



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Commissioner

November 19, 2013

TO: Chief School Administrators
Charter School Lead Persons
Directors of Special Education
Administrators of a State Facility
Administrators of an Approved Private School for the Disabled
Administrators of a College Preparation Program for Speech-language Specialists
Statewide Special Education Advisory Council
Agencies or Organizations Concerned with Special Education

FROM: Robert R. Higgins, Ph.D., Director
Office of Certification and Induction

Peggy McDonald, Director
Office of Special Education Programs

SUBJECT: Contracted Providers for Speech-language Services

On June 25, 2013, the New Jersey Department of Education (NJDOE) issued guidance, via a broadcast, informing school districts of the determination of the Office of the Attorney General, Division of Consumer Affairs (DCA), that contracted providers of speech-language services are required to hold a state consumer affairs license in order to perform work in public school districts or approved private schools for students with disabilities. However, by correspondence to the NJDOE dated October 23, 2013, the DCA has reversed its position and determined that speech-language services providers may work in public school districts with appropriate speech-language specialist or speech correctionist certification from the NJDOE, even if they **do not** hold a state consumer affairs license to provide speech-language services. The October 23, 2013 correspondence is available at <http://www.state.nj.us/education/educators/license/SpeechLanguageSpecialists.pdf>.

The DCA correspondence states that an individual "... who is placed in a public or private school setting as a Speech Language Specialist is considered to be working in an exempt setting and therefore does not require a license from the Audiology and Speech-Language Pathology Advisory Committee. These individuals are required to have a valid speech-language endorsement issued by the Department of Education authorizing them to provide services as speech-language specialists in public or private schools [approved private schools for students with disabilities]. These individuals are not permitted to engage in speech-language pathology activities in any type of private practice setting as mandated by N.J.S.A. 45:3B-17(b)."

In accordance with the DCA's new interpretation of its laws, effective immediately, schools may contract for providers of speech-language services, whether or not the individuals have state licenses issued by DCA, as long as the special education regulations at N.J.A.C. 6A:14 are followed and the providers hold the appropriate NJDOE speech-language specialist or speech correctionist endorsement.

Questions regarding the determination of DCA should be addressed to Renee Clark, the committee's executive director, at (973) 273-8044.

Thank you.

RH/PM/JW/Broadcasts/111913 DCA License Interpretation for Contracted Providers of Speech-language Services Memo Final.doc

c: Members, State Board of Education
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