

Glossary of Terms

In Newport News, qualified professionals complete minimum assessment components as specified by the Virginia Department of Education, Division of Special Education, prior to review by the Eligibility Committee for children suspected of being disabled. This school division, when determining a disabling condition, strictly adheres to the following definitions:

1. Age of eligibility means all eligible children with disabilities who have not graduated with a standard or advanced studies high school diploma who, because of such disabilities, are in need of special education and related services, and whose second birthday falls on or before September 30, and who have not reached their 22nd birthday on or before September 30 (two to 21, inclusive) in accordance with the Code of Virginia.
2. Age of majority means the age when the procedural safeguards and other rights afforded to the parent or parents of a student with a disability transfer to the student. In Virginia, the age of majority is 18.
3. Alternate assessment (VAAP) means assessment for children with disabilities who cannot participate in the state or division-wide assessment programs even with appropriate accommodations and modifications.
4. Assistive technology service as a related service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device, but excludes a medical device that is surgically implanted or the replacement of such a device.
5. Audiology as a related service means services provided by a qualified audiologist licensed by the Board of Audiology and Speech-Language Pathology and includes:

- a. Identification of children with hearing loss;
 - b. Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the rehabilitation of hearing; provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation; creation and administration of programs for prevention of hearing loss;
 - c. Counseling and guidance of pupils, parents, and teachers regarding hearing loss;
 - d. Determination of the child's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.
6. Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. 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 this section. A child who manifests the characteristics of autism after age three could be diagnosed as having autism if the criteria in this definition are satisfied. (Refer to Criteria Handbook.)
7. Behavioral intervention plan (BIP) means a plan that utilizes positive behavioral interventions and supports to address behaviors that interfere with the learning of

students with disabilities or with the learning of others or behaviors that require disciplinary action. (Refer to FBA/BIP Handbook.)

8. Business days means Monday through Friday, 12 months of the year, exclusive of federal and state holidays (unless holidays are specifically included in the designation of business days, as in 8 VAC 20-80-66 B 4 a.
9. Case Manager refers to the building administrator or teacher or other designee assigned to administer the child study process in a school; or to initiate and track the IEP process, including the evaluation of students identified as having a disability.
10. Change in placement means
 - a. The child's initial placement from general education to special education and related services;
 - b. The expulsion or long-term suspension of a student with a disability;
 - c. The placement change which results from a change in the identification of a disability;
 - d. The change from a public school to a private day, residential, or state-operated program; from a private day, residential, or state-operated program to a public school; or to a placement in a separate facility for educational purposes;
 - e. Termination of all special education and related services; or
 - f. Graduation with a standard or advanced studies high school diploma.
11. Change in placement for the purposes of discipline means:
 - a. A removal of a student from the student's current educational placement is for more than 10 consecutive school days; or

- b. The student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year, and because of factors such as:
 - (1) The length of each removal;
 - (2) The total amount of time the student is removed; or
 - (3) The proximity of the removals to one another.
- 12. Child study committee (CSC) means a committee that enables school personnel, and nonschool personnel, as appropriate, to meet the needs of individual children who are having difficulty in the educational setting. The committee reviews existing data to make recommendations to meet children's needs and reviews the results of implementation of the recommendations. The child study committee may refer children for evaluation for special education and related services.
- 13. Contact Person. The individual from the Special Education Department assigned to chair the Eligibility Committee meetings for students being referred for possible special education placement for the first time, for a student who is being considered for a change in categorical placement, or for a student who is being considered for termination from special education services.
- 14. Correctional facility means any state facility of the Department of Corrections or the Department of Juvenile Justice, any regional or local detention home, or any regional or local jail.
- 15. Counseling services as a related service means services provided by qualified visiting teachers, social workers, psychologists, guidance counselors, or other qualified personnel.

16. Day means calendar day unless otherwise specified.
17. Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot be accommodated in special education programs solely for children with deafness or blindness.
18. Deafness means hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects educational performance.
19. Developmental Delay (DD) means a disability affecting a child ages two through eight (inclusive) who is experiencing developmental delays, 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. (Refer to Criteria Handbook)
20. Emotional disturbance (Emotional Disability) (ED) means as follows:
 - a. The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:
 - (1) An inability to learn which cannot be explained by intellectual, sensory, or health factors;
 - (2) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
 - (3) Inappropriate types of behavior or feelings under normal circumstances;

(4) A general pervasive mood of unhappiness or depression; or a tendency to develop physical symptoms of fears associated with personal or school problems.

(a) The term includes children who are schizophrenic, but does not include children who are socially maladjusted unless it is determined that they have an emotional disturbance. (Refer to the Criteria Handbook)

21. Extended school year services (ESY) means special education and related services that:

a. Are provided to a child with a disability:

(1) Beyond the normal school year of the local educational agency;

(2) In accordance with the child's individualized education program;

(3) At no cost to the parent or parents of the child; and

(4) Meet the standards established by the Virginia Department of Education.

(Refer to Newport News Extended School Year Services Technical Assistance Resource Document)

22. Free appropriate public education (FAPE) means 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 Virginia Board of Education;

c. Include preschool, elementary school, middle school, or secondary school education in the state; and

- d. Are provided in conformity with an individualized education program that meets the requirements of this section.
23. Functional behavioral assessment (FBA) means a process to determine the underlying cause or functions of a child's behavior that impede the learning of the child with a disability or the learning of the child's peers. (Refer to FBA/BIP Handbook.)
24. General curriculum means the same curriculum used with children without disabilities adopted by a local educational agency, schools within the local educational agency or, where applicable, the Virginia Department of Education for all children from preschool through secondary school. The term relates to content of the curriculum and not to the setting in which it is taught.
25. Hearing Impairment (HI) means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but which is not included under the definition of "deafness" in the section.
26. Home-based instruction means services that are delivered in the home setting (or other agreed upon setting) in accordance with the child's individualized education program.
27. Homebound instruction means academic instruction provided to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist. For a child with a disability, the IEP must determine the delivery of services, including the number of hours of services.
28. Home instruction means instruction of a child or children by a parent or parents, guardian or other person having control or charge of such child or children as an

alternative to attendance in a public or private school in accordance with the provisions of the Code of Virginia. This instruction may also be termed home schooling.

29. Home tutoring means instruction by a tutor or teacher with qualifications prescribed by the Virginia Board of Education, as an alternative to attendance in a public or private school and approved by the division superintendent in accordance with the provisions of the Code of Virginia. This tutoring is often used as an alternative form of home schooling but is not home instruction as defined in the Code of Virginia.
30. Independent educational evaluation (IEE) means an evaluation conducted by a qualified examiner or examiners who are not employed by the local educational agency responsible for the education of the child in question.
31. Individualized education program (IEP) means a written statement for a child with a disability that is developed, reviewed, and revised in a team meeting in accordance with this chapter. The IEP specifies the individual educational needs of the child and what special education and related services are necessary to meet the needs.
32. Individualized family service plan (IFSP) under Part C means a written plan for providing early intervention services to an infant or toddler with a disability eligible under Part C and to the child's family.
33. Individualized service plan (ISP) means a written statement for a child with a disability in a private school that is developed, reviewed, and revised in a team meeting in accordance with this chapter. The ISP specifies the individual educational needs of the child and what special education and related services are necessary to meet the needs.

34. Infant and toddler with a disability means a child, ages birth to two, inclusive, whose birthday falls on or before September 30, or who is eligible to receive services in the Part C early intervention system up to age three, and who:
- Has delayed functioning;
 - Manifests atypical development or behavior;
 - Has behavioral disorders that interfere with acquisition of developmental skills; or
 - Has a diagnosed physical or mental condition that has a high probability of resulting in delay, even though no current delay exists.
35. Interpreting means translating from one language to another (e.g., sign language to spoken English); for the purposes of this chapter, this includes oral interpreting and transliterating for signed English systems or for cued speech/cued language.
36. Learning disability (LD) also known as 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, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor disabilities, of mental retardation, or emotional disturbance, or of environmental, cultural, or economic disadvantage. (Refer to Criteria Handbook)
37. Least restrictive environment (LRE) means that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other

care facilities, are educated with children who are not disabled, and that special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature of severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

38. Level I services (previously known as Resource) means the provision of special education and related services to children with disabilities for less than 50% of their instructional school day (excluding intermission for meals). The time that a child receives special education services is calculated on the basis of special education services described in the Individualized Education Program, rather than the location of services.
39. Level II services (previously known as Self-Contained) means the provision of special education and related services to children with disabilities for 50% or more of the instructional school day (excluding intermission for meals). The time that a child receives special education services is calculated on the basis of special education services described in the Individualized Education Program, rather than the location of services.
40. Local educational agency (LEA) means a local school division governed by a local school board, a state-operated program that is funded and administered by the Commonwealth of Virginia, or the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton.

41. Manifestation determination review (Causality) means a process to review all relevant information and the relationship between the child's disability and the behavior subject to the disciplinary action.
42. Medical services as a related service means services provided by a licensed physician or nurse practitioner to determine child's medically related disability that results in the child's need for special education and related services.
43. Mental Disability also known as Mental Retardation (previously known as EMD and TMD) means significantly sub-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a child's educational performance.
44. Multiple Disabilities (MD) means two or more impairments at the same time (such as mental retardation/blindness, mental retardation/orthopedic impairment, etc.), 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.
45. Native language, if used with reference to an individual of limited English proficiency, means the language normally used by that individual, or, in the case of a child, the language normally used by the parent of the child, except in all direct contact with a child (including evaluation of the child), the language normally used by the child in the home or learning environment. For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, Braille, or oral communication).

46. Nonacademic services and extracurricular services may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the local educational agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the local educational agency and assistance in making outside employment available.
47. Notice means written statements in English or in the primary language of the home of the parent, or, if the language or other mode of communication of the parent is not a written language, oral communication in the primary language of the home of the parent. If an individual is deaf or blind, or has no written language, the mode of communication would be that normally used by the individual (such as language, Braille, or oral communication).
48. Occupational therapy as a related service (OT) means services provided by a qualified occupational therapist or services provided under the direction or supervision of a qualified occupational therapist and includes:
- a. Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;
 - b. Improving ability to perform tasks for independent functioning when functions are impaired or lost; and
 - c. Preventing, through early intervention, initial or further impairment or loss of function.

49. Orientation and mobility services as a related service means services provided to blind or visually impaired children by qualified personnel to enable those children to attain systematic orientation to and safe movement within their environments in school, home, and community.
50. Orthopedic Impairment (OI) means a severe orthopedic impairment which adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fracture or burns which cause contractures).
51. Other Health Impairment (OHI) means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environments that is due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, arthritis, asthma, sickle-cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, Tourette's syndrome, or attention deficit disorder/attention deficit hyperactivity disorder which adversely affects a child's educational performance. (Refer to Criteria Handbook.)
52. Parent means a biological or adoptive parent or parents of a child, a guardian, a person acting in the place of a parent (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare), a foster parent under the circumstances described below, or a surrogate parent who has been appointed in accordance with this chapter. The term means either parent, unless the

Division has been provided with evidence that there is a legally binding instrument, state law, or court order that has terminated the parent's or parents' rights. A foster parent may also serve as a parent:

- a. If the biological parent's or parents' authority to make educational decisions on the child's behalf has been extinguished under § 16.1-283, § 16.1-277.01, or § 16.1-277.02 of the Code of Virginia or a comparable law in another state;
 - b. The child is in permanent foster care pursuant to § 63.1-206.1 of the Code of Virginia or comparable law in another state; and
 - c. The foster parent or parents (i) have an ongoing, long-term parental relationship with the child; (ii) are willing to make the educational decisions required of the parent or parents under this chapter; and (iii) have no interest that would conflict with the interests of the child.
 - d. The term "parent or parents" does not include local or state agencies or their agents, including local departments of social services, if the child is in the custody of such an agency.
53. Parent counseling and training means:
- a. Assisting parents in understanding the special needs of their child;
 - b. Providing parents with information about child development; and
 - c. Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.
54. Part B. That section of the Individuals with Disabilities Education Act that provides for services to students, ages 2 – 21, inclusive.

55. Part C. That section of the Individuals with Disabilities Education Act that provides for services to infants and toddlers, ages 0 – 3 years, inclusive.
56. Physical education means the development 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).
- The term includes special physical education, adapted physical education, movement education, and motor development.
57. Physical therapy as a related service (PT) means services provided by a qualified physical therapist or under the direction or supervision of a qualified physical therapist upon medical referral and direction.
58. Positive behavioral interventions and supports means interventions and supports designed to assist the student in reaching behavioral goals which will enhance the student's learning and, as appropriate, the learning of others.
59. Preschool student with a disability means a child (ages 2-5, inclusive) whose birthday falls on or before September 30, who is eligible to receive services under Part B.
60. Psychological services as a related service means those services provided by a qualified psychologist or under the direction or supervision of a qualified psychologist.
61. Recreation includes:
- a. Assessment of leisure function;
 - b. Therapeutic recreation services;
 - c. Recreation program in schools and community agencies; and

- d. Leisure education.
62. Rehabilitation counseling services as a related service means services provided by qualified personnel 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 students with disabilities by vocational rehabilitation programs funded under the Rehabilitation Act of 1973.
63. Related services means 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 and transliterating; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation and psychological counseling; orientation and mobility services; medical services for diagnostic or evaluation purposes; school health services; social work services in schools; and parent counseling and training. The list of related services is not exhaustive and may include other developmental, corrective, or supportive services (such as artistic and cultural programs, and art, music, and dance therapy), if they are required to assist a child with a disability to benefit from special education. The definition excludes a medical device that is surgically implanted or the replacement of such a device. Note: Other definitions not included in this section may be found in *The Regulations Governing Special Education Programs for Children With Disabilities*

in Virginia. Once eligibility has been determined, adding a related service to an existing IEP is an IEP Committee function.

a. Transition services as a related service means a coordinated set of activities for a student, designed as a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability, that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities described must:

- (1) Be based on the individual student's needs, taking into account the student's preferences and interests; and
- (2) Include:
 - (a) The development of employment and other post-school adult living objectives;
 - (b) Instruction;
 - (c) Community experiences; and
 - (d) If appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education if they are provided as specially designed instruction, or related services if they are required to assist a student with a disability to benefit from special education.

- b. School health services as related service means services provided by a qualified school nurse or other qualified person.
64. Screening means those processes that are used routinely with all children to identify previously unrecognized needs and that may result in a referral for special education and related services or other referral or intervention.
65. Section 504 students with disabilities are protected by Section 504 of the Rehabilitation Act of 1973. Students whose disabilities are not recognized by the Individuals with Disabilities Education Act (IDEA) are covered under the civil rights of Section 504. Students with 504 plans have their accommodations addressed by general educators.
66. Severe Disability (SPD) means a primary disability that:
- a. Severely impairs cognitive abilities, adaptive skills, and life functioning;
 - b. May have associated severe behavior problems;
 - c. Has the high probability of additional physical or sensory disabilities; and
 - d. Requires significantly more educational resources than are provided for the children with mild and moderate disabilities in special education programs.
67. Social work services in schools means those services provided by a school social worker or qualified visiting teacher, including:
- a. Preparing a social or developmental history on a child with a disability;
 - b. Group and individual counseling with the child and family;
 - c. 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;

- d. Mobilizing school and community resources to enable the child to learn as effectively as possible in the child's educational program; and
 - e. Assisting in developing positive behavioral intervention strategies for the child.
68. Special education means specially designed instruction, at no cost to the parent or parents, to meet the unique needs of a child with a disability, including instruction conducted in a classroom, in the home, in hospitals, in institutions, and in other settings and instruction in physical education. The term includes each of the following if it meets the requirements of the definition of special education:
- a. Speech/language pathology services;
 - b. Vocational education; and
 - c. Travel training.
69. Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this chapter, the content, methodology, or delivery of instruction:
- a. To address the unique needs of the child that result from the child's disability; and
 - b. To ensure access of the child to the general curriculum, so that the child can meet the educational standards that apply to all children within the jurisdiction of the local educational agency.
70. Specific Learning Disability (see learning disability)
71. Speech or Language Impairment (SLI) means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, which adversely affects a child's educational performance.
72. Speech/language pathology (primary services or related service) means the following:
- a. Identification of children with speech or language impairments;

- b. Diagnosis and appraisal of specific speech or language impairments;
 - c. Referral for medical or other professional attention necessary for the habilitation of speech or language impairments;
 - d. Provision of speech and language services for the habilitation or prevention of communicative impairments; and
 - e. Counseling and guidance of parents, children, and teachers regarding speech and language impairments.
73. State assessment program (VSAP) means the state assessment program in Virginia under the Individuals with Disabilities Education Act (20 USC § 1400 et seq.) that is the component of the state assessment system used for accountability.
74. State-operated programs (SOPs) means programs which provide educational services to children and youth who reside in facilities according to the admissions policies and procedures of those facilities that are the responsibility of state boards, agencies, or institutions. This does not include the Virginia School for the Deaf and Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton.
75. Supplementary aids and services means aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with children without disabilities to the maximum extent appropriate in accordance with the Virginia Regulations governing special education programs for children with disabilities in Virginia.

76. Surrogate parent means a person appointed in accordance with the operational guidelines set forth later in this document to ensure that children are afforded the protection of procedural safeguards and the provision of a free appropriate public education.
77. Transportation as a related service provides:
- a. Transportation to each child with a disability, placed in an education program by the school division, to and from such program at no cost, if such transportation is necessary to enable the child to benefit from educational programs and opportunities at school. If the school division enters an agreement with another LEA for the provision of special education and/or related services for a child with a disability, the child shall be transported to and from the program at no cost to the parent;
 - b. Travel to and from school and between schools;
 - c. Travel in and around school buildings; and
 - d. Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.
 - e. If a child with a disability is placed in a state residential school for the deaf and the blind, the responsibility for transportation resides with the respective state school; however, when children in a state school are Newport News day students, the responsibility for transportation remains with the school division as the placing agency.

78. Traumatic Brain Injury (TBI) means 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 brain injuries induced by birth trauma.
79. 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:
- a. Develop an awareness of the environment in which they live; and
 - b. 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).
80. Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton or "Virginia Schools" means the Virginia schools authorized by the Virginia Board of Education and administered and supervised by the Superintendent of Public Instruction.
81. Visual impairment including blindness means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

82. Vocational education for the purposes of special 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 requiring other than a baccalaureate or advanced degree.

Note: Other definitions not included in this section may be found in *The Regulations Governing Special Education Programs for Children With Disabilities in Virginia*.