Questions and Answers for School Affairs Webpage (updated January 2020):

1. Q: Does ISHA have any guiding statements on the issue of PERA and whether or not SLPs should be included in the SLO process?

   A: If you go to http://www.isbe.net/peac/ and then click on the educator link, you will find many documents related to SLO, PERA, and teacher evaluations.

   We have heard that it is up to individual districts to determine if and how much SLOs will pertain to support personnel like SLPs. Every district was/is required to have a committee consisting of all stakeholders, including SLPs. These committees were to develop the evaluation requirements, meeting minimum requirements of PERA, but designed to meet district needs as well.

   In addition, if an SLP holds a PEL Teaching, the answer is YES, whatever requirements are expected of classroom teachers will be expected from SLPs with the teaching license—AS LONG AS THE SLP IS EMPLOYED AS A TEACHER (e.g., as a teacher of students in a Communication Disorder Classroom). On the other hand, an SLP may hold a PEL Teaching, be employed as an SLP but not be employed for the purpose of teaching; in this case, the SLP would not necessarily be evaluated as a teacher. For SLPs who hold PEL Non-Teaching licenses, student performance would not be counted as much or at all. Again, it is a district by district decision, as long as minimum state/federal evaluation requirements are met.

   The language in the 23 Illinois Administrative Code refers to "teachers" as:
   "Teacher" means full-time or part-time professional employees of the school district who are required to hold a professional educator license endorsed for a teaching field issued in accordance with Article 21B of the School Code. For the purposes of the requirements specific to student growth outlined in Article 24A of the School Code and this Part, "teacher" shall not include any individual who holds a professional educator license endorsed for school support personnel issued under Article 21B of the School Code and is assigned to an area designated as requiring this endorsement, including but not limited to school counselor, school psychologist, non-teaching school speech and language pathologist, school nurse, school social worker, or school marriage and family counselor.

2. Q: Are all educators evaluated on both growth and professional practice?

   A: Answers can be found in Illinois Administrative Code:

   23 ILLINOIS ADMINISTRATIVE CODE 50.10 SUBTITLE A SUBCHAPTER b SUBPART A: GENERAL REQUIREMENTS

   Section 50.10 Purpose: This Part establishes the minimum requirements for the establishment of valid and reliable performance evaluation systems for employees who hold a professional educator license endorsed in a teaching or administrative field and are serving as a teacher, principal or assistant principal. Pursuant to Article 24A of the School Code [105 ILCS 5/Art. 24A], the performance evaluation systems shall assess both professional competence or practice and student growth.

   Section 50.30 Definitions: "Teacher" means full-time or part-time professional employees of the school district who are required to hold a professional educator license endorsed for a teaching field issued in accordance with Article 21B of the School Code. For the purposes of the requirements specific to student growth outlined in Article 24A of the School Code and this Part, "teacher" shall not include any individual who holds a professional educator license endorsed for school support personnel issued under Article 21B of the School Code and is assigned to an area designated as requiring this endorsement, including but not limited to school counselor, school psychologist, non-teaching school speech and language pathologist, school nurse, school social worker, or school marriage and family counselor.

   We also suggest you download and read the ASHA PACE document, which provides much guidance regarding effective manners to evaluate the performance of Speech Language Pathologists and
3. Q: The state law indicates that SLPs in Illinois cannot have more than 60 students on their caseload. However, do those 60 students have to have IEPs or are the 60-kids also composed of students with RTI plans?

A: The question of whether or not RTI students count towards an SLP’s caseload max of 60 can only be answered by the district for which you work. Some districts do include the RTI students in the 60, and some do not. If your district requires you to provide RTI services to non-IEP’d students (and of course these should all be non-IEP’d), then these students should/could count towards your 60...you are servicing them and therefore should/could be considered part of your caseload/workload. On the other hand, if your district does not require you to provide RTI services, then they could say these students do not count in the 60 max.

It is recommended that you obtain a written definition or description of what your district requires you to do--for example, "SLPs in District 000 are required to provide appropriate services to eligible IEP’d students only. Though RTI services are encouraged, provision of these service is not required. The number of RTI students serviced by an SLP, if any, will not count toward the maximum of 60 students per SLP caseload/workload." OR "SLPs in District 000 are required to provide appropriate services to eligible IEP’d students, as well as to students who may benefit from RTI services. The number of RTI students will be included in the maximum number of 60 students per SLP caseload/workload." If you can get your district to commit to a statement similar to one of these, it would help you a lot...be sure to get it in writing! However, please be knowledgeable about the “Workload for Special Educators” language in the Illinois Administrative Rules/Law. The district should first require an analysis of your workload before counting the number of students on your caseload. Workload first, “60 max” secondly (See FAQs for Workload Analysis and Missed Sessions).

4. Q: I was wondering if a SLP holds a non-teaching license, and works in a school, can they supervise a study hall or resource period?

A: By definition, a PEL Non-Teaching licensed person cannot be the "teacher of record", nor can this person be the "sole teacher in a classroom". You can find this in Illinois Administrative Code, Section 25.250 Standards for Non-Teaching Speech-Language Pathologists. So the answer is no. I would add that supervising a group of students is not in the best interest of the district (i.e. paying SLP salary for supervision), the SLP and the students served. Most SLPs are overloaded with case management responsibilities, the provision of student services, and screenings/evaluations. Requiring SLPs to add student supervision to the extent needed would result in unnecessary restrictions on time needed/available to fulfill responsibilities for which he/she was employed.

However, if you are able to provide student supervision for a short time, as a licensed professional (and part of the teachers' contract) you are still eligible for extra duty pay for supervisory activities (i.e. Giving up lunch or plan for payment, coaching, extra duty stipends). As a holder of a non-teaching license you cannot teach a class by yourself, but you can co-teach. If there is time in your day, and you work in a study hall for the prevention of communication disorders, you are still within the realm of your professional licensed duties. This is a "grey" area, as you can tell. If other individuals (counselors, SW,
psychologists, etc.) take turns doing extra duties, you are likely included in that group as part of your bargaining agreement. Please check with your local union for the specifics of your Collective Bargaining Agreement (i.e. union-negotiated contract).

5. Q: I hold the PEL non-teaching license (formerly the type 73 speech pathology certificate). Am I allowed to serve as a substitute teacher in a general education classroom? I have been asked to do so by my district, and do not feel the slightest bit comfortable with it. Please provide some clarification so that I can report back to my district as to why being a substitute teacher for a general education classroom is or is not appropriate with the type of license I hold. AND...

6. Q: Our school district is facing a sub shortage, and has been calling upon SLPs to serve as classroom teacher substitutes. It seems that 7-8 years ago, I saw legislation stating sped staff could only be used as subs after administrators were doing so. I have been unable to find this in writing, at this point. Can ISHA please advise whether using SLPs (or any sped staff) is lawful? How would ISHA advise SLPs to respond to subbing assignments?

A: (Same response for Questions 5 and 6): There is a conundrum that as long as one holds at least a Bachelor's degree, one can sub for a district. According to ISBE, as SLPs we don't even need a sub license to be eligible to sub. So, the district can ask you to sub. However, it is not appropriate to expect this of SLPs on a regular basis. Long term subbing would be completely inappropriate and against school code, as that would in essence make you the sole teacher of a class of students. This is described in Section 25.250 of Illinois Administrative Code (school law). In a pinch, we are most willing to help, but can't and shouldn't be required to sub for more than "on occasion". If you have a full schedule servicing IEP'd students, I would ask your special Ed coordinator about this...what happens to your students? Minutes will be missed. Check your Collective Bargaining Agreement (i.e. union-negotiated contract); does it contain language that protects you in situations like this? Some who have experienced this, feel that this happens when a district either doesn't want to pay for subs, doesn't have enough subs in the sub pool, or both. You may also be entitled to sub pay for the time you do sub in a classroom; again, check your Collective Bargaining Agreement negotiated by your union.

7. Q: I'm hearing that starting for the 2016-17 school SLPs will be required to have a signed script before therapy can start. Any info would be helpful.

A: From the Medicaid Handbook for LEAs Chapter U-200 (revised 2/2014)—A referral by a physician or other licensed practitioner of the healing arts within the scope of his or her practice under law is required for speech/language services. The referral must be updated annually and be maintained in the student’s health record. Though there is no specific date of implementation, other than as of the date of the handbook revision, it would seem that a “referral” (or script) would be required at this time. SLPs are encouraged to confirm with their districts regarding the referral paperwork required for speech/language pathology services. Scripts are required for Medicaid reimbursement, as the Medicaid Handbook for LEAs indicates.

SLPs with PELs, licensed to practice in Speech Language Hearing through IDFPR, may generate referrals to other SLPs to provide services for speech and language therapy for students who are Medicaid-eligible and/or receive Medicaid benefits. You cannot refer a student to yourself for treatment. Please remember that referrals from other licensed practitioners of the healing arts are allowable (i.e. physicians, nurses, clinical psychologists, and audiologists...). All signing practitioners of the healing arts
must have an NPI number and/or have Impact Registration. Please reach out for resources or assistance if any issues arise in obtaining Impact Registration. Please refer to the provider notice issued in October for a more inclusive list of acceptable referral resources.

8. **Q:** As someone who is new to the school setting, what licensure/endorsements do I need to practice in my district? I have my ASHA CCCs but know I need more to transition to the school.

   **A:** All practicing speech language pathologists in the school setting must have a Professional Educator License (PEL) endorsed for speech Language Pathology (Teaching OR Non-teaching/School Support Personnel). Additionally, the license should be registered in all counties you intend to service students in. Additionally, many school districts in Illinois may require the Illinois Department of Financial and Professional Regulation (IDFPR) state professional license.