

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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| 1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected | | 2. Date |
| 3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PI 11, Children with disabilities | | |
| 4. Subject Speech and language impairment criteria | | |
| 5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S | 6. Chapter 20, Stats. Appropriations Affected | |
| 7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget | | |
| 8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A) | | |
| 9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137 (3) (b) 1., Stats. \$0 | | |
| 10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137 (3) (b) 2., Stats.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| 11. Policy Problem Addressed by the Rule Chapter PI 11 of the Wisconsin Administrative Code contains the current rules governing the education of children with disabilities, including rules around the identification of children with speech or language impairments. Under current rule, speech or language impairment is defined as "an impairment of speech or sound production, voice, fluency, or language that significantly affects educational performance or social, emotional or vocational development." The current rules qualifying a child with a speech or language impairment include several items required as exclusionary criteria prior to identification that are inconsistent with national guidelines and may prevent the provision of services to students who demonstrate language delay. Additionally, current rule emphasizes standardized measures for determining eligibility for services but is not balanced with other information that accounts for functional communication across school environments, especially for students from diverse cultural backgrounds. As such, the department proposes to update criteria relating to identifying pupils that have a speech or language impairment in order to properly address student needs. | | |
| 12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments The department held a preliminary public hearing and comment period on the scope statement for the proposed rule. The comments received were considered in the development of this economic impact analysis. Additionally, during the development of this rule, education stakeholder groups were contacted for feedback on the rule, such as the Wisconsin Speech-Language Pathology and Audiology Association, the Wisconsin Family Center for Education, Training and Support Inc., the Special Education Council, representatives from UW-Madison, UW-Milwaukee, UW-Whitewater, Marquette University, and school-based speech-language pathologists. | | |
| 13. Identify the Local Governmental Units that Participated in the Development of this EIA None. | | |
| 14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) | | |

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Local: This proposed rule updates ch. PI 11 with respect to the identification of children with speech or language impairments and determining eligibility for services. The proposed rule amends the exclusionary criteria for qualifying a child with a speech or language impairment under the current rule to reflect national guidelines in order to determine the appropriate provision of services to students who demonstrate language delay. The proposed rule also accounts for functional communication across school environments in addition to the current standardized measures for determining eligibility for services. The the effect of the rule change is indeterminate but it is expected that the economic impact on school districts serving children under this rule will be minimal.

State: None.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The proposed rule brings ch. PI 11 in conformity with current practices for identifying children who demonstrate language delay. Further, the proposed rule may allow for more appropriate provision of services for children who need support while balancing current measures that determine eligibility for services with other information accounting for functional communication across school environments. Without a rule change, the department will implement ch. PI 11 as written.

16. Long-Range Implications of Implementing the Rule

Revising criteria for speech or language impairments under ch. PI 11 will help school districts more appropriately identify children that meet this disability criteria and provide for appropriate educational services.

17. Compare With Approaches Being Used by Federal Government

“Speech or language impairment” is defined under the Individuals with Disabilities Education Act as a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child’s educational performance [34 CFR § 300.8(c)(11)].

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Illinois rules govern the observation and evaluation of areas of impairment generally, with specific consideration given to specific learning disabilities and intellectual disabilities. Speech or language impairments are addressed as a related service only.

Iowa: Iowa does not have rules for identifying speech or language impairment as an impairment area.

Michigan: To identify a child with a speech or language impairment in Minnesota, a spontaneous language sample which demonstrates inadequate language functioning must be obtained on not less than 2 standardized assessment instruments or 2 subtests designed to determine language functioning which indicate inappropriate language functioning for the child’s age.

Minnesota: To identify a child with a speech or language impairment in Minnesota, the pupil scores 2.0 standard deviations below the mean on at least two technically adequate, norm-referenced language tests if available.

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