

ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION ADOPTING EMERGENCY RULES

The scope statement for this rule, SS 015-25, was published in Register No. 831A2, on March 10, 2025, and approved by State Superintendent Jill K. Underly on April 2, 2025.

The State Superintendent of Public Instruction hereby adopts an order to renumber and amend ss. PI 34.023 (1) (b); to amend s. PI 34.023 (4) (intro.); and to create ss. PI 34.023 (1) (b) 1., 2., and (4) (e), relating to creating a pre-student teaching school setting exception for the speech-language pathologist license.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statute interpreted: s. 115.28 (7) (c), Wis. Stats.

Statutory authority: s. 115.28 (7) (c), Wis. Stats.

Explanation of agency authority:

Under s. 115.28 (7) (c), Wis. 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., Wis. Stats.

Related statute or rule:

Plain language analysis:

This emergency rule updates s. PI 34.023, Wis. Admin. Code, to provide flexibility for students completing educator preparation programs leading to a speech-language pathologist license under s. PI 34.0475, Wis. Admin. Code, by aligning state requirements with the standards of the American Speech-Language-Hearing Association (ASHA). Specifically, this emergency rule allows these students to complete their pre-student teaching clinical experiences in a wider range of settings so long as the placement meets ASHA requirements. Additionally, the emergency rule permits supervision in pre-student teaching by individuals certified under ASHA standards in lieu of Wisconsin licensure under ch. PI 34, Wis. Admin. Code. These changes aim to enhance program flexibility and ensure that students are prepared for the varied contexts in which speech-language pathologists practice.

Summary of, and comparison with, existing or proposed federal regulations:

Section 300.34 (a) of the Individuals with Disabilities Education Act regulations includes speech-language pathology services as a related service with respect to educating a child who has a speech or language impairment. Under the 34 C.F.R. s. 300.34 (c) (15), speech-language pathology services include 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-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.

Summary of any public comments and feedback on the statement of scope for the proposed rule that the agency received at a preliminary public hearing and comment period held and a description of how and to what extent the agency took those comments into account and drafting the proposed rule:

The department held a preliminary public hearing and comment period on March 28, 2025, and received comments on the statement of scope for the proposed rule. A summary of comments and the department's response to those comments are as follows:

- Several respondents submitted comments in favor of the proposed rule, noting that the proposed change aligns with national professional standards and will allow Wisconsin programs to remain consistent with the rigorous expectations outlined by ASHA. They argue the proposed change will ensure that students receive robust practicum experiences and are thoroughly prepared for certification and professional practice. Supporting this rule change is essential to maintaining high-quality training programs while also addressing the realities of clinical education. In practice, one respondent notes that many students in a clinical program typically fulfill ASHA requirements during their first year through a clinical triad model, which may or may not include a school placement. Without a rule change, the respondents warn that the current requirements could exacerbate the existing shortage of speech-language pathologists.

Agency Response: The department agrees with these comments and recognizes the critical shortage of speech-language pathologists in Wisconsin schools. ASHA requires supervisors of student clinicians to hold a Certificate of Clinical Competence (CCC), while the department requires a Tier II or higher license—making it difficult to find qualified supervisors for pre-student teaching placements. The proposed rule provides flexibility for students in educator preparation programs under s. PI 34.0475, Wis. Stats., to complete pre-student teaching experiences aligned with ASHA standards. This change supports alignment between ASHA and department requirements and helps address statewide speech-language pathologist shortages.

Comparison with rules in adjacent states:

- **Minnesota:** Speech Language Pathologists in Minnesota are only eligible for Tier II or higher licensure. The clinical experience of an applicant must meet the requirements set out by ASHA including completing 400 hours of supervised clinical experience, with at least 375 hours in direct contact with patients or clients. MN. Admin. Rules 8710.0313, subp. 2.C(1) and 8710.6000
- **Michigan:** Michigan speech-language pathologists must complete a minimum of 300 hours of supervised practicum experience with individuals who present a variety of communication disorders. 150 of those hours must be at the graduate level. MARSE R 340.1796
- **Illinois:** In Illinois, licensure in speech-language pathology is an endorsement attached to the Professional Educator License. It can be obtained with one-year of professional experience in PK-12 schools on a valid and comparable out-of-state certificate or license, by holding a license in speech-language pathology with a current Certificate of Clinical Competence from ASHA, or by completing a MS-SLP degree with a 150-hour school-based professional experience. These individuals are also required to be licensed through the Illinois Department of Financial and Professional Regulation.
- **Iowa:** Iowa requires speech-language pathologists to complete student teaching or an internship as part of the professional education sequence.

Summary of factual data and analytical methodologies:

Chapter PI 34 of the Wisconsin Administrative Code contains the rules governing the licensure of school personnel, including speech-language pathologists who may be authorized by holding a tier II, 3-year renewable license issued by the department. In order to receive a license to work as a speech-language pathologist, an individual completing an approved clinical program in speech-language pathology, including pre-student teaching in a school setting, and meet all content and pedagogical knowledge requirements under s. PI 34.021 (1) (c) and (d), Wis. Admin. Code.

According to ASHA requirements for obtaining a CCC in Speech-Language Pathology, the student must complete a minimum of 375 supervised clinical practice hours that must span a variety of settings, including diverse experiences

across various age groups and disorders to ensure broad preparation. This standard is separate from current pre-student teaching requirements under ch. PI 34, Wis. Admin. Code, which provide that each student shall have pre-student teaching clinical experiences that occur in a variety of school settings. In order to provide options for preparation programs looking to align ASHA and department requirements, a rule change is needed so students may complete their pre-student teaching experiences in alignment with ASHA requirements.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:

N/A

Anticipated costs incurred by private sector:

N/A

Effect on small business:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

Agency contact person: (including email and telephone)

Carl Bryan
Legislative Policy Coordinator
Wisconsin Department of Public Instruction
adminrules@dpi.wi.gov
(608) 266-3275

Place where comments are to be submitted and deadline for submission:

Comments should be submitted to Carl Bryan, Department of Public Instruction, at adminrules@dpi.wi.gov. The Department will publish a hearing notice in the *Administrative Register* which will provide information on the deadline for submission of comments.

RULE TEXT

SECTION 1. PI 34.023 (1) (b) is renumbered PI 34.023 (1) (b) intro. and amended to read:

PI 34.023 (1) (b) Occur in a variety of school settings one of the following:

SECTION 2. PI 34.023 (1) (b) 1. and 2. are created to read:

PI 34.023 (1) (b) 1. A variety of school settings.

2. For a student pursuing a speech-language pathology license under s. PI 34.0475, alternative locations in alignment with American Speech-Language-Hearing Association requirements.

SECTION 3. PI 34.023 (4) (intro.) is amended to read:

PI 34.023 (4) COOPERATING TEACHERS AND SCHOOL-BASED SUPERVISORS. ~~The~~ Notwithstanding par. (c), clinical program may only use cooperating teachers and school-based supervisors who meet all of the following requirements:

SECTION 4. PI 34.023 (4) (e) is created to read:

PI 34.023 (4)(e) A cooperating teacher or school-based supervisor of a student pursuing a speech-language pathology license under s. PI 34.0475 who is placed in an alternative location under s. PI 34.023 (1) (b) 2. does not need to hold a license issued under this chapter if they meet the certification standards in alignment with the American Speech-Language-Hearing Association.

SECTION 5. FINDING OF EMERGENCY

The Department of Public Instruction finds an emergency exists and that a rule is necessary for the immediate preservation of the public welfare. A statement of the facts constituting the emergency is:

Wisconsin school districts face a severe shortage of speech-language pathologists. The American Speech-Language-Hearing Association (ASHA) requires school-based speech-language pathologists who supervise student teachers to maintain their ASHA Certificate of Clinical Competence (CCC). However, to find qualified supervisors in the schools for pre-student teaching placements, individuals must hold a CCC and a DPI-issued tier II or higher license, which has become a barrier for preparation. An emergency rule is therefore needed to provide additional avenues for students to complete the pre-student teaching portion of their clinical program, in compliance with ASHA requirements. Additionally, a permanent rule cannot be established in time for the current school year, making it necessary for the emergency rule to remain in effect until the permanent rule can be completed.

SECTION 6. EFFECTIVE DATE:

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this __27th__ day of ____June____, 2025

A handwritten signature in blue ink, reading "Jill Underly". The signature is fluid and cursive, with the first name "Jill" and last name "Underly" clearly distinguishable.

Jill K. Underly, PhD
State Superintendent