

Aloha Chair Payne and Members:

Based on school closures related to natural disasters and COVID-19, many of us are struggling to stay in compliance with federal- and state-mandated timelines. We currently have 60 calendar days from the date informed consent is received to evaluate and determine initial eligibility for students who are suspected of having an educational disability. This timeline does not stop for school closures such as spring break, winter break, summer vacation, inclement weather days, or any other school closures related to natural disasters or our current global pandemic, COVID-19.

Given the extreme situation we are in, we are unable to stay within compliance of this mandate. When there is no way to determine when students will return to school and when these evaluations can take place, we need to ensure equity among all keiki who are currently under evaluation, and to relieve the burden of school districts and personnel. Has the Hawaii DOE considered updating the current guidance related to evaluation timelines?

The US DOE issued guidance noting, "If 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. Evaluations and re-evaluations 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. These same principles apply to similar activities conducted by appropriate personnel for a student with a disability who has a plan developed under Section 504, or who is being evaluated under Section 504."

Oklahoma and Texas require evaluations to be completed within 45 school days of obtaining consent. Georgia has a 60-calendar-day timeline, but the timeline stops when students are out of school for 5+ consecutive days, for any reason. Could the Hawaii DOE adopt this or similar guidance for our current situation? An update to the evaluation timeline would protect students and allow valid evaluations to be completed in a fair manner once students return to school. The Hawai`i Association of School Psychologists (HASP) strongly urges the Board of Education to consider this allowance during the COVID-19 pandemic. Thank you for your consideration. Please view our National Association of School Psychologists (NASP) website for more information on guidance and support for all students: <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/covid-19-resource-center>.

Respectfully Submitted:

The Hawaii Association of School Psychologists