



**ASHA**

American  
Speech-Language-Hearing  
Association

March 23, 2023

The Honorable Virginia Foxx  
Chair, Committee on Education & the  
Workforce  
2176 Rayburn House Office Building  
Washington, DC 20515

The Honorable Robert Scott  
Ranking Member, Committee on Education  
& the Workforce  
2101 Rayburn House Office Building  
Washington, DC 20515

Dear Chair Foxx and Ranking Member Scott:

On behalf of the American Speech-Language-Hearing Association, I write to share our position on select amendments made in order to H.R. 5, the Parents Bill of Rights Act.

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 228,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists (SLPs) identify, assess, and treat speech, language, swallowing, and cognitive-communication disorders.

The majority of ASHA members, particularly SLPs, provide critical services in school settings. The services provided by educational audiologists and school-based SLPs help ensure that all children, especially children with disabilities, develop effective speech, language, and cognitive-communication skills and achieve successful learning outcomes while receiving a free appropriate public education (FAPE) in the least restrictive environment. ASHA supports the right of a child's parents or guardians to choose the educational setting for their child. Parental involvement in education is critical to a student's academic success and an essential part of services and accommodations through the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.

However, as reported by the Committee on Education & the Workforce, the bill lacks important clarity on the scope of personnel and activities covered by its requirements. Also, it is not clear on the ways in which state education agencies (SEAs), local education agencies (LEAs), elementary and secondary schools, and educators would be required to implement its requirements. ASHA is particularly concerned that this bill would place burdensome mandates on local districts and individual educators, including educational audiologists and school-based SLPs, by imposing additional and unnecessary requirements that would adversely impact their already limited time and resources to provide services.

ASHA supports the following amendments to H.R. 5.

**Fitzpatrick (PA) #8:** This amendment would require a GAO report on the cost of the requirements of H.R. 5 to SEAs, LEAs, and elementary and secondary schools and an examination of the impact of H.R. 5 on protecting parents' rights in the education of the children.

**Rep. Jacobs (CA) #12:** This amendment would permit SEAs, LEAs, and elementary and secondary schools to defray the reasonable cost of materials requested by parents or guardians.

**Rep. Jacobs (CA) #13:** This amendment would protect the ability of educators, SEAs, LEAs, and elementary and secondary schools to utilize proprietary professional development materials. In addition to failing to define what constitutes “professional development materials”, the Rules Committee print to H.R. 5 fails to recognize that certain types of professional development (particularly for certain specialized professions such as audiologists and SLPs) may not permit redistribution or dissemination of materials as a term of their use. This could limit the types of professional development available to educators.

ASHA is concerned about potential adverse impacts of H.R. 5. We believe that adopting these amendments would help preserve the rights of parents and guardians and provide a level of protection to educators, SEAs, LEAs, and elementary and secondary schools from potentially negative unintended consequences of this bill.

If you or your staff have any questions, please contact Eric Masten, ASHA’s director of federal affairs, education, at [emasten@asha.org](mailto:emasten@asha.org).

Sincerely,

A handwritten signature in black ink that reads "Robert M. Augustine". The signature is written in a cursive, flowing style.

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