

## SPECIAL EDUCATION TERMINOLOGY: DEFINITIONS

*Note: The following glossary is an updated and expanded version of the glossary included in the Primer for Charter School Authorizers: Special Education Requirements and Including Students with Disabilities in Charter Schools from the National Association of State Directors of Special Education.*

**ACCOMMODATIONS:** Changes in the administration of an assessment, such as setting, scheduling, timing, presentation format, response mode, or others, including any combination of these, that do not change the construct intended to be measured by the assessment or the meaning of the resulting scores. Accommodations are used for equity, not advantage, and serve to level the playing field for a student with a disability. To be appropriate, assessment accommodations must be identified in the student's Individualized Education IEP or Section 504 plan and used regularly during instruction and classroom assessment.

**ACHIEVEMENT TEST:** An instrument designed to efficiently measure the amount of academic knowledge and/or skill a student has acquired from instruction. Such tests provide information that can be compared to either a norm group or a measure of performance.

**ALTERNATE ASSESSMENT:** Tests that gather information on the standards-based performance and progress of students whose disabilities preclude their valid and reliable participation in general assessments. Alternate assessments measure the performance of a relatively small population of students who are unable to participate in the general assessment system, with or without accommodations, as determined by the IEP Team. There are different types of alternate assessments a state may adopt under the federal requirements. First, states must make available an alternate assessment based on grade level achievement standards. Then, states may develop two other alternates: the "alternate assessment based on alternate achievement standards" designed for students with the most significant cognitive disabilities and the "alternate assessment based on modified achievement standards" for students who cannot be expected to achieve grade level standards within one school

year and who need a less complex assessment to demonstrate their knowledge of those standards.

**ASSESSMENT:** The process of collecting information about individuals, groups, or systems that relies upon a number of instruments, one of which may be a test. Therefore, assessment is a more comprehensive term than *test*.

**ASSISTIVE TECHNOLOGY DEVICE:** Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device [34 CFR §300.5].

**ASSISTIVE TECHNOLOGY SERVICE:** Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device [34 CFR §300.6]. It includes evaluation, purchasing, training, and other services related to the acquisition and use of such devices.

**AUTHORIZER:** The office or organization that accepts applications, approves, exercises oversight and, after the period of approval, decides on renewal or revocation of a charter school. Some states use different terms for this role, e.g., sponsor.

**AUTISM:** According to the 2006 IDEA regulations 34 CFR §300.8(2)(c): (i) Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in

daily routines, and unusual responses to sensory experiences. (ii) Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (c)(4) of this section. (iii) A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in paragraph (c)(1)(i) of this section are satisfied.

**CHARTER SCHOOLS:** Charter schools are independent public schools designed and operated by educators, parents, community leaders, educational entrepreneurs, and others. They are authorized/sponsored by designated local or state educational organizations who monitor their quality and effectiveness, but allow them to operate outside of the traditional system of public schools. Most states use the term "charter school" although there are other terms in use for this type of school, such as "community school" used in Ohio and "public school academy" in Michigan.

**CHILD WITH A DISABILITY:** A child evaluated in accordance with IDEA regulations §§300.304 through 300.311 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as "emotional disturbance"), an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, deaf blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services [34 CFR §300.8(a)(1)]. (See also STUDENT WITH A DISABILITY)

**DEVELOPMENTAL DELAY:** Child with a disability for children ages three through nine (or any subset of that age range, including ages three through five), may include a child: (1) Who is experiencing developmental delays, as defined by the state and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and (2)

who, by reason thereof, needs special education and related services [34 CFR §300.8(b)].

In addition: A State that adopts a definition of developmental delay under §300.8(b) determines whether the term applies to children ages three through nine, or to a subset of that age range (e.g., ages three through five). A state may not require an LEA to adopt and use the term developmental delay for any children within its jurisdiction. If an LEA uses the term developmental delay for children described in §300.8(b), the LEA must conform to both the state's definition of that term and to the age range that has been adopted by the state. If a state does not adopt the term developmental delay, an LEA may not independently use that term as a basis for establishing a child's eligibility under this part [34 CFR §300.111(b)].

**EARLY INTERVENING SERVICES (EIS):** A new section of the 2004 reauthorization of the IDEA that provides that an LEA may use not more than 15 percent of the amount the LEA receives under Part B of the IDEA in combination with other amounts (which may include amounts other than education funds) to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment [34 CFR §300.226].

**EARLY INTERVENTION SERVICES:** Programs and services provided to infants and toddlers under Part C of IDEA who are experiencing developmental delays or have a diagnosed physical or mental condition that has a high probability of resulting in developmental delay.

**EMOTIONAL DISTURBANCE:** A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance: (A) An inability to learn that cannot be explained by intellectual, sensory,

or health factors. (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers. (C) Inappropriate types of behavior or feelings under normal circumstances. (D) A general pervasive mood of unhappiness or depression. (E) A tendency to develop physical symptoms or fears associated with personal or school problems. (ii) Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance under paragraph (c)(4)(i) of this section [34 CFR §300.8(c)(4)].

### **FREE APPROPRIATE PUBLIC**

**EDUCATION:** Special education and related services that (a) Are provided at public expense, under public supervision and direction, and without charge; (b) Meet the standards of the SEA; (c) Include an appropriate preschool, elementary school, or secondary school education in the state involved; and (d) Are provided in conformity with an individualized IEP that meets the requirements of IDEA §§300.320 through 300.324 [34 CFR §300.17].

**HEARING IMPAIRMENT:** An impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness in this section [34 CFR §300.8(c)(5)].

**INCLUSION:** Under special education, an approach that stresses educating students with disabilities, regardless of the type of severity of that disability, in the regular classrooms of their neighborhood schools and delivering special education and related services within the classroom to the extent possible.

### **INDIVIDUALIZED EDUCATION PROGRAM**

**(IEP):** A written statement for a child with a disability that is developed, reviewed, and revised in a meeting in accordance with IDEA regulations.

**INTELLECTUAL DISABILITY:** Significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational

performance [34 CFR §300.8(c)(6); S. 2781 — 111th Congress: Rosa's Law].

### **LEAST RESTRICTIVE ENVIRONMENT**

**(LRE):** The IDEA requires that, to the maximum extent appropriate, school districts must educate students with disabilities in the least restrictive environment, i.e., in the regular classroom with appropriate aids and supports (referred to as "supplementary aids and services") along with their non-disabled peers in the school they would attend if not disabled, unless a student's IEP requires some other arrangement. See the IDEA regulations at 34CFR §§ 114 through 120.

**LINKAGE:** The type of connection mandated by state law or voluntarily established between a charter school and a traditional LEA.

### **LOCAL EDUCATION AGENCY (LEA):**

A public institution (often referred to as a school district) that has administrative control and direction of one or more public elementary or secondary schools. The term includes a public charter school that is established as an LEA under state law.

**MODIFICATION:** A change to the testing conditions, procedures, and/or formatting so that measurement of the intended construct is no longer valid and the score cannot be aggregated with scores from tests administered under standard conditions.

**MULTIPLE DISABILITIES:** Multiple disabilities refers to concomitant impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities do not include deaf-blindness [34 CFR §300.8(c)(7)]

### **OFFICE OF SPECIAL EDUCATION PROGRAMS (OSEP):**

The section of the U.S. Department of Education responsible for the implementation of the IDEA. It carries out activities related to state eligibility for IDEA funds and monitoring state compliance with IDEA requirements.

**ORTHOPEDIC IMPAIRMENT:** A severe orthopedic impairment that adversely affects a child's educational performance. This includes impairments caused by a congenital anomaly, by disease (e.g., poliomyelitis, bone tuberculosis), and from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). [34 CFR §300.8(c)(8)]

**OTHER HEALTH IMPAIRMENT (OHI):** Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that (i) is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and (ii) Adversely affects a child's educational performance [34 CFR §300.8(c)(9)].

**QUALIFIED PERSONNEL:** Under IDEA, personnel who have met SEA-approved or SEA-recognized certification, licensing, registration, or other comparable requirements that apply to the area in which the individuals are providing special education or related services.

**RELATED SERVICES:** Transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education; includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training [34 CFR §300.34(a)].

**RESPONSE TO INTERVENTION (RTI):** A practice of providing high-quality instruction and intervention matched to student needs using data

on the child's learning rate and level of performance to make important educational decisions about the necessity for more intense interventions or as part of evaluating eligibility for special education.

**SPECIAL EDUCATION:** Specially designed instruction, provided at no cost to the parents, to meet the unique needs of a child with a disability, including (i) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and (ii) Instruction in physical education. (2) Special education includes each of the following, if the services otherwise meet the requirements of paragraph (a)(1) of this section: (i) Speech-language pathology services, or any other related service, if the service is considered special education rather than a related service under State standards; (ii) Travel training; and (iii) Vocational education [34 CFR §300.39(a)].

**SPECIFIC LEARNING DISABILITY (SLD):** 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 an 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. The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage [34 CFR §300.8(c)(10)].

**SPEECH OR LANGUAGE IMPAIRMENT:** A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance [34 CFR §300.8(c)(11)].

**STANDARDIZED TEST:** A test administered with the same directions and under the same conditions (time limits, etc.) and scored in the same manner for all students to ensure the comparability of scores. Standardization allows reliable and valid comparison to be made among students taking the test. The two major types of

standardized tests are norm-referenced and criterion-referenced.

**STATE EDUCATION AGENCY (SEA):** The component of state government primarily responsible for the state supervision of public elementary and secondary schools.

**STUDENT (CHILD) WITH A DISABILITY:** In IDEA, defined as “a child evaluated in accordance with §§300.304 through 300.311 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, deaf blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.”

Section 504 of the Rehabilitation Act of 1973 defines a "handicapped person" (outdated terminology) as "any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment."

**TRANSITION SERVICES:** A coordinated set of activities for a child with a disability that:

(1) Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(2) Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes (i) Instruction; (ii) Related services; (iii) Community experiences; (iv) The development of employment and other post-school adult living objectives; and (v) If

appropriate, acquisition of daily living skills and provision of a functional vocational evaluation. Transition services for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education [34CFR §300.43].

Under the section on the IEP, the IDEA law also provides that:

Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include

- (1) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- (2) The transition services (including courses of study) needed to assist the child in reaching those goals [34CFR §300.320(a)(7)(b)].

**TRAUMATIC BRAIN INJURY:** An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child’s educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma [34 CFR §300.8(c)(12)].

**VISUAL IMPAIRMENT INCLUDING BLINDNESS:** An impairment in vision that, even with correction, adversely affects a child’s educational performance. The term includes both partial sight and blindness. [34 CFR §300.8(c)(13)].