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Dr. Eric J. Smith  
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Education



## Technical Assistance Paper

### Questions and Answers Regarding Speech/Language as a Related Service

#### Summary:

On August 14, 2006, the memo entitled "Revised Guiding Questions for Determining the Need for Speech/Language as a Related Service and Amendment to Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students (SP&P)" was disseminated to Florida school districts. Included with this memo were the *Guide for Determining the Need for Speech/Language as a Related Service*, *Guiding Questions for Determining the Need for Speech/Language as a Related Service* (flowchart form), and the *Communication Impact on Special Education Services*. Additionally, the amendment to the SP&P document was included.

Since dissemination of the documents mentioned above, school district staff has identified several questions and issues regarding speech/language as a related service. The purpose of this question and answer document is to offer additional guidance with procedures for determining the need for and providing speech/language as a related service. Major revisions include changes in the guiding questions and attachments.

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**A. Identification of Speech/Language as a Related Service on the Individual Educational Plan (IEP) or Educational Plan (EP)**

**A-1. How is speech/language as a related service defined?**

Section 1003.01(3)(b), Florida Statutes (F.S.), defines special education services as specially designed instruction and such related services as are necessary for an exceptional student to benefit from education. The current federal regulations found at Title 34, Section 300.34, Code of Federal Regulations (CFR), define related services as services as are required to assist a child with a disability to benefit from special education.

State Board of Education Rule 6A-6.03411(dd)3.o., Florida Administrative Code (F.A.C.), *Definitions, ESE Policies and Procedures, and ESE Administrators*, defines speech/language pathology as a related service to include “identification of students with speech or language impairments; diagnosis and appraisal of specific speech or language impairments; referral for medical or other professional attention necessary for the habilitation of speech or language impairments; provision of speech and language services for the habilitation or prevention of communicative impairments; and counseling and guidance for parents, students, and teachers regarding speech and language impairments.” This definition mirrors the definition found in the regulations for the Individuals with Disabilities Education Act, Title 34, Section 300.34(c)(15), CFR.

**A-2. Can any student who is enrolled in any exceptional student education (ESE) program receive speech/language as a related service, including a student identified as gifted?**

As mentioned above, Section 1003.01(3)(b), F.S., states that special education services, including related services, are those services as are necessary for an **exceptional student** to benefit from education. The definition of “exceptional student,” found at Section 1003.01(3)(a), F.S., states “the term includes students who are gifted and students with disabilities...” Thus, an individual educational plan (IEP) or educational plan (EP) team may consider the need for speech/language as a related service for any student who has been identified as an exceptional student who needs the service to benefit from education. However, speech/language as a related service, as with any other related service, is not *automatically* provided for a student—the IEP or EP team must determine a need for the service based on the goals, services, and needs of the student as outlined in Rule 6A-6.03028, F.A.C., *Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities*, and Rule 6A-6.030191, F.A.C., *Development of Educational Plans for Exceptional Students Who Are Gifted*. For ease of reading, subsequent questions in this Technical Assistance Paper only reference the IEP or IEP team. However, a student’s EP team could provide for related services.

**A-3. Is it recommended that the IEP team consider whether a student is eligible for speech/language as an ESE program before considering the need for speech/language as a related service?**

The IEP team may choose to consider using existing evaluation data to make this determination of whether a student is eligible for speech/language as a program. The determination of program eligibility must be based on the requirements outlined in Rule 6A-6.03012, F.A.C., *Special Programs for Students Who Are Speech and Language Impaired*. Program eligibility consideration is not a requirement of the IEP team before determining the need for speech/language as a related service.

**A-4. May speech/language as a related service be included on the student's initial IEP?**

Yes. Based on Section 1003.01(3)(b), F.S., related services, including speech/language, are provided for exceptional students who need the services to benefit from education. In order for speech/language as a related service to be included on an IEP, the student must have been determined eligible for an ESE program.

**A-5. When may speech and/or language be included in the IEP as a related service?**

The decision should be data-driven and made on a case-by-case basis by the IEP team. The team should be able to demonstrate the need for the related service based on data. The data used in decision-making may include evaluation outcomes, services the student is currently receiving and/or has received in the past (e.g., private speech/language therapy service), the student's response to specific interventions, and parent input on communication skills observed in the home and other environments.

**A-6. Must a speech-language pathologist (SLP) be a member of any IEP team that determines speech and/or language as a related service is necessary for the student to benefit from special education?**

Rule 6A-6.03012(5)(a), F.A.C., states that a speech-language pathologist shall be a member of any eligibility staffing committee reviewing speech and language evaluation data. Rule 6A-6.03012(5)(b), F.A.C., states that a speech-language pathologist "shall be involved in the development of IEPs" for eligible speech- and language-impaired students. Involvement may include consulting, reporting and interpreting evaluation results, providing information related to the student's present levels of performance, and assisting in the development of goals and objectives to address the student's communication needs. Although this rule does not require an SLP to be a member of an IEP team that determines speech and/or language as a related service, SLP participation should be encouraged.

**A-7. For students transferring from out-of-state, if the IEP indicates that the student was receiving speech/language as a related service in the previous state, may speech/language as a related service be included on the Florida IEP?**

Yes. Current federal regulations found at Title 34, Section 300.323, CFR, require that if a student with a disability (who had an IEP that was in effect in a previous school in another state) transfers to a school in Florida, the receiving school district must provide the student with a FAPE, including services comparable to those described in the student's IEP from the previous school. This is to remain in effect until the receiving school district is able to conduct an evaluation, if determined necessary, and develops, adopts, and implements a new IEP, if appropriate. Through the review of evaluation and other data, the IEP team may determine the student's eligibility and continued need for programs and services.

**A-8. Should a student who is currently enrolled in speech/language as an ESE program be "switched over" to speech/language as a related service?**

This is not a practice recommended by the Bureau of Exceptional Education and Student Services, nor is it required. If a student is enrolled in speech/language as a program, the student should continue in the program until he or she meets dismissal criteria.

**A-9. Is specific evaluation data required before consideration of the need for speech/language as a related service?**

In determining the need for speech/language as a related service, the IEP team should consider all evaluation and present level data to gain a clear and in-depth picture of the student's communication skills. This data may include the use of a global language instrument as well as other instruments and methods, such as a classroom observation, collection of a speech/language sample, and/or the administration of supplemental speech and/or language tests. It is recommended that methods be used to provide the IEP team with information in all communication domains.

**B. Provision of Speech/Language as a Related Service**

**B-1. Is speech/language therapy as a related service a direct service only that must be provided by the SLP? Is consultation considered a type of related service for speech/language?**

Speech/language therapy services shall be provided by an SLP, pursuant to Rules 6A-6.4.0176, F.A.C., *Specialization Requirements for Certification in the Area of Speech-Language Impaired* and 6A-6.03012(6), F.A.C. However, related services may involve direct (e.g., therapy, instruction in language) and/or indirect (e.g., consultation, support in language) services. Rule 6A-6.03028(3)(g)8., F.A.C., states that the communication needs of the student must be considered by the IEP team, and Rule 6A-6.03028(3)(h)4., F.A.C., requires that a statement of the specially designed instruction and related services

to be provided to the student must be included in the content of the IEP/EP. However, the IEP/EP team determines the specific needs, services, and role(s) of various professionals in regard to a particular student.

Consultation is considered a service delivery option for a related service. Based on the definition provided in the *Matrix of Services Handbook (2004)*, consultation occurs when “general education teachers and ESE teachers meet regularly to plan, implement, and monitor instructional alternatives designed to ensure that the student with an exceptionality is successful in the general education classroom.” This may involve conversing with teachers regarding language instruction/intervention strategies to use within the classroom. Consultation is a type of service delivery model for all areas of exceptionality, both for ESE programs and for related services. IEP teams should discuss and determine which service delivery model will best meet a student’s needs.

**B-2. Can a student receive the same intensity, frequency, and/or location of speech/language service regardless of whether it is a related service or the student is enrolled in speech/language as an ESE program?**

There are no separate requirements set forth in Rule 6A-6.03028, F.A.C., regarding the type, frequency, or location of specially designed instruction or related services that may be provided. Thus, a student may receive the same intensity, frequency, and/or location of service regardless of whether speech/language services are provided as a related service or the student meets eligibility criteria for speech/language as an ESE program.

**C. Other Related Questions**

**C-1. How are data on speech/language as a related service being reported?**

There is no existing data element to distinguish between speech/language as a program and speech/language as a related service. Thus, the same codes listed below are being used for data reporting of speech/language as a related service. However, districts may add an element to their data system to assist them in tracking whether this service is being provided as a related service.

The data elements for speech impaired and language impaired are as follows:

- F for speech impaired
- G for language impaired

**C-2. What are the required procedures when the IEP/EP team determines that speech/language as a related service is no longer needed? Is the IEP/EP team required to complete the reevaluation process to make this determination?**

As with any related service, the IEP team must review all pertinent data to determine if a student needs a particular service, or if the need no longer exists. Reevaluation is not required to discontinue particular services. Reevaluation is only required when a team is

considering dismissing a student from ESE (i.e., the student is no longer a student with a disability in need of special education and related services).

When it is determined that an ESE student is no longer in need of speech/language as a related service, the IEP/EP team makes the decision to remove the related service from the IEP/EP. In accordance with Rule 6A-6.03311, F.A.C., *Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities*, this would be considered a change of FAPE and a parent/guardian must be provided with prior written notice.

## Appendices

### **Appendix A: Guiding Questions for Determining the Need for Speech/Language as a Related Service – Revised May 2009**

- What are the communication problems that the student is experiencing?
- What does the available data reveal about the student's communication needs? (e.g., comprehensive speech/language (S/L) evaluation, observations, speech/language samples, current and past services, if any, student's response to specific interventions, if any, and parent input on communication skills observed in the home and other environments, etc.).
- Consider whether the student's communication problems are impacted by factors such as limited English proficiency (LEP), need for augmentative and alternative communication (AAC), and/or identified physiological, psychological, or medical factors.

#### **After answering these questions:**

- If data and evaluation results indicate the eligibility process should be addressed, schedule and conduct an eligibility staffing/individual education plan (IEP) team meeting.
  - If staffing committee determines student **is** eligible for S/L program, develop a new or review and revise the current IEP.
  - If staffing committee determines student **is not** eligible for S/L program, are the student's communication needs related to the student's identified disability?
    - If not, consider whether communication needs are result of other factors.
    - If yes, continue with actions below.
- Do the goals of the student's draft or current IEP address the communication needs?
  - If no, develop or revise the goals to address communication needs.
  - If yes, describe the IEP goals.
    - What classroom-based strategies or interventions are planned or in place to meet communication needs? If already in place, consider their effectiveness.
    - Are speech/language services necessary for the student to benefit from special education?
      - The student needs speech/language as a related service.
      - Develop specific speech/language goals and objectives. Determine and document the communication impact on special education services. A sample form is located in Appendix B.



**Appendix B: Speech/Language as a Related Service  
Communication Impact on Special Education Services**

**SAMPLE FORM**

Student's Name: \_\_\_\_\_

D.O.B.: \_\_\_\_\_

ESE Program(s): \_\_\_\_\_

Related Service(s): \_\_\_Speech \_\_\_Language

<b><i>Social Impact</i></b>	<b><i>Educational Impact</i></b>	<b><i>Vocational Impact</i></b>
The deficit affects social or emotional development or adjustment in the school setting.	The deficit affects academic achievement.	The deficit affects ability to demonstrate job-related skills/competencies.
Social areas affected by communication deficits (e.g., articulation, fluency, voice, and/or language deficits):  ___ Communication deficits interfere with ability to be understood by adults and/or peers. ___ Student has difficulty maintaining and terminating communicative interactions. ___ Student demonstrates embarrassment and/or frustration regarding communication.  Provide supportive data: _____ _____ _____ _____	Academic areas affected by communication deficits (e.g., articulation, fluency, voice, and/or language deficits):  ___ Reading ___ Math ___ Language Arts ___ Other: _____  Provide supportive data: ___ Difficulty with language-based activities. ___ Difficulty comprehending information presented orally. ___ Difficulty conveying information. Other: _____ _____ _____ _____	Job-related skills student cannot perform due to communication deficits (e.g., articulation, fluency, voice, and/or language deficits):  ___ Inability to understand/follow oral directions. ___ Inappropriate response to coworker's or supervisor's comments/questions. ___ Unable to answer/ask questions in a coherent/concise manner.  Other: _____ _____ _____ _____

According to 34 CFR 300.24, related services such as speech/language are provided to assist the student with a disability to benefit from special education. The *Guiding Questions for Determining the Need for Speech/Language as a Related Service* have been addressed by the individual educational plan team and the student has been determined in need of speech or language as a related service.

\_\_\_\_\_  
Signature – Speech-Language Pathologist

\_\_\_\_\_  
Date