APPENDIX B

Special Education Acronyms, Abbreviations and Terms

A

Accommodations. Changes in how test is administered that do not substantially alter what the test measures; includes changes in presentation format, response format, test setting or test timing. Appropriate accommodations are made to level the playing field, i.e., to provide equal opportunity to demonstrate knowledge.

Achievement test. Test that measures competency in a particular area of knowledge or skill; measures mastery or acquisition of skills.

Adversarial system. The system of trial practice in which each of the opposing parties has an opportunity to present and establish opposing contentions before the court.

Alternate assessment. Alternate assessments may be used to assess no more than 1 percent of students with the most severe cognitive impairments who are described as "students whose intellectual functioning and adaptive behavior are three or more standard deviations below the mean."

Alternative dispute resolution. See mediation.

Americans with Disabilities Act of 1990 (ADA). Legislation enacted to prohibit discrimination based on disability.

Appeal. Procedure in which a party seeks to reverse or modify a judgment or final order of a lower court or administrative agency, usually on grounds that lower court misinterpreted or misapplied the law, rather than on the grounds that it made an incorrect finding of fact.

Assessment. Systematic method of obtaining information from tests or other sources; procedures used to determine child's eligibility, identify the child's strengths and needs, and services child needs to meet these needs. See also evaluations.

Assistive technology device. An item, piece of equipment, or product used to maintain or improve the functional capabilities of a child with a disability.

Assistive technology service. A service that assists a child in selecting, acquiring or using an assistive technology device including evaluations of the child's needs; includes selecting, fitting, customizing, adapting, maintaining, repairing, and replacing assistive technology devices.

Attention deficit disorder/attention deficit hyperactivity disorder (ADD/ADHD). Child with ADD or ADHD may be eligible for special education under other health impairment, specific learning disability, and/or emotional disturbance categories if ADD/ADHD condition adversely affects educational performance.

Audiology. Related service; includes identification, determination of hearing loss, and referral for habilitation of hearing.

Autism. Developmental disability that affects communication and social interaction, adversely affects educational performance, is generally evident before age 3. Children with autism often engage in and have unusual responses to sensory experiences.

B

Basic skills. Skills in subjects like reading, writing, spelling, and mathematics.

Behavior disorder (BD). See emotional disturbance.

Behavior intervention plan. A plan of positive behavioral interventions in the IEP of a child whose behaviors interfere with his/her learning or that of others.

Brief. Written argument that supports a case; usually contains a statement of facts and a discussion of law.

Bodily injury. See serious bodily injury.

Burden of proof. Duty of a party to substantiate its claim against the other party; in civil actions, the weight of this proof is usually described as a preponderance of the evidence.

Business day. Means Monday through Friday, except for federal and state holidays.

C

Calendar day. See day.

Case law. Decisions issued by a court.

Charter school. Independent public schools that operate under public supervision but outside traditional public school systems; are exempt from many state and local rules, do not charge tuition, have a performance contract that specifies how the school will measure student performance, and complies with federal civil rights and education laws.

Child find. Requirement that states ensure that all children with disabilities are identified, located and evaluated, and determine which children are receiving special education and related services.

Child with a disability. A child who has a disability and who "needs special education and related services."

C.F.R. Code of Federal Regulations

Class action. A civil action filed in a court on behalf of a named plaintiff and on behalf of other individuals similarly situated.

Classroom-based instructional reading assessment. A reading assessment that relies on teacher observations.

Complaint. Legal document that outlines plaintiff's claim against a defendant.

Comprehension. The ability to understand and gain meaning from reading.

Confidential file. File maintained by the school that contains evaluations conducted to determine whether child is handicapped, other information related to special education placement; parents have a right to inspect the file and have copies of any information contained in it.

Consent. Requirement that the parent be fully informed of all information that relates to any action that school wants to take about the child, that parent understands that consent is voluntary and may be revoked at any time. See also Procedural safeguards notice and prior written notice.

Controlled substance. Means a drug or other substance identified under schedules I, II, III, IV, or V of the Controlled Substances Act; does not include a substance that is legally possessed or used under the supervision of a licensed health care provider.

Core academic subjects. English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Counseling services. Related service; includes services provided by social workers, psychologists, guidance counselors, or other qualified personnel.

Cumulative file. General file maintained by the school; parent has right to inspect the file and have copies of any information contained in it.

D

Damages. Monetary compensation that may be recovered by a person who has suffered loss, detriment or injury to his person, property or rights, through the unlawful act or negligence of another; damages are not generally available under the IDEA.

Day. Means calendar day unless otherwise indicated as school day or business day.

Deaf-blindness. IDEA disability category; includes hearing and visual impairments that cause severe communication, developmental and educational problems that adversely affects educational performance.

Deafness. IDEA disability category; impairment in processing information through hearing that adversely affects educational performance.

Department. The Department of Education.

Diagnostic reading assessment. A valid, reliable assessment based on scientifically based reading research that is used to identify a child's areas of strengths and weaknesses so the child learns to read by the end of third grade. A diagnostic reading assessment determines difficulties a child has in learning to read, the cause of these difficulties, and possible reading intervention strategies and related special needs.

Disability. In Section 504 and ADA, defined as impairment that substantially affects one or more major life activities; an individual who has a record of having such impairment, or is regarded as having such an impairment.

Discovery. Term for methods of obtaining evidence in advance of trial; includes interrogatories, depositions and inspection of documents.

Due process complaint notice. Notice filed to request a due process hearing; must include specific information including the child's name and address, name of the school the child attends, a description of the nature of the problem including facts relating to the problem, and a proposed resolution of the problem.

Due process hearing (impartial due process hearing). Procedure to resolve disputes between parents and schools; administrative hearing before an impartial hearing officer or administrative law judge.

Dyslexia. A specific learning disability (SLD) that is neurological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Dyslexia is listed as a "specific learning disability" in IDEA.

E

Early intervention (EI). Special education and related services provided to children until age 3 or, in some cases, until they enter kindergarten or elementary school.

Early intervening services. New program that allows at-risk children to receive additional academic and behavioral support, including scientifically-based reading instruction, without being identified as needing special education; should be used as short-term solutions, not replace special education services when a child needs them.

Education records. All records about students that are maintained by an educational agency or institution; includes instructional materials, teacher's manuals, films, tapes, test materials and protocols.

Educational consultant/diagnostician. An individual who may be familiar with school curriculum and requirements at various grade levels: may or may not have a background in learning disabilities; may conduct educational evaluations.

Emotional disturbance (ED). Disability category under IDEA; includes depression, fears, schizophrenia; adversely affects educational performance.

EMR. Educable mentally retarded.

ESY. Extended school year services.

Essential components of reading instruction. Explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, oral reading skills, and reading comprehension strategies.

Evaluation. Procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

Exhibit. Anything tangible that is produced and admitted in evidence during a trial.

F

Fluency. The capacity to read text accurately and quickly.

Free appropriate public education (FAPE). Special education and related services provided in conformity with an IEP; are without charge; and meets standards of the SEA.

Family Educational Rights and Privacy Act (FERPA) statute about confidentiality and access to education records.

Functional performance. Generally refers to activities and skills that are not academic or related to a child's academic achievement as measured on achievement tests.

G

General curriculum. Curriculum adopted by LEA or SEA for all children from preschool through high school.

Guardian ad litem. Person appointed by the court to represent the rights of minors.

H

Hearing impairment. Disability category under IDEA; permanent or fluctuating impairment in hearing that adversely affects educational performance.

Highly qualified teacher. Teachers who are certified by the state or pass the state teacher examination, demonstrate competence in the subject area they teach, and hold a license to teach. Elementary school teachers must demonstrate knowledge of teaching math and reading. Middle and high school teachers must have majors in the subjects they teach or demonstrate knowledge of that subject.

Highly qualified paraprofessional. A paraprofessional hired after NCLB was enacted must have a high school diploma or equivalent, complete two years of study at a college or university, have an associate's degree (minimum), or take a rigorous skills test.

Homeless children and youth. Children and youth who do not have a fixed, regular, nighttime residence; includes children who live in motels, hotels, trailer parks, or campgrounds; children who live in emergency shelters; children who are abandoned or are waiting for foster care placement; children who live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations; and migratory children who are homeless.

HOUSSE. High Objective Uniform State Standard of Evaluation

I

IDEA. The Individuals with Disabilities Education Act of 2004

IDELR. Individuals with Disabilities Law Reporter

IEE. Independent educational evaluation

IEP. Individualized Educational Plan

IFSP. Individualized family service plan for children with disabilities under age 3.

Illegal drug. A controlled substance; does not include substances that are legally possessed or used under the supervision of a licensed health-care professional.

Immigrant children and youth. Individuals between the ages of 3 and 21 who were not born in the United States and have not attended school in a state for more than three full academic years.

Impartial due process hearing. See due process hearing.

Inclusion. An effort to make sure students with disabilities go to school with their friends and neighbors, while also receiving the "specially designed instruction and support" they need to achieve high standards and succeed as learners.

Instructional material. Instructional content provided to a student; includes print and audio-visual materials and electronic or digital materials.

Interpreting services. Related service; includes oral transliteration services, cued language transliteration services, sign language, transliteration and interpreting services, and transcription services for children who are deaf or hard of hearing.

Interrogatories. Written questions served on a party that must be answered under oath before trial; method of discovery.

J

Judgment. Order by a court.

L

Learning disability. See specific learning disability (SLD).

Least restrictive environment (LRE). Legal requirement to educate children with disabilities in general education classrooms with children who are not disabled to the maximum extent possible.

LEA. Local education agency or school district

Limited English proficient (LEP). An individual between the ages of 3 and 21 who attends an elementary school or secondary school, who was not born in the United States or whose native language is not English, or a migratory child whose native language is not English. The individual's difficulties in speaking, reading, writing, or understanding English may not permit the individual to be proficient on state assessments.

M

Mainstreaming. Attempts to move students from special education classrooms to regular education classrooms only in situations where they re able to keep up with their typically developing peers without specially designed instruction or support. See also least restrictive environment and inclusion.

Manifestation determination review. If child with disability engages in behavior or breaks a rule or code of conduct that applies to nondisabled children and the school proposes to remove the child, the school must hold a hearing to determine if the child's behavior was caused by the disability.

Mediation. Procedural safeguard to resolve disputes between parents and schools; must be voluntary, cannot be used to deny or delay right to a due process hearing; must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

Medical services. Related service; includes services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

Mental retardation. Disability category under IDEA; refers to significantly sub-average general intellectual functioning with deficits in adaptive behavior that adversely affects educational performance.

Migratory child. A child who is, or whose parent is, a migratory agricultural worker or a migratory fisher. In the preceding 36 months, in order to obtain employment in agricultural or fishing work, the child has moved from one school district to another, or from one administrative area to another. (See Section 1309 of NCLB Act)

Modifications. Substantial changes in what the student is expected to demonstrate; includes changes in instructional level, content, and performance criteria, may include changes in test form or format; includes alternate assessments.

Multiple disabilities. Disability category under IDEA; concomitant impairments (such as mental retardation-blindness, mental retardation-orthopedic impairment, etc.) that cause such severe educational problems that problems cannot be accommodated in special education programs solely for one of the impairments; does not include deaf-blindness.

N

National Assessment of Educational Progress (NAEP). Assessments in reading, mathematics, science, writing, U.S. history, geography, civics, and the arts; is the only nationally representative, continuing assessment of what American students know and can do in various subjects.

Native language. Language normally used by the child's parents. When used to refer to an individual who has limited English proficiency, refers to the language normally used by the individual, or by the parents of a child or youth.

NIMAS. National Instructional Materials Accessibility Standard

Norm-referenced test. See standardized test.

O

OCR. Office of Civil Rights

Occupational therapy. Related service; includes **t**herapy to remediate fine motor skills.**Opinion**. Formal written decision by judge or court; contains the legal principles and reasons upon which the decision was based.

Orientation and mobility services. Related service; includes services to visually impaired students that enable students to move safely at home, school, and community.

Orthopedic impairment. Disability category under IDEA; orthopedic impairment that adversely affects child's educational performance.

OSERS. Office of Special Education and Rehabilitative Services

OSEP. Office of Special Education Programs

Other health impairment. Disability category under IDEA; refers to limited strength, vitality or alertness due to chronic or acute health problems that adversely affects educational performance.

P

Paraprofessional. An individual employed in a public school who is supervised by a certified or licensed teacher; includes individuals who work in language instruction educational programs, special education, and migrant education.

Parent. Parent**,** guardian, or surrogate parent; may include grandparent or stepparent with whom a child lives, and foster parent.

Personal information. Individually identifiable information; includes name, home or physical address, telephone number, or Social Security identification number.

Phonemic awareness. The ability to hear and identify individual sounds, or phonemes.

Phonics. The relationship between the letters of written language and the sounds of spoken language.

Proficient. Solid academic performance for the grade, demonstrates competence in subject matter.

PTI. Parent training and information center

Physical therapy. Related service; includes therapy to remediate gross motor skills.

Precedent. A court decision that will influence similar cases in the future.

Prior written notice. Required written notice to parents when school proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of the child.

Pro se. Representing oneself without assistance of legal counsel

Procedural safeguards notice. Requirement that schools provide full easily understood explanation of procedural safeguards that describe parent's right to an independent educational evaluation, to examine records, to request mediation and due process.

Psychological services. Related service; includes administering psychological and educational tests, interpreting test results, interpreting child behavior related to learning.

Public Law (P.L.) 94-142. The Education for All Handicapped Children Act that was enacted in 1975.

R

Reading. A complex system of deriving meaning from print that requires all of the following:

The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

The ability to decode unfamiliar words.

The ability to read fluently.

Sufficient background information and vocabulary to foster reading comprehension.

The development of appropriate active strategies to construct meaning from print.

The development and maintenance of a motivation to read. (20 U. S. C. § 6368)

Reasonable accommodation. Adoption of a facility or program that can be accomplished without undue administrative or financial burden.

Recreation. Related service; includes therapeutic recreation services, recreation programs, and leisure education.

Rehabilitation Act of 1973. Civil rights statute designed to protect individuals with disabilities from discrimination; purposes are to maximize employment, economic self-sufficiency, independence, inclusion and integration into society.

Rehabilitation counseling services. Related service; includes career development, preparation for employment, vocational rehabilitation services funded under the Rehabilitation Act of 1973.

Related services. Services that are necessary for child to benefit from special education; includes speech language pathology and audiology services, psychological services, physical and occupational therapy, recreation, early identification and assessment, counseling, rehabilitation counseling, orientation and mobility services, school health services, school nurse services, social work services, parent counseling and training.

Remediation. Process by which an individual receives instruction and practice in skills that are weak or nonexistent in an effort to develop/strengthen these skills.

Response to intervention (RTI). In determining if a child has a specific learning disability, refers to the child's response to scientific, research-based intervention.

S

School day. A day when children attend school for instructional purposes.

School health services. Related service; services provided by a qualified school nurse or other qualified person.

School nurse services. Related service; services provided by a qualified school nurse that are designed to enable a child with a disability to receive FAPE as described in the child's IEP.

Scientifically Based Research. Research that applies rigorous, systematic, and objective procedures to obtain reliable, valid knowledge about education activities and programs. Includes research that employs systematic, empirical methods that draw on observation or experiment, involves rigorous data analyses to test hypotheses and justify conclusions, relies on methods that provide reliable and valid data across evaluators and observers, and studies that are accepted by a peer-reviewed journal or approved by a panel of independent experts through rigorous, objective, and scientific review.

SEA. State department of education.

Section 504. Section 504 of the Rehabilitation Act protects individuals with disabilities from discrimination due to disability by recipients of federal financial assistance.

Serious bodily injury. Means bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty . . ."

Settlement. Conclusion of a legal matter by agreement of opposing parties in a civil suit before judgment is made.

Special education. Specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability.

Specific learning disability (SLD). Disability category under IDEA; includes disorders that affect the ability to understand or use spoken or written language; may manifest in difficulties with listening, thinking, speaking, reading, writing, reading fluency, spelling, and doing mathematical calculations; includes minimal brain dysfunction, dyslexia, and developmental aphasia.

Speech-language pathology services. Related service; includes identification and diagnosis of speech or language impairments, speech or language therapy, counseling and guidance.

Speech or language impairment. Disability category under IDEA; includes communication disorders, language impairments, voice impairments that adversely educational performance.

Statutory rights. Rights protected by statute, as opposed to constitutional rights that are protected by the Constitution.

Statute of limitations. Time within which a legal action must be commenced; two-year statute of limitations to request a due process hearing added to IDEA 2004.

Statutory law. Written law enacted by legislative bodies.

Stay-put. During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing, the child must remain in his or her current educational placement.

Supplemental educational services. Means tutoring and other supplemental academic enrichment services that are in addition to instruction provided during the school day and are high quality, research-based, and specifically designed to increase the academic achievement of eligible children on state academic assessments and attain proficiency in meeting the State's academic achievement standards.

Supplementary aids and services. Means aids, services, and supports that are provided in regular education classes that enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

T

Technology. See assistive technology.

Testimony. Evidence given by a person as distinguished from evidence from writings and other sources.

Tourette syndrome. A neurological or neurochemical disorder characterized by involuntary, rapid, sudden movements or vocalizations (tics) that occur repeatedly; included as a disability category in IDEA 2004.

Transcript. Official record taken during a trial or hearing by an authorized stenographer.

Transition services. IEP requirement; designed to facilitate movement from school to the workplace or to higher education.

Transportation. Related service about travel; includes specialized equipment (i.e., special or adapted buses, lifts, and ramps) if required to provide special transportation for a child with a disability.

Traumatic brain injury. Disability category under IDEA; includes acquired injury caused by external physical force and open or closed head injuries that result in impairments; does not include congenital or degenerative brain injuries or brain injuries caused by birth trauma.

Travel training. See orientation and mobility services.

U

Universal design. New curricular materials and learning technologies are designed to be flexible enough to accommodate the unique learning styles of a wide range of individuals, including children with disabilities. Examples include electronic versions of textbooks, captioned and/or narrated videos, accessible websites, and voice recognition.

U.S.C. United States Code

V

Visual impairment including blindness. Disability category under IDEA; impaired vision that adversely affects educational performance.

Vocabulary. Words that students must know to read effectively.

Vocational education.

W

Ward of the state. A child is a foster child, a ward of the State, or in the custody of a public child welfare agency.

Weapon. Means a "dangerous weapon" which is a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that the term does not include a pocket knife with a blade of less than 2 1/2 inches in length.