**581-015-2135 with track changes for Board to consider 9-21-2020**

**Speech or Language Impairment**

(1) Speech or language impairment means a communication disorder such as language disorder (including pragmatics), speech sound disorder, fluency disorder, or a voice disorder that adversely affects a child’s developmental progress (age 3 through 5) or educational performance (age 5 through 21). Adverse impact is determined on a case-by-case basis, depending on the unique needs of a particular child and not based only on discrepancies in age or grade performance in academic subject areas.

(2) If a child is suspected of having a speech or language impairment, a comprehensive evaluation consistent with OAR 581-015-2110 must be conducted.

(a) The comprehensive evaluation must include the following components:

(A) A speech or language evaluation administered by a speech-language pathologist licensed by the Board of Examiners for Speech-Language Pathology and Audiology under ORS 681 or in the case of a student transferring in from another state, by a speech language pathologist licensed or appropriately certified in that state;

(B) A variety of least biased assessment tools and strategies to gather relevant functional, developmental, and academic information about the child;

(C) Information from classroom teacher(s);

(D) Information provided by the parent or guardian;

(E) Observation of communication used:

(i) For preschool children, an observation in at least one environment; or

(ii) For school-age children, observations in at least two different environments;

(F) Technically sound instruments, which may include standardized tests, functional measures, speech and language samples, functional communication checklists, criterion-referenced assessments, oral motor examination, classroom performance measures, dynamic assessments, reference to developmental norms, competency checklists and/or curriculum-based assessments;

(G) Medical examination.

(i) For communication disorders, other than voice, such as language disorder (including pragmatics), speech sound disorder, fluency disorder, a medical examination is not required, but may be completed if the evaluation team determines that it is necessary. The purpose of a medical examination is to ensure consideration of other health and/or physical factors that may impact a child’s developmental progress (age 3 through 5) or the child’s educational performance (age 5 through 21). The medical examination must be conducted by:

(I) A physician licensed under ORS chapter 677 or by the appropriate authority in another state;

(II) A naturopathic physician licensed under ORS chapter 685 or by the appropriate authority in another state;

(III) A nurse practitioner licensed under ORS 678.375 to 678.390 or by the appropriate authority in another state; or

(IV) A physician assistant licensed under ORS 677.505 to 677.525 or by the appropriate authority in another state; or

(ii) For a child suspected of having a voice disorder, a medical examination is required to be completed by an otolaryngologist licensed under ORS chapter 677 or by the appropriate authority in another state;

(H) Information regarding hearing and vision screenings. The child must be assessed in all areas related to the suspected disability, including, if appropriate, vision and/or audiological evaluations based on screening results; and/or

(I) Other:

(i) Any additional assessments necessary to determine the impact of the suspected disability:

(I) On the child's developmental progress for a preschool child (age 3 through 5); or

(II) On the child's educational performance for a school-age child (age 5 through 21); and

(ii) Any additional evaluations or assessments necessary to identify the child's developmental or educational needs.

(3) For a child to be eligible for special education services as a child with a speech or language impairment, the eligibility team must determine that the child meets the following criteria:

(a) Presents with a communication disorder such as language disorder (including pragmatics), speech sound disorder, fluency disorder, or a voice disorder, based on the evaluation components described in 581-015-2135(2).

(3) For a child to be eligible for special education services as a child with a speech or language impairment, the eligibility team must determine that the child meets the following criteria:

(a) Presents with a communication disorder such as language disorder (including pragmatics), speech sound disorder, fluency disorder, or a voice disorder, based on the evaluation components described in 581-015-2135(2).

**Statutory/Other Authority:** ORS 343.035(1), 343.045, 343.146 & 343.157;  
**Statutes/Other Implemented:** ORS 343.035(1), 343.045, 343.146, 343.157, 34 CFR 300.8 & 300.306  
**History:**  
Renumbered from 581-015-0051, ODE 10-2007, f. & cert. ef. 4-25-07  
ODE 2-2003, f. & cert. ef. 3-10-03  
ODE 8-2001, f. & cert. ef. 1-29-01  
ODE 11-2000, f. 5-3-00, cert. ef. 7-1-00  
EB 22-1995, f. & cert. ef. 9-15-95  
EB 16-1992, f. & cert. ef. 5-13-92  
EB 25-1991(Temp), f. & cert. ef. 11-29-91  
1EB 7-1986, f. & ef. 2-24-86  
Reverted to 1EB 29-1978, f. & ef. 7-20-78  
1EB 18-1983(Temp), f. & ef. 12-20-83  
1EB 29-1978, f. & ef. 7-20-78