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Senate Bill 501 (as enrolled)
Sponsor: Senator Joanne G. Emmons
Committee: Education

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RATIONALE

The Revised School Code requires special education personnel to meet the qualifications and requirements of rules promulgated by the State Board of Education. The revised administrative rules for special education require speech and language personnel to hold a teaching certificate, have earned a master's degree in speech and language pathology, and have met a specified number of semester hours of academic credit in human communication and development plus clinical techniques for evaluation and management of speech and language disorders. The number of students who graduate with master's degrees in speech and language pathology, with or without teaching credentials, reportedly has remained static while the number of school children with communication disabilities continues to grow. Consequently, some school districts are experiencing shortages of certificated speech and language pathologists. Some people believe that the shortage could be alleviated if the teacher certification requirement were eliminated from the qualifications specified for persons to work in schools as speech and language pathologists.

CONTENT

The bill would amend the Revised School Code to permit a school district, local act school district, intermediate school district, or public school academy to employ a person who did not hold a teaching certificate to provide speech and language services, if the person met the requirements for speech-language certification by the American Speech-Language-Hearing Association, notwithstanding any other provision of the Code or a rule to the contrary. A person who did not hold a teaching certificate, however, could not be assigned to serve as a classroom teacher.

Proposed MCL 380.1237

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

School districts are experiencing a shortage of speech and language therapists and pathologists. According to the Department of Education, 35 intermediate school districts have requested waivers to the administrative rules that require these personnel to hold a teaching certificate. For the 1998-99 school year, the Department's Office of Professional Preparation Services issued 67 full-year special teaching permits, which are allowed under administrative rules when a properly certificated teacher is unavailable. This waiver permits a school district to employ speech and language personnel who have no teaching certificate, although they must hold a master's degree in speech and language pathology. In addition, the Department reports that since July 1, 1997, the lack of speech and language providers prompted four complaints to be filed with the Office of Special Education and Early Intervention Services. The complaints alleged that students with disabilities had not received speech and language services as required by their individualized education programs.

Despite the shortage of speech and language pathologists, those who work in local schools are required to meet more stringent qualifications than other school personnel, including teachers, must meet. For example, a speech and language pathologist must hold a master's degree as well as a teaching certificate to work in the schools. Teachers are not required to have earned a master's degree, but must only hold a teaching certificate. Furthermore, other school personnel, such as school social workers, are not required to be certificated as a teacher in order to work with students. Persons who are hired to provide speech and language therapy services to students, but who are not employed as teachers, should not have to hold a teaching certificate. The bill would give school

administrators flexibility in hiring personnel who could provide speech and language services to students who experience handicapping conditions in communication.

Opposing Argument

Speech and language pathologists work in many settings with many different types of individuals, but there is an important distinction between pathologists who work in clinical settings and those who work in schools. A clinical speech pathologist has clients who had learned to read, write, and speak in a normal manner, but suffered a disruption in that ability due to a stroke or traumatic brain injury, for example. A school speech and language pathologist works with children who are experiencing a disorder of language development. Thus, students are learning to read and write but do not have the basic background or ability to articulate speech correctly. Speech and language pathologists who work in schools should have a teaching certificate since they work directly with teachers in a collaborative effort to enhance a child's learning. Speech and language pathologists who are trained to teach learn educational philosophy and methodology, and must complete a school internship that prepares them to be collaborative members of an educational team. Teachers of children who are speech and language impaired also must have knowledge of child development and have received special instruction in a child's mastery of reading and writing.

The bill would open the classroom door to speech and language pathologists who are not prepared to implement special education rules, do not understand the best practices for delivering language services in the classroom, may not understand the relationship of oral language development to the development of reading and writing, and may not be prepared to work with students who have diverse impairments. A speech and language pathologist who is not adequately prepared to work in the schools would not be effective in fully implementing appropriate remedial programs, resulting in a disservice to students with disabilities.

Opposing Argument

The shortage of speech and language pathologists in the State's schools is not the result of the certification requirement, but is due to other employment conditions. For example, schools, hospitals, and other health facilities located in rural areas in the State tend to be underserved by speech and language pathologists. Thus, a shortage of these professionals in rural school districts may be the result of geography rather than the certification requirement. In addition, a 1997 survey by the American Speech-Language-Hearing Association (ASHA) noted that speech and language pathologists who are employed in schools earn lower wages than

their colleagues who are employed in hospitals or residential and nonresidential health care facilities. In addition, higher caseloads and poor working conditions also attribute to the shortage, according to the ASHA. Unless there are adjustments in compensation and improvements in school working conditions, eliminating teacher certification for speech and language pathologists employed in Michigan schools would not ensure that vacant positions were filled.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: J. Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.