



Information UPDATE

Wisconsin Department of Public Instruction/Elizabeth Burmaster, State Superintendent/P.O. Box 7841/ Madison, WI 53707-7841

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TO: District Administrators, CESA Administrators, CCDEB Administrators,
Directors of Special Education and Pupil Services, and Other Interested Parties

FROM: Carolyn Stanford Taylor, Assistant State Superintendent
Division for Learning Support: Equity and Advocacy

SUBJECT: Speech and Language Special Education and Related Services

The purpose of this bulletin is to provide direction to local education agencies (LEAs) and individualized education program (IEP) teams when determining appropriate speech and language special education and related services to students with disabilities. This bulletin will focus primarily on speech and language as a related service.

1. What is Special Education?
34 CFR 300.24

Special education means specially-designed instruction provided, at no cost to the parents, to meet the unique needs of a child with a disability (the child meets criteria for an impairment and needs special education).

2. What is a related service?
34 CFR 300.22

Related service means transportation and such developmental, corrective, and other supportive services that are required to assist a child with a disability to benefit from special education and includes speech/language pathology services.

3. What is a speech and language impairment?
PI 11.36 (5)

A speech and language impairment is an impairment of speech or sound production, voice, fluency, or language that significantly affects educational performance or social, emotional or vocational development.

4. Are speech and language services special education or a related service in the state of Wisconsin?

In Wisconsin speech and language services can be either a special education service or a related service.

5. Are the services provided by a speech and language pathologist as special education different from those provided as a related service?

No. The services provided by a speech and language pathologist are generally the same whether they are described as special education or as a related service. When a child is eligible to receive services due to a speech and language impairment as defined in PI 11.36 (5) and has the need for special education, the speech and language service provided is generally referred to as special education. When speech and language is needed by the child to benefit from special education, the service is a related service.

6. What services are provided by a speech and language pathologist?

A speech and language pathologist has unique skills to provide services to improve voice, fluency, speech intelligibility, or to establish a functional and effective communication system that no other district staff member generally has. Speech and language pathologists also have specialized skills and can provide services to improve language and communication.

7. If a student with a disability has communication needs, must those needs always be addressed by a speech and language pathologist?

No, many communication needs can be addressed in other ways. While speech and language pathologists have specialized skills and can provide services to improve language and communication, it is possible that a child's language and communication needs may be met by the regular education teacher or through other special education providers.

For example, pragmatic language skills are defined as the social rules for using language. Pragmatic language is the ability to communicate effectively in a variety of social contexts. Social skills instruction provided by a specific learning disabilities or an emotional behavioral disabilities teacher often addresses pragmatic language needs. The IEP team may decide, therefore, that a particular student's pragmatic language needs could be met through the teacher providing social skills instruction rather than through the speech and language pathologist.

8. What happens if speech and language is the only suspected area of impairment and a child does not meet the eligibility criteria or does not need special education?

The IEP team would explore other non-special education options to meet the child's needs.

9. Does a student with a disability in an area other than speech and language have to meet the specific eligibility criteria for a speech and language impairment as defined in PI 11.36 (5) to receive speech and language services?

No. If a child does not meet the eligibility criteria for a speech and language impairment but does meet the criteria for another impairment and needs special education, the IEP team may, depending on the needs of the child, consider speech and language services. A student with a disability does not

need to meet the eligibility criteria for a speech and language impairment to receive speech and language services if the IEP team determines those services are necessary for the child to benefit from special education.

10. What should an IEP team consider when determining whether a child needs speech and language as a related service?

Determination of the need for related services for a particular student involves a process of determining educational relevance as well as educational necessity. That is, the IEP team must identify those services (e.g., speech and language) that are needed for the student to have a reasonable opportunity to benefit from special education.

To be relevant, a related service must be necessary to support the student's IEP goals. The speech/language pathologist should be able to identify the areas in the IEP where speech and language services are needed for the child to benefit from special education.

The following questions can help guide the IEP team in determining if the related service is necessary for the child to benefit from special education:

1. *What is the specific oral language deficit preventing the student's access to, or ability to make meaningful progress in, the special education service?*
2. *Is there an overlap or duplication of services?* For example, children who require services to improve their vocabulary may be receiving this service from a regular education teacher or another special education provider who teaches vocabulary development. As another example, a cognitive disabilities teacher or assistive technology specialist may have sufficient training and experience to meet the needs of a child who requires services for augmentative communication needs, such as picture communication boards or electronic communication devices. An IEP team could, therefore, determine a particular child's augmentative communication needs could be met through a service provider other than a speech and language pathologist.
3. *Does the student require services that can only be provided by a licensed speech and language pathologist?*
A speech and language pathologist has unique skills to provide services to improve voice, fluency, speech intelligibility, or to establish a functional and effective communication system that no other district staff member generally has. It is important to remember that decisions regarding services must be made on a child-specific basis through the IEP process.

11. If a child with a disability other than speech and language is receiving some special education services, and it is suspected the child may need additional services from a speech and language pathologist, is a reevaluation required?

The decision to conduct a reevaluation to add speech and language services is a case by case determination made by the IEP team. A speech and language pathologist must be an IEP team participant. If the team decides that further testing is not necessary, the team can add the speech and language service without initiating a reevaluation.

If the team decides additional testing is needed to determine whether speech and language services are appropriate for the child or to determine the scope of those services, the team must conduct a

reevaluation. In this case, notice of reevaluation is required and parental consent requirements must be satisfied.

12. Is a reevaluation necessary before speech and language services can be discontinued from an IEP?

If the child has been identified as a child with a speech and language impairment along with another impairment area, speech and language services can be discontinued at an IEP team meeting without initiating a reevaluation of the child as long as the child will continue to receive some other special education services. The IEP team must reevaluate the child in the area of speech and language at the next reevaluation. If discontinuing speech and language services means the child will no longer receive any special education services, the IEP team must conduct a reevaluation prior to discontinuing services. If a child with a disability in an area other than speech and language is receiving speech and language as a related service, the IEP team can discontinue speech and language services without conducting a reevaluation.

Questions regarding this information update should be directed to Sheryl Squier, Consultant, Speech and Language Services, at 608/266-1783 or by e-mail at sheryl.squier@dpi.state.wi.us.

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<http://www.dpi.state.wi.us/dpi/dlsea/een/bulindex.html>