

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** JEB-RA, JGA-RB, JOA-RA

**Responsible Office:** Special Education and Student Services

### Psychological Assessment

#### I. PURPOSE

To establish psychological assessment practices in Montgomery County Public Schools (MCPS).

#### II. DEFINITIONS

- A. *Assessment* is the practice of gathering information from multiple sources, using a variety of methods that best address the reasons for evaluation. Assessment practices are tailored to the needs of each student and facilitate educational progress and include functional behavioral assessments, clinical observations, measures of academic performance, curriculum-based assessments, ecological assessments, portfolio review, and psychological assessments.
- B. *Psychological Assessment*, in addition to the above, includes the administration, interpretation, recording, and reporting of valid and reliable psychological measures and techniques used to obtain information useful in the evaluation of student behavior and learning in the school-community setting. Psychological assessment approaches are specific and unique to the needs of each student and the referral question(s). These approaches include, but are not limited to, techniques such as norm-referenced and performance-based assessments, standardized measures of intelligence, cognitive processing, personality or other social-emotional measures, and behavior rating scales.

#### III. BACKGROUND

Academic or behavioral growth can be impacted by the learning environment or social adjustment processes in the school setting. School psychological assessments assist in determining those factors or conditions that may be inhibiting or contributing to instructional growth, mental health and/or behavioral wellness; can be instrumental in planning evidence-based prevention practices or early interventions; and, can be useful when students fail to respond favorably to carefully planned, executed, and monitored interventions.

When appropriate, psychological assessments also are formally conducted as part of the special education evaluation procedures mandated by the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA 2004), and the corresponding *Code of Maryland Regulations* (COMAR) that interprets this mandate for practice in the state of Maryland, or, when necessary, for Section 504 of the *Rehabilitation Act of 1973* (Section 504) eligibility.

In all situations, the school psychologist, in collaboration with parents and school-based teams, shall determine if a psychological assessment is necessary. The school psychologist will then determine what psychological tools and measures are to be used in responding to the referral questions generated by the school-based team.

#### **IV. PROCEDURES**

##### **A. Qualifications**

1. Only persons who are certified as school psychologists by the Maryland State Department of Education (MSDE) or interns in school psychology, under the supervision of an MSDE certified school psychologist, are qualified to administer and interpret procedures identified and designated as psychological instruments, techniques, and/or measures by the National Association of School Psychologists (NASP) or the American Psychological Association (APA).
2. The minimal standard of professional competency for the MCPS psychologist is the requirement set forth by the Maryland State Board of Education *Code of Maryland Regulation* (COMAR) 13A.12.03.08.

##### **B. General Education Procedures**

1. School psychologists are assigned to schools and programs and serve as members of the local school's Collaborative Action Process (CAP), Educational Management Team (EMT), and other school-based teams.
2. Within the context of the general educational environment, school psychologists conduct assessments (including, but not limited to, observing students and conducting curriculum-based or functional assessments) in an effort to help school teams or individual teachers determine approaches that maximize student learning, minimize disruptions, monitor progress; and determine the educational outcomes of the interventions that are implemented. These early intervention and prevention practices do not require formal referral procedures.

C. Procedures for Special Education or Section 504 Students

When students are suspected of having an educational disability, procedures defined by IDEA 2004, Section 504, COMAR, and MCPS practices that govern screening, assessment, and the development of Individualized Education Program (IEP) goals and objectives or Section 504 plans are implemented. School psychologists should be present and participate in IEP or Section 504 plan meetings when a psychological assessment is anticipated.

Psychological assessments for special education and/or Section 504 students include procedures that assist in the initial identification, re-evaluation, and review and interpretation of assessments completed by qualified psychologists outside of MCPS. School psychologists use psychological assessment information to assist school-based teams in determining if a student has an educational disability.

The school psychologist will ensure the following:

1. Assessments will be conducted under conditions that are appropriate for the student. Such conditions will include the following:
  - a) Informed consent.
  - b) An appropriate physical setting.
  - c) Sufficient time.
  - d) Current assessment materials.
  - e) Privacy.
  - f) Psychological assessment of students from different cultural, social, or ethnic backgrounds or students for whom English is not the native language must be conducted according to best practices established by the APA and NASP.
2. The assessment battery of tests, methods, and procedures will be aligned with the reasons for referral, which should be prominently identified in the psychological report along with conclusions relative to these questions.
3. Due process timelines will comply with federal and state requirements.

4. Written reports that are relevant to the referral questions will summarize findings and include recommendations.
- D. According to federal and state laws and MCPS procedures, formal written psychological assessments are due when providing feedback to the IEP evaluation team. School psychologists will share the results of psychological assessments with the student's family (and student when appropriate) prior to an IEP evaluation meeting.
- E. Reporting Requirements
1. In accordance with MCPS Regulation JOA-RA, *Student Records*, copies of psychological assessment reports will be submitted by the school psychologist to the school, the parent or guardian, and the psychological services unit. The psychological services unit will maintain the official record in a manner that is accessible and confidential.
  2. In addition to the report, all raw data, protocols, copies of informed consent, and, as appropriate, Medical Assistance Forms, documentation of the Montgomery County procedures for confirming Emotional Disturbance and Mental Retardation (ED/MR procedures), and Attention Deficit Hyperactivity Disorder (ADHD) forms also will be simultaneously submitted to the psychological services unit.
  3. When a request comes to the psychological services unit, or a school, to transmit a psychological report to an outside source, the request will be reviewed and, unless court ordered, released only as authorized by parent(s), guardian(s), and student of age or as authorized by the Family Educational Rights and Privacy Act, 20 USC. Section 1232g.
  4. The psychological services unit will maintain a computer database to ensure compliance and to maintain active access to current psychological assessments.
- F. INFORMED CONSENT
1. The school psychologist must obtain the informed consent of the parent(s), legal guardian(s), or the student who has attained the age of 18 years or older in order to perform a psychological assessment for purposes of IDEA and Section 504 determinations. Informed consent specifically refers to the process by which the parent(s), guardian(s), or the student fully comprehend the following:

- a) The reason the referral was made.
  - b) How the information obtained through psychological assessment will be used.
  - c) To whom reports will be distributed.
  - d) Who will have access to the information contained in the report and the raw data.
  - e) How long the information will be available for review or to challenge that which is determined to be inaccurate or misleading.
2. Informed consent also means that an opportunity will be provided for the, parent or guardian to agree to or decline the assessment. The school psychologist must state that he/she has an ethical obligation to work in the best interest of the student.
  3. These points must be clearly presented to the parent(s)/guardian(s) or student of age; and MCPS Form 336-31, must be signed to acknowledge that these steps have been followed.
  4. The school psychologist will distribute copies of the informed consent to the parent and the school, and submit a copy to the psychological services unit with the completed report.
  5. The school psychologist assigned to the school conducts the psychological assessment unless the associate superintendent, Office of Special Education and Student Services and/or designee, or supervisor of psychological services determines that it is in the best interest of the student to assign a different school psychologist to complete the assessment.

**G. SAFEGUARDING STUDENTS**

The welfare of the student is the primary goal of the school psychologist. The principles by which the psychologist is guided include ethical and legal considerations, obtaining informed consent, protecting the privacy of self-disclosures of students, and maintaining confidentiality of written reports.

The NASP *Professional Conduct Manual*, which contains the *Principles for Professional Ethics* and the *Standards for the Provision of School Psychological Services*, will serve as a guideline for the use of psychological assessment in MCPS.

**Regulation History:** Formerly Regulation 335-3, March 1, 1976 (directory information updated), revised December 1986; revised August 7, 2007.