



WISCONSIN DEPARTMENT OF  
**Public Instruction**

## **Speech or Language Impairment Criteria Question and Answer Document**

### **Overview**

The following questions and answers were developed based on questions posed during the September 15, 2021, rule change professional development; in addition, questions were added that were frequently posed to Wisconsin Department of Public Instruction. DPI would like to extend thanks to the following SLPs who contributed to this work: Christine Carey, Brenda Forslund, Dr. John Heilmann, Paula Millikin, Courtney Seidel.

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## General Questions

### **1. Why is the impairment category called "Speech OR Language Impairment" and not "Speech AND/OR Language Impairment"?**

First, the [federal definition](#) in IDEA coined the term "speech or language impairment" so this term matches the federal definition. In addition, the legislative bureau that reviews rule changes has specific requirements in how words are used and other technical requirements for state rules. Typically, the legislative bureau requires those submitting rules to pick either "and" or "or".

### **2. Will the speech and language assessment guide be updated with the new guidance now that the rule has changed?**

The 2003 Technical Assistance Guide has evolved to the [Wisconsin DPI Assessment Tools for Speech and Language web page](#) that is organized by topic or area. This allows integration of videos, documents, and external resources that may be revised more quickly and kept up to date with current practices and information in the field. In the future we may consider compiling this into a printable version similar to the 2003 guide if the field feels this is the best way to organize guidance.

### **3. Can we still use the 2003 technical assistance manual?**

Yes, as long as any assessments, evaluation procedures, and decision making does not conflict with the requirements of the new rule. IEP teams are advised to use the updated [disability category criteria worksheets](#) to assist with ensuring the team has documentation of how the student meets the current disability category criteria. In addition, IEP teams and evaluators are encouraged to utilize the most up to date research-based guidance that may be outdated in the previous guide.

### **4. Does Wisconsin DPI anticipate there will be a step-by-step (easy to follow) guide to the speech or language impairment criteria for parents or nonSLP school staff?**

There likely will be a presentation for parents through WI FACETS, Wisconsin's parent training and information center, to share updates on the rule in parent and family friendly language. WI FACETS records all their webinars, and they are free and available to the public.

### **5. Is there any guidance expected on voice parameters?**

Yes. There will be guidance created in Spring 2022 on voice parameters.

### **6. Why aren't there more exclusionary factors that were included in the previous rule, such as tongue thrust, selective mutism, central auditory processing disorder?**

A comprehensive assessment must take the whole child into consideration, rather than a decision based on a single factor such as "selective mutism," for instance. It's possible for a student to have a diagnosis of selective mutism and also have a SLI in one of the identified areas. This is consistent with the previous rule, as students needed to meet the criteria (i.e., meet criteria for language, speech, fluency or voice) in addition to any medical diagnosis or condition.

### **7. Why was the change in the rule needed? Will this make SLPs' job easier or harder?**

Although transitioning to new criteria can be hard, the changes made are in line with current

research and best practice. SLPs should be able to better identify students with a speech or language impairment that adversely affects a students' educational performance or social, emotional, or vocational development. This change will also better position SLPs and the IEP team in developing functional goals for students.

#### **8. Are any other criteria changing across the state or just the SLI criteria?**

There were several other rule changes that went into effect August 1, 2021, including: Blind and Visually Impaired, Deaf and Hard of Hearing, Deafblind (new category in WI). Other criteria are in the rule revision process: Emotional Behavioral Disability, Specific Learning Disability.

#### **9. How does the new criteria impact previously identified students? Do students currently receiving services need reevaluations to consider special education eligibility using the new criteria?**

No. SLPs do not need to reevaluate students on their caseload to consider student special education eligibility based on the new criteria.

#### **10. What is DPI's definition of an English Learner?**

Wisconsin DPI's definition of English Learner is identical to the federal definition of English Learner under [20 USC 7801 \(20\)](#):

“The term “[English learner](#)”, when used with respect to an individual, means an individual— who is aged 3 through 21; who is enrolled or preparing to enroll in an [elementary school](#) or [secondary school](#); who was not born in the United [States](#) or whose native language is a language other than English; who is a [Native American](#) or Alaska Native, or a native resident of the [outlying areas](#); and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—the ability to meet the challenging [State](#) academic standards; the ability to successfully achieve in classrooms where the language of instruction is English; or the opportunity to participate fully in society.”

WIDA, an organization housed at University of Wisconsin-Madison that manages a comprehensive system of assessments and instructional support for educators and practitioners of multilingual learners, recommends educators use the term “multilingual learners” instead of “English Learner”. Since this document discusses IDEA requirements, the term English Learner is used throughout this document.

#### **11. Are norm-referenced tests optional and no longer required?**

The comprehensive assessment model includes the use of norm-referenced tests when appropriate to assist in determining whether or not a speech or language disorder exists. SLPs need to be critical consumers of norm-referenced tests and examine the test's sensitivity and specificity as well as the normative sample to ensure that the student being evaluated matches the normative sample.

**12. Since an important part of evaluation requires speech-language pathologists to be using "informal" assessment, does it matter which tools we use?**

There are many "SLP probes" that are evidence-based assessments and standardized in nature even though they are considered "informal assessments". These include (but are not limited to): language sample analysis, stimulability testing, and dynamic assessment. Thus, "informal" assessments are still research based, valid, reliable, and highly appropriate in determining if a student meets the criteria for a speech or language impairment.

**13. Is there a list of specific examples of criterion-referenced tests, checklists, developmental skill level checklists, etc. that SLPs can use for each area of speech or language impairment (language, articulation, phonology, voice, fluency)?**

Resources have been compiled for the areas of [speech-articulation](#). Others are in the process of development.

## **Review of Existing Data and Identifying Additional Evaluation Procedures Needed**

**14. When filling out "Notice of Consent Regarding Need to Conduct Additional Assessments", what must be included on the list of "description of assessments and other assessment materials"? Do the following need to be included: observation in the natural environment; dynamic assessment? If dynamic assessment may be included, how do we document it on the form?**

DPI recommends evaluators put the most complete description of the assessments they're planning on using as they are able. For example, "test of expressive and receptive language, dynamic assessment of narrative language, speech sound screening, and other assessments of language skills".

Practitioners may want to review [Bulletin 21.01 Special Education Evaluation](#). The bulletin states what must be documented: The types of tools that will be used and the area(s) that will be assessed are described (e.g., standardized testing to measure academic ability and achievement).

Writing "formal and informal assessment" is too vague and does not allow the parent to clearly understand what is being assessed. However, writing "formal and informal assessment of vocabulary" is acceptable since it is clear that vocabulary is being assessed. Whereas writing "formal and informal assessment" does not make it clear what is being assessed. Writing "other assessments to be determined (TBD)" also would not be considered specific enough to allow parents to understand what specifically is being evaluated.

The Wisconsin DPI forms guide states the following:

"The LEA must notify parents of any test or other evaluation materials it proposes to administer. If the specific assessment tools are known, list the specific tools along with a brief description. At a minimum, describe the types of tools that will be used and the area(s) that will be assessed (e.g. standardized testing to measure academic ability and achievement). In addition, identify the names of the evaluator(s), if known at the time of the notice. If the names are not known, identify

the types of evaluators (e.g., school psychologist).”

<https://dpi.wi.gov/sites/default/files/imce/sped/pdf/forms-guide.pdf#page=18>

In addition, the Wisconsin DPI forms guide says the following:

“If the IEP team determines additional data are needed after reviewing existing data, the new assessments to be administered and other needed assessment materials are described in Section II of the ED-1. This description, along with the names of the specific assessment tools and personnel responsible for administering the assessment(s), if known, are recorded on form IE-3 or RE-5.”

<https://dpi.wi.gov/sites/default/files/imce/sped/pdf/forms-guide.pdf#page=34>

If the evaluator goes beyond the general scope of what is documented in IE-3, there can always be a request for additional assessments from parents (and obtain an additional signature for permission to do the additional assessment). This is why a thorough review of existing data is important so the IEP team knows up front what concerns must be investigated and what tools will be needed to gather that information.

In addition, for SLPs stating that the Local Educational Agency (LEA) or district has a requirement to utilize specific assessments for all students, please be aware of the following question and answer from [Wisconsin DPI Information Update Bulletin 21.01](#):

**33. Can an LEA develop a standard protocol of additional assessments that are always administered for specific areas of need or disability categories?**

No. While an LEA can maintain lists of recommended assessments used to gather data about specific student achievement and functional skills or assessments that may be appropriate for collecting data with which to apply eligibility criteria, the determination as to whether additional assessments are needed is made on an individual basis. Every special education evaluation must be conducted in a manner that is both comprehensive and individualized to each student.”

**15. For reevaluations, would observations as part of intervention in the classroom be considered additional assessment procedures and require written consent?**

It depends on whether the evaluator has observations noted as part of monitoring progress on goals for students with IEPs. If that is not part of monitoring progress, observations would be considered additional assessment and would require written consent.

## Observations

**16. Does a play-based setting where a child interacts with caregivers and examiners count as a natural environment, or does it have to be a home or daycare for children not in school? Are videos from parents adequate?**

For any observation in an artificially created environment that simulates a natural environment the IEP team should ask the following question: Does the IEP team believe that the student would act the same in a created environment as they would in their own home? Information and input

from the family along with those with knowledge of the student's behaviors at home and in artificial environments is valuable in making this determination.

Videos or live streaming of caregivers interacting with students may be considered for observation. Again, the IEP team would need to determine whether they believe the student's communicative interactions are representative of how the student typically interacts and engages with adults and peers when considering an artificially created setting.

**17. For SLPs that provide services remotely, could observations be done by having an assistant video a student in a natural environment in school or could a parent send a video of the child interacting with others in their environment?**

Yes, this is permissible.

**18. Do observations in the natural environment need to be done by an SLP or can another team member do these and report on the observations during the evaluation meeting?**

Assessments and other evaluation materials used to assess a child must be administered by trained and knowledgeable personnel. 33 CFR 300.304(c) When considering SLI, it would be expected that SLPs conduct at least one observation in the natural environment in most situations. The natural environment includes the school, home, or community. Evaluators can certainly pool their observations in various natural settings. For example, if the special education teacher observes in physical education and the OT in math class and the SLP in reading centers, all the evaluators can consider the others' observations. For situations where a broader need of communication is being considered, such as social interaction or play, other qualified personnel may be able to assist by conducting the observation and sharing with the IEP team.

**19. Is there an expectation of the length of these observations?**

Observations conducted would be of a length that would allow the evaluator to observe the student interacting with others in their natural environment. The length of time would depend on the type of activity going on in the environment that would allow the SLP to observe the student and get an impression of their communication skills in that environment.

**20. Can natural environments be within the school for the school aged students?**

Yes, for school-aged students, the natural environment would include observing students in their classrooms, in the lunchroom, in hallways, at recess, etc. It is NOT a requirement to observe school-aged students at home, but it may be appropriate as needed.

**21. Please provide recommendations on how to conduct observations for Middle and High Schoolers in their natural environments outside of school?**

School-aged students do not need to be observed at home, as their natural environment is the school, but it may be appropriate as needed. In addition, anecdotal information from parents regarding the student's communication skills at home and in the community is important to gather when conducting any special education evaluation.

## Speech Questions

### **22. Do speech-language pathologists have to use the “new norms” recommended by Wisconsin DPI?**

The use of the Crowe and McLeod 2020 norms is highly recommended by Wisconsin DPI as best practice because it is the most current research and includes information on more than 18,000 students.

### **23. What is the evidence that was used for stimulability being predictive of a child acquiring a sound on their own?**

The evidence regarding use of stimulability testing is included on page 13 of [Assessment of Speech or Sound Production Guidance](#).

“Stimulability is ‘correctly imitating a sound when given auditory and visual cues after a previously incorrect spontaneous production’ (Miccio 2002). There is evidence to suggest that if sounds are stimutable, they can be acquired without specially designed instruction (Miccio et al. 1999; Powell et al. 1991; Miccio 2002). For example, the evidence-based practice of the complexity approach focuses on providing intervention to sounds and classes of sounds for which the student is not stimutable (Storkel 2018). The following are guidelines for determining a student’s stimulability:

1. Only sounds that are absent from the student’s phonemic inventory are tested. If 30% or more of the productions for a target sound are correct, the sound is considered stimutable.
2. Sounds are probed at the sound, syllable, word or sentence level. In each probe, the student is asked to repeat a sound in various word positions and with varying vowels. Each attempt is scored as correct or incorrect.
3. If several sounds are found to be absent from the inventory, the probe may be shortened to contain only one vowel context for the target sounds.

“Sounds that are not stimutable for production (0% correct) are... least likely to be acquired in the absence of treatment” (Miccio 2002) and sounds that are at least 30% stimutable will grow with home practice or reminders from general education teachers. WI DPI has adopted the Fillable Miccio Stimulability Probe. Storkel (2018) and Miccio (2002) have each created informal stimulability probes to assist SLPs in easily obtaining stimulability data for sounds students produce in error. The Storkel procedures (2018) follow those outlined for the Miccio probe (2002). Some norm-referenced assessments have stimulability probes as part of the assessment (Glaspey 2012).”

### **24. The Speech Sound Development Chart lists less than 30% stimutable as significant. The Considerations for Speech Impairment form from DPI lists less than 50% stimutable as "substantial impact". Why are these numbers different?**

Adjustments will be made to the rubric based on these questions and conversation with Virginia Department of Education. The research indicates that sounds more than 30% stimutable will continue to “come in” without targeted intervention.



**25. When assessing for stimulability of errors for eligibility, do we consider stimulability as a whole (less than 30% overall for all sound errors) or does the child need to be less than 30% stimulable for all error sounds in order to qualify?**

There may be value in considering the student's performance overall as well as by individual sounds. Students who are at least 30% stimulable for some sounds in error but not others would be considered to meet this area of impairment especially if the sounds not stimulable are those expected for the student's age.

**26. Many students without IEPs who are five cannot produce /s/ and /l/. According to the Crowe and McLeod 2020 norms they should be able to produce these sounds. They were stimulable for the sounds. How do we proceed?**

Not all speech delays will result in the need for school-based services. It is our responsibility as SLPs working in schools to determine impairments in speech or language that impact the student socially, emotionally, or academically in relation to their access, engagement, and progress in age or grade level curriculum, instruction, environments, and activities.

**27. How does Childhood Apraxia of Speech fit into the speech and phonology portions of the checklist?**

Childhood Apraxia of Speech was not directly discussed in the previous rule, and it would be expected that SLPs consider eligibility for SLI in the same way they were prior to the rule change.

**28. Why were phonological disorders and speech sound disorders separated? Must the team fill out both the speech sound production-articulation and speech sound production-phonology portions?**

These areas were separated to assist teams in more clearly understanding student needs and documentation for determining if the student has a speech or language impairment and is reflective of the disability category criteria worksheet for the previous rule. The IEP team is not required to fill out both sections of the form unless they determine it is appropriate to do so.

**29. Why is stimulability in the articulation criteria and not the phonology criteria? Why does phonology not have a stimulability component if articulation does?**

Just because it is not a requirement does not mean that an SLP cannot conduct stimulability as part of additional assessment procedures. Students with phonological disorders may not have difficulty with accurate production after a model but continue to demonstrate difficulty in appropriate use of the correct sound due to the disorder of their phonological system.

**30. Should we still be using the following Speech Intelligibility Guidelines from the 2003 Technical Assistance Guide with our new criteria for speech impairment?**

**Typical Speech Intelligibility Guidelines**

Age	Average Speech Intelligibility	Speech Intelligibility Range
3	73%	54%-80%
4	93%	73%-100%
5	Not Reported	90%-100%

The following is from [Wisconsin DPI Assessment of Speech or Sound Production](#):

“Recent research (Hustad et al. 2020; McLeod et al. 2015; McLeod 2020) acknowledges that intelligibility varies by context (e.g., familiarity of listeners, word or discourse level, amount of

background noise) and therefore intelligibility ratings must be interpreted with caution given these variables. It is beneficial to obtain more than one sample in more than one context and to consider intelligibility within the context of other assessment activities conducted when considering a speech or language impairment.”

The use of teacher rating scales and parent rating scales to determine intelligibility in natural contexts is an evidence-based assessment strategy for determining educational impact of a speech delay and should be weighted more heavily than results from intelligibility samples.

## **Significant Discrepancy**

### **31. What is a significant discrepancy?**

The following is the Wisconsin DPI’s definition of “significant discrepancy”:

Performance on a norm-referenced assessment that meets the cutoff score for a speech or language disorder and is significantly below age- or grade-level expectations relative to a normative sample, often reported as a percentile or standard score.” See also [Significant Discrepancy and Consideration for SLI](#).

### **32. How does the criteria term “significant discrepancy” correspond to “impact” on the rubrics?**

A significant discrepancy as captured with a score on a norm-referenced test must be observable or captured across contexts and assessment methods. Determining whether a student has a “significant discrepancy” on a norm-referenced test is one component in determining whether or not a student may meet criteria for SLI. The rubrics are guides that may assist IEP teams in considering the impact a student’s speech or language needs may have on the student in the educational or preschool setting. Students for whom there is no apparent impact or minimal impact, special education school-based services are likely not warranted or appropriate. The SLP may provide tips or strategies for general education teachers to support speech or language instruction in these situations.

### **33. Are the rubrics suitable for use as part of a special education evaluation? Should they be included in the evaluation documents and therefore student record?**

The use of the rubrics is optional and not required. If the rubrics are shared during an IEP meeting, they become part of the student’s record and must be kept on file with other evaluation documents.

### **34. Many of our "gold standard" assessments have author recommendations for a sensitive and specific scaled or composite score on the specific assessment that may be indicative of a child demonstrating a true speech or language impairment. Does Wisconsin DPI recommend using this score that the authors of the assessment provide to help guide our thinking and provide a standard score to our families who need "black or white" scores to feel comfortable with the clinical judgement piece?**

Yes. Keep in mind that norm-referenced assessment is only one piece of data taken at one moment in time. Norm-referenced assessment assumes that the student has experience taking similar tests and that the student is motivated to individually do well in the context of a testing situation, which may not always be the case. SLPs should not be reporting scores for students who are culturally and linguistically diverse unless they are represented in the normative sample for the norm-referenced test being used.

## **IEP Member with Foundational Knowledge in First and Second Language Instruction and Second Language Acquisition if the Child is Identified as an English Learner Under 20 USC 7801 (20)**

### **35. Should the IEP team include a teacher of multilingual learners if the student is not yet identified as an English Learner due to age (i.e., preschool age)?**

If you suspect that a preschool student may be an English Learner, it may be appropriate to include a teacher of multilingual learners (i.e., EL/ESL teacher or multilingual teacher) as part of the IEP team. An EL or multilingual teacher is not required to be a part of a preschool student's evaluation team, as the student is not yet formally identified as an EL. However, such expertise may be beneficial if the IEP team is working to determine whether the student qualifies for a speech or language impairment and requires specially designed instruction.

### **36. What qualifications does the "educator with foundational knowledge in 1st and 2nd language instruction and 2nd language acquisition" need?**

This requirement would typically include a Bilingual Education (023/1023) or ESL (395/1395) licensed teacher when one is available. In most circumstances, this teacher would also have knowledge and experience working with the student and may have assisted in identifying needs and services related to the student's English Learner identification. Thus, a Bilingual or ESL teacher would be an important IEP team member to help identify whether the student was eligible for additional services (i.e., special education) and assist the IEP team with identifying any of the student's unique disability-related needs. When a teacher with foundational knowledge is not available within the district, the district may identify a Bilingual Education (023/1023) or ESL (395/1395) licensed teacher outside of the district, such as through a Cooperative Educational Service Agency (CESA), a neighboring LEA, or through other means.

### **37. Please define 'foundational knowledge in first and second language instruction and second language acquisition' in the statement of the documentation of required IEP team members? Wouldn't SLPs be educators with 'foundational knowledge'?**

Other school staff, including SLPs, not licensed as a Bilingual Education (023/1023) or ESL (395/1395) licensed teacher may also qualify as having "foundational knowledge of first and second language instruction and second language acquisition" through documented coursework, trainings, or other professional learning. Speech-language higher education programs certainly include coursework related to first language instruction and most also include content related to understanding language differences versus disability. Wisconsin DPI is holding recorded professional learning webinars and will be providing resources to help build foundational knowledge of first and second language instruction and second language acquisition.

## **American Sign Language (ASL) and English Learner (EL) Status**

**38. Is ASL recognized as a primary language, making English secondary? May ASL users be considered EL?**

Although it is true that ASL is recognized as a primary language, making English secondary, it does not preclude an IEP team from considering the student as an English Learner. The designation of English Learner requires the student to then take the ACCESS test which may or may not be appropriate. While many of the strategies that support English Learners would be considered appropriate related to teaching English to students who are Deaf or Hard of Hearing, students who use ASL are not typically considered EL or multilingual students.

## **Future Training (other staff)**

**39. Will EL or multilingual teachers be trained on this information? This may be needed since there may be confusion around the student's needs (e.g., when the student needs to build English vocabulary or articulates sounds differently because of the influence of the first language).**

The Special Education team and English Learner and Multilingual Consultants at Wisconsin DPI are consulting and sharing information about the new rule. The Wisconsin DPI Special Education team will work with our English Learner and Multilingual Consultants to ensure information is shared with a variety of staff in the field. DPI also supports district SLPs to collaborate or lead PD within their districts to further develop and build capacity of all staff.

**40. Is this information also being shared with School Psychologists and Directors of Special Education?**

Directors of Special Education have been informed of the change in SLI criteria that became effective August 1, 2021. Many participants in the Sept 15, 2021, Zoom meeting were school psychologists and Directors of Special Education. In addition, information has been shared with CESA-level Regional Support Network (RSN) Directors of Special Education and the DPI School Psychologist Education Consultant.

## **Related Service**

**41. Within the new framework, what is the difference between a student evaluated and requiring support as a related service, and one evaluated and having a disability in the area of SLI, especially when looking at students who also meet eligibility criteria for other disability categories such as Autism and Intellectual Disability (ID)?**

IEP teams do not necessarily assess all academic and functional skill areas or apply criteria for all disability categories, but they must assess all suspected areas of concern. For students who meet criteria for other disability category areas, IEP teams are not required to go through the criteria for SLI and may consider speech-language as a related service if communication needs are identified. IEP teams may want to review question 2 in the Wisconsin DPI Bulletin 21.01 at <https://dpi.wi.gov/sped/information-update-bulletin-2101>.

**42. In some state’s speech-language services are always a related service when there is another disability category. Will Wisconsin look at this possibility?**

When another disability category has been identified, speech-language services may be considered as a related service, or the team may consider SLI in addition to the other disability category identified (with the exception of when a student is identified as having a Significant Developmental Delay (SDD); speech-language services can only be considered as a related service in this instance). In Wisconsin, speech or language impairment may also be identified as a sole disability category.

**43. How does the change in criteria impact speech-language as a related service?**

It is not anticipated that the rule change will impact services as a related service.

## **Language Assessment**

**44. What is meant by the term comprehensive language test?**

Comprehensive is used in this context to ensure that a subtest is not used to consider whether a student has a speech or language impairment. The language test must provide an index or composite score.

**45. What if an assessment, like CELF-5, has subtests that don't fall in a composite score such as “Understanding Spoken Paragraphs”? May IEP teams use this information as another piece of data on how language may be playing into literacy?**

As part of a comprehensive special education evaluation, this information can absolutely be part of the evaluation as appropriate that would be included in addition to the standard requirements.

**46. How in-depth of a language sample analysis is needed?**

A resource on criterion-referenced assessments for language is in development; a webinar will be held early in 2022 on language sample analysis.

**47. In reference to the language portion of the criteria, what is considered “low” for criterion referenced tests?**

Information regarding criterion-referenced tests is included on page 7-8 of [Assessment of Speech or Sound Production Guidance](#). Additional information for language is currently in development and will be posted to the WI DPI Speech or Language Impairment website when complete.

“Criterion-referenced assessments ‘are...tests [and procedures] that measure an individual's performance against a set of predetermined criteria or performance standards (e.g., descriptions of what an individual is expected to know or be able to do at a specific stage of development or level of education)’ (ASHA n.d.a.) and may be either standardized or more informal, clinician-developed in nature. These assessments have a more narrow focus of content when compared to norm-referenced assessments and often have a percentage, mastery/non mastery or pass/fail result. A student would be scored as “pass” if a particular skill was mastered and as “fail” if they did not demonstrate mastery of the

content. Criterion-referenced assessments grew out of a need for better assessment methods. Norm-referenced tests were found to be inadequate for determining present levels of performance and identifying targets for intervention. They also have limited utility when a student is not represented in the normative sample due to their cultural and linguistic background (McCauley 1996). Criterion-referenced assessments include (but are not limited to) utilizing phonetic inventories or developmental scales or norms, intelligibility samples, Percentage of Consonants Correct (McCauley 1996). In addition, SLPs may utilize norm-referenced assessments as criterion-referenced assessments; in this situation, standard scores would not be reported but proficiency of specific skills would be reported.”

**48. If an SLP does not have access to SALT software in the school or district, and is evaluating students in high school (meaning that things like Browns Stages will not apply), how should an SLP use language sampling beyond simple classroom observation for "student engagement" with activities?**

Language sample analysis can provide rich information in middle- and high-school students. When taking a language sample with older students, the examiner should consider the complexity and meaningfulness of the elicitation task. For example, basic conversational discourse is a relatively simple task for adolescents, including many students with language disorders. A more challenging speaking context, such as expository or persuasive discourse, will more likely reveal the difficulties of older students with language disorders. Furthermore, expository and persuasive language are highly relevant to older students' daily lives and key parts of the curriculum. There may be certain times that SLPs want to examine other contexts, such as conversations and narratives, for example examining conversational discourse in students with pragmatic difficulties.

There is rich literature examining language sampling in older students. Many articles describe methods of eliciting and analyzing language samples in older students, with most articles providing benchmark data that can be used in clinical assessments (for example, see work by Marilyn Nippold, Cheryl Scott, and John Heilmann/Tom Malone). An excellent resource is [Marilyn Nippold's book on language sampling with adolescents](#).

In addition, there are software options to assist with the transcription and analysis of language samples with adolescents. SALT, for example, has elicitation materials and databases designed to be used with tweens and teens. There are materials that can be used to systematically elicit [expository](#) and [persuasive](#) language samples (available free of charge). Databases of typically developing speakers completing the same task are available for comparison. The normative data are also available free to all ASHA members for the [expository](#) and [persuasive](#) data.

Language samples can be completed with or without the software. The software simplifies the analysis and provides direct comparisons to the database, but meaningful information can be obtained without specialized software. A good place to start is collecting a language sample and analyzing it for overall quality (or macrostructure) using rubrics developed for [expository](#) and [persuasive](#) language samples.

## Dynamic Assessment

### 49. What is dynamic assessment?

Dynamic assessment is a method of assessment whereby a student's ability to learn a skill (i.e., a student's modifiability) is measured after a teaching phase led by an evaluator. For additional information see Wisconsin DPI [Dynamic Assessment Guidance](#).

### 50. Is dynamic assessment the same as RtI?

The following is from [Dynamic Assessment Guidance](#): "Because dynamic assessment is time-limited (i.e., one or two sessions of 30 minutes or less) and within the context of an evaluation, it is not considered RtI. It is a time-limited, active process for both the student and the evaluator and is implemented within the context of an evaluation."

### 51. How does dynamic assessment differ from interventions done by a reading specialist or other intervention done as part of an equitable MLSS?

Dynamic assessment as part of determining if a student has a speech or language impairment is within the context of a special education evaluation.

### 52. Must we obtain parental consent for additional evaluation procedures before conducting dynamic assessment?

Similar to any additional information or assessment collected, if it is within the context of an evaluation, the LEA, i.e. school district, must obtain written parental consent prior to conducting dynamic assessment. This is true of all additional assessment procedures.

### 53. When would an SLP want to consider utilizing dynamic assessment as part of the evaluation?

The American Speech-Language Hearing Association (ASHA) recommends the use of dynamic assessment especially when evaluating students who are culturally and linguistically diverse. Dynamic assessment is also especially relevant with any student for whom the IEP team may question the results of another assessment (e.g., the student performed low on one particular subtest or subtests). Targeting one or two skills for a quick intervention session or two will provide the evaluator with information about the salient cues for the student, the amount of practice or repetition needed to affect change. If a student easily masters the content with a few short sessions of direct intervention, that would be evidence that a disorder may not exist.

## Documenting Adverse Impact

### 54. What is meant by adverse impact?

"Speech or language impairment means an impairment of speech or sound production, voice, fluency, or language that adversely affects educational performance or social, emotional or vocational development." [PI 11.36 \(5\)\(a\), Wis. Admin. Code](#)

Adverse educational impact includes adverse impact on a student's access, engagement or progress in age or grade level general education curriculum, instruction, environment, or activities. Impact is evident when a student's disability negatively impacts their:

- Involvement and advancement in the general education program (academic impact);

- Education and participation with other students without disabilities (social or behavioral impact).
- Participation in extracurricular and other non-academic activities (vocational or functional impact).

This [teacher questionnaire](#) and these [teacher questionnaires](#) may be helpful when documenting impact for all students. The International Classification of Functioning, Disability and Health, or ICF, can also be a useful tool in determining academic, social and vocational outcomes of a disability (<https://www.canchild.ca/en/research-in-practice/f-words-in-childhood-disability>).

**55. Is it a good idea to include districtwide and statewide assessment data to document adverse academic impact?**

Yes, it is important to review all relevant data when conducting a comprehensive special education evaluation. This includes districtwide and statewide assessment data.

**56. How do we document adverse academic impact at the secondary level?**

Adverse academic impact at the secondary level would consider the student's ability to meet age or grade-level standards. Documentation may include, but is not limited to review and documentation of the following: grades, writing samples, observations and teacher reports of participation during classroom projects and discussions.

**57. How do IEP teams document adverse academic impact for 3-4 year old's who do not attend a daycare or preschool and spend time at home? Can SLPs use observation and parent reports about how their ability to participate in routines is impacted?**

Wisconsin DPI recommends reviewing the [Wisconsin Model Early Learning Standards](#). At this age, adverse academic impact includes Language Development and Communication (which includes early literacy). SLPs may use observation and parent reports in gathering information.

**58. How does the IEP team document adverse educational impact for students with speech sound disorders? What does the IEP team consider for students who do well academically, socially-emotionally, etc. but have significant errors in speech sound disorders?**

The impact of speech sound disorders could be documented in a variety of ways, including communication breakdown in the classroom, phonological processes or speech sound error patterns found in the student's spelling or writing, or clear evidence of withdrawal of speaking in class due to speech sound errors. The Wisconsin State Standards for Speaking & Listening also require students to speak audibly and express thoughts, feelings, and ideas clearly as early as kindergarten. This can be found under the "Presentation of Knowledge and Ideas" section for each grade level.

The Individuals with Disabilities Education Act requires that in order for students to be eligible for special education services in schools, any identified delay must impact the student academically, socially-emotionally or vocationally. If it is not impacting the student in any of these ways, school-based special education services should not be considered.



**59. What age should IEP teams start to think about impact on vocational and transition?**

As with other aspects of a student's IEP, it is legally required to consider transition at age 14. Doing so before 14 is permissible and often recommended to support college, career, and community readiness.

## Utilizing the [SLI Disability Category Criteria Worksheet](#)

**60. Why is the language on the SLI disability category criteria worksheet different from the language used on the Wisconsin DPI rubrics Considerations for Speech Impairment and Considerations for Language Impairment?**

The language on the SLI disability category criteria worksheet is taken directly from the [Wisconsin SLI administrative rule](#). The Wisconsin DPI rubrics were adopted and designed to be guides for consideration when gathering assessment data.

**61. Will IEP teams have an example of what filling out the criteria may look like for these various cases (e.g. AAC/reeval/etc.)?**

As DPI moves to make the disability category criteria worksheets into required IEP forms at the start of the 2022-2023 school year, Wisconsin DPI will record professional learning events that dig deeper into the purpose of this documentation including examples of what is acceptable and not acceptable when documenting whether a student meets disability category criteria. Although these worksheets are not required IEP forms until fall 2022, IEP teams should continue to document how the student meets any of the disability category criteria and use the most up to date criteria for all disability category determinations.

**62. Do evaluators copy the entire evaluation report onto the disability category criteria worksheet for SLI?**

No. The entire evaluation report should not be cut and pasted onto the disability category criteria worksheet for any disability area. DPI recommends IEP teams provide concise, parent-friendly, and student specific summaries as documentation on the worksheet. The purpose of this disability category criteria documentation is to summarize information about the student related to the criteria so that everyone on the IEP team understands why the student does or does not qualify for a given disability category.

**63. Do IEP teams need to follow a different process in filling out the disability category criteria worksheet if the IEP team did not do any additional evaluation procedures?**

For an initial evaluation, IEP teams still must go through filling out the criteria worksheet. If no additional evaluation procedures were used, the team must use information from the review of existing data to answer the questions on the worksheet in determining whether or not a student meets the disability category criteria.

For a reevaluation, the IEP team needs to document the student's disability continues to have an adverse impact on the student's educational performance and as a result the student continues to need specially designed instruction.

**64. How is the criteria sheet filled out if the child has significant complex needs?**

There are no differences in filling out the disability category criteria worksheet for students with complex needs. Although there may be additional information collected about the student due to the student's complex needs, the summary documentation of how a student meets any of the disability category criteria, including Speech or Language Impairment, can still be concise, parent friendly, and specific to the individual student.

**65. If a student is an augmentative and alternative communication (AAC) user, do we ONLY fill out the AAC section or do other sections need to be filled out too?**

This question on the disability category criteria worksheet is required for all evaluations when a speech or language impairment is suspected and is not its own stand-alone "area" for determining if a student meets the requirements outlined in Wisconsin state rule for a speech or language impairment.

**66. For the AAC checkbox on the disability category criteria worksheet, what should IEP teams check if the IEP team does not believe they need to evaluate the student's augmentative and alternative communication skills in order to determine the student needs (i.e., should IEP teams check yes or no)?**

The IEP team should mark No and document why they do not believe the student's augmentative and alternative communication skills need to be evaluated in order to determine the student needs.

**67. Must the evaluators conduct an AAC assessment for preschool students (including students from Birth to Three) who have limited verbal communication?**

Whether or not to conduct an AAC assessment for a student is an IEP team decision. If the team decides at the time of determining whether a student meets the criteria for speech or language impairment that an AAC assessment is not necessary to determine the student's needs and later determines consideration of AAC is necessary, the IEP team can review and revise the IEP or conduct a reevaluation.

**68. If during an evaluation, the IEP team checks "yes" "The IEP team evaluated the student's language by assessing the student's augmentative and alternative communication (AAC) skills, when appropriate to determine the student's needs," is the IEP team supposed to then assess the student's AAC needs? What resources does Wisconsin DPI recommend for assessing a student's AAC needs?**

If the IEP team checked yes to this question, then that would be an acknowledgement that the IEP team did in fact assess the student's AAC skills.

An Assistive Technology Assessment is part of a comprehensive evaluation when the LEA determines an evaluation of a student's needs related to selection, acquisition, or use of an assistive technology device is warranted. Augmentative and Alternative Communication (AAC) is a type of assistive technology that some students may require to access, engage, and make

progress in age or grade level curriculum, instruction, environments, and activities. There are many educators with knowledge and experience in determining a student's AAC needs.

For schools or districts without this knowledge base, the Individuals with Disabilities Education Act requires Local Educational Agencies (e.g. school districts) to be responsible for ensuring that all of the student's disability-related needs are identified as part of a comprehensive special education evaluation. Options may include contracting with an outside evaluator to assist with conducting an assistive technology assessment that includes determining the student's AAC needs. LEAs may consider contacting their regional Cooperative Educational Service Agency (CESA) to see if this service may be available. Other outside evaluators may include outside clinics such as the [Waisman Center AAC Partnership Program](#); the aim of this program is to build capacity and confidence for school-based SLPs in conducting AAC assessments. In addition, there are several free online resources for educators to learn about AAC including free online modules from [Wisconsin DPI Assistive Technology Modules web page](#), from the [Waisman Center's ECHO AAC program](#) that provides free professional development and [archives previous sessions](#) (including a four part series Fall 2021 on conducting AAC evaluations), and from national organizations such as the [Assistive Technology Internet Modules](#) from OCALI. The [Wisconsin Assistive Technology Forward project](#) also developed a free [AT micro and macro-credentialing program](#) that includes credentials for AAC assessment.

**69. Under the exclusionary factors section, how is the second question different from the first question? The first question asks, "do any of the above factors apply", and then the second question asks the same thing.**

Wisconsin DPI has discussed this redundancy and will consider rewording this section in the spring when this disability category criteria documentation is revised.

**70. The IEP team has a child that was NOT found to have a speech or language impairment. As the IEP team works through the sections in the disability category criteria worksheet, must all areas of the worksheet be filled out or does the team stop when they encounter part to which they document "No"?**

The IEP team should complete the disability category criteria documentation in its entirety in order to capture completely the assessment findings for the student. This documentation is required so the IEP team can document whether or not the student has a speech or language impairment.

## Reevaluation

**71. What information on the S/L disability category criteria worksheet needs to be filled out for a reevaluation?**

The IEP team must address the reevaluation portion of the SLI worksheet which includes documented impact and continued need for specially designed instruction. The IEP team may also review the criteria and update information on the worksheet during a reevaluation; however, a student is not required to meet initial criteria during a reevaluation.

**72. During reevaluation, if new assessments are completed that indicate that the student did not meet criteria but there is still a need for speech and language services, due to the reevaluation language in the rule and disability category criteria worksheet, would the student**

**continue to be considered a student with a SLI or would they receive speech-language services as a related service?**

The student would continue to be considered a student with SLI if the delay or disorder adversely impacts the student academically, socially, or emotionally and the student requires specially designed instruction to address their disability-related needs. If the student meets criteria under another disability category, speech and language services could be provided as a related service when required to assist the student with a disability to benefit from special education.

**73. Is it possible that IEP teams may determine that no additional assessments are needed for reevaluations and document this decision on the ER-1?**

Yes. IEP teams may determine that there is sufficient data at the review of existing data to determine continued eligibility for special education services for a student with a speech or language impairment.

**74. Does the disability category criteria checklist need to be included in reevaluation documentation when considering discontinuation of services?**

Yes.

## **No Need for Reevaluation**

**75. There are many IEP teams that use the paperwork for “no need for evaluation” for students with significant areas of deficit and may skip over SLI reevaluations. Should SLPs advocate for additional assessments every 3 years for language development because of the changes that are seen across development?**

The decision of whether to conduct or not to conduct a three-year reevaluation must be given careful consideration by the IEP team. The parent and the designated school staff should discuss the advantages and disadvantages of conducting a reevaluation, as well as what effect a reevaluation might have on the student’s educational program and need for revision to the IEP to better identify the student’s disability-related needs, IEP goals, and services. A reevaluation may be necessary to obtain current data to determine the educational needs of the student; the present levels of academic achievement and functional performance; the content of the student’s IEP including information related to enabling the student to be involved in and progress in the general education curriculum; and whether any additions or modifications to the special education and related services are needed to enable the student to meet the IEP annual goals.

## **Significant Developmental Delay vs. SLI**

**76. If a student is being reevaluated for significant developmental delay and no longer meets significant developmental delay criteria, does the student need to meet initial criteria for a speech or language impairment?**

Yes, the student must meet initial criteria for another impairment area when no longer eligible for consideration for significant developmental delay.

**77. Are there different assessment procedures to follow when conducting an evaluation to consider significant developmental delay versus conducting an evaluation to consider SLI?**

In reviewing the [Wisconsin DPI Significant Developmental Delay Criteria Worksheet](#), the following indicates the requirements for consideration regarding the communication domain:

**SIGNIFICANCE OF DELAYS:** Are delays of at least 1.5 standard deviations below the mean present that significantly challenge the child in 2 or more of the following major life activities? (Check areas of delay.) Note: delays are evidenced through history, caregiver information, observation, and instruments.

Communication activity in expressive language, such as the production of age-appropriate content, form and use of language; or receptive language, such as listening, receiving and understanding language. Explain or reference data or evidence:

**78. For preschool students, is there specific guidance on the difference between significant developmental delay and SLI in the area of language? Since the new criteria relies heavily on the documentation of adverse social, emotional, and academic impact, how does a preschool student not qualify significant developmental delay?**

All criteria under IDEA have the requirement that to have an impairment there must be an adverse affect on the student's educational performance or social, emotional, or vocational development. The consideration of significant developmental delay versus SLI would be the significance of the impact of the language impairment on the child's development. The question to ask is, "To what extent does the language delay have an adverse effect on the child's social and emotional development, cognitive activity, motor development and/or adaptive behavior?" This determination would be an IEP team decision; through gathering of additional assessment information, the team would determine which would be appropriate for consideration significant developmental delay or SLI.

## **Discontinuation of Services**

**79. What criteria will a student need to meet in order to consider discontinuation of services?**

When considering discontinuation of services for a student during a reevaluation, the team would discuss whether or not the student's disability continues to have an adverse impact on educational performance (academic or social or emotional development) and demonstrates the need for specially designed instruction. A student who does not need specially designed instruction would be considered for discontinuation of services.

**80. When would it be appropriate to discontinue services for students whose articulation isn't "perfect" but they have been at the same levels of accuracy in therapy activities for a whole year, aren't doing homework given to them, and aren't generalizing to the classroom?**

The IEP team is required to regularly report progress on IEP goals to parents or caregivers. When the student is not making progress toward annual IEP goals, the IEP team should reconvene to discuss why the student is not making progress. IEP teams may reassess the student's disability-related needs, IEP goals, and IEP services, including the frequency, duration, amount, and location

of services. The IEP team may also identify additional instructional strategies that can be used to support the student's access and engagement such that the student is more likely to show progress on IEP goals and in the general curriculum.

Students who no longer demonstrate an adverse educational impact and no longer need specially designed instruction may require the initiation of a reevaluation to discuss continued need for special education and determine whether or not the student should be exited from special education services.

**81. When considering discontinuation of speech or language services when conducting a reevaluation when other special education services remain (i.e., other special education specially designed instruction services), how do teams address communication needs that extend beyond what the student was receiving services for (e.g., when the student has met their speech articulation goal but has needs in the area of narrative language)?**

First, it is important to note that special education services should be provided to students in all areas of identified need. If a student initially met criteria for special education in the area of speech-articulation and has language needs, the IEP should address the student's language needs as well.

During a reevaluation, the IEP team may consider other areas of speech or language as an area of continued impairment. If oral language is a current concern, additional assessments may be conducted to determine whether an educational impact exists and whether the student may need specially designed instruction. The student would then not be exited from speech or language services but would be considered for continued special education services for a speech or language impairment.

## Workload vs. Caseload

**82. How do SLPs balance the work of conducting special education evaluations with providing services to students on their caseload?**

SLPs are encouraged to practice "[at the top of the license](#)". "When we focus attention on the clinical activities that require our unique knowledge, skills and attitudes, we facilitate functional outcomes in a cost-effective manner" (McNeilly 2018). Although Wisconsin does not license SLPAs, many professionals are employed by districts that can be used as "extenders", including: paraprofessionals, aides, teachers, volunteers, facilitators (teleservice).

SLPs are encouraged to conduct a workload analysis ([ASHA workload calculator](#)) to further quantify their work habits and patterns. SLPs who engage in workload analysis find these inconsistencies across clinicians and once addressed can result in delegation of activities or shifting of job responsibilities among SLPs within a district to balance out district workloads.

- Inconsistencies in evaluation and eligibility decision making including ensuring adherence to school eligibility requirements (i.e., adverse effect on a student's educational performance or social, emotional or vocational development); determining readiness for discontinuation of services.
- Service delivery issues (e.g., providing the same amount and level of service for all students on a caseload instead of determining the amount and level of support relevant due to individual student need) including the overuse of pull-out services.

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