



OSEP *IDEA*, PART B DATA DICTIONARY

(revised April 2010)

**OFFICE OF SPECIAL EDUCATION PROGRAMS
U.S. DEPARTMENT OF EDUCATION**

PREPARED BY:

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Under *Grant Award #H373Y070002* to Westat

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INTRODUCTION

DAC, under a grant to Westat from the Office of Special Education Programs (OSEP), provides technical assistance in the collection of data for programs authorized under *IDEA*. One of the areas of assistance requested by states was a dictionary of terms that appear in the annual data collection forms.

This Data Dictionary includes terms used in data forms or in the instructions for the forms for the collection of Part B data, specifically:

1. Child Count (Table 1)
2. Personnel (Table 2)
3. Educational Environments (Table 3)
4. Exiting Special Education (Table 4)
5. Discipline (Table 5)
6. Assessment (Table 6)
7. Dispute Resolution (Table 7)

The terms are in alphabetical order. A notation at the bottom of each page indicates the form in which the term is used. When a definition contains other terms that are defined in the dictionary, those terms appear in italicized print.

The terms used on the individual tables are listed on pages ii through viii. The list on pages ix through xi contains terms that appear on multiple tables.

Definitions in this dictionary take precedence over those provided in previous dictionaries. This dictionary reflects the 2004 Amendments to *IDEA*.

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Age

Age is a child's actual age in years on the date of the child count: the state-designated date between October 1 and December 1 (inclusive) of the current school year (i.e., a child who is 6 years, 11 months old will be counted as 6 years old).

Source

34 Code of Federal Regulations §300.641(b)

The above-defined term appears on the following tables:

Child Count
Personnel
Educational Environments
Exiting Special Education
Discipline
Assessment

Alternate assessment

A way to measure the performance of students who are unable to participate in general large-scale assessments even with accommodations. The student's *individualized education program (IEP)* team makes the determination of whether a student is unable to take the *regular assessment*.

Source

34 Code of Federal Regulations §200.6(a)(2)

The above-defined term appears on the following table:

Assessment

Alternate assessment based on alternate academic achievement standards

A way to measure the academic achievement of students with the most significant cognitive disabilities. These assessments may yield results that measure the achievement standards that the state has defined under 34 Code of Federal Regulations §200.1(d).

Source

34 Code of Federal Regulations §200.6(a)(2)(ii)(B)

The above-defined term appears on the following table:

Assessment

Alternate assessment based on grade-level academic achievement standards

A way to measure the academic achievement of students with disabilities based on the same grade-level achievement standards measured by the state's *regular assessments*. Such assessments are available to students who the IEP team determines cannot participate in all or part of the state assessments under paragraph (a)(1) of 34 Code of Federal Regulations §200.6(a)(1), even with appropriate accommodations. These assessments must yield results for the grade in which the student is enrolled in at least reading/language arts, mathematics, and, beginning in the 2007-08 school year, science, except as provided in 34 Code of Federal Regulations §200.6(a)(2)(ii)(B).

Source

34 Code of Federal Regulations §200.6(a)(2)(ii)(A)

The above-defined term appears on the following table:

Assessment

Alternate assessment based on modified academic achievement standards

A way to measure the academic achievement of students with disabilities who access the general grade-level curriculum, but whose disabilities have precluded them from achieving grade-level proficiency and who (as determined by the *IEP* team) are not expected to achieve grade-level proficiency within the year covered by the *IEP*.

Source

34 Code of Federal Regulations §200.6(a)(3) and §300.160(c)

The above-defined term appears on the following table:

Assessment

American Indian or Alaska Native

A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Asian

A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. (Does not include persons of Hispanic/Latino ethnicity.)

Source

Federal Register Vol. 72, No. 202

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Asian or Pacific Islander

A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, Vietnam, Hawaii, Guam, and Samoa.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Assessment type

Types of assessments are: *regular; alternate based on grade-level academic achievement standards; alternate based on modified academic achievement standards; and alternate based on alternate academic achievement standards.*

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Audiologist

Personnel who provide the following services:

- “(i) Identification of children with hearing loss;
- (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
- (iii) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;
- (iv) Creation and administration of programs for prevention of hearing loss;
- (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and
- (vi) Determination of the children’s needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.”

Source

34 Code of Federal Regulations §300.34(c)(1)

The above-defined term appears on the following table:

Personnel

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 an emotional disturbance, as defined in paragraph (c)(4) of this section. 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.”

Source

34 Code of Federal Regulations §300.8(c)(1)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Basis of exit

The reason the student has left *special education* or the school system.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Black (not Hispanic)

A person having origins in any of the Black racial groups of Africa.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Black or African American

A person having origins in any of the Black racial groups of Africa. (Does not include persons of Hispanic/Latino ethnicity.)

Source

Federal Register Vol. 72, No. 202

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Certificate of completion or modified diploma

A certificate or diploma signifying the completion of the IEP or a secondary *educational program* which is other than a *high school diploma*. This includes any alternative degree that is not fully aligned with the state's academic standards, such as a certificate or a *general educational development credential (GED)*, so long as the student remained continuously enrolled in the secondary educational program.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Change of placement ordered

The hearing officer's written decision in an *expedited due process hearing fully adjudicated* ordering a change in placement of a child with a disability to an *appropriate interim alternative educational setting*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Complaint pending

A written, signed complaint that is either still under investigation, or the *SEA's* report is not complete.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Complaint pending a due process hearing

A written, signed complaint in which one or more of the allegations in the complaint are the subject of a *due process complaint* that has not been resolved.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Complaint with report issued

A written decision was provided by the *SEA* to the complainant and public agency regarding alleged violations of a requirement of Part B of *IDEA*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Complaint withdrawn or dismissed

A written, signed complaint that was withdrawn by the complainant for any reason or that was determined by the *SEA* to be resolved by the complainant and the public agency through mediation or other dispute resolution means, and no further action by the *SEA* was required to resolve the complaint; or a complaint dismissed by the *SEA* for any reason, including that the complaint does not include all required content.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Consulting teacher

Teacher who does not deliver direct instructional services to children and students with disabilities, but who provides services to *special education* teachers and regular education teachers.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Correctional facility

Students receiving *special education* in *short-term detention facilities* (community-based or residential) or *correctional facilities*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Counselor

A counselor “guides individuals, families, groups, and communities by assisting them in problem solving, decision making, discovering meaning, and articulating goals related to personal, educational and career development.”

Source

Non-regulatory definition adapted from NCES – *The Student and Staff Data Handbook, 2001*

The above-defined term appears on the following table:

Personnel

Count date

State-designated date between October 1 and December 1 (inclusive) of the current school year.

Source

34 Code of Federal Regulations §300.641(a)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Personnel

Dangerous weapon

“. . . 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 such a term does not include a pocket knife with a blade of less than 2 1/2 inches in length.”

Source

18 U.S.C. §930(g)(2)

The above-defined term appears on the following table:

Discipline

Deaf-blindness

“ . . . concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.”

Source

34 Code of Federal Regulations §300.8(c)(2)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Deafness

“. . . a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child’s educational performance.”

Children and students with deafness are counted in the *hearing impairment* category.

Source

34 Code of Federal Regulations §300.8(c)(3)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Decision within extended timeline

The written decision from a *hearing (fully adjudicated)* was provided to the parties in the hearing more than 45 days after the end of the *resolution period*, but within a specific time extension granted by the hearing or reviewing officer at the request of either party.

Source

34 Code of Federal Regulations §300.532(c)(2)

The above-defined term appears on the following table:

Dispute Resolution

Decision within timeline

The written decision from a *hearing fully adjudicated* was provided to the parties in the *due process hearing* not later than 45 days after the expiration of the *resolution period* or in the case of an *expedited due process complaint*, provided no later than 10 school days after the due process hearing, which must occur within 20 school days of the date the *expedited due process complaint* is filed.

Source

34 Code of Federal Regulations §300.532(c)(2)

The above-defined term appears on the following table:

Dispute Resolution

Developmental delay

States may use *developmental delay* to report children ages 3 through 9 (or any subset of that age range). The category includes 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.”

A state using the term developmental delay

- “ . . . (b)(1)determines whether the term applies to children aged 3 through 9, or to a subset of that age range (e.g., ages 3 through 5).
- (2) A State may not require an LEA to adopt and use the term developmental delay for any children within its jurisdiction.
- (3) 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.
- (4) 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.”

Source

34 Code of Federal Regulations §300.8(b); 300.111(b)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Discipline

Died

Students with disabilities who died.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Disciplinary removal

Any instance in which a child is removed from his/her educational placement for disciplinary purposes, including *in-school suspension*, *out-of-school suspension*, *expulsion*, removal by school personnel to an *interim alternative educational setting* for illegal drug, controlled substance, or *weapon offenses* or *serious bodily injury*, and *removal by hearing officer* for likely injury to self or others.

Source

34 Code of Federal Regulations §300.530 and §300.532(b)(2)(ii)

The above-defined term appears on the following table:

Discipline

Dropped out

Students with disabilities who were enrolled at the start of the reporting period, were not enrolled at the end of the reporting period, and did not exit *special education* through any other basis described (*transferred to regular education; graduated with diploma; received a certificate; reached maximum age; died; or moved, known to be continuing*). This includes dropouts, runaways, *GED* recipients (in cases where students are required to drop out of the secondary educational program in order to pursue the *GED* certificate), *expulsions*, status unknown, students who moved and are not known to be continuing in another *educational program*, and other exiters.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Drug offenses

The use, possession, sale, or solicitation of drugs as identified in 21 U.S.C. §812 (listed below); this does not include use, possession, sale, or solicitation of alcohol or tobacco.

“(a) Establishment

There are established five schedules of controlled substances, to be known as schedules I, II, III, IV, and V. Such schedules shall initially consist of the substances listed in this section. The schedules established by this section shall be updated and republished on a semiannual basis during the two-year period beginning one year after October 27, 1970, and shall be updated and republished on an annual basis thereafter.

(b) Placement on schedules; findings required

Except where control is required by United States obligations under an international treaty, convention, or protocol, in effect on October 27, 1970, and except in the case of an immediate precursor, a drug or other substance may not be placed in any schedule unless the findings required for such schedule are made with respect to such drug or other substance. The findings required for each of the schedules are as follows:

(1) Schedule I.--

- (A) The drug or other substance has a high potential for abuse.
- (B) The drug or other substance has no currently accepted medical use in treatment in the United States.
- (C) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

(2) Schedule II.--

- (A) The drug or other substance has a high potential for abuse.
- (B) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- (C) Abuse of the drug or other substances may lead to severe psychological or physical dependence.

(continued)

Drug offenses (continued)

(3) Schedule III.--

(A) The drug or other substance has a potential for abuse less than the drugs or other substances in schedules I and II.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

(4) Schedule IV.--

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule III.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

(5) Schedule V.--

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule IV.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule IV.

c) Initial schedules of controlled substances

Schedules I, II, III, IV, and V shall, unless and until amended¹ pursuant to section 811 of this title, consist of the following drugs or other substances, by whatever official name, common or usual name, chemical name, or brand name designated:

(continued)

¹ Revised schedules are published in the Code of Federal Regulations, Part 1308 of Title 21, Food and Drugs.

Drug offenses (continued)

Schedule I

(a) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- | | |
|--------------------------------------|--------------------------|
| (1) Acetylmethadol. | (22) Etonitazene. |
| (2) Allyprodine. | (23) Etoxidine. |
| (3) Alphacetylmethadol. ² | (24) Furethidine. |
| (4) Alphameprodine. | (25) Hydroxypethidine. |
| (5) Alphamethadol. | (26) Ketobemidone. |
| (6) Benzethidine. | (27) Levomoramide. |
| (7) Betacetylmethadol. | (28) Levophenacymorphan. |
| (8) Betameprodine. | (29) Morpheridine. |
| (9) Betamethadol. | (30) Noracymethadol. |
| (10) Betaprodine. | (31) Norlevorphanol. |
| (11) Clonitazene. | (32) Normethadone. |
| (12) Dextromoramide. | (33) Norpipanone. |
| (13) Dextrorphan. | (34) Phenadoxone. |
| (14) Diampromide. | (35) Phenampromide. |
| (15) Diethylthiambutene. | (36) Phenomorphan. |
| (16) Dimenoxadol. | (37) Phenoperidine. |
| (17) Dimepheptanol. | (38) Piritramide. |
| (18) Dimethylthiambutene. | (39) Propheptazine. |
| (19) Dioxaphetyl butyrate. | (40) Properidine. |
| (20) Dipipanone. | (41) Racemoramide. |
| (21) Ethylmethylthiambutene. | (42) Trimeperidine. |

(b) Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salt of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(continued)

² So in original. Probably should be "Alphacetylmethadol."

Drug offenses (continued)

- | | |
|----------------------------|--------------------------------|
| (1) Acetorphine. | (12) Methylidesorphine. |
| (2) Acetyldihydrocodeine. | (13) Methylhydromorphine. |
| (3) Benzylmorphine. | (14) Morphine methylbromide. |
| (4) Codeine methylbromide. | (15) Morphine methylsulfonate. |
| (5) Codeine-N-Oxide. | (16) Morphine-N-Oxide. |
| (6) Cyprenorphine. | (17) Myrophine. |
| (7) Desomorphine. | (18) Nicocodeine. |
| (8) Dihydromorphine. | (19) Nicomorphine. |
| (9) Etorphine. | (20) Normorphine. |
| (10) Heroin. | (21) Pholcodine. |
| (11) Hydromorphanol. | (22) Thebacon. |

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- | | |
|--|--------------------------------------|
| (1) 3,4-methylenedioxyamphetamine. | (9) Lysergic acid diethylamide. |
| (2) 5-methoxy-3,4-methylenedioxy
amphetamine. | (10) Marihuana. |
| (3) 3,4,5-trimethoxyamphetamine. | (11) Mescaline. |
| (4) Bufotenine. | (12) Peyote. |
| (5) Diethyltryptamine. | (13) N-ethyl-3-piperidyl benzilate. |
| (6) Dimethyltryptamine. | (14) N-methyl-3-piperidyl benzilate. |
| (7) 4-methyl-2, 5-diamethoxyamphetamine. | (15) Psilocybin. |
| (8) Ibogaine. | (16) Psilocyn. |
| | (17) Tetrahydrocannabinols. |

Schedule II

(a) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate.
- (2) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (1), except that these substances shall not include the isoquinoline alkaloids of opium.
- (3) Opium poppy and poppy straw.

(continued)

Drug offenses (continued)

(4) coca³ leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine, its salts, optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the substances referred to in this paragraph.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- | | |
|--|--|
| (1) Alphaprodine. | (14) Pethidine. |
| (2) Anileridine. | (15) Pethidine-Intermediate-A,
4-cyano-1-methyl-
4-phenylpiperidine. |
| (3) Bezitramide. | (16) Pethidine-Intermediate-B,
ethyl-4-phenylpiperidine-
4-carboxylate. |
| (4) Dihydrocodeine. | (17) Pethidine-Intermediate-C,
1-methyl-4-
phenylpiperidine-4-
carboxylic acid. |
| (5) Diphenoxylate. | (18) Phenazocine. |
| (6) Fentanyl. | (19) Piminodine. |
| (7) Isomethadone. | (20) Racemethorphan. |
| (8) Levomethorphan. | (21) Racemorphan. |
| (9) Levorphanol. | |
| (10) Metazocine. | |
| (11) Methadone. | |
| (12) Methadone-Intermediate,
4-cyano-2-dimethylamino-4,
4-diphenyl butane. | |
| (13) Moramide-Intermediate,
2-methyl-3-morpholino-1
1-diphenylpropane-carboxylic acid. | |

(c) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.

Schedule III

(a) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.

(continued)

³ So in original. Probably should be capitalized.

Drug offenses (continued)

Schedule III

(a) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.
- (2) Phenmetrazine and its salts.
- (3) Any substance (except an injectable liquid) which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.
- (4) Methylphenidate.

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- | | |
|---|---------------------------|
| (1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid. | (4) Lysergic acid. |
| (2) Chorhexadol. | (5) Lysergic acid amide. |
| (3) Glutehimide. | (6) Methyprylon. |
| | (7) Phencyclidine. |
| | (8) Sulfondiethylmethane. |
| | (9) Sulfonethylmethane. |
| | (10) Sulfonmethane. |

(c) Nalorphine.

(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

- (1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.
- (2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, non-narcotic ingredients in recognized therapeutic amounts.
- (3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(continued)

Drug offenses (continued)

(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(e) Anabolic steroids.

Schedule IV

(1) Barbital.
(2) Chloral betaine.
(3) Chloral hydrate.
(4) Ethchlorvynol.
(5) Ethinamate.
(6) Methohexital.

(7) Meprobamate.
(8) Methyphenobarbital.
(9) Paraldehyde.
(10) Petrichloral.
(11) Phenobarbital.

Schedule V

Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(continued)

Drug offenses (continued)

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.”

Source

21 U.S.C.

The above-defined term appears on the following table:

Discipline

Due process complaint

A filing by a parent or public agency to initiate an impartial *due process hearing* on matters relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of a *free appropriate public education* to the child.

Source

34 Code of Federal Regulations §303.423

The above-defined term appears on the following table:

Dispute Resolution

Due process complaint pending

A due process complaint wherein a due process hearing has not yet been scheduled or is scheduled but has not yet been held.

Source

34 Code of Federal Regulations §303.423

The above-defined term appears on the following table:

Dispute Resolution

Due process complaint withdrawn or dismissed

A due process complaint that has not resulted in a fully adjudicated due process hearing. This includes due process complaints resolved through a mediation agreement or through a written settlement agreement, those settled by some other agreement between the parties (parent and public agency) prior to completion of the due process hearing, those withdrawn by the filing party, those determined by the hearing officer to be insufficient or without cause, and those not fully adjudicated for other reasons. This does not include due process complaints that are pending a due process hearing.

Source

34 Code of Federal Regulations §303.423

The above-defined term appears on the following table:

Dispute Resolution

Due process hearing (fully adjudicated)

A hearing officer conducted a hearing, reached a final decision regarding matters of law and fact, and issued a written decision to the parent and public agency.

Source

34 Code of Federal Regulations §303.512

The above-defined term appears on the following table:

Dispute Resolution

Educational environment

Educational environment is a classification that indicates the extent to which students and children with disabilities who are receiving services under *IDEA* Part B attend *educational programs* with their peers without disabilities. For children and students who do not attend *educational programs* with a majority of peers without disabilities, the educational environment reflects the setting in which they receive *special education* and *related services*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Educational placement

The location where a *special education* program is provided. For school-aged children, this location is one of the following: *regular school campus*, in which the student may be *inside the class* with his or her peers without disabilities for *more than 80% of the day, 79 to 40% of the school day, or less than 40% of the school day*; *separate school*; *residential facility*; *homebound/hospital*, *correctional facility*, or *private school*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Discipline

Educational program

The purposeful activities that occur during the school day.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Educational Environments
Exiting Special Education

Educational service agency

“ . . . the term educational service agency means --

- (a) A regional public multiservice agency –
 - (1) Authorized by State law to develop, manage, and provide services or programs to LEAs;
 - (2) Recognized as an administrative agency for purposes of the provision of special education and related services provided within public elementary schools and secondary schools of the State;
- (b) Includes any other public institution or agency having administrative control and direction over a public elementary school or secondary school; and
- (c) Includes entities that meet the definition of *intermediate educational unit* in section 602(23) of the Act as in effect prior to June 4, 1997.”

Source

34 Code of Federal Regulations §300.12

The above-defined term appears in:

The definition of Local Educational Agency
Educational Environments
Exiting Special Education

Emotional disturbance (previously termed serious emotional disturbance)

- “(i) 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).”

Source

34 Code of Federal Regulations §300.8(c)(4)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

ESEA 1% cap

A state may include in adequate yearly progress (AYP) calculations the proficient and advanced scores of students with disabilities assessed on *alternate academic achievement standards* provided the number of those scores does not exceed 1.0% of all students assessed in the respective grades specified.

Source

34 Code of Federal Regulations 200.13(c)(2)(i)

The above-defined term appears on the following table:

Assessment

ESEA 2% cap

A state and *LEA* may include in AYP calculations the proficient and advanced scores of students with disabilities assessed on *modified academic achievement standards* provided the number of those scores does not exceed 2.0% of all students assessed in the respective grades specified.

Source

34 Code of Federal Regulations 200.13(c)(2)(ii)

The above-defined term appears on the following table:

Assessment

ESEA adjusted 2% cap

In calculating AYP, a state's number of proficient and advanced scores of students with disabilities based on the *modified academic achievement standards* described in 34 Code of Federal Regulations §200.1(e)(1) may exceed 2.0% of all students assessed in the grades specified if the number of proficient and advanced scores from assessments based on the *alternate academic achievement standards* described in 34 Code of Federal Regulations §200.1(d) is less than 1.0%, provided the number of proficient and advanced scores from assessments based on *modified and alternate academic achievement standards* combined does not exceed 3.0% of all students assessed in the grades specified.

Source

34 Code of Federal Regulations 200.13(c)(3)

The above-defined term appears on the following table:

Assessment

Exempted students

In states where parental exemptions are permitted for all students, parents of students with disabilities can determine that their child will not participate in either the *regular* or *alternate* state *assessment*. These are exempted students.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Exit

Students who were in *special education* at the start of the 12-month reporting period and then graduate or leave *special education* by the end of the 12-month reporting year. Beginning in 2005-06, the 12-month reporting period is July 1 through June 30. The categories of cause of departure for counting purposes include students who:

1. *transferred to regular education,*
2. *graduated with a regular high school diploma,*
3. *received a certificate of completion/modified diploma/or some similar document,*
4. *reached maximum age for receipt of special education services,*
5. *died,*
6. *moved, known to be continuing,*
7. *dropped out.*

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Expedited due process complaint

A *due process complaint* filed by: (1) the parent of a child with a disability who disagrees with any decision regarding placement under 34 CFR §300.530(e); or (2) an *LEA* that believes maintaining the current placement of the child is substantially likely to result in injury to the child or others.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Expedited due process complaint pending

An *expedited due process complaint* wherein an *expedited due process hearing* has not yet been scheduled or is scheduled but has not yet been held.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Expedited due process complaint withdrawn or dismissed

An expedited due process complaint that has not resulted in an expedited fully adjudicated due process hearing. This includes expedited due process complaints resolved through a mediation agreement or through a written settlement agreement, those settled by some other agreement between the parties (parent and public agency) prior to completion of the expedited due process hearing, those withdrawn by the filing party, those determined by the hearing officer to be insufficient or without cause, and those not fully adjudicated for other reasons. This does not include expedited due process complaints that are pending an expedited due process hearing.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Expedited due process hearing (fully adjudicated)

A hearing officer conducted a *due process hearing* concerning an *expedited due process complaint*, reached a final decision regarding matters of law and fact, and issued a written decision to the parties about whether a change of placement is ordered.

Source

34 Code of Federal Regulations §300.532(c)

The above-defined term appears on the following table:

Dispute Resolution

Expulsion

An action taken by the *LEA* removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with *LEA* policy. Includes removals resulting from violations of the *Gun Free Schools Act* that are modified to fewer than 365 days.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Discipline

Free appropriate public education (FAPE)

“ . . . *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*, including the requirements of this part;
- (c) Include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- (d) Are provided in conformity with an *individualized education program (IEP)* that meets the requirements of §§300.320-300.324.”

Source

34 Code of Federal Regulations §300.17

The above-defined term appears on the following table:

Educational Environments

Full-time equivalency (FTE)

Calculation of the time reported for each type of personnel. Full-time employees are reported as 1.0 *FTE*. Part-time employees are reported according to the amount of time they work. For example, a half-time employee is reported as 0.5 *FTE*, and a quarter-time employee is reported as 0.25 *FTE*. A part-time resource room teacher working 4 hours per day (in a 6-hour school day) is a .67 *FTE*. If the teacher has 30 students, and 15 have *specific learning disabilities*, 9 have *mental retardation*, and 6 have *emotional disturbance*, multiply the .67 by the percentage of students with each disability condition to get the final *FTEs*.

<i>Specific learning disabilities</i>	.5 x .67 = .34 FTE
<i>Mental retardation</i>	.3 x .67 = .20 FTE
<i>Emotional disturbance</i>	.2 x .67 = .13 FTE

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Fully certified

Fully certified refers to *qualified* personnel. The term also refers to:

1. Staff who hold appropriate certification and licensure for the position held,
2. Staff in personnel categories that do not require certification or licensure if the staff meet existing state standards or requirements for the position they hold, and
3. Staff in positions for which no state standards or requirements exist.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Gender

Classification of the student based on sex—male or female.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Educational Environments
Exiting Special Education
Discipline

Grade level

The grade (K-12) assigned to the student by the school system in which the student is enrolled.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Graduated with a regular high school diploma

Students with disabilities who exited an *educational program* through receipt of a *high school diploma* identical to that for which students without disabilities are eligible. These are students who met the same standards for graduation as those for students without disabilities. As defined in 34 CFR §300.102(a)(3)(iv), “the term *regular high school diploma* does not include an alternative degree that is not fully aligned with the State’s academic standards, such as a certificate or a general educational development credential (GED).”

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Hearing (fully adjudicated)

A hearing officer conducted a *due process hearing*, reached a final decision regarding matters of law and fact, and issued a written decision to the parties.

Source

Non-regulatory term developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

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.”

Although children and students with *deafness* are not included in the definition of *hearing impairment*, they are counted in the *hearing impairment* category under the definition for “child with a disability.”

Source

34 Code of Federal Regulations §300.8(c)(5) and §300.8(a)(1)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Hearing officer determination regarding likely injury

- (1) “A hearing officer under §300.511 hears, and makes a determination regarding an appeal under paragraph (a) of this section.
- (2) In making the determination under paragraph (b)(1) of this section, the hearing officer may—...
 - (ii) order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.”

Source

34 Code of Federal Regulations §300.532(b)

The above-defined term appears on the following table:

Discipline

High school diploma

A legally recognized document certifying the completion of high school education.

“(iv) As used in paragraphs (a)(3)(i) through (a)(3)(iii) of this section, the term *regular high school diploma* does not include an alternative degree that is not fully aligned with the State's academic standards, such as a certificate or a general educational development credential (GED).”

Source

34 Code of Federal Regulations §300.102(a)(3)(iv)

The above-defined term appears on the following table:

Exiting Special Education

Highly qualified

“(a) *Requirements for special education teachers teaching core academic subjects.* For any public elementary or secondary school special education teacher teaching core academic subjects, the term *highly qualified* has the meaning given the term in section 9101 of the *ESEA* and 34 CFR 200.56, except that the requirements for highly qualified also—

- (1) Include the requirements described in paragraph (b) of this section; and
- (2) Include the option for teachers to meet the requirements of section 9101 of the *ESEA* by meeting the requirements of paragraphs (c) and (d) of this section.

(b) *Requirements for special education teachers in general.*—When used with respect to any public elementary school or secondary school special education teacher teaching in a State, [such term] means that—

- (i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, [the term] means that the teacher meets the certification and licensing requirements set forth, if any, in the State’s public charter school law;
- (ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary or provisional basis; and
- (iii) the teacher holds at least a bachelor’s degree.”

Source

34 Code of Federal Regulations §300.18(a) and §300.18(b)(1)

The above-defined term appears on the following table:

Personnel

Hispanic

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Source

Federal Register Vol. 72, No. 202

The above defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Home

Unduplicated total who received special education and related services in the principal residence of the child's family or caregivers and who did not attend an early childhood program or a special education program provided in a separate class, separate school, or residential facility. Include children who receive special education both at home and in a service provider location. The term caregiver includes babysitters.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Homebound/hospital

Unduplicated total of 6- to 21-year-old students who received *education programs* in *homebound/hospital* environment includes children with disabilities placed in and receiving *special education* and *related services* in *hospital* programs, or *homebound* programs. Does not include children with disabilities whose parents have opted to home-school them and who receive *special education* at the public expense.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

In the regular early childhood program less than 40 percent of time

Educational environments category for 3- to 5-year-old children receiving *special education* and *related services*—Unduplicated total who attend an *early childhood program* and were in the *early childhood program* for less than 40% of time. When determining the percentage of time the child spends in a regular *early childhood program*, the numerator for the calculation is the amount of time per week the child spends in a regular *early childhood program*. The denominator is the total number of hours the child spends in a regular *early childhood program* PLUS any time the child spends receiving *special education* and *related services* outside of a regular *early childhood program*. The result is multiplied by 100.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

In the regular early childhood program 40 percent to 79 percent of time

Educational environments category for 3- to 5-year-old children receiving *special education* and *related services*—*Unduplicated* total who attended an *early childhood program* and were in the *early childhood program* for no more than 79% but no less than 49% of time. When determining the percentage of time the child spends in a regular *early childhood program*, the numerator for the calculation is the amount of time per week the child spends in a regular *early childhood program*. The denominator is the total number of hours the child spends in a regular *early childhood program* PLUS any time the child spends receiving *special education* and *related services* outside of a regular *early childhood program*. The result is multiplied by 100.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

In the regular early childhood program at least 80 percent of time

Educational environments category for 3- to 5-year-old children receiving *special education* and *related services*—Unduplicated total who attended an *early childhood program* and were in the *early childhood program* for at least 80% of time. When determining the percentage of time the child spends in a regular *early childhood program*, the numerator for the calculation is the amount of time per week the child spends in a regular *early childhood program*. The denominator is the total number of hours the child spends in a regular *early childhood program* PLUS any time the child spends receiving *special education* and *related services* outside of a regular *early childhood program*. The result is multiplied by 100.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Individualized education program (IEP)

“ . . . a written statement for each child with a disability that is developed, reviewed, and revised in accordance with §§300.320 through 300.324, and that must include--

(1) a statement of the child’s present levels of academic achievement and functional performance, including--

(i) how the child’s disability affects the child’s involvement and progress in the general education curriculum or;

(ii) for preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities;

(2)(i) a statement of measurable annual goals, including academic and functional goals, designed to--

(A) meet the child’s needs that result from the child’s disability to enable the child to be involved in and make progress in the general education curriculum; and

(B) meet each of the child’s other educational needs that result from the child’s disability;

(ii) For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

(3) a description of how the child’s progress toward meeting the annual goals described in paragraph (2) will be measured; and (ii) when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

(4) a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child--

(i) to advance appropriately toward attaining the annual goals;

(ii) to be involved in and make progress in the general ed curriculum in accordance with paragraph (a)(1) and to participate in extracurricular and other nonacademic activities; and

(iii) to be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

(continued)

Individualized education program (IEP) (continued)

(5) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(y) of this section;

(6) (i) a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and

(ii) if the IEP team determines that the child shall take an alternate assessment on a particular State or districtwide assessment of student achievement, a statement of why--

(A) the child cannot participate in the regular assessment; and

(B) the particular alternate assessment selected is appropriate for the child;

(7) the projected date for the beginning of the services and modifications described in paragraph (a)(y) of this section, and the anticipated frequency, location, and duration of those services and modifications; and

(b) Transition services, 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.”

Source

34 Code of Federal Regulations §300.320(a) and (b)

The above-defined term appears on the following tables:

Child Count
Exiting Special Education
Discipline
Assessment

In-school suspension

Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel, including but not limited to children who are receiving the services in their *IEP*, appropriately participate in the general curriculum, and participate with children without disabilities to the extent they would have in their regular placement. Direct supervision means school personnel are physically in the same location as students under their supervision.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Discipline

Interim alternative educational setting

A setting determined by the child's *IEP* team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services so as to enable the child to continue to participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the *IEP*. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

Source

34 Code of Federal Regulations §300.530

The above-defined term appears on the following table:

Discipline

Interpreters

Personnel who (1) provide translation between spoken and manual (sign language) communication; (2) translate spoken material into sign language for hearing impaired students; and (3) interpret sign language of hearing impaired students into oral language for hearing individuals or others not conversant in sign language.

Source

Non-regulatory definition adapted from *Dictionary of Occupational Titles*, Fourth Edition, Revised 1991

The above-defined term appears on the following table:

Personnel

Invalid results

Assessment results that cannot be used for reporting assessment performance to OSEP/ED due to problems in the testing process and/or changes in testing materials that resulted in a score deemed by the state to be incomparable to scores received by students who took the assessment without these changes.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

LEA—Local educational agency

- “(a) . . . a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools.
- (b) *Educational service agencies* and other public institutions or agencies. The term includes--
- (1) An educational service agency, as defined in Sec. 300.12;
 - (2) Any other public institution or agency having administrative control and direction of a public elementary or secondary school, including a public nonprofit charter school that is established as an LEA under State law.
- (c) BIA funded schools. The term includes an elementary or secondary school funded by the Bureau of Indian Affairs, and not subject to the jurisdiction of any SEA other than the Bureau of Indian Affairs, but only to the extent that the inclusion makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the school does not have a student population that is smaller than the student population of the LEA receiving assistance under the Act with the smallest student population.”

Note: BIA is now the Bureau of Indian Education (BIE).

Source

34 Code of Federal Regulations §300.28

The above-defined term appears on the following tables:

Child Count
Personnel
Educational Environments
Exiting Special Education
Discipline

Limited English proficient

“The term ‘limited English proficient,’ when used with respect to an individual, means an individual -

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)
 - (i) who was not born in the United States or whose native language is a language other than English;
 - (ii)
 - (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual -
 - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.”

Source

20 U.S.C. §7801(25)

The above-defined term appears on the following tables:

Educational Environments
Exiting Special Education
Discipline

Maximum age

The upper age mandate for providing *special education* and *related services* as defined by state law, practice, or court order.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Mediation agreement

A written, legally binding agreement signed by a parent and a representative of the public agency who has the authority to bind the public agency that specifies the resolution of any issues in the dispute that were reached through the mediation process. A *mediation agreement* that fully or partially resolves issues in dispute is included in “*mediation agreement*.”

Source

34 Code of Federal Regulations §303.506

The above-defined term appears on the following table:

Dispute Resolution

Mediation held

A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency involving any matter under Part B of *IDEA* or 34 CFR Part 300 and that concluded with or without a written *mediation agreement* between the parties.

Source

34 Code of Federal Regulations §300.506(a)

The above-defined term appears on the following table:

Dispute Resolution

Mediation held not related to due process complaint

A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was not initiated by the filing of a *due process complaint* or did not include issues that were the subject of a *due process complaint*.

Source

34 Code of Federal Regulations §303.506

The above-defined term appears on the following table:

Dispute Resolution

Mediation held related to due process

A process conducted by a qualified and impartial mediator to resolve a disagreement between a parent and public agency that was initiated by the filing of a *due process complaint* or included issues that were the subject of a *due process complaint*.

Source

34 Code of Federal Regulations §300.506(a)

The above-defined term appears on the following table:

Dispute Resolution

Mediation not held (including pending)

A request for mediation that did not result in a mediation being conducted by a qualified and impartial mediator. This includes *mediation requests* that were withdrawn, *mediation requests* that were dismissed, requests where one party refused to mediate, requests that were settled by some agreement other than a *mediation agreement* between the parties, and requests that were pending as of the end of the reporting period.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Mediation pending

A request for mediation that has not yet been scheduled or is scheduled but has not yet been held.

Source

34 Code of Federal Regulations §300.506

The above-defined term appears on the following table:

Dispute Resolution

Mediation request

A request by a party to a dispute involving any matter under Part B of *IDEA* for the parties to meet with a qualified and impartial mediator to resolve the dispute(s).

Source

34 Code of Federal Regulations §300.506

The above-defined term appears on the following table:

Dispute Resolution

Medical emergency exemption

In cases where a student cannot be assessed at any time during the testing window due to a significant medical emergency (e.g., a student is hospitalized due to an accident), the medical emergency should be documented, and the state has the option of omitting the student from the participation rate calculation for AYP reporting under *ESEA*. States are responsible for determining what constitutes a significant medical emergency. States are expected to provide sufficiently wide testing “windows” that, if a student misses an assessment due to brief absence for medical reasons, the student can take a make-up test, in order to ensure that every student has an opportunity to participate in assessments. For further guidance on this issue see <http://www.ed.gov/policy/elsec/guid/stateletters/prates.html>.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Assessment

Medical/nursing service personnel

A licensed physician who provides medical services to determine a child's medically related disability that results in the child's need for *special education* and *related services*. Also includes school nurses who provide nursing services designed to enable a child with a disability to receive *FAPE* as described in the child's *IEP*, with the exception of the optimization, mapping, or replacement of medical devices that are surgically implanted (e.g., cochlear implants).

Source

34 Code of Federal Regulations §300.34(b)(1) and (c)(5)

The above-defined term appears on the following table:

Personnel

Mental retardation

“ . . . significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child’s educational performance.”

Source

34 Code of Federal Regulations §300.8(c)(6)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Moved, known to be continuing

Students with disabilities who moved out of the catchment area or otherwise transferred to another district and are *known to be continuing* in an educational program. There need not be evidence that the student is continuing in *special education*, only that he/she is continuing in an *educational program*. This definition includes students with disabilities in residential drug/alcohol rehabilitation centers, *correctional facilities*, or charter schools if those facilities operate as separate districts, excluding normal matriculation.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Multiple disabilities

“ . . . concomitant impairments (such as mental retardation-blindness or mental retardation-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.” [The term] does not include *deaf-blindness*.

Source

34 Code of Federal Regulations §300.8(c)(7)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Native Hawaiian or Other Pacific Islander

A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. (Does not include persons of Hispanic/Latino ethnicity.)

Source

Federal Register Vol. 72, No. 202

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Non-participants

Students with *IEPs* who did not take an assessment or who did not obtain a valid score.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Not fully certified

Not fully certified refers to personnel employed or contracted who were employed on an emergency, provisional, or other basis and who do not hold standard state certification or licensure for the position to which they are assigned or do not meet other existing state requirements for the position held. This also includes long-term substitutes.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Occupational therapist

Personnel who provide the following:

- “(A) Improving, developing or restoring functions impaired or lost through illness, injury, or deprivation;
- (B) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and
- (C) Preventing, through early intervention, initial or further impairment or loss of function.”

Source

34 Code of Federal Regulations §300.34(c)(6)

The above-defined term appears on the following table:

Personnel

Orientation and mobility specialists

Personnel who provide the following:

- (i) “Services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community;” and
- (ii) Includes teaching children the following, as appropriate:
 - (A) “Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);
 - (B) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision;
 - (C) To understand and use remaining vision and distance low vision aids; and
 - (D) Other concepts, techniques, and tools.”

Source

34 Code of Federal Regulations §300.34(c)(7)

The above-defined term appears on the following table:

Personnel

Orthopedic impairment

“ . . . a severe orthopedic impairment that adversely affects a child’s educational performance. The term includes impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).”

Source

34 Code of Federal Regulations §300.8(c)(8)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

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--

- (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.”

Source

34 Code of Federal Regulations §300.8(c)(9)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Other instructional personnel

Staff members, other than *special education* classroom teachers, who are employed to provide *special education* instruction to children and students with disabilities. This includes *special education* music teachers and *special education* art teachers. This does not include regular education personnel who work with children and students with disabilities.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Out-of-grade-level test

An assessment taken at a grade level below which the student is currently enrolled. Students who are tested out of level are, for the purpose of this report, considered to be non-participants because out-of-grade-level tests do not result in a valid score. Note that out-of-level testing is not permitted, as specified in 34 CFR §200.1(b)(2). This data element is included in this collection only to ensure that all students with *IEPs* are fully accounted for. States are expected to eliminate this practice as required by statute.

Source

Non-regulatory definition developed by OSEP for data collection
68 *Federal Register* 68698, 68700.

The above-defined term appears on the following table:

Assessment

Out-of-school suspension

Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., *home*, behavior center). This includes both removals in which no *IEP* services are provided because the removal is 10 school days or less as well as removals in which the child continues to receive educational services according to his/her *IEP*, a functional behavioral assessment, and behavioral intervention services and modifications.

Source

34 Code of Federal Regulations 300.530

The above-defined term appears on the following table:

Discipline

Parent

- “(a) Parent means--
- (1) A biological or adoptive parent of a child;
 - (2) A foster parent, unless State law, regulations, or contractual obligations with a State or local entity prohibit a foster parent from acting as a parent;
 - (3) 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);
 - (4) 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
 - (5) A surrogate parent who has been appointed in accordance with §300.519 or section 639(a)(5) of the Act.
- (b) (1) Except as provided in paragraph (b)(2) of this section, the biological or adoptive parent, when attempting to act as the parent under this part and when more than one party is qualified under paragraph (a) of this section 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.
- (2) If a judicial decree or order identifies a specific person or persons under paragraphs (a)(1) through (4) of this section to act as the ‘parent’ of a child or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the ‘parent’ for purposes of this section.”

Source

34 Code of Federal Regulation §300.30

The above-defined term appears on the following tables:

Educational Environments
Assessment

Parental opt out

In states where permitted for all students, parents of students with disabilities can determine that their child will not participate in either the regular or alternate state assessment. These students are not counted as participants.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Parentally placed in private schools

Unduplicated total who have been enrolled by their parents or guardians in regular parochial or other private schools and whose basic education is paid through private resources and who receive *special education* and *related services* at public expense from an *LEA* or intermediate educational unit under a service plan. Include children whose parents chose to home-school them, but who receive *special education* and *related services* at public expense. Do not include children who are placed in private schools by the *LEA*.

Source

34 Code of Federal Regulations §300.130

The above-defined term appears on the following table:

Educational Environments

Parochial school

A church-affiliated school.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Participants

Students with *IEPs* who took an assessment and obtained a valid score.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Physical education teacher

Personnel who provide special physical education, adaptive physical education, movement education, or motor development to children and students with disabilities.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Physical therapist

Personnel who provide the following services:

- (i) “Screening, evaluation, and assessment of children . . . to identify movement dysfunction;
- (ii) Obtaining, interpreting, and integrating information appropriate to program planning to prevent, alleviate, or compensate for movement dysfunction and related functional problems; and
- (iii) Providing individual and group services or treatment to prevent, alleviate, or compensate for movement dysfunction and related functional problems.”

Source

OSEP is adopting the definition used in Part C of *IDEA* at 34 Code of Federal Regulations §303.12(d)(9) for the purposes of developing a non-regulatory definition for data collection in Part B.

The above-defined term appears on the following table:

Personnel

Preschool teacher

Personnel who provide *special education* instruction to a group or class that:

1. Is taught during the year or years preceding the first grade,
2. Includes children 3 through 5 years old with disabilities, and
3. Excludes those providing strictly custodial care, i.e., noneducational services such as babysitting.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Psychologist

Certified, licensed, or otherwise qualified professional who provides the following services:

- “(i) Administering psychological and educational tests and other assessment procedures;
- (ii) Interpreting assessment results;
- (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
- (iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations; and
- (v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and
- (vi) Assisting in developing positive behavioral intervention strategies.”

Source

34 Code of Federal Regulations §300.34(c)(10)

The above-defined term appears on the following table:

Personnel

Qualified

“a) *General.* The SEA must establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

(b) *Related services personnel and paraprofessionals.* The qualifications under paragraph (a) of this section must include qualifications for related services personnel and paraprofessionals that—

(1) Are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and

(2) Ensure that related services personnel who deliver services in their discipline or profession—

(i) Meet the requirements of paragraph (b)(1) of this section; and

(ii) Have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

(iii) Allow paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, in meeting the requirements of this part to be used to assist in the provision of special education and related services under this part to children with disabilities.”

Source

34 Code of Federal Regulations §300.156

The above-defined term appears on the following table:

Personnel

Received a GED

Students with disabilities who receive a high school equivalency diploma through an adult education program.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

Recreation and therapeutic recreation specialists

Personnel who provide the following services:

- “(i) Assessment of leisure function;
- (ii) Therapeutic recreation services;
- (iii) Recreation programs in schools and community agencies; and
- (iv) Leisure education.”

Source

34 Code of Federal Regulations §300.34(c)(11)

The above-defined term appears on the following table:

Personnel

Regular assessment on grade-level academic achievement standards

“(a)(1) Each State, in consultation with its LEAs, must implement a system of high-quality, yearly student academic assessments that includes, at a minimum, academic assessments in mathematics, reading/language arts and, beginning in the 2007–08 school year, science.

(2)(i) The State may also measure the achievement of students in other academic subjects in which the State has adopted challenging academic content and student academic achievement standards.

(ii) If a State has developed assessments in other subjects for all students, the State must include students participating under subpart A of this part in those assessments.

(b) The assessment system required under this section must meet the following requirements:

(1) Be the same assessment system used to measure the achievement of all students in accordance with §200.3 or §200.4.

(2) Be designed to be valid and accessible for use by the widest possible range of students, including students with disabilities and students with limited English proficiency.

(3)(i) Be aligned with the State's challenging academic content and student academic achievement standards; and

(ii) Provide coherent information about student attainment of those standards.

(4)(i) Be valid and reliable for the purposes for which the assessment system is used; and

(ii) Be consistent with relevant, nationally recognized professional and technical standards.

(5) Be supported by evidence (which the Secretary will provide, upon request, consistent with applicable federal laws governing the disclosure of information) from test publishers or other relevant sources that the assessment system is—

(i) Of adequate technical quality for each purpose required under the Act; and

(ii) Consistent with the requirements of this section.

(6) Be administered in accordance with the timeline in §200.5.

(7) Involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding of challenging content.

(continued)

Regular assessment on grade-level academic achievement standards (continued)

(8) Objectively measure academic achievement, knowledge, and skills without evaluating or assessing personal or family beliefs and attitudes, except that this provision does not preclude the use of items—

(i) Such as constructed-response, short answer, or essay questions; or

(ii) That require a student to analyze a passage of text or to express opinions.

(9) Provide for participation in the assessment system of all students in the grades being assessed consistent with §200.6.

(10) Except as provided in §200.7, enable results to be disaggregated within each State, LEA, and school by—

(i) Gender;

(ii) Each major racial and ethnic group;

(iii) English proficiency status;

(iv) Migrant status as defined in Title I, part C of the *Elementary and Secondary Education Act* (hereinafter “the Act”);

(v) Students with disabilities as defined under section 602(3) of the *Individuals with Disabilities Education Act (IDEA)* as compared to all other students; and

(vi) Economically disadvantaged students as compared to students who are not economically disadvantaged.

(11) Produce individual student reports consistent with §200.8(a).

(12) Enable itemized score analyses to be produced and reported to LEAs and schools consistent with §200.8(b).”

Source

34 Code of Federal Regulations §200.2(a) and (b)

The above-defined term appears on the following table:

Assessment

Regular early childhood program

An early childhood program that includes at least 50 percent children without disabilities (i.e., children not on *IEPs*). This category may include, but is not limited to:

- Head Start;
- kindergartens;
- reverse mainstream classrooms;
- private preschools;
- preschool classes offered to an eligible pre-kindergarten population by the public school system; and
- group child care.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Regular school campus

A campus serving both students with and without disabilities (not serving predominantly students with disabilities).

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Rehabilitation counselor

Personnel who provide services “. . . in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with a disability by vocational rehabilitation programs funded under the *Rehabilitation Act* of 1973, as amended, 29 U.S.C. 701 et seq.”

Source

34 Code of Federal Regulations §300.34(c)(12)

The above-defined term appears on the following table:

Personnel

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, and 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.” The term also includes school health services and school nurse services, social work services in schools, and parent counseling and training.

“(b) Exception; services that apply to children with surgically implanted devices, including cochlear implants.”

Source

34 Code of Federal Regulations §300.34(a) and (b)

The above-defined term appears on the following tables:

Child Count
Personnel
Educational Environments

Removal by a hearing officer

- (i) “If a parent of a child with a disability disagrees with a placement decision under §300.532(6)(1), a hearing officer may--
 - (i) return a child with a disability to the placement from which the child was removed; or
 - (ii) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.”

Source

34 Code of Federal Regulations 300.532(b)(2)

The above-defined term appears on the following table:

Discipline

Report with findings of noncompliance

The written decision provided by the *SEA* to the complainant and public agency in response to a *written, signed complaint*, which finds the public agency to be out of compliance with one or more requirements of Part B of *IDEA* or 34 CFR Part 300.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Report within extended timeline

The written decision from the *SEA* was provided to the complainant and the *LEA* more than 60 days after the *written, signed complaint* was filed, but within an appropriately extended timeline. An appropriately extended timeline is an extension beyond 60 days that was granted due to exceptional circumstances that exist with respect to a particular complaint, or if the parent and the public agency involved agree to extend the time to engage in mediation, or if the individual or organization and the public agency involved agree to extend the time limit to engage in mediation or other alternative means of dispute resolution available under state procedures.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Report within timeline

The written decision from the *SEA* to the complainant and the *LEA* was provided not later than 60 days after receiving the *written, signed complaint*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

Residential facility (Preschool)

Unduplicated total who received education programs in publicly or privately operated *residential schools* or *residential medical facilities* on an inpatient basis.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Residential facility (School age)

Unduplicated total who received *educational programs* and lived in public or private *residential facilities* during the school week. This includes children with disabilities receiving *special education* and *related services*, at public expense, for greater than 50% of the school day in public or private *residential facilities*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Resolution meeting

A meeting, convened by *the local educational agency (LEA)*, between the parent(s) and school personnel to discuss the parent's *due process complaint* and the facts that form the basis of the *due process complaint* so that the LEA has the opportunity to resolve the dispute that is the basis for the *due process complaint*.

Source

34 Code of Federal Regulations §300.510(6)

The above-defined term appears on the following table:

Dispute Resolution

Resolution period

Thirty (30) days from the receipt by the *LEA* of the *due process complaint* unless the period is adjusted because: (1) both parties agree in writing to waive the *resolution meeting*; or, (2) after either the mediation or *resolution meeting* starts, but before the end of the 30-day period, the parties agree in writing that no agreement is possible; or, (3) if both parties agree in writing to continue the mediation at the end of the 30-day *resolution period*, but later, the parent or public agency withdraws from the mediation process.

Source

34 Code of Federal Regulations §510(b) and (c)

The above-defined term appears on the following table:

Dispute Resolution

Resolved without a hearing

A *due process complaint* that has not resulted in a *fully adjudicated hearing* and is also not under consideration by a hearing officer. This includes *due process complaints* resolved through a *mediation agreement* or through a *resolution meeting settlement agreement*, those settled by some other agreement between the parties (parent and public agency) prior to completion of the hearing, those withdrawn by the filing party, those rejected by the hearing officer as without cause, and those not fully adjudicated for other reasons.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Dispute Resolution

School day

- “(1) School day means any day, including a partial day, that children are in attendance at school for instructional purposes.
- (2) School day has the same meaning for all children in school, including children with and without disabilities.”

Source

34 Code of Federal Regulations §300.11(c)

The above-defined term appears on the following tables:

Educational Environments

School social worker

Certified, licensed, or otherwise *qualified* professional who provides the following services:

- “(i) Preparing a social or developmental history on a child with a disability;
- (ii) Group and individual counseling with the child and family;
- (iii) Working in partnership with parents and others on those problems in a child’s living situation (home, school, and community) that affect the child’s adjustment in school;
- (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and
- (v) Assisting in developing positive behavioral intervention strategies.”

Source

34 Code of Federal Regulations §300.34(c)(14)

The above-defined term appears on the following table:

Personnel

SEA—State educational agency

“State educational agency or SEA means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.”

Source

34 Code of Federal Regulations §300.41

The above-defined term appears on the following tables:

All tables

Separate class (Preschool)

Unduplicated total who attended a special education program in a class with less than 50% children without disabilities. (Do not include children who also attended a regular early childhood program.)

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Separate school (Preschool)

Unduplicated total who received *educational programs* in public or private day schools designed specifically for children with disabilities.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Separate school (School age)

Unduplicated total who received *educational programs* in public or private separate day school facilities. This includes children with disabilities receiving *special education* and *related services*, at public expense, for greater than 50% of the school day in public or private *separate schools*. This may include children placed in:

- Public and private day schools for students with disabilities;
- Public and private day schools for students with disabilities for a portion of the school day (greater than 50 percent) and in regular school building for the remainder of the school day; or
- Public and private *residential facilities* if the student does not live at the facility.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Serious bodily injury

“The term ‘serious bodily injury’ means bodily injury which involves—

- (A) a substantial risk of death;
- (B) extreme physical pain;
- (C) protracted and obvious disfigurement; or
- (D) protracted loss or impairment of the function of a bodily member, organ or mental faculty.”

Source

18 U.S.C. §1365(h)(3)

The above-defined term appears on the following table:

Discipline

Service provider location

Unduplicated total who received all of their *special education* and *related service* from a service provider, and who did not attend an *early childhood program* or a *special education program* provided in a *separate class, separate school, or residential facility*. For example, speech instruction provided in:

- private clinicians' offices,
- clinicians' offices located in school buildings,
- hospital facilities on an outpatient basis, and
- libraries and other public locations.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Short-term detention facility

Correctional facility where student offenders with disabilities are placed for a period of temporary custody.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Special education

- “(a) General.
- (1) *Special education* means specially designed instruction, 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.
- (b) *Individual special education terms defined.* The terms in this definition are defined as follows:
- (1) *At no cost* means that all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled students or their parents as a part of the regular education program.
 - (2) *Physical education* means--
 - (i) The developmental of--
 - (A) Physical and motor fitness;
 - (B) Fundamental motor skills and patterns; and
 - (C) Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports); and
 - (ii) Includes special physical education, adapted physical education, movement education, and motor development.

(continued)

Special education (continued)

- (3) *Specially-designed instruction* means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction--
 - (i) To address the unique needs of the child that result from the child's disability; and
 - (ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.
- (4) *Travel training* means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to--
 - (i) Develop an awareness of the environment in which they live; and
 - (ii) Learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community).
- (5) *Vocational education* means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career not requiring a baccalaureate or advanced degree.

Source

34 Code of Federal Regulations §300.39

The above-defined term appears on the following tables:

Child Count
Personnel
Educational Environments
Exiting Special Education

Special education inside regular class 80 percent or more of the day

Unduplicated count of children and students with disabilities who receive special education and related services inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for 80% or more of the school day. This may include children and students with disabilities placed in: regular class with special education/related services provided within the regular class, regular class with instruction within the regular class and with special education/related services provided outside the regular class, or regular class with special education services provided in a resource room.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Special education inside regular class less than 40 percent of day

Unduplicated count of children and students with disabilities who receive *special education* and *related services* inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for less than 40% of the school day. This includes only children and students with disabilities educated on the *regular school campus*. This does not include children or students with disabilities who received *education programs* in *public* or *private* separate day or *residential facilities*. This may include children and students with disabilities placed in self-contained special classrooms with part-time instruction in a regular class or self-contained special classrooms full-time on a regular school campus.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Special education inside regular class no more than 79 percent of day and no less than 40 percent of day

Unduplicated count of children and students with disabilities who receive *special education* and *related services* inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for no more than 79% but no less than 40% of the school day. This may include children and students placed in: resource rooms with *special education/related services* provided within the resource room or resource room with part-time instruction in a regular class.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Special education program

A program that includes less than 50 percent children without disabilities. Special education programs include, but are not limited to, *special education* and *related services* provided in:

- *special education* classrooms in
 - regular school buildings;
 - trailers or portables outside regular school buildings;
 - child care facilities;
 - hospital facilities on an outpatient basis;
 - other community-based settings;
- *separate schools*; and
- *residential facilities*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Educational Environments

Specific learning disability

“(i) General. Specific learning disability means 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 the 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.
(ii) Disorders not included. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.”

Source

34 Code of Federal Regulations §300.8(c)(10)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

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.”

Source

34 Code of Federal Regulations §300.8(c)(11)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Speech-language pathologist

Certified, licensed, or otherwise qualified professional who provides the following services:

- “(i) Identification of children with speech or language impairments;
- (ii) Diagnosis and appraisal of specific speech or language impairments;
- (iii) Referral for medical or other professional attention necessary for the habilitation of speech or language impairments;
- (iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and
- (v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments.”

Source

Non-regulatory definition adapted by OSEP for data collection

The above-defined term appears on the following table:

Personnel

Students with IEPs

For purposes of the assessment data collection, this population consists of students served under *IDEA*, not students who are *parentally placed in private schools* and served through services plans, in accordance with 34 CFR §300.132(c).

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

Transferred to regular education

Students who were served in *special education* at the start of the reporting period, but at some point during that 12-month period, returned to regular education. These are students who no longer have an *IEP* and are receiving all of their educational services from a regular education program. If the parent of a child with a disability revokes consent for *special education* and *related services* under 34 CFR §300.300(b)(4), the child would be reported in this category. This category was previously labeled *no longer receives special education*.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Exiting Special Education

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. [The term] 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. [The term] does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.”

Source

34 Code of Federal Regulations §300.8(c)(12)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Two or more races

A person having origins in two or more of the five race categories. (Does not include persons of Hispanic/Latino ethnicity.)

Source

Federal Register Vol. 72, No. 202

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Unduplicated count

A particular child may only be counted once.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Unilateral removal

Instances in which school personnel (not the *IEP* team) order the removal of children with disabilities from their current educational placement to *an interim alternative educational setting* for not more than 45 days. The *IEP* team is responsible for determining the *interim alternative educational setting*. Unilateral removals do not include decisions by the *IEP* team to change a student's placement.

Source

34 Code of Federal Regulations §300.530(g) and §300.531

The above-defined term appears on the following table:

Discipline

Valid score

A score from an assessment that did not produce an *invalid result*. The score can be reported, aggregated, and included in accountability indices (see *valid assessment* and *invalid results*).

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following table:

Assessment

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.”

Source

34 Code of Federal Regulations §300.8(c)(13)

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Weapons offense

A disciplinary offense that occurs when a child carries a *dangerous weapon* to or possesses a weapon at school, on school premises, or to a school function under the jurisdiction of a state or an *LEA*.

Source

34 Code of Federal Regulations §300.530(g)(1) and §300.530(i)(4)

The above-defined term appears on the following table:

Discipline

White

A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. (Does not include persons of Hispanic/Latino ethnicity.)

Source

Federal Register Vol. 72, No. 202

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

White (not Hispanic)

A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Source

Non-regulatory definition developed by OSEP for data collection

The above-defined term appears on the following tables:

Child Count
Educational Environments
Exiting Special Education
Discipline

Written settlement agreement

A legally binding written document, signed by the parent and a representative of the public agency, specifying the resolution of the dispute that formed the basis for a *due process complaint* arrived at in a *resolution meeting*. For the purposes of reporting on Table 7, a *written settlement agreement* is one that fully resolves all issues of the *due process complaint* and negates the need for a *due process hearing*.

Source

34 Code of Federal Regulations §300.510(d)

The above-defined term appears on the following table:

Dispute Resolution

Written, signed complaint

A signed, written document submitted to the *SEA* by an individual or organization (complainant) that alleges a violation of a requirement of Part B of *IDEA* or 34 CFR Part 300, including cases in which some required content is absent from the document.

Source

Adapted from 34 Code of Federal Regulations §300.153

The above-defined term appears on the following table:

Dispute Resolution

Sources of Definitions

1. Code of Federal Regulations, Title 34 - Education, Part 77 (Revised as of July 1, 1995).
2. Code of Federal Regulations, Title 34 - Education, Part 300 (Revised as of October 13, 2006).
3. National Center for Education Statistics. *Staff Data Handbook: Elementary, Secondary, and Early Childhood Education*, January 1995.
4. National Center for Education Statistics. *The Student and Staff Data Handbook*, 2001.
5. *Dictionary of Occupational Titles*, U.S. Department of Labor, Employment and Training Administration, Fourth Edition, Revised 1991.
6. United States Code Annotated, Title 20 - Education, §§1401, 6319, 7801.
7. United States Code, Title 18 – Crimes and Criminal Procedure, §§930, 1365.
8. United States Code, Title 21 – Food and Drugs, §812.
9. *Individuals with Disabilities Education Act Amendments of 2004*, §§602, 614, 615.
10. *Federal Register*, Vol. 72, No. 202.