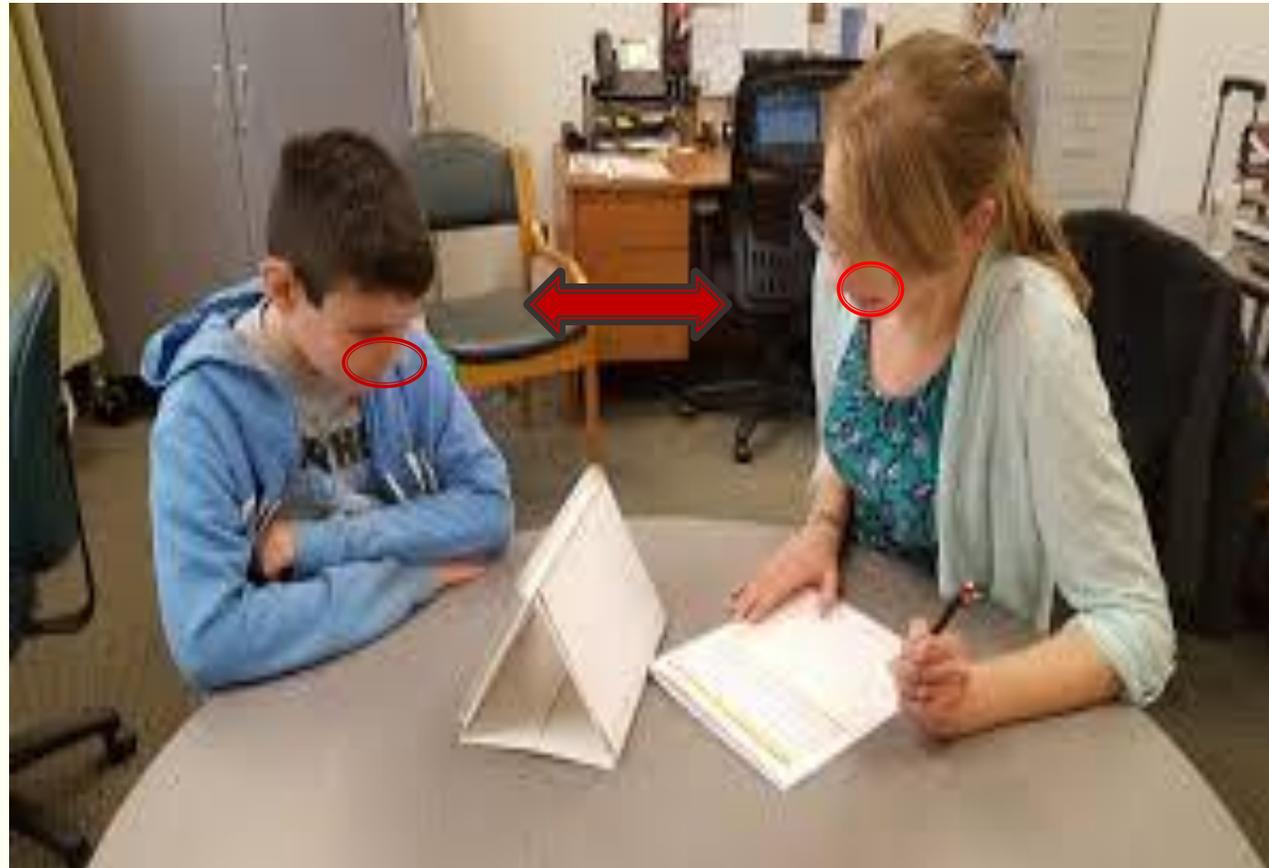
- Is student is appropriate for assessment and therapy via telepractice?
- Is appropriate technology available to assessor and student?
- Are assessments tools are appropriate for online?
- Is the environment appropriate for telepractice?
- Are parents onboard and involved?
- Have you taken into consideration cultural and linguistic influences that can impact teleassessment?



# IN-PERSON ASSESSMENT

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**PAST**



# IN-PERSON ASSESSMENT (Cont'd)

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## PRESENT

What protections are in place?



What is their impact?

What is the student's emotional state? **Your** emotional state?



# Reason for Referral

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<b>Requirement</b>	<b>Assessment</b>
IDEA (2004) - requires an evaluation be comprehensive and assess all areas of disability	Parent interview/questionnaire, review of records, teacher interview, observations prior to and during assessment

## Reason for Referral (cont'd)

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### Report

Document in Reason for Referral:

“Student was referred for evaluation by the parent due to concerns regarding her lack of intelligibility. Additionally teacher was concerned with Student’s retention of academic subjects taught”

# Educationally Relevant Health, Developmental and/or Medical Findings

Requirement	Assessment
<p>4. ....use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to <u>physical or developmental factors</u>. (20 U.S.C. §1414(b)(2)(B))</p> <p>5.The pupil is assessed in all areas related to the suspected disability, and a <u>developmental history</u> is obtained, when appropriate (CA Ed Code §56320(f))</p>	<p>Case History; Parent Input Form/ Interview, including health history, outside health reports, vision and hearing. Teacher Input Form and Interview. <b>Best to speak directly to parent rather than just relying on written health history. This will allow you to ask follow up questions, forge a relationship.</b></p> <p><b>COVID Consideration:</b> Disasters disrupt all areas in a student's life - housing, social networks, finances, food, medical care. There may also have been a serious sickness or loss of family members due to COVID.</p> <p>It is important to be aware of the family's situation as it will likely impact student behavior/responses.</p>

# Educationally Relevant Health, Developmental and/or Medical Findings (Cont'd)

## Report

Report must include....

(e) The educationally relevant health and development, and medical findings, if any;  
(CA Ed Code §56327(e))

### **COVID Considerations:**

“During COVID’s family circumstances required a change in address or family housing is presently in transition”;

“Student was previously taking medication for XXX, but has not taken any since X/X/X”;

“Parent shared family has been stressed and Student’s negative behaviors have increased due to parent being a medical personnel, etc.”

# Language Background

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Requirement	Assessment
<p>(ii) Are provided and administered in the language and form most likely to yield accurate information..... <a href="#">(20 U.S.C. §1414 (b)(3)(ii))</a></p> <p>....the materials and procedures shall be provided in the pupil’s native language or mode of communication, unless it is clearly not feasible to do so <a href="#">(CA Ed Code §56320(a))</a></p>	<p>All states have a process/assessment for English Language Learners (ELL)</p> <p>CA – English Language Proficiency Assessment for California (ELPAC), Parent Language Survey</p> <p>If ELL, are you assessing in primary language, using an interpreter if needed, etc., if appropriate?</p> <p><b>This may be more difficult if using telepractice</b></p>

# Language Background (Cont'd)

## Report

Identify primary language

If English Language Learner provide 2<sup>nd</sup> language assessment results:

ELPAC Initial assessment provides 3 Levels:

Novice EL, Intermediate EL, IFEP (Initial Fluent English Proficiency)

ELPAC Summative Performance has 4 levels:

1, 2, 3, 4.

It is important to use descriptors provided by ELPAC:

i.e., Level 1 - English learners at this level have minimally developed oral (listening and speaking) and written (reading and writing) English skills.

Identify how the use of telepractice or translator may have impacted assessment.

# Educational History/Interventions

Requirement	Assessment
<p>(A) review existing evaluation data on the child, including—</p> <ul style="list-style-type: none"> <li>(i) evaluations and information provided by the parents of the child;</li> <li>(ii) current classroom-based, local, or State assessments, and classroom-based observations; and</li> <li>(iii) observations by teachers and related services providers; and..</li> </ul> <p>(B)(ii) the present levels of academic achievement ad related developmental needs of the child</p> <p>(20 U.S.C. §1414 (c)(1)(A) and (c)(1)(B)(ii))</p>	<p>Review of records, including Rtl/MTSS, previous IEP, previous therapy progress, Teacher/parent interview</p> <p><b>COVID Considerations</b>  Identify the educational status <u>prior</u> to COVID, <u>during</u> Stay at Home and <u>presently</u>.</p> <p><i>Prior to Covid</i> – What was gen ed status? What were SpEd levels; If services were provided, how? How often did student attend?</p> <p><i>During SAH</i> - Was gen ed instruction provided? What kind? Was student engaged? What kind of engagement? What was attendance?</p> <p>Were SpEd services provided, how did student do?  Was progress monitoring available? What was result?</p> <p>What was student’s behavior toward online or other way of providing services?</p> <p><i>Presently</i> – What is current status?</p>

# Educational History/Interventions (Cont'd)

## Report

### COVID Considerations

“Prior to COVID19 Stay at Home measures were enacted, Student was receiving pull out for speech and language services 2x per week for 25 minute sessions. During Stay at Home, Student continued to received speech and language services via telepractice 1x/week for 25 minutes. Student had good attendance and engaged in the sessions. Student is presently receiving 1 in person session and 1 online session with good attendance and engagement.”

“Prior to COVID19, Student received Speech and Language services 45 min 1x/week pull out. During Stay at Home, Student was not able to attend the *offered* online sessions. He received work to continue at home and SLP consulted weekly with parent to guide use of the worksheets and answer questions. Presently Student has not returned to in person services per parent choice nor is accessing online therapy. Parent is working with district to access technology. SLP is consulting weekly with parent. *Parent reports Student has made great progress on his goal of correctly using past tense sentences in a story retell.*”

# Observation of Student: Classroom Observation; Assessor Observation During Assessment

Requirement	Assessment
<p>A) review existing evaluation data on the child, including—</p> <ul style="list-style-type: none"><li>(ii) current classroom-based, local, or State assessments, and classroom-based observations; and</li><li>(iii) observations by teachers and related services providers; and..</li></ul> <p>(20 U.S.C. §1414(c)(1))</p>	<p>Teacher/Parent Feedback, Observation in classroom and other areas, i.e. recess. SLP's observation during assessment.</p> <p><b>COVID Consideration</b></p> <p><i>Prior to COVID - Was any observation completed? Any input from teacher regarding student behavior prior to COVID? Any observation from special ed providers prior to COVID?</i></p> <p><i>During Stay At Home – Was any observation completed? Virtually? Parent input?</i></p> <p><i>Presently – Observation in class possible? If not in class, was observation done during their virtual class? During special education sessions?</i></p>

# Observation of Student: Classroom Observation; Assessor Observation During Assessment (Cont'd)

## Report

Include relationship of the behavior to the student's academic and social functioning. Include what student did and how s/he reacted during testing.

### **COVID Consideration**

“Teacher reports prior to COVID, Student was difficult to understand and required repetitions for clarity, she understood him approximately 60% of the time.”

“During Stay at Home, Student was observed during a zoom lesson in a class of 14 actively responding to teacher questions in short phrases, using only present tense when describing a past event.”

“Student observed in classroom (group of 6) during math on XX/XX/XX. He was noted to be continuously adjusting his face mask, had to be asked to repeat his answers for clarity.”

“Student observed in a Zoom breakout room with aide, complied with directions given and was able to complete task assigned.”

“Student did not provide any verbal response during but used Zoom icons to respond to teacher questions.”

“Student engaged easily during online assessment, answering questions and asking clarifying questions.”

# Evaluation Procedures and Results

Requirement	Assessment
<p>(b)(2)(A) use a variety of assessment tools and strategies....</p> <p>(b)(2)(B) not use a single measure or assessment as a single criterion...</p> <p>(b)(2)(C) use technically sound instruments that may assess...</p> <p>(b)(3)(A)(i) ...not to be discriminatory...</p> <p>(b)(3)(A)(ii) .. in the language and form most likely to yield accurate information...</p> <p>(b)(3)(A)(iii) ... are valid and reliable;</p> <p>(b)(3)(A)(v) are administered in accordance with any instruction by producer...</p> <p>(b)(3)(D)assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs...</p> <p>(20 U.S.C. §1414(b))</p>	<p>Use assessment tools based on the area of identified need.</p> <p><a href="https://www.asha.org/Practice-Portal/Clinical-Topics/Late-LangASHAashauage-Emergence/Assessment-Tools-Techniques-and-Data-Sources/">https://www.asha.org/Practice-Portal/Clinical-Topics/Late-LangASHAashauage-Emergence/Assessment-Tools-Techniques-and-Data-Sources/</a></p> <p>Evaluation and Eligibility for Speech-Language Services in Schools</p> <p><a href="https://pubs.asha.org/doi/10.1044/persp1.SIG16.78">https://pubs.asha.org/doi/10.1044/persp1.SIG16.78</a></p>

## Evaluation Procedures and Results (Cont'd)

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- If assessing virtually – preconference with family
- *On-line assessment tools may not normed/valid but publishers have provided permission to use portions or all online.*
- *California focused resource:*

<https://charterselpa.org/wp-content/uploads/2020/05/Sped-Assessments-and-Telepractice-Considerations-COVID-19.pdf>

# Evaluation Procedures and Results (Cont'd)

## Report

List the procedures used and include a validity statement

“The assessment instruments and procedures used are valid for the purpose of this evaluation, are nondiscriminatory, and were administered by qualified personnel. The standardized tests administered are normed for the student's age **unless otherwise noted**. The student's language proficiency was considered in the administration of all instruments and procedures.

The evaluation includes review of records, speech/language evaluation clinical observation, progress review, and teacher/parent feedback.” (Springs Charter School)

## Evaluation Procedures and Results (Cont'd)

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### Report

Identify if assessment was conducted via telepractice:

- Describe how it was conducted
- Identify platform used
- Type of internet connection - was it sufficient to get good audio and video?
- The role of adult present with child, what they were directed to do?
- Were assessments conducted per the publisher directions?
- What were the procedures used? Identify accommodations/modifications used.

## Evaluation Procedures and Results (Cont'd)

### Report

State any modifications made to test materials, administrative processes.

“An interpreter was used via Zoom, student was attentive.”

“The XXX naming subtest pictures were provided via screen per publisher guidance. Clinician confirmed with Student that he could see the picture prior to receiving each answer. ”

“The XXX was attempted, but a standardized score was not achieved. Student was not able to attend in the online assessment process and Clinician was unable to obtain a baseline. When provided with direct verbal prompts by parent to attend and with 1-3 repetitions of question, Student correctly answer 10 of the 16 questions.”

“Assessor required student to repeat words due to muffled voice as student was wearing a face mask.”

“The XXX was attempted, however assessment was discontinued as no basal was achieved.”

# Summary

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Requirement	Report
<p>Should be in a language understood by parents.</p>	<p>The Summary should address (in summary) the results of the assessments and the impact of <b>COVID 19 on assessment.</b></p> <p><b>Be clear – remember, others who may read this see only what is on the paper, not what is in your head!</b></p>

# Determination of Eligibility

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## Requirement

(4) Determination of Eligibility and educational need

Upon completion of the administration of assessment and other evaluation measures –

(A) The determination of whether the child is a child with a disability as defined in section 141(3) of this title and the educational needs of the child shall be made by a team of qualified professionals and the parent of the child in accordance with paragraph (f); and

(20 U.S.C. §1414(b)(4)(A))

In making a determination of eligibility... a child shall not be determined to be a child with a disability if the determinant factor for such determination is—

(A) Lack of appropriate instruction in reading...

(B) Lack of instruction in math;

(20 U.S.C. §1414(b)(5))

## Determination of Eligibility (con'td)

### Report

Take into consideration all of the factors, including COVID when making your determination.

Include statement “ final determination on eligibility will be made by the student’s IEP team”

Remember, FAPE is everyone’s responsibility not just a SpEd Program.

# Signature

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Requirement	Report
<p data-bbox="249 434 690 479">Qualified Assessor</p> <p data-bbox="249 562 1098 674">Assessments must be conducted by qualified persons.</p> <p data-bbox="249 751 1179 991">The assessment must be conducted by persons competent to perform the assessment, as determined by the local educational agency.</p> <p data-bbox="249 1062 1179 1150">(34 C.F.R. §300.304, 300.305; Education Code §56320, 56322.)</p>	<p data-bbox="1281 434 2079 545">Sign your Report and include your License number</p>

# Thank you!

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Carson, J, & Cohn E.R. (2014) . *Telepractice: An Overview and Best Practices*. Perspectives, 23, 4-17. <https://doi.org/10.1044/aac23.1.4>

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United States Department of Education §1414 (2019). *Evaluations, eligibility determinations, individualized education programs, and educational placements*. Downloaded from <https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1414>

# Additional Resources

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## Publishers – Virtual Assessments

- Pearson:
  - Goldman-Fristoe Test of Articulation – Third Edition (GFTA-2)
  - Clinical Evaluation of Language Fundamentals (CELF-5)
  - Peabody Picture Vocabulary Test (PPVT-4)
  - Expressive Vocabulary Test (ET-2)
  - CELF–4 Spanish
  - CELF-Metalinguistics
  
- Academic Therapy:
  - Testing of Auditory Processing-Third Edition (TAPS-3)
  - Expressive One Word Picture Vocabulary Test: Spanish Bilingual Education (EOWPVT-SBE)
  - Receptive One Word Picture Vocabulary Test: Spanish Bilingual Education (ROWPVT-SBE)
  - Testing of Auditory Processing – Spanish Bilingual Edition (TAPS-SBE)
  
- ProEd
  - Receptive Expressive Emergent Language Test -3 (REEL-3)
  - Gilliam Autism Rating Scale - Third Edition (GARS-3)
  
- Theory of Mind Inventory-2 (ToMI-2)
  - <https://theoryofmindinventory.us12.list-manage.com/track/click?u=2f5a1cbcb59b92b833f14eebf&id=f2489b3818&e=76da6c0572>

## Additional Resources (Con'td)

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- Transparent Face Masks:
  - See-through Masks <https://www.facebook.com/smilemasksproject>
  - <https://leader.pubs.asha.org/doi/10.1044/masks-pose-barriers-for-people-with-hearing-loss-heres-a-novel-solution/full/>
  - <https://safenclear.com>
  - <https://www.theclearmask.com/product>