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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

**2003-04**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on Education, Ethics and Elections...**

### **COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### **INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (August 2012)

## Senate

### Record of Committee Proceedings

#### **Committee on Education, Ethics and Elections**

##### **Senate Bill 210**

Relating to: speech therapy services provided by a special education program.

By Senators Schultz, A. Lasee, Robson, Stepp and Roessler; cosponsored by Representatives Albers, Ott, Musser, Miller, Turner, Gunderson, Petrowski, Grothman, Loeffelholz and Seratti.

July 16, 2003            Referred to Committee on Education, Ethics and Elections.

February 25, 2004    **PUBLIC HEARING HELD**

Present:    (5)    Senators Ellis, Stepp, Jauch, Robson and Hansen.  
Absent:    (2)    Senators S. Fitzgerald and Reynolds.

##### Appearances For

- Sen. Dale Schultz

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Joe Wieser, New Holstein School District
- Paul Wysocki, Mukwanago Area School District
- Sheri Kraus, Wisconsin Association of School Boards
- Jeff Spitzer-Resnick, Wisconsin Coalition for Advocacy
- John Forester, School Administrators Alliance, Madison, WI

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##### Registrations Against

Michael Walsh, Wisconsin Education Association Council, Madison, WI

March 11, 2004        Failed to pass pursuant to Senate Joint Resolution 1.

Michael Boerger  
Committee Clerk



## **Written Testimony Opposition to SB 210 Submitted by Wisconsin Education Association Council**

**Public Hearing of the Senate Education,  
Ethics and Elections Committee  
February 25, 2004**

### **Introduction**

Currently Wis. Stats. 115.88 requires a speech and language therapist to be employed by a school district or a CESA in order to receive state aid. SB 210 would allow school districts to contract for speech therapy services and make the costs of such a contract eligible for special education aid.

### **WEAC Position**

WEAC opposes SB 210 for these reasons:

- The quality of services to speech/language students and staff in Wisconsin's great schools will be diminished.
- Lowering of speech therapist standards and quality of services hurts kids.
- A shortage in one locality should not open the door to problems in schools throughout the state.
- The bill's purpose is to bust the union.

School speech therapy is very different from therapy provided in a health care or private practice setting. Great schools that provide quality services for all children depend on great teachers and staff. Consequently, the DPI requires training and licensing different from that of the Department of Regulation and Licensing (DRL). Speech/language services in schools are part of special education. The law requires knowledge of the IEP process and its requirements. These are not components of speech therapy provided in health care or private settings. School-based speech therapists must have the training and expertise to combine therapeutic goals with teaching and content area goals. DPI requires knowledge and experience with general education and special education, as well as speech and language. Although the DPI and the American Speech Language Hearing Association (ASHA) both require 350 hours of clinical practicum, only DPI requires 100 hours of the 350 be spent in a school setting.

SB 210 opens the door to non-DPI certified speech therapists contracted to work in schools. If the speech therapist is not a DPI-licensed school employee, there will be concerns regarding the

Stan Johnson, President  
Michael A. Butera, Executive Director

licensure requirement of a highly qualified speech/language teacher. If the subcontracted speech therapist becomes a part-time visitor to the school, students and teachers will not benefit from the frequent and close communication between the speech therapist and the students' regular and special education teachers who are employees of the district. Instead of being part of an education team in a great public school, the speech therapist will most likely become an "outsider."

According to the DPI, the school district supply rating for speech/language therapists in Wisconsin is in the normal range. The ratio of applicants to speech therapy vacancies is reported at 4.34. Speech and language pathology is identified by only 2% of school districts throughout the state as an area of concern.

SB 210 is a union-busting bill. Conceivably, school districts could save money by firing speech/language teachers and replacing them with non-union, less-qualified clinical therapists with no school experience from an area hospital or clinic. Districts could even encourage fired speech/language teachers to apply for employment in the private sector to return to the school district—at lower salary and benefits. Predictably higher caseloads could lead to higher profits for the subcontractor at the expense of the children in need of speech and language services.

**For more information:**

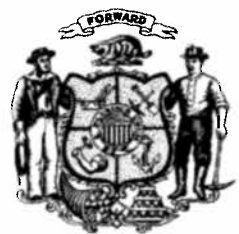
If you have any comments or questions regarding this statement, please contact Diane Craney, WEAC Government Relations Specialist, by phone at 800-362-8034 or by e-mail at [craneyd@weac.org](mailto:craneyd@weac.org). Thank you.

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*Every kid  
deserves a  
Great School!*



# WISCONSIN STATE LEGISLATURE





## **WISCONSIN COALITION FOR ADVOCACY**

THE PROTECTION AND ADVOCACY SYSTEM FOR PEOPLE WITH DISABILITIES

### **TESTIMONY IN FAVOR OF SB 210**

by

Jeffrey Spitzer-Resnick  
Managing Attorney

As many of you know, the Wisconsin Coalition for Advocacy (WCA) is Wisconsin's protection and advocacy agency for people with disabilities. In my position at WCA, I focus much of my attention on special education. It is with that perspective that I am testifying in favor of SB 210.

As you may be aware, special education is desperately underfunded. Currently, the federal government only pays for approximately 16% of Wisconsin's school districts' special education costs, and the state of Wisconsin only pays for approximately 30% of those costs. Thus, local school districts, despite revenue limits, must pay for over 50% of their special education costs.

This desperate funding situation has been a result of failures at both the state and federal level. When the federal government first passed special education laws in the 1970s, it promised to pay for 40% of those costs. Clearly, Congress has not kept its promise. Similarly, for many years, the Wisconsin statutes promised to pay 63% of those costs, but due to the Wisconsin legislature's failure to increase special education categorical aids in 10 of the past 12 years, the percentage of state funding for special education continues to slide further away from that mark.

While SB 210 does not actually increase state funding for special education, it does provide local school districts with an additional way to receive state funds for special education services. Currently, despite the fact that speech therapy is recognized by both state and federal law as one method of providing special education, local school districts are not permitted to seek state categorical aids for such services when they contract for speech therapy with a public or private agency. Given the fact that the vast majority of Wisconsin's school districts are very small, many cannot afford to keep a speech therapist on salary. SB 210 simply allows those small districts to collect state categorical aids when they contract for necessary speech therapy services. There is simply no good reason to continue to disallow such billing.

Therefore, I wholeheartedly urge you to pass this bill quickly. If you have any questions about this bill, I would be glad to respond to them.







**Date: February 25, 2004**

**To: Senator Michael Ellis, Chair & Members  
Senate Committee on Education, Ethics and Elections**

**From: Senator Dale Schultz**

**Subject: Senate Bill 210**

I am pleased to be able to testify today on behalf of SB 210, which would allow a school to be reimbursed for contracted speech therapy services. This bill addresses current restrictions on public school access to cost effective speech therapy services for their students.

Wisconsin statutes recognize speech therapy as an area of need and service for a child but speech therapy, unlike physical or occupational therapy, is not listed as a contracted service that can be reimbursed through special education aid. Consequently, the Department of Public Instruction cannot reimburse a school for speech therapy unless it is done by an employee of the district.

Wisconsin has many health professional shortage areas, making access to medical services an issue for many people. This also has a particular impact on the public school system, which is required to provide physical, occupational, and speech therapy services to students in need. The lack of therapists is compounded by the additional problem faced by schools with the volume of students needing services being too small to create a full-time position for a therapist, making recruitment even more difficult.

Some schools in my district have a significant need for therapy services, but have great difficulty recruiting qualified therapists to work directly for the school system. Rural Wisconsin Health Cooperative (RWHC), a group whose mission is to promote a coordinated system of rural health care, has well-qualified therapists working in the area who are able to include the school's students within his/her caseload. However, at this time, due to the language in the law, the schools are not using these services even though they are readily available.

I thank you for your consideration of this important legislation.