

**Wisconsin Department of Public Instruction
STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES**

GENERAL INFORMATION

Rule No.: PI 34

Relating to: Speech and language pathologist licenses

Rule Type: Permanent

NARRATIVE

1. Finding/nature of the emergency (Emergency Rule only).

N/A

2. A description of the objective of the proposed rule.

The Department proposes to amend ch. PI 34 of the Wisconsin Administrative Code to clarify rules around the licensing of speech and language pathologists.

3. A description of the existing policies and new policies included in the proposed rule and an analysis of policy alternatives.

Chapter PI 34 governs the licensure of school personnel, including speech and language pathologists who may be authorized by holding a tier I, 1-year renewable license or a tier II, 3-year renewable license issued by the department. Under the current rule, applicants who wish to hold a tier I or tier II license in speech and language pathology must hold a valid speech and language pathologist license issued by the department of safety and professional services. However, the eligibility criteria for a tier I speech and language pathologist to move to a tier II license needs clarification to ensure transparency. The proposed rule change will specify the pathway for licensees who hold a tier I speech and language pathologist license to become eligible for a tier II license. Without a rule change, the Department would be required to implement PI 34 as the rules currently exist.

4. The statutory authority for the proposed rule.

Under s. 115.28 (7) (c), Stats., the State Superintendent has the authority to license and make rules for the examination and licensing of persons, including teachers, employed to provide publicly funded special education and related services, including speech-language pathology services as provided under s. 115.76 (14) (a) 1., Stats.

5. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

The amount of time needed for rule development by department staff and the amount of other resources necessary are indeterminate.

6. A description of all of the entities that will be affected by the proposed rule.

This rule change could impact local education agencies and individuals seeking a speech and language pathologist license under s. 115.28 (7) (c), Stats.

7. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or is intended to address the activities to be regulated by the proposed rule.

Section 300.34 (c) (4) of the Individuals with Disabilities Education Act includes speech and language pathology services as a related service with respect to educating a child who has a speech or language

impairment. Under the Act, speech and language pathology services are taken to mean the identification of children 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 of parents, children, and teachers regarding speech and language impairments. However, because education in the United States is typically governed by each state and local government, the Act does not address how states administer the licensure of speech and language pathologists as a related service. As such, states are permitted to choose how to license speech language pathologists who provide services to children with an individualized education plan.

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