

Glossary of Legal and Technical Terms

Definitions of terms used in the Minnesota Disability Law Center Self-Advocacy Fact Sheets

504 accommodation plan – The plan a school has to make to help a student with a disability who does NOT qualify for special education.

Adaptations – Changes to school rules or expectations that a student with a disability might need in order to learn in the regular classroom.

Advocate – Someone who is on your side and will help you understand the law and fight for your rights. An advocate can be a lawyer or anyone else who understands your problem and can help you.

Alternative education services – Special options for teaching that the school can use when the student cannot be in school.

Alternative education placement – A different school setting for a child who cannot get along in the school s/he is in.

Annual goals – Educational goals in a student’s IEP. They should be positive, easily measured, and specific to the student. They are the framework for the student’s educational plan for that year.

Appeal – A formal request to have an official review your case. This is a chance to give more information and bring other people in to support your case.

Appeals Referee – An official in the Department of Human Services, unconnected to your case. S/he will listen to your appeal, consider both sides of the case, and make a decision.

Assessment – A series of tests to get as much information as possible about a person’s disabilities and needs.

Assessment summary report – When a student is tested for special education services, the assessment summary report describes and explains the results of the testing.

Assistive technology (AT) – AT can be used to mean both AT devices and AT services.

Assistive technology devices – Equipment or tools that can help a person with a disability to work, learn, or move through their life more easily.

Assistive technology services – Help or instruction to find, make, repair, or learn to use an

AT device.

Augmentative communication device – Machine to help a person communicate.

Behavior intervention plan – A plan to deal with problem behavior. The plan should be specific, and should include a way to measure the student’s progress.

Change of placement – Moving a student to a different school setting than the one written in the IEP.

Chief Appeals Referee – A Referee in the Department of Human Services who looks over each decision made by an Appeals Referee and decides whether or not to approve it.

Child find – The process of finding students who might need special education services.

Complaint – A letter to a government agency, complaining that a school or business has broken the law. Writing this kind of letter is called “filing a complaint.”

Conciliation conference – A meeting or series of meetings between school staff and parents to settle a problem about the student’s education.

Conditional procedure – A type of punishment that can be used only in an emergency, or with direct permission from a parent or guardian.

Corporal punishment – Hitting, spanking, or any physical force that causes bodily or emotional harm.

Date of discrimination – The date on which a school or business breaks a law or rule, or the date when a person is first aware that the school or business will not follow the law and give them the services that they need.

Due process hearing – When a person files a complaint, the next step is a due process hearing. A hearing officer will listen to both sides of a conflict, and give a written decision.

Durable medical equipment – Equipment to correct or help with a physical disability. Must hold up well with heavy use.

Educational evaluation – A series of tests to find out how a student’s disability affects their ability to learn, and to figure out what the student needs to get a good education.

Evaluation summary report - When a student is tested for special education services, the evaluation summary report describes and explains the results of the testing.

Expedited hearing – A hearing that happens more quickly than usual, to deal with an immediate problem.

Extended school year (ESY) services – School services for students with disabilities that take place when school is closed – after school, or during the summer months.

Facilitated IEP meeting – A voluntary meeting of parents and school staff with a trained facilitator to work out problems with a student’s IEP.

Free appropriate public education (FAPE) – This is the main idea behind the IDEA. Every student, whether or not they have a disability, has a right to an education, free of charge, which fits the student’s special needs.

Functional behavior assessment – A test that looks at a student’s behavior to figure out what types of things are causing problems.

Good cause for delay – A good reason for not meeting a deadline. For example, a death in the family or a serious illness would be a good cause for delay.

Home- and community-based waiver – A program that helps people with disabilities to live in their own homes. It allows more flexibility in how Medical Assistance money is spent.

Honig injunction – A court order to remove a student from school because the student is likely to cause harm.

IEP document – The written plan for a student in special education. It describes what the school will do for the student to help them reach their educational goals.

IEP meeting – A meeting of the IEP team. At the meeting, the IEP team talks about the student’s needs and educational goals, and they write the IEP document.

IEP team – A group of people (including the parents and special education teacher) who are involved in a student’s education. This team decides on an education plan for the student, and writes the IEP document.

Individual education program (IEP - often called an individual education plan) – IEP can mean either the IEP document or the IEP meeting. The document, which describes the educational plan for a student with a disability, is written at the meeting.

Individual family services plan (IFSP) – A written plan that describes the early intervention services a school district will give to a child before the child reaches school age. Basically, an IEP for infants and toddlers.

Individuals with Disabilities Education Act (IDEA) – A federal law that tells what schools must do for students with disabilities.

Independent educational evaluation – An evaluation that is not done by the school district.

Informed consent – Written permission given after the parent understands all of the information, and understands that consent is voluntary and can be taken back at any time.

Least restrictive environment (LRE) – Whenever possible, a person with a disability should be able to learn, live and work like everyone else. The least restrictive environment is the setting which is most like the mainstream.

Limited English proficiency (LEP) – When someone grows up speaking a language other than English, it takes time to speak and understand English clearly and easily. LEP means a person is still learning and may need help to understand some things.

Manifestation determination review – When a student misbehaves, the IEP team looks at everything they know about the student to decide if the student’s disability affected the behavior.

Mediation – A voluntary meeting between two parties who are having a disagreement. A trained mediator helps the two parties come to an agreement.

Medical provider – Doctor, nurse, therapist, home health care nurse, etc.

Medically necessary – Needed for a medical problem. A medical provider must say that anyone with the same problem would need a similar device or service. The device helps the person function or do things they could not do without the device.

Pattern of exclusion – Suspending a student from school over and over, so that it results in a pattern of the student being out of school.

PCA – Personal Care Assistant. A person who helps with the activities of daily living, like cooking, cleaning, getting dressed, and bathing.

PCA Choice program – A program that allows people to hire and fire their own PCA, rather than hiring them through a PCA agency. This gives greater flexibility in whom they can hire and how much they pay.

Positive intervention – A positive way of helping a student learn to change problem behaviors.

Pre-referral intervention – An attempt by the classroom teacher to help a student solve problems with learning or behavior. The teacher must try this before referring the student for an educational evaluation.

Present level of educational performance (PLEP) – A description of a student with a disability, which tells how the student is doing in school at the present time. The PLEP should give detailed information about the student’s disability and the student’s strengths.

Prima facie case – A case that, on the surface, looks complete and obvious.

Prior authorization – Permission from a funding agency for health care services or to buy assistive technology.

Prosthetic and orthotic devices - Tools or equipment to take the place of a body part that doesn't work correctly, or to give support for a body part that is weak.

Reasonable accommodation – Changes to a school, business, or public office so that people with disabilities can use the building or services the same as non-disabled people.

Request to reconsider – Asking the Chief Appeals Referee to look over your case and your argument about why you think the decision was wrong.

Related services – Extra services that disabled children need in order to get FAPE, such as a bus with a lift or speech therapy.

Section 504 – A section of the 1973 Rehabilitation Act. This section says that public schools must help students with disabilities, even if the student does not qualify for special education.

Section 504 accommodation plan – See ***504 accommodation plan***.

Short-term instructional objectives – The smaller steps that a student will make on the way to reaching an annual goal in their IEP.

Special education services – Special planning for the extra help or equipment a student with a disability needs to get an education.

Stay put placement – Keeping a student in their current school setting and program while decisions are being made about behavior problems.

Subpoena – A written demand from the court for a person to show up at a hearing.

Substantial evidence – Enough evidence that any reasonable person can accept it.

Time out for exclusion – Taking the student out of the classroom for less than 30 minutes.

Time out for seclusion – Putting a student who misbehaves in a special isolation room.

Transition services – Special education services to help a student prepare for the next steps after high school.

Undue burden – If making accommodations for people with disabilities makes it financially or practically impossible for a business to continue to operate, they can say that it is an undue burden, and they may not have to make the accommodations.

This fact sheet may be reproduced in its entirety, with credit to the Minnesota Disability Law Center. MDLC prepared this fact sheet for the Minnesota Governor's Council on Developmental Disabilities in June, 2004.

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Preparation of this Fact Sheet was financed in part by grant number 90DNO133 from the US Department of Health and Human Services, Administration on Developmental Disabilities, Projects of National Significance, under provisions of Public Law 106-402. The content of this Fact Sheet does not necessarily reflect the position of policy of the Administration on Developmental Disabilities or the Minnesota Department of Administration.