

DEFINITIONS

Administrative Review

A meeting at which you may present complaints to the superintendent of your school district regarding your child's evaluation, educational placement or the provision of special education.

Age of Majority

Age at which special education rights transfer from you to your child (18 years in Ohio). An explanation of these rights (a copy of *Whose IDEA Is This?*) must be given to your child at least one year prior to his/her 18th birthday.

Annual Goals

Statements on your child's IEP that describe what he or she can be expected to accomplish in one year.

Assessment

Methods or tools used for measuring:

- Current academic performance and educational needs;
- Eligibility for services;
- Progress toward achieving goals; and
- Category of disability.

Assistive Technology Device

Any piece of equipment or product that is used to increase, maintain or improve the capabilities of your child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such service.

Assistive Technology Service

Any service that directly assists your child with a disability in the selection, acquisition or use of an assistive technology device including:

- Evaluation of your child's needs;
- Providing assistive technology devices for children with disabilities;
- Coordinating and using other therapies or services with assistive technology devices;
- Training or technical assistance for a child with a disability, or, if appropriate, that child's family; and
- Training or technical assistance for professionals who are involved in the major life functions of the child.

Behavior Intervention Plan

A plan to address a behavior of your child that is not appropriate in school.

Benchmark

A specific statement of what your child should know and be able to do in at specified time of the school year. Benchmarks describe how far your child is expected to progress toward the annual goal and by when.

Change of Placement for Discipline

A removal from school for disciplinary reasons is considered a change of placement when:

- The removal is for more than ten school days in a row in the same school year; or
- Your child has been subjected to a series of removals that suggest a pattern:
 - Because the series of removals add up to more than ten school days in a school year,
 - Because your child's behavior is very similar to your child's behavior in previous instances that resulted in the series of removals; and
 - Because of such additional factors as the length of each removal, the total amount of time your child has been removed and the close of the removals to one another.

Child with a Disability

Either:

- a child who has a disability which meets the definition of a disability term included in the section "Definitions of Disability Terms;" or
- at the school district's choice, a child with a developmental delay (see definition later in this section) who needs special education and related services.

Community School

A public school, created in according to Chapter 3314. of the Revised Code, that is independent of any school district and part of the state's education program. Community schools are considered school districts when it comes to educating children with disabilities under Chapter 3323 of the Revised Code and Chapter 3301-51 of the Administrative Code.

Complaint

A formal written document (a form) that a parent or other party files with the Ohio Department of Education, Office for Exceptional Children, which claims that a school district or other public agency is not following laws or regulations related to a child qualifying for or getting special education and related services.

Continuum of Alternative Placement Options (Education Setting)

A selection of services, including instruction in special classes or special schools; instruction in homes, hospitals and institutions; and supplementary services (such as a resource room or visiting instructor) that may be provided to a child with a disability in tandem with regular class.

NOTE: A change in the amount of time a child with a disability spends in a particular place is NOT considered a change of placement (educational setting) and does not require the parents' permission. A change from one building to another is also not a change of placement that requires parental permission as long as the new placement is in the like environment (for example a resource room) that it was in the previous building. For example, if a child was in the regular classroom part-time and a resource room part-time, and moves to a new building where the child is in the regular classroom part-time and the resource room part-time, there is no change of placement that requires the parents' permission. If the child is in the regular classroom for four classes and the resource room for two classes and the child's schedule is changed to three classes in the regular classroom and three classes in the resource room, it is not a change of placement that requires parents' permission.

Developmental Delay

A child 3 to 5 years old that an evaluation team of qualified professionals determines is experiencing a delay in one or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development. The term may be used in place of the following disability categories:

cognitive disability; emotional disturbance; speech or language impairment.

Due Process

A series of steps listed in the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 that protect the rights of parents and their children with disabilities.

Due Process Complaint and Due Process Hearing

An impartial due process hearing is a formal hearing that is held at the request of a parent or public agency. This is done to resolve a due process complaint related to a child qualifying for or getting special education and related services.

Early Intervention Services (EIS)

Services provided to a child with a disability or developmental delay from birth through age 2.

Evaluation

Procedures used to determine whether your child has a disability and the special education and related services that your child needs.

Evaluation Team

For initial evaluations: a group of qualified professionals and the parent.
For reevaluations: A child's IEP team and other qualified professionals considered necessary.

Free Appropriate Public Education (FAPE)

Special education and related services provided at public expense, under public supervision and direction, and at no cost to parents. These services must meet the standards of the Ohio Department of Education; must include an appropriate preschool, elementary school, or secondary school education in the state; and must be based on your child's IEP.

Functional Behavior Assessment (FBA)

A process that may include interviews, direct observations and other evaluations of the student's behaviors. The process is used to determine what in the child's environment trigger inappropriate behavior, as well as which replacement behaviors need to be taught to the child so that the child will receive positive results and feedback. Some of the questions asked as part of a functional behavioral

assessment may include: What happened before the behavior?; What happened during the behavior?; What was the result of the behavior?; In what environment did the behavior occur?; Has the child's medication been changed?; and Did the child receive medication at the right time?

Functional Vocational Evaluation

A process used to identify the student's work characteristics and training and support needs in relation to actual job requirements. Functional assessment information is gathered so that the best job match can be determined for a student.

General Curriculum

The same curriculum that is taught to children who do not have disabilities.

Homeless Children

See the term "homeless children and youths" in section (42 U.S.C. 11434a) of the McKinney-Vento Homeless Assistance Act as amended, 42 U.S.C. 11431 *et seq.*

IDEA

The Individuals with Disabilities Education Improvement Act of 2004 at 20 U.S.C. 1400, Public Law 108-446 of the 108th Congress, December 3, 2004.

Independent Educational Evaluation (IEE)

An evaluation of a child done by a trained professional who is not employed by the child's school district.

Individualized Education Program (IEP)

A written statement for your child that is developed, reviewed and revised in accordance with federal and state regulations.

Individualized Education Program (IEP) Team

A group of individuals responsible for developing, reviewing or revising an IEP for a child with a disability.

Interim Alternative Educational Setting (IAES)

When a child is being disciplined, the school district may remove the child from the child's current educational placement (setting). The child's IEP team will determine an appropriate temporary placement for the child, called an interim alternative educational setting (IAES). In

the following circumstances, any school official can determine the IAES:

When the child:

- Carried a weapon to school or had a weapon while at school, on school premises, or to or at a school function under the authority of a school district or the Ohio Department of Education;
- Knowingly possessed or used illegal drugs, or sold or tried to buy or sell a controlled substance while at school, on school premises, or at a school function under the authority of a school district or the Ohio Department of Education; or
- Did serious bodily injury to another person while at school, on school premises, or at a school function under the authority of a school district or the Ohio Department of Education.

Individualized Education Program (IEP) Facilitation

When a trained, neutral professional assists IEP team members to focus on the needs of the child and reach agreement on the services and supports to be included in the IEP.

Intervention Assistance Team (IAT)

A team of educators from your child's school that meet to design various forms of assistance for children who are experiencing difficulty. You *may* be invited to participate in an IAT meeting about your child.

Least Restrictive Environment (LRE)

As much as possible, children with disabilities (including children in public or nonpublic schools or other care facilities) are educated with children who do not have disabilities. A child with a disability is removed from the regular educational environment only when the child's disability is severe enough that the child cannot be educated in regular classes with the use of supplementary aids and services.

Limited English Proficient (LEP)

When a child has limited or no ability to speak, read, write or understand the English language. Also see this term defined in section 9101 of the Elementary and Secondary Education Act of 1965.

Manifestation Determination

A determination that your child's conduct was caused by, or was the direct result of, your child's disability. This determination is made by the school district, you the parent and relevant members of the IEP team ("relevant members" are determined by you and the school district).

Mediation

A voluntary process for resolving disputes between two parties which is led by a trained, impartial third party called a mediator. A mediator may be selected from a list of mediators maintained by the Ohio Department of Education.

Modification

Any change that is made in your child's school, work or environment to meet his or her individual educational needs.

Native Language

For an individual with limited English proficiency, this includes:

- o The language normally used by that individual, or, in the case of your child, the language normally used by you as the parents of your child, except as stated in the following bullet.
- o In all direct contact with your child (including an evaluation of your child), the language normally used by your child in the home or learning environment.

For an individual with deafness or blindness, or for an individual with no written language, the means of communication that is normally used by the individual (such as sign language, Braille, or verbal communication).

Nonpublic School

A nonpublic school is an institution of learning organized and maintained by private individuals or by a private corporation or organization. Chartered nonpublic schools are considered "private schools" that must meet the applicable "Operating Standards for Ohio's Schools" established in Chapter 3301-35 of the Administrative Code. Nonchartered, nontax-supported schools are not chartered or seeking to be chartered by the State Board of Education because of truly held religious beliefs.

Objective

A smaller, more manageable learning task that your child must master as a step toward achieving an annual goal. Objectives break the skills described in the annual goal into separate components that, when mastered, allow your child to meet the goal.

Parent

(A) "Parent" means:

- (1) A biological or adoptive parent of a child but not a foster parent of a child, (NOTE: A foster parent is forbidden by Ohio law from serving as a parent because legal custody of the foster child is held by a children services agency, and not by the foster parent. A foster parent may be appointed as a surrogate parent if the foster parent meets applicable requirements);
 - (2) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child (but not the state if the child is a ward of the state);
 - (3) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
 - (4) A surrogate parent who has been appointed in accordance with 34 C.F.R. 300.519 or section 639(a)(5) of IDEA;
- (B) Except as provided in (C) of this definition, the biological or adoptive parent, when attempting to act as the parent under Part B of IDEA and when more than one party is qualified under (A) of this definition to act as a parent, must be presumed to be the parent for purposes of this section unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.
- (C) If a judicial decree or order identifies a specific person or persons under (A)(1) through (3) of this definition to act as the "parent" of a child or to make educational decisions on behalf of a child, then such

conducted in the classroom, in the home, in hospitals and institutions and in other settings; and instruction in physical education, and includes the terms specified in the federal regulation at 34 C.F.R. 300.39.

Standardized Tests

Tests that are given in the same way each time and are broken down into subsets to assess different areas of ability. IQ tests, achievement or language, developmental, adaptive behavior, behavior assessment and fine motor, gross motor and visual perceptual tests are examples of standardized tests.

State-Level Review

A review of a due process hearing decision which either the parent or school district has appealed. It is conducted by a state-level review officer appointed by the Office for Exceptional Children.

Stay-Put

Your child's educational status during a due process hearing. Your child must remain in his or her current educational setting unless the state or local agency and the parent agree otherwise.

Supplementary Aids and Services

These are aids, services and other supports that are provided in regular education classes, other education-related settings and in extracurricular and nonacademic settings. These are intended to enable children with disabilities to be educated as much as possible with children who do not have disabilities.

Surrogate Parent

A surrogate parent is an individual who may represent a child with a disability in all matters relating to the child qualifying for and receiving special education and related services. A surrogate parent is appointed if the child's parent cannot be identified or located, the child is a ward of the state or the child is an unaccompanied homeless youth.

Suspension

When a school removes your child from his or her current educational placement (setting) for up to ten days in a row for a behavior violation.

Transition Services

A coordinated set of activities for a child at age 16 or younger that is focused on improving the academic achievement of the child with a disability. Transition services support the child in moving from school to adult life, including higher education; job training; employment; continuing and adult education; adult services; and independent living or community participation. Transition services are based on the individual child's needs, taking into account the child's strengths, preferences and interests. Transition services can include instruction; related services; community experiences; and the development of employment and other adult living objectives, and if appropriate, developing daily living skills and providing a functional vocational evaluation. For a child age 14 or younger, if it is determined appropriate by the IEP team, transition services can focus on the student's courses of study.

Ward of the State

The term "ward of the state" means a child who is determined by his or her state of residence to be a foster child, a ward of the state, or in the custody of a public child welfare agency.

person or persons shall be determined to be the “parent” for purposes of this definition.

NOTE: A student at age 18 may act on his or her own behalf.

Placement

Includes the services provided to a child with a disability, the location of the services and the providers of those services.

Preschool Child with a Disability

A child who is at least 3 years of age and not yet 6 years of age and meets the definition of a child with a disability or, at the choice of the school district, is a child who:

- Is experiencing developmental delays in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development or adaptive development; and
- Who, because of it, needs special education and related services.

Preschool Special Education

Specially designed instruction that meets the needs of a child with a disability who is between 3 years old and 5 years old.

Present Levels of Performance (PLOP)

Statements developed from information about a child. This information includes the child’s progress on the current IEP, the evaluation team report, input from you and your child, interventions, assessments, observations and special factors. This information provides a “picture” of a child including his or her strengths and needs.

Procedural Safeguards

Procedures established in federal and state law and regulations that protect the rights of children with disabilities and their parents in regard to a child receiving a free appropriate public education.

Public Agency

Includes the school districts, county boards of developmental disabilities, other educational agencies, community schools and other political subdivisions of the state that are responsible for providing education to children with disabilities.

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Public Expense

Paid for by the school district, or otherwise provided at no cost to the parents.

Reevaluation

The process used to determine if a child continues to have a disability and the educational needs of the child.

Referral

A parent’s, school district’s or other education agency’s request for a first evaluation of a child who is suspected of having a disability.

Related Services

Transportation and developmental, corrective and other supportive services that are required to assist a child to benefit from his or her special education. These include the services listed in the federal regulation at 34 CFR 300.34.

Resolution Meeting Facilitation

When a trained, neutral professional is called to a resolution meeting set up by the school district to try to resolve a due process complaint, this is called resolution meeting facilitation. The “facilitator” tries to help the parent and members of the IEP team resolve the disagreement.

School District

A city, local, exempted village school district, or a community school.

School District of Residence (DOR)

The school district where the parents of a child with a disability live. If your child is enrolled in a community school, the community school is considered to be your child’s school district of residence.

Services Plan

A written statement that describes the special education and related services the school district will provide to a child with a disability who is placed by parents in a nonpublic school and who has been designated to receive services. This plan includes location of the services and any transportation necessary.

Special Education

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

Tourette syndrome; and adversely affects a child's educational performance.

Specific Learning Disability

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, write, spell or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include children who have learning problems that are primarily the result of visual, hearing or motor abilities, of cognitive disability, of emotional disturbance or of environmental, cultural or economic disadvantage.

Speech or Language Impairment

A communication disorder, such as stuttering, impaired articulation, language impairment or a voice impairment that adversely affects a child's educational performance.

Traumatic Brain Injury

An injury to the brain caused by external physical force or by other medical conditions, including but not limited to stroke, anoxia, infectious disease, aneurysm, brain tumors and neurological insults resulting from medical or surgical treatments. The injury results in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries, as well as to other medical conditions that result in acquired brain injuries. The injuries result 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. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

Visual Impairment Including Blindness

Impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial

sight and blindness. Visual impairment for any child means:

- A visual impairment, not primarily perceptual in nature, resulting in a measured visual acuity of 20/70 or poorer in the better eye with correction; or
- A physical eye condition that affects visual functioning to the extent that special education placement, materials and/or services are required in an educational setting.

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DISABILITY TERMS DEFINITIONS

Autism

A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 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. The term does not apply if a child's educational performance is adversely affected primarily because the child has a serious emotional disturbance. A child who manifests the characteristics of autism after age three could be identified as having autism if the requirements of the first two sentences of this definition are satisfied.

Cognitive Disability

Significantly below-average general intellectual capability that exists along with deficits in adaptive behavior. It is demonstrated during the child's developmental period and negatively affects a child's educational performance.

Deaf-blindness

Hearing and visual impairments occurring together. The combination causes such severe communication and other developmental and educational problems that the child with deaf-blindness cannot be accommodated in special education programs designed only for children with deafness or only for children with blindness.

Deafness

A hearing impairment that is so severe that the child is unable to process language through hearing, with or without amplification, and the child's educational performance is affected.

Emotional Disturbance

A condition showing one or more of the following characteristics over a long period of time and to a degree that it affects a child's educational performance, resulting in:

- An inability to learn that cannot be explained by intellectual, sensory or health factors;
- An inability to build or maintain satisfactory relationships with peers and teachers;

- Inappropriate types of behavior or feelings under normal circumstances;
- A general pervasive mood of unhappiness or depression; or
- A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have a serious emotional disturbance.

Hearing Impairment

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.

Multiple Disabilities

Impairments that occur simultaneously (such as cognitive disability-blindness and cognitive disability-orthopedic impairment), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic Impairment

A severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis) and impairments from other causes (e.g., cerebral palsy, amputation and fractures or burns that cause contractures).

Other Health Impairment

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 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 or sickle cell anemia and