

Rule Crosswalk: Comparison of Current Speech/Language Rule to Recently Approved LI Rule

<p align="center">Current SBE Rule 6A-6.03012, F.A.C., Special Programs for Students Who Are Speech and Language Impaired</p>	<p align="center">Effective July 1, 2010: SBE Rule 6A-6.030121, F.A.C., <i>Exceptional Student Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services</i></p>
-Definitions-	-Definitions-
<p>Broad definition of both speech and language impairments from IDEA: <i>Speech and language impairments are defined as disorders of language, articulation, fluency, or voice which interfere with communication, preacademic or academic learning, vocational training, or social adjustment.</i></p>	<p>Definition for language impairments only: <i>Language impairments are disorders of language that interfere with communication, adversely affect performance and/or functioning in the student's typical learning environment, and result in the need for exceptional student education.</i></p>
<p>Language impairment <i>An impairment in the language system is abnormal processing or production of:</i></p> <ol style="list-style-type: none"> <i>1. Form including phonology, syntax, and morphology,</i> <i>2. Content including semantics, or</i> <i>3. Function including pragmatics.</i> 	<p>Language impairment <i>A language impairment is defined as a disorder in one or more of the basic learning processes involved in understanding or in using spoken or written language. These include:</i></p> <ol style="list-style-type: none"> <i>1. <u>Phonology</u>. Phonology is defined as the sound systems of a language and the linguistic conventions of a language that guide the sound selection and sound combinations used to convey meaning;</i> <i>2. <u>Morphology</u>. Morphology is defined as the system that governs the internal structure of words and the construction of word forms;</i> <i>3. <u>Syntax</u>. Syntax is defined as the system governing the order and combination of words to form sentences, and the relationships among the elements within a sentence;</i> <i>4. <u>Semantics</u>. Semantics is defined as the system that governs the meanings of words and sentences; and,</i> <i>5. <u>Pragmatics</u>. Pragmatics is defined as the system that combines language components in functional and socially appropriate communication.</i> <p><i>(b) The language impairment may manifest in significant difficulties affecting listening comprehension, oral expression, social interaction, reading, writing, or spelling. A language impairment is not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.</i></p>
-Screening-	-Screening-
<p><i>Students being considered for language or speech programs shall be screened for hearing and vision. Students being considered for exceptional student</i></p>	<p><u>For PK:</u> <i>Procedures prior to initial evaluation for PK children. Prior to initial evaluation, the requirements of</i></p>

<p>programs, excluding gifted and homebound or hospitalized who may be screened on a referral basis, shall be screened for language, articulation, fluency and voice disorders prior to staffing for eligibility.</p>	<p>subsection 6A-6.0331(2), F.A.C., must be met.</p> <p><u>(At the least = vision & hearing screenings, and review of existing data;</u> Additional screenings to assist in determining interventions may be conducted as appropriate.)</p> <p><u>For K-12:</u> <u>General education intervention procedures and activities</u> for students in kindergarten through grade twelve. Prior to obtaining consent for initial evaluation, the requirements of subsection 6A-6.0331(1), F.A.C., related to general education procedures for kindergarten through grade twelve students, must be met.</p> <p><u>(At the least = vision & hearing screenings, and review of existing data;</u> Additional screenings to assist in determining interventions may be conducted as appropriate.)</p>
<p>-Evaluation-</p>	<p>-Evaluation-</p>
<p>Speech-language pathologists shall be responsible for implementing and conducting diagnostic assessments of language, articulation, fluency, or voice disorders.</p> <p>A case history shall be included as part of the assessment data when determined appropriate by the speech-language pathologist.</p> <p>Medical and psychological evaluations shall be requested by the speech-language pathologist when appropriate.</p>	<p>The evaluation section is much more specific, including the minimum required evaluation components for PK students as well as K-12 students. (In addition to the procedures identified in subsection 6A-6.0331(5), F.A.C.)</p> <p><u>Other changes include:</u> <u>Evaluation procedures for K-12:</u> Specifies when consent is necessary. In addition to information gathered, observations, and standardized instrument(s), the minimum eval procedures also include: <u>Review of data</u> that demonstrate the student was provided well-delivered scientific, research-based instruction and interventions addressing the identified area(s) of concern and delivered by qualified personnel in general or exceptional education settings; <u>Data-based documentation</u>, which was provided to the student's parent(s) or guardian(s), of repeated measures of performance and/or functioning at reasonable intervals, communicated in an understandable format, <u>reflecting the student's response to intervention</u> during instruction.</p>
<p>-Eligibility-</p>	<p>-Eligibility-</p>
<p><u>For PK:</u> A language disorder is present when: 1. For students below age five (5), there is a significant language delay based on criteria</p>	<p><u>For PK:</u> A prekindergarten child is eligible as a student with a language impairment in need of exceptional student education if all of the following criteria are met:</p>

presented in the test or evaluation manual and at least one (1) of the following is met:

- a. There is a significant difference between language performance and other developmental behaviors; or
- b. There is a significant difference between receptive and expressive language abilities.

For K-12:

For students ages five (5) and above, the language scores on standardized tests are more than one (1) standard deviation below the mean for the student's chronological age and at least one (1) of the following is met:

- a. There is a significant difference between language performance and nonverbal performance; or
- b. There is a significant difference between receptive and expressive language scores; or
- c. Two (2) or more, but not all, components of the language system are moderately or severely impaired on a language severity rating scale.

(a) **There is evidence**, based on evaluation results, **of significant deficits in language**. The impairment may manifest in significant difficulties **affecting one or more** of the following areas:

1. **Listening comprehension;**
2. **Oral expression;**
3. **Social interaction; or**
4. **Emergent literacy skills (e.g., vocabulary development, phonological awareness, narrative concepts).**

(b) **One or more documented and dated behavioral observation(s) reveals significant language deficits that interfere** with performance and/or functioning in the typical learning environment;

(c) **Results of standardized norm-referenced instrument(s) reveal a significant language deficit** in one or more of the areas listed in paragraph (1)(a) of this rule, **as evidenced by standard score(s) significantly below the mean**. (can use alternate measure if needed)

(d) **Information gathered** from the child's parent(s) or guardian(s), teacher(s), service providers, or caregivers **must support the results of the standardized instruments and observations** conducted;

(e) The language impairment **must have an adverse effect** on the child's ability to perform and/or function in the typical learning environment, thereby demonstrating the need for exceptional student education; and,

(f) The language impairment is **not primarily the result of** factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

For K-12:

A student meets the eligibility criteria as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) Due to deficits in the student's language skills, the **student does not perform and/or function adequately for the student's chronological age or to meet grade-level standards** as adopted in Rule 6A-1.09401, F.A.C., **in one or more of the following areas**, when provided with learning experiences and instruction appropriate for the student's chronological age or grade:

1. **Oral expression;**
2. **Listening comprehension;**
3. **Social interaction;**
4. **Written expression;**
5. **Phonological processing; or,**

6. Reading comprehension.

(b) Due to deficits in the student's language skills, the student does not make sufficient progress to meet chronological age or State-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the areas identified in paragraph (7)(a) of this rule when using a process based on the student's response to scientific, research-based intervention;

(c) Evidence of a language impairment is documented based on a comprehensive language evaluation, including all evaluation components as specified in paragraph (6)(b) of this rule. There must be documentation of all of the following:

- 1. Documented and dated observations show evidence of significant language deficits that interfere with the student's performance and/or functioning in the educational environment;***
- 2. Results of standardized norm-referenced instrument(s) indicate a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by standard score(s) significantly below the mean.***

(An alternative, scientific, research-based instrument may be administered when necessary).

- 3. Information gathered from the student's parent(s) or guardian(s), teacher(s), and when appropriate, the student, must support the results of the standardized instruments and observations conducted; and,***
- (4. option for an additional observation when a pragmatic language deficit is suspected, but not verified by the use of a standardized instrument.)***

(d) The group determines that its findings under paragraph (7)(a) of this rule are not primarily the result of factors related to chronological age, gender, culture, ethnicity, or limited English proficiency.

Other changes include:

Documentation of determination of eligibility

For a student suspected of having a language impairment, the documentation of the determination of eligibility must include a written summary of the group's analysis of the data that incorporates all of the following information:

- (a) The basis for making the determination, including an assurance that the determination has been made in accordance with subsection 6A-6.0331(6), F.A.C.;***
- (b) Noted behavior during the observation of the student and the relationship of that behavior to the student's academic functioning;***

(c) The **educationally relevant medical findings**, if any;
(d) **Whether the student has a language impairment as evidenced by response to intervention data confirming the following:**

1. **Performance and/or functioning discrepancies.** The student displays significant discrepancies, for the chronological age or grade level in which the student is enrolled, based on multiple sources of data when compared to multiple groups, including to the extent practicable the peer subgroup, classroom, school, district, and state level comparison groups; and,

2. **Rate of progress.** When provided with effective implementation of appropriate research-based instruction and interventions of reasonable intensity and duration with evidence of implementation fidelity, the student's rate of progress is insufficient or requires sustained and substantial effort to close the gap with typical peers or expectations for the chronological age or grade level in which the student is currently enrolled; and,

3. **Educational need.** The student continues to demonstrate the need for interventions that significantly differ in intensity and duration from what can be provided solely through educational resources and services currently in place, thereby demonstrating a need for exceptional student education due to the adverse effect of the language impairment on the student's ability to perform and/or function in the educational environment.

(e) The **determination** of the student's parent(s) or guardian(s) and group of qualified professionals **concerning the effects of** chronological age, culture, gender, ethnicity, patterns of irregular attendance, or limited English proficiency on the student's performance and/or functioning; and,

(f) **Documentation based on data derived from a process that assesses the student's response to well-delivered scientific, research-based instruction and interventions including:**

1. Documentation of the **specific instructional interventions** used, the **intervention support** provided to the individuals implementing interventions, **adherence to the critical elements** of the intervention design and delivery methods, the **duration** of intervention implementation (e.g., number of weeks, minutes per week, sessions per week), and the **student-centered data collected**; and,

2. **Documentation that the student's parent(s) or guardian(s) were notified** about the state's policies regarding the amount and nature of student

	<p>performance and/or functioning data that would be collected and the educational resources and services that would be provided; interventions for increasing the student’s rate of progress; and the parental or guardian right to request an evaluation.</p>
<p>-Instructional Program-</p>	<p>-Instructional Program- (renamed “Language Services”)</p>
<p><i>Instructional Program.</i> <i>(a) The instructional program shall be based on the student’s individual educational plan or family support plan.</i></p> <p><i>(b) Speech-language services shall be provided by a speech-language pathologist, pursuant to Rule 6A-4.0176, F.A.C., a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate, pursuant to Rule 6A-4.01761, F.A.C.</i></p> <p><i>1. Speech-language services provided by an associate, as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master’s degree or higher. Services under this subsection can be provided for a period of no more than three (3) years as described in Section 1012.44, F.S., in districts that qualify for the sparsity supplement as described in Section 236.081(6), F.S.</i></p> <p><i>2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:</i></p> <p><i>a. The model specifying the type and amount of direction including, but not limited to, direct observation, support, training, and instruction;</i></p> <p><i>b. The rationale for using this model;</i></p> <p><i>c. The manner in which the associate will demonstrate competency;</i></p> <p><i>d. The process for monitoring the quality of services; and</i></p> <p><i>e. The measurement of student progress.</i></p> <p><i>This plan must also describe the process for changing the intensity of direction for the associate based upon the associate’s demonstrated competencies and their students’ needs and progress.</i></p>	<p><i>Language services.</i> <i>(a) A group of qualified professionals determining eligibility under requirements of this rule and subsection 6A-6.0331(6), F.A.C., must include a speech-language pathologist.</i> <i>(b) A speech-language pathologist shall be involved in the development of the individual educational plan for students eligible for language services, whether as special education or as a related service for an otherwise eligible student with a disability.</i> <i>(c) Language therapy services shall be provided by a certified speech-language pathologist pursuant to Rule 6A-4.0176, F.A.C., or a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate pursuant to Rule 6A-4.01761, F.A.C.</i> <i>(d) Speech-language associate.</i></p> <p><i>1. Language therapy services provided by a speech-language associate as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master’s degree or higher in speech-language pathology. Services can be provided for a period of three (3) years as described in Section 1012.44, Florida Statutes, in districts that qualify for the sparsity supplement as described in Section 1011.62(7), Florida Statutes.</i></p> <p><i>2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:</i></p> <p><i>a. The model, specifying the type and amount of direction including direct observation, support, training, and instruction;</i></p> <p><i>b. The rationale for using this model;</i></p> <p><i>c. The manner in which the associate will be required to demonstrate competency;</i></p> <p><i>d. The process for monitoring the quality of services;</i></p> <p><i>e. The process for measuring student progress; and,</i></p> <p><i>f. The manner in which the speech-language associate will meet the requirements of the annual district professional development plan for instructional personnel.</i></p>

