

Q&A Speech/Language Criteria Changes

1. Why does Missouri need changes to Speech-Language (SL) eligibility criteria?

The current Missouri criteria, especially Language Impairment, have not been updated in a very long time. Missouri is the only state that continues to use cognitive referencing (a difference between cognition and language) as the criteria for IDEA eligibility in language impairment. One other state uses cognitive referencing for older children (9 and older) to align with the criteria for learning disabilities in the area of oral language but no other state uses such criteria for overall IDEA eligibility in the area of Language Impairment. Longstanding research has shown that cognitive referencing is an inappropriate approach to identifying language impairments in children.

2. How were recommendations for the new SL criteria developed?

Almost two years ago, the Speech-Language Pathology (SLP) faculty of St. Louis University asked DESE to revise the SL criteria to eliminate cognitive referencing. A work group of SLPs from districts across the state along with representatives of Missouri Speech-Language-Hearing Association (MSHA), Missouri Council of Administrators of Special Education (MO-CASE), Missouri Association of School Psychologists, and DESE developed recommended changes to the SL criteria most of which are reflected in the State Plan changes. The charge to this group was to ensure students identified as IDEA eligible under any of the four categorical SL criteria meets IDEA eligibility requirements – specifically the student has a documented disability (deficit) that adversely impacts their educational progress and requires special education services. The new criteria emphasize documentation of the availability of quality and robust general education services/interventions as necessary for determination of the adverse educational impact and need for special education. The work group recommendations were presented at multiple statewide conferences (MSHA, MO-CASE) and have been discussed at local professional development events across the state over the past year.

3. Can the evidence based interventions now required for all Speech-Language eligibility criteria be general education curriculum such as reading or math or do they need to be speech/language related?

Ideally, data from curricular areas (especially English-Language Arts/Reading) as well as speech and language areas would be readily available. Students who demonstrate a lack of response to interventions in a multi-tiered system of supports model especially in foundational literacy skills would meet this portion of criterion. For preschool children in districts who do not have any general education early childhood program, these interventions will be done at home, day care or other settings in which the child spends their day. The evaluation process for young children in the area of speech and language will need to include provision of intervention recommendations and supports to families.

4. Who can provide evidence based interventions?

The provider of evidence based interventions will vary dependent on the intervention. Teachers, paraprofessionals, SLPs, SLP-Assistants, etc. could all provide different types of interventions based on their individual expertise. It is important to note that SLPs are not legally restricted to only providing services to IDEA eligible students unless the entire SLP position is funded with IDEA dollars. It is also important to remember that speech-language services that are billed for Medicaid reimbursement must be provided by SLPs who are NOT paid with IDEA funds. Given widespread Medicaid billing and the fact that IDEA only accounts for approximately 15% of special education costs nationally, it should not be a problem for LEAs to use non-IDEA funds for all SLP positions. While this Q&A cannot provide a comprehensive discussion of special education funding, outside of the unique early childhood special education (ECSE) funding situation in Missouri, there is nothing that prohibits an SLP from providing evidence based interventions to school-aged students who are not IDEA eligible.

5. What comprehensive language tests have composite language scores inclusive of both receptive and expressive language function in a single standard score?

Without recommending or endorsing any specific commercial test, the following are examples of assessments that provide a composite standard score as described in the eligibility criteria - Comprehensive Assessment of Spoken Language, Clinical Evaluation of Language Fundamentals, Oral and Written Language Scales, Test of Integrated Language and Literacy Skills, and Test of Language Development. A similar overall receptive and expressive language score is required in the eligibility criteria for Young Child with a Development Disability (YCDD) and has been the requirement for a number of years. Districts should already have some language assessments identified they use to provide the overall language score required by the YCDD criteria in the area of communication. Note: Assessments which do not meet this composite score criterion may also be needed to gather information about an individual student's language development and functioning. Standardized assessments should be selected by the district and evaluator(s) as appropriate for the student.

6. Can a test like the Peabody Picture Vocabulary Test be used as a comprehensive language test score?

No. A test like the PPVT only considers vocabulary which is a single construct/system of language. A comprehensive test score for consideration of a disability would involve much more in-depth assessment than a vocabulary test. The revised LI criteria focuses on broad language deficits that will have a much greater impact on educational progress instead of deficits in discrete language structures.

7. Will fewer students qualify now as IDEA eligible in the category of language impairment?

A workgroup representing several districts throughout the state applied the new criterion to previously evaluations and found that the overall number didn't necessarily change. The type

of student who is eligible under the new comprehensive criterion is more likely to be a student demonstrating an actual language impairment. Students with higher cognitive functioning and lower (discrepant) language functioning in a discreet area (e.g. syntax) should receive non-special education interventions if the deficit impacts educational performance.

8. Is an IQ score required for LI eligibility determinations using the new criteria?

With elimination of cognitive referencing, a formal, standardized IQ score is no longer required as part of the eligibility determination for LI. The evaluation team will determine if formal assessment of that area of functioning is needed as part of the individual student's evaluation.

9. With cognitive referencing eliminated, can students now be “diagnosed” as both Intellectually Disabled (ID) and Language Impaired (LI)?

No. It is important to emphasize that schools do not use eligibility criteria to “diagnose” at all. Schools use the criteria to determine IDEA eligibility. Once a child is IDEA eligible, regardless of which criteria has been met, that process is finished and there is no reason to apply additional criteria for eligibility purposes (like making a secondary eligibility determination). Children who meet the criteria for the global condition of Intellectually Disabled should be identified under that category, rather than the specific category of Language Impaired.

It may be that a student identified under the category of Intellectually Disabled needs language services as part of the student's IEP in order to receive a FAPE. There are no eligibility criteria used to determine the need for related services. The IEP team decides what special education services are needed and related services are required for the student to benefit from special education. Assessment data should certainly be used to support decisions about the need for related services, but IEP teams should not be conditioning the provision of related services on meeting specific IDEA eligibility criteria. For example, the IEP team for a student who is determined to be IDEA eligible using ID criteria should decide what if any language goals and objectives will be part of the IEP and how those will be implemented through special education and related services regardless of whether or not that student meets LI eligibility criteria. Implementation of language goals for any IDEA eligible student is an IEP team decision and those goals may be implemented by an SLP or other providers as appropriate.

10. Why was there a recommendation to go back to one year beyond the normative data as eligibility for Sound System Disorder (SSD)?

Eligibility for Sound System Disorder indicates that the child has a disability under IDEA and that there is an adverse educational impact as described previously. The one year beyond benchmark aligns with the concept of an adverse educational impact and was the benchmark used originally when development sound norms were first adopted in Missouri. Districts can and should be providing general education interventions for children who have sound system errors at the developmental timelines of the Missouri Designated Normative Data. Children one year beyond are those who can be identified as needing “special education” and thus are

IDEA eligible. For example, a child who has received general education interventions before age 9 for the /r/ sound that is not remediated by age 9 could continue interventions with or without changes in methodology and intensity or if a disability is suspected an IDEA evaluation could be conducted for eligibility determination.

11. How can schools serve children with speech delays that do not meet the criteria?

Children with speech delays that do not meet IDEA eligibility criteria should have access to general education intervention services (from an SLP or other appropriate provider) sufficient to address the delay without any need to be determined IDEA eligible. There are many children who would benefit from the services of an SLP but do not require special education. In fact, for many of these children it is problematic to find them IDEA eligible and provide services as part of an IEP as it is then difficult to justify a change of placement for these children to “dismiss” them from special education due to lack of progress. IDEA expects that an IEP for a child who is not making progress on goals and objectives would have increased services to address the lack of progress – not decreased services or a finding that the child is no longer “disabled” or IDEA eligible. It is procedurally much more appropriate to serve these children outside of IDEA to avoid challenges in justifying decisions to “dismiss” (be found no longer in IDEA eligible) due to lack of progress.

12. Can a student who exhibits phonological processes be determined IDEA eligible?

A student who exhibits significant phonological processes can be IDEA eligible under Sound System Disorder if they meet the one year beyond criteria for at least one sound or if they have multiple errors that collectively render their speech unintelligible. Phonological processes in and of themselves are not used for sound system eligibility determinations. While there is no metric criteria for speech that is “unintelligible”, districts are encouraged to establish consistent procedures for making this determination that are supported by documentation of how that unintelligible speech causes an adverse educational impact and the need for special education services. It is important to remember that sound system disorder (and all other) eligibility criteria are used to determine IDEA eligibility, NOT to dictate or prescribe specific intervention methodologies, placements or service delivery mechanisms.

13. Is a medical evaluation now required before a student can be determined IDEA eligible using the voice criteria?

The revised criteria do not necessarily require a medical evaluation, but they do require that the comprehensive assessment be able to verify that there is no medical condition that would contraindicate voice intervention. This is standard best practice in treatment of voice disorders and hopefully districts already have procedures in place that ensure this is part of the assessment process. Even though eligibility criteria do not apply to determination of the need for related services, if voice interventions are provided as a related service, best practice would include this same kind of documentation of no medical contraindication for such intervention.

14. Why was professional judgment eliminated in the eligibility criteria?

Professional judgment on the part of the speech-language pathologist, and other members of the evaluation team, is embedded throughout a comprehensive evaluation process. It is not intended to be utilized to override the qualitative and quantitative data produced during an evaluation. Careful record review across the state documented vast variability in how professional judgement was being utilized and extreme inconsistency in who was being determined eligible based on professional judgement. The revised criteria continue to allow for documentation of disability as variances within the quantitative portions of the eligibility criteria.

15. How do you apply SL eligibility criteria, especially any standardized test score requirements, to students who are learning English as a second language?

Revisions to SL eligibility criteria include a requirement that the language impairment or sound system disorder is NOT the result of a dialectal difference or second language influence. As a result, unless a student's lack of exposure to or lack of instruction in standard English can be ruled out as an influencing factor, the student will not meet the current or new LI or SSD eligibility criteria. Conversely, if it can be documented that a student has had sufficient exposure to and/or instruction in English so that those are not influencing factors, then using standardized assessments in English should provide valid information upon which to base an eligibility determination. Language intervention for students who are English language learners is best provided as targeted instruction outside of special education. It is important to remember that English language learners do not need to be IDEA eligible to receive language intervention services from an SLP as general education.

16. How do the changes in Speech/Language eligibility criteria impact eligibility determinations for young children not yet Kindergarten (K) eligible?

Most Missouri school districts opt to use both Young Child with a Developmental Disability (YCDD) eligibility criteria along with all of the categorical eligibility criteria in the State Plan for eligibility determinations for children not yet Kindergarten eligible. For districts who use categorical criteria in addition YCDD to determine eligibility for young children:

- There are no changes to YCDD criteria in this State Plan. Those will be used with children not yet K eligible just as they are now.
- The changes to sound system disorder, voice and fluency eligibility criteria in this State Plan will be used for children not yet K eligible as they apply across all ages.
- The language impairment eligibility criteria do not apply to children not yet K eligible which is consistent with the current criteria. The revised LI criteria are only applicable to school aged eligible children because YCDD already establishes criteria for the developmental area of communication (overall receptive and expressive language) with a

2.0 standard deviation (SD) deficit requirement in that area alone or 1.5 SD deficit level requirement if paired with another developmental area. Applying LI criteria with a 1.75 standard deviation deficit to young children would create conflicting SD requirements for a deficit level in the same developmental area. The YCDD criteria are specifically applicable to young children and do not include the requirement for documentation of evidence-based interventions which is challenging when general education preschool is limited. Historically, the vast majority of IDEA eligible young children have been determined eligible using YCDD criteria (65%) and sound system disorder criteria (27%).

17. Will the new speech-language criteria reduce the number of 3-year-old children who will be IDEA eligible using the sound system disorder criteria?

If a district uses categorical criteria to identify young children as IDEA eligible then the earliest age a child will meet the normative criteria under sound system disorder is age 4 as these children demonstrate a disability and require specialized instruction which is the definition of IDEA eligibility. Three-year-old children who do not meet the normative criteria but who are “unintelligible” may be eligible if they meet all the other criteria including adverse educational impact and lack of response to evidence-based interventions.

18. What is “unintelligible” speech?

Speech intelligibility is a subjective, perceptual judgment that can vary across settings and other factors involved in communication between a speaker and a listener. “Unintelligible” speech means that the conveyed message is unable to be understood by an unfamiliar listener. For purposes of determining an adverse educational impact, unintelligible speech would be described as the student is unable to make basic wants and needs known through spoken communication. Frequently unintelligible speech creates a severe communication deficit with deficits in additional functional areas such as social, emotional, behavioral and general developmental which also serve to document an adverse educational impact. Students who are unintelligible would typically be considered candidates for alternative or augmentative communication to support the ability to communicate basic wants and needs at least on an interim basis.

19. How can districts provide evidence-based interventions for preschool students?

All of the revised SL categorical criteria require general education evidence-based interventions be provided as part of determining eligibility. Non-special education interventions can and should be available to support school aged and preschool children who are at but not yet one year beyond the developmental sound system norms. This could include providing interventions designed to be used by parents, day-care providers and others. Providing more robust interventions may be challenging for districts who have limited or no preschool services available outside of their early childhood special education (ECSE) program and its unique 100% state and federal special education funding structure. It is important to note that the YCDD

eligibility criteria does not include this general education intervention requirement which makes it more aligned with Missouri's ECSE program and funding scheme.

20. How will the new SL criteria impact SLP caseload requirements.

There are no caseload requirements for any special education service providers (e.g. teachers, paraprofessionals, SLPs, PTs, OTs, etc.) for services for school-aged students. The ONLY caseload requirements are those associated with ECSE state/federal funding reimbursement. The changes to the SL eligibility criteria do not have any direct impact on ECSE reimbursement requirements as those are established by Special Education Finance. Questions specific to ECSE reimbursement standards, restrictions, and other specifics are best addressed by Special Education Finance staff.