



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
District Special Education Directors
District Principals
District Human Resources

FROM: Peter Keup
Director, Office of Special Education Services

DATE: October 29, 2024

RE: Telepractice and Speech-Language Pathology (SLP) Personnel

This memorandum will serve to provide information regarding the use of speech-language pathology personnel for the purpose of providing services via telepractice. According to the American Speech Language Hearing Association (ASHA), telepractice is defined as “the application of telecommunications technology to the delivery of speech language pathology and audiology professional services at a distance by linking practitioner to client or practitioner to practitioner for assessment, intervention, and/or consultation.” There is nothing in the Individuals with Disabilities Education Act (IDEA) that prohibits the utilization of telepractice and/or that prohibits assessment, intervention, and/or consultation via telepractice. However, the South Carolina Department of Labor, License, and Regulation (SC LLR) states that “practitioners must use their professional judgment to determine whether the initial evaluation should be conducted in person or whether telepractice is appropriate.” Medicaid may have additional requirements in the provision of telepractice which must be applied if reimbursement is being sought.

All personnel providing speech-language services in the state of South Carolina, whether it is in-person or via telepractice, must hold a current license to practice speech-language pathology by the SC LLR board before working with students. A copy of this license must be kept on file with the district and updated annually in order to ensure current licensure status. Speech personnel must also hold an appropriate educator certificate with the South Carolina Department of Education since they provide special education services. State Board regulation 43-50 requires

each individual employed in an instructional, classroom teaching position or serving in a position designed for the support of the instructional program to hold an appropriate educator credential.

Additional information can be found at [Educator Certification for Speech Language Pathologists - South Carolina Department of Education - 10/03/2024 10:03 AM \(sc.gov\)](#).

The use of telepractice also does not remove any existing responsibilities in delivering services, including adherence to the Code of Ethics, Scope of Practice in Audiology and Scope of Practice in Speech-Language Pathology, state, and federal laws (e.g., licensure, HIPAA), and ASHA policy. The SC LLR refers to ASHA with regard to ethical considerations in the provision of telepractice including informing parents/caregivers

that they have the right to decline telepractice services for their child, and to provide parents with informed consent, satisfaction survey, or other feedback option as well as opportunities to discuss concerns about their child's progress or the telepractice program.

Telepractice personnel must adhere to all requirements of IDEA for evaluation and eligibility as well as South Carolina's evaluation and eligibility requirements. Additionally, they must follow the state and district requirements for filing and/or uploading signed documents, scheduling and attending appropriate meetings virtually, as well as ensuring privacy and confidentiality.

According to the IDEA, decisions regarding services are a team decision. As such, decisions about service location (telepractice or in-person) and service type (individual or group) must be made by the IEP team and based on the data available. The IEP team must ensure that it is clearly stated in the IEP as well as the Prior Written Notice whether the services being provided are in-person or via a telepractice. In order to support IEP teams in determining if the student is appropriate for services via telepractice, ASHA states that client characteristics that may potentially impact their ability to interact or engage via telepractice include the following:

- Physical and sensory characteristics, including
 - hearing ability,
 - visual ability (e.g., ability to see material on a computer monitor),
 - manual dexterity (e.g., ability to operate a keyboard if needed), and
 - physical endurance (e.g., sitting tolerance)
- Cognitive, behavioral, and/or motivational characteristics, including
 - level of cognitive functioning,
 - ability to maintain attention,
 - ability to sit in front of a camera and minimize extraneous movements to avoid compromising the image resolution, and
 - willingness of the client and family/caregiver (as appropriate) to receive or assist with services via telepractice
- Communication characteristics, including

- auditory comprehension;
 - literacy;
 - speech intelligibility; and
 - availability of an interpreter, if needed
- Client's access to support resources, including
 - availability of technology (e.g., computer, adequate bandwidth, webcam);
 - availability of support personnel (e.g., telepresenter, eHelper, caregiver, facilitator), if needed; and
 - an appropriate environment for telepractice (e.g., quiet room with minimal distractions)
- Other considerations, such as
 - ability and willingness of the client, caregiver, and/or facilitator to follow directions to participate in the session, assist the clinician as directed, and operate and troubleshoot telepractice technology and transmission, if needed;
 - ability and willingness of the client, caregiver, and/or facilitator to participate in the session and assist the clinician as directed; and
 - potential shift of burden to the client due to telepractice implementation

If you have questions regarding telepractice services, please contact Angie Neal, Speech-Language Pathology Consultant, at aneal@ed.sc.gov.