



January 24, 2023

Acting Assistant Secretary Katy Neas  
Assistant Secretary for the Office of Special Education and Rehabilitative Services  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Acting Assistant Secretary Neas:

On behalf of the American Speech-Language-Hearing Association, I write to request that the Department highlight the importance of developmental language disorder (DLD) as an explicit consideration under the Individuals with Disabilities Education Act (IDEA) and its implementing regulations. This includes clarifying that nothing in federal law prohibits using a term such as DLD for evaluation, eligibility, and as part of an individualized education program (IEP).

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 223,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. ASHA's vision is to make *effective communication, a human right, accessible and achievable for all*.

DLD "is when a child or adult has difficulties talking and/or understanding language. Hallmarks are difficulty learning new words and remembering them (vocabulary) and grammar learning and use."<sup>1</sup> A child with DLD is sometimes identified for services as a specific learning disability (SLD) under federal law because characteristics of DLD contribute to SLD. In part, an SLD is defined by IDEA as "a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia."<sup>2,3</sup> DLD is as common as dyslexia, with a prevalence of nearly 10% of the population, and five times more common than autism.<sup>4</sup>

In the past, the Department has clarified that when suspected conditions such as dyscalculia or dysgraphia are not listed expressly in the SLD definition, "the LEA must conduct an evaluation in accordance with 34 CFR §§300.304-300.311 to determine whether that child meets the criteria for specific learning disability or any of the other disabilities listed in 34 CFR §300.8, which implements IDEA's definition of 'child with a disability.'" ASHA requests that the Department issue a similar clarification regarding DLD. ASHA also requests confirmation that there is nothing in IDEA that prohibits the inclusion of DLD as the basis for a disability determination in an IEP. The specific diagnosis of DLD can be foundational for ensuring a child with a disability makes appropriate progress toward their annual goals and receives optimal access to the general curriculum. Although DLD is a lifelong condition, like autism, there are often gaps in school-based support. This guidance will help children with DLD receive the support they need to achieve academic success.

ASHA appreciates and thanks the Department for their consideration to encourage states and school districts to review their policies, procedures, and practices to ensure that they do not prohibit the use of the terms such as DLD in evaluations, eligibility, and IEP documents. This

approach has been beneficial to those with dyslexia; therefore, ASHA believes it will make a similarly strong impact for those with DLD.

ASHA looks forward to receiving a response to our concerns. If you or your staff have any questions, please contact Bill Knudsen, ASHA's director of education policy, at [bknudsen@asha.org](mailto:bknudsen@asha.org).

Sincerely,



Robert M. Augustine, PhD, CCC-SLP  
2023 ASHA President

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<sup>1</sup> McGregor, K. K., Goffman, L., Owen Van Horne, A., Hogan, T. P., & Finestack, L. H. (2020). Developmental language disorder: Applications for advocacy, research and clinical service. *Perspectives of the ASHA Special Interest Groups*, 5(1), 38–46. [https://doi.org/10.1044/2019\\_PERSP-19-00083](https://doi.org/10.1044/2019_PERSP-19-00083).

<sup>2</sup> Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. § 1401(30) *et seq.* Available from <http://idea.ed.gov/>.

<sup>3</sup> Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 34 CFR §300.8(c)(10) *et seq.* Available from <http://idea.ed.gov/>.

<sup>4</sup> Adlof, S. M., & Hogan, T. P. (2018). Understanding dyslexia in the context of developmental language disorders. *Language, Speech, and Hearing Services in Schools*, 49(4), 762-773.