

OSEP Response to ASHA Inquiry  
November 17, 2023

Dear Dr. Augustine (c/o Bill Knudsen),

Thank you for your letter in which you asked the Department to clarify its current interpretation of the phrase “adverse[ly] affect[s] educational performance.” As you note, OSEP’s *Letter to Clarke* (March 8, 2007), uses that phrase consistent with the definition of speech or language impairment in the regulations implementing the Individuals with Disabilities Education Act (IDEA).

The current IDEA regulations define “speech or language impairment” as “a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child’s educational performance.” 34 C.F.R. § 300.8(c)(11). Therefore, *Letter to Clarke* remains current as the regulatory definition of “speech or language impairment” has not changed since the letter was issued.

We hope you find this information responsive to your requests. If you have additional questions, please feel free to contact Kim Hymes at [Kimberly.hymes@ed.gov](mailto:Kimberly.hymes@ed.gov).

Sincerely,

/s/

Valerie C. Williams

Director

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