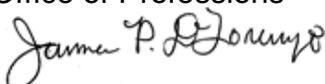




September 2014

## SPECIAL EDUCATION FIELD ADVISORY

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Assistant Commissioner, Office of Special Education

**Subject: Qualifications of Psychologists Employed by Preschool Special Education Multidisciplinary Evaluation Programs Approved Pursuant to Section 4410 of the Education Law**

In August 2014, a special education field advisory was issued with information regarding the responsibility of multidisciplinary evaluation programs (MDEs) approved pursuant to section 4410 of the Education Law to ensure that they employ appropriately qualified psychologists to conduct evaluations of preschool students with disabilities in MDE programs. Since the issuance of the field advisory, we have received many comments from MDEs and counties which demonstrate the widespread nature of the use of school psychologists in MDE programs, shortages of licensed psychologists and the resulting inability of MDEs to ensure timely psychological evaluations of preschool students with disabilities. As a result, the Department has determined that this issue requires further review, and a legislative solution is needed to address field concerns.

In the interim, it is important that MDEs continue to conduct timely evaluations of preschool students. The federal Individuals with Disabilities Education Act (IDEA) requires that initial evaluations of preschool children with disabilities be conducted within 60 days of parental consent for the evaluation and State law requires that approved MDEs selected by the parent conduct such evaluations.

Until such time as the Department completes its review and otherwise notifies the field, the P-12 Office of Special Education will not be citing approved MDEs for noncompliance in this area, and the Office of Professions will not be making referrals for unlicensed practice against individual school psychologists who are employed by the MDE programs solely based on unlicensed practice.