

511 IAC 7-41-8 Language or Speech Impairment

A language or speech impairment is characterized by one (1) of the following impairments that adversely affects the student's educational performance:

- (1) Language impairments in the comprehension or expression of spoken or written language resulting from organic or nonorganic causes that are nonmaturational in nature. Language impairments affect the student's primary language systems, in one (1) or more of the following components:
 - (A) Word retrieval.
 - (B) Phonology.
 - (C) Morphology.
 - (D) Syntax.
 - (E) Semantics.
 - (F) Pragmatics.
- (2) Speech impairments that may include fluency, articulation, and voice disorders in the student's speaking behavior in more than one (1) speaking task that are nonmaturational in nature, including impairments that are the result of a deficiency of structure and function of the oral peripheral mechanism.

A student is not eligible for special education and related services as a student with a language or speech impairment solely because the student's native language is not English. Bilingual or multilingual speakers include students whose speech or language patterns:

- (1) deviate from those of standard English; and
- (2) are characteristic of dialectical differences.

A student who is bilingual or multilingual may be a student with a language or speech impairment only if the impairment is exhibited in all languages spoken by the student.

Students who are deaf or hard of hearing or students with specific learning disabilities, who have language deficits or auditory processing difficulties, are not eligible for services designed solely for students with language impairments in lieu of services designed for:

- (1) students who are deaf or hard of hearing; or
- (2) students with specific learning disabilities.

Severe language or speech impairments may require the use of augmentative communication systems, such as:

- (1) gestures;
- (2) signed language;
- (3) communication books or boards;
- (4) electronic devices; or
- (5) other systems determined by the student's CCC.

Eligibility for special education as a student with a language impairment shall be determined by the student's CCC. This determination shall be based on the multidisciplinary team's educational evaluation report which includes the following:

- (1) An assessment of the following:
 - (A) Progress in the general education curriculum that includes an analysis of any interventions used to address the academic concerns leading to the referral for the educational evaluation.
 - (B) Current academic achievement as defined at 511 IAC 7-32-2.
- (2) A social and developmental history that may include, but is not limited to, the following:
 - (A) Communication skills.
 - (B) Social interaction skills.
 - (C) Responses to sensory experiences.
 - (D) Relevant family and environmental information.

- (3) An observation of the student in the student's learning environment to document the student's academic performance in the area or areas of difficulty. The multidisciplinary team:
- (A) may use information from an observation in routine classroom instruction and monitoring of the student's performance that was done before the student was referred for an educational evaluation; or
 - (B) have at least one (1) member of the multidisciplinary team, other than the student's general education teacher, conduct an observation of the student's academic performance in the general education classroom after the child has been referred for an educational evaluation and parental consent for the educational evaluation has been obtained. In the case of a student of less than school age or out of school, a team member must observe the student in an environment appropriate for a student of that age.

(4) Available medical information that is educationally relevant.

(5) Any other assessments and information, collected prior to referral or during the educational evaluation, necessary to:

- (A) address the exclusionary factors listed earlier
- (B) determine eligibility for special education and related services; and
- (C) inform the student's CCC of the student's special education and related services needs.

Eligibility for special education as a student with a speech impairment shall be determined by the student's CCC. This determination shall be based on the multidisciplinary team's educational evaluation report which includes the following:

(1) An assessment of the following:

- (A) The student's skills in:
 - (i) articulation;
 - (ii) fluency; and
 - (iii) voice.
- (B) Current academic achievement as defined at 511 IAC 7-32-2.

(2) A social and developmental history that may include, but is not limited to, the following:

- (A) Communication skills.
- (B) Social interaction skills.
- (C) Oral motor skills.
- (D) Responses to sensory experiences.
- (E) Relevant family and environmental information.

(3) At least one (1) observation of the student's speech completed by a speech and language pathologist.

(4) If an organic cause is the suspected cause of the speech impairment, a statement from a physician with an unlimited license describing:

- (A) the student's medical needs; and
- (B) any consequent limitations to communication training.

(5) Available medical information that is educationally relevant.

(6) Any other assessments and information, collected prior to referral or during the educational evaluation, necessary to:

- (A) address the exclusionary factors listed earlier;
- (B) determine eligibility for special education and related services; and
- (C) inform the student's CCC of the student's special education and related services needs.