



Summary of Changes for Speech or Language Impairment Rule

The following is a summary of the changes to Section 1 PI 11.36 (5) of the Wisconsin Administrative Rule addressing identification for Speech or Language Impairment (SLI). Individualized Education Program (IEP) teams must use the new criteria to identify a speech or language impairment for referrals for special education dated on or after August 01, 2021. The updated rule may be found at [Wisconsin Legislature CR 20-074 Rule Text](#).

Greater Focus on Evidence-Based Assessment

The language in the rule was revised and adjusted to be in line with evidence-based research and current best practices in assessment by experts in the field. Making adjustments to the types of assessments emphasized in the rule supports an evaluation process that is fair to each student and better ensures that evaluations are conducted to correctly identify students with a speech or language impairment that has an educational impact on their learning.

- Elimination of cognitive referencing as an exclusionary factor for identification of SLI.
 - The American Speech-Language-Hearing Association (ASHA) has a position statement against cognitive referencing, stating that there is no evidence to suggest that language skills cannot surpass cognitive skills for students with intellectual disabilities (ASHA, n.d.).
- Inclusion of evidence-based intelligibility rating scales (McLeod, Harrison & McCormack 2012) and stimulability testing (Miccio 2002).
- Removal of the arbitrary cut off score of -1.75 SD on formal assessments.
 - As a profession, there has been an overreliance on formal (i.e., norm-referenced) assessments in identification of speech-language impairments (Fulcher-Rood, Castilla-Earls, & Higginbotham 2018; Ireland & Conrad 2016), and research has shown that test selection is often not dependent on student need or psychometric properties of the test (Merrell & Plante 1997; Betz, Eickhoff, & Sullivan 2013; Fulcher-Rood, Castilla-Earls, & Higginbotham 2020).

- The chance of obtaining a score of -1.75 SD across more than one formal assessment is highly unlikely and has not shown to be evidence of an impairment (Plante and Vance 1994; Spaulding et al. 2006).
- The removal of this arbitrary cutoff score and the addition of other evidence-based assessment practices in the criteria will allow SLPs to use their clinical judgment as well as use norm-referenced assessments in the way they are intended. (Plante & Vance 1994; Spaulding, Plante, & Farinella 2006; Ireland & Conrad 2016).

Greater Focus on Disorder within Diversity

The language in the rule was revised to highlight the need to use culturally and linguistically responsive assessment practices in determining speech-language differences from speech-language disorders for students who are culturally and linguistically diverse (CLD). “Dialects of a language should not be interpreted as a language disorder” (Oetting et al. 2016, p.29). The field of speech-language pathology has shifted its language from “difference versus disorder” to “disorder within dialect” and most recently “disorder within diversity”. This shift in focus acknowledges that disorders can exist within different dialects of General American English as well as for students who are bilingual or multilingual (Oetting 2018).

- Definition of “home languages” and alignment of requirements from IDEA that assessments should be conducted in the child’s home language, unless it is not feasible to do so.
- Inclusion of other assessment methods in determining speech or language impairment that do not compare students to monolingual norms (e.g., dynamic assessment, language sample analysis).
- Revision of exclusionary factors to include students whose language differences are consistent with their home language(s) or dialect should not be considered for SLI unless they have a delay in their home language or dialect.
- Addition that a school-based professional knowledgeable about first and second language instruction and second language acquisition is to be an IEP team member if the student evaluated is an English Learner or potential English Learner.

Additional Requirements and Clarifications to Ensure a Comprehensive Special Education Evaluation of the Whole Child

- Requirement of observation in natural environment
 - Natural environment is defined as school, home, or community.

- Additional clarification in determining a fluency disorder
 - The previous rule had one sentence describing fluency disorder: “The student has characteristics of a fluency disorder.”

Addition of Language for Re-evaluation

The new rule includes the addition of language for re-evaluation to allow a child who met initial identification criteria and continues to demonstrate a need for special education, including specially designed instruction, to be determined to be a child with a disability.

References

American Speech-Language Hearing Association, n.d. “Cognitive Referencing”.

<https://www.asha.org/slp/schools/prof-consult/cognitive-referencing/>

Betz, Stacy K., Jessica R. Eickhoff, and Shanleigh F. Sullivan. 2013. “Factors Influencing the Selection of Standardized Tests for the Diagnosis of Specific Language Impairment.” *Language Speech and Hearing Services in Schools* 44 (2): 133-146.

[https://doi.org/10.1044/0161-1461\(2012/12-0093\)](https://doi.org/10.1044/0161-1461(2012/12-0093))

Fulcher-Rood, Katrina, Anny P. Castilla-Earls, and Jeff Higginbotham. 2018. “School-Based Speech-Language Pathologists’ Perspectives on Diagnostic Decision-Making.” *American Journal of Speech-Language Pathology* 27 (2): 796-812.

https://doi.org/10.1044/2018_AJSLP-16-0121

---. 2020. “What Does Evidence-Based Practice Mean to You? A Follow-Up Study Examining School-Based Speech-Language Pathologists’ Perspectives on Evidence-Based Practice.” *American Journal of Speech-Language Pathology* 29 (2): 688-704.

Ireland, Marie, and Barbara Conrad. 2016. “Evaluation and Eligibility for Speech-Language Services in Schools.” *Perspectives of the ASHA Special Interest Groups* 1(16): 78-90.

<https://doi.org/10.1044/persp1.SIG16.78>

McLeod, Sharon, Linda J. Harrison, and Jane McCormack. 2012. “Intelligibility in Context Scale: Validity and Reliability of a Subjective Rating Measure.” *Journal of Speech, Language, and Hearing Research*, 55(2), 648-656.

[https://doi.org/10.1044/1092-4388\(2011/10-0130\)](https://doi.org/10.1044/1092-4388(2011/10-0130))

Merrell, Andrew W. and Elena Plante. 1997. “Norm-Referenced Test Interpretation in the Diagnostic Process.” *Language, Speech, and Hearing Services in Schools* 28(1): 50-58.

<https://doi.org/10.1044/0161-1461.2801.50>

- Miccio, Adele W. 2002. "Clinical Problem Solving: Assessment of Phonological Disorders." *American Journal of Speech Language Pathology*. 11(3): 221 – 229.
[https://doi.org/10.1044/1058-0360\(2002/023\)](https://doi.org/10.1044/1058-0360(2002/023))
- Oetting, Janna. 2018. "Prologue: Toward Accurate Identification of Accurate Developmental Language Disorder Within Linguistically Diverse Schools." *Language, Speech, and Hearing Services in Schools* 49(2): 213-217.
https://doi.org/10.1044/2018_LSHSS-CLSLD-17-0156
- Oetting, Janna, B., Kyomi D. Gregory, and Andrew M. Rivière. 2016. "Changing How Speech-Language Pathologists Think and Talk About Dialect Variation." *Perspectives of the ASHA Special Interest Groups* 1(16): 28-37.
<https://doi.org/10.1044/persp1.SIG16.28>
- Plante, Elena and Rebecca Vance. 1994. "Selection of Preschool Language Tests: A Data-Based Approach. *Language, Speech, and Hearing Services in Schools* 25(1): 15-24. <https://doi.org/10.1044/0161-1461.2501.15>
- Spaulding, Tammie J., Elena Plante, and Kimberly A. Farinella. 2006. "Eligibility Criteria for Language Impairment: Is the Low End of Normal Always Appropriate?" *Language, Speech, and Hearing Services in Schools* 37(1): 61-72.
[https://doi.org/10.1044/0161-1461\(2006/007\)](https://doi.org/10.1044/0161-1461(2006/007))