



State of Wisconsin Department of Public Instruction

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Subject: Individual Evaluation Reports by School Psychologists

IDEA 2004 required states to identify any state-imposed requirement that is not required to implement federal special education law and to minimize the number of such requirements. On April 5, 2006, Governor Jim Doyle signed into law Act 258, which substantially conformed Wisconsin special education law to the requirements of the Individuals with Disabilities Education Act of 2004 (IDEA). Act 258 became effective July 1, 2006. WI Stat 115.782(2)(e) formerly required IEP team participants who administered tests, assessments, or other evaluation materials as part of an evaluation or reevaluation to prepare a written summary of participant findings and make it available to all members of the IEP team at the IEP team meeting. This was a state-imposed requirement and was eliminated by Act 258.

The department has received numerous questions regarding this change, especially how findings from psycho-educational evaluations can be included in IEP materials. This memo will review applicable law and regulation and offers suggestions for LEAs and school psychologists who are working to meet legal and ethical requirements in a changing legal environment. Readers are encouraged to review the relevant laws and regulations in detail for more information.

Individual evaluation reports have never been required under IDEA, and many states have never imposed such a requirement. However, in many of those same states, school psychologists continue to complete individual evaluation reports. While Act 258 eliminated the requirement for individual evaluation reports, federal requirements for evaluations remain considerable in number and scope. The following requirement appears in federal regulation §300.304 Evaluation procedures:

In conducting the evaluation, the public agency must use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including 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, including information related to enabling the child to be involved in and progress in the general education curriculum. Each public agency must ensure that assessments and other evaluation materials used to assess a child are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of the assessments. The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. In evaluating each child with a disability under §§ 300.304 through

300.306, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

The following requirement appears in § 300.306 Determination of Eligibility, Section (c) Procedures for determining eligibility and educational need:

In interpreting evaluation data for the purpose of determining if a child is a child with a disability under § 300.8, and the educational needs of the child, each public agency must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior and ensure that information obtained from all of these sources is documented and carefully considered.

In addition to IDEA requirements, there are numerous other requirements relevant to the evaluation process in Wisconsin Rule. PI 34.04, Pupil services standards, requires pupil services professionals in Wisconsin to be proficient in the knowledge, skills and dispositions under the following standards:

- The pupil services professional understands the complexities of learning and knowledge of comprehensive, coordinated practice strategies that support pupil learning, health, safety and development. (Standard 2)
- The pupil services professional understands and represents professional ethics and social behaviors appropriate for school and community. (Standard 4)
- The pupil services professional is able to address comprehensively the wide range of social, emotional, behavioral and physical issues and circumstances which may limit pupils' abilities to achieve positive learning outcomes through development, implementation and evaluation of system-wide interventions and strategies. (Standard 6)

These laws, regulations, guidelines and standards are substantial, and require school psychologists to represent ethical standards of their profession, including the provision of comprehensive practices that support student learning. The National Association of School Psychologists (NASP) has promulgated ethical standards that are relevant. NASP's Principle for Professional Ethics IV.D.3 states, "School psychologists prepare written reports in such form and style that the recipient of the report will be able to assist the child or other clients."

Federal regulation § 300.304 (c)(1)(v) requires school personnel to administer assessments, "in accordance with any instructions provided by the producer..." For example, the WISC-IV Technical and Interpretive Manual states, "Results from the WISC-IV...should never be interpreted in isolation. Item responses and scores provide quantitative and qualitative information that is best interpreted in conjunction with a thorough history and careful clinical observation of the child" (p.177). This instruction supports the preparation of a report documenting the historical and clinical observation data.

In combination, these laws, regulations, standards, ethical principles, and test instructions offer important protections to students, parents, and schools. Comprehensive, written, psycho-educational reports are typically the result of compliance with these requirements, and are an

important, lasting source of information and analysis for people who seek to support children with disabilities. While state law does not require individual psycho-educational reports, written psycho-educational reports can serve an important analytical and documentary role.

Continuing to provide copies of individual psycho-educational evaluations at IEP meetings is acceptable, and helps LEAs and school psychologists meet all requirements. It is also acceptable for school psychologists to document their findings and analysis as a part of the IEP Team report, rather than filing an individual report. However, school psychologists should be careful to meet all requirements, regardless of where they document their findings.

Assessment data are not just numbers or levels of functioning; they are pieces of the whole that lead to insightful conclusions when a competent professional integrates them, but never make sense when they are merely used to fill in the blanks on an IEP form.

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