

GLOSSARY OF TERMS

On SCHOOL DISCIPLINE & SPECIAL EDUCATION

Alternative School(s) and Program(s) – Under Louisiana law, children who are expelled must be offered alternative education. This is sometimes done through alternative programs within a school. Other times, school districts place children in a different setting, such as a separate alternative school. The RSD currently operates an alternative school in Algiers.

Behavior Management Plan (BMP) – is the result of a Functional Behavioral Assessment (FBA). The BMP should be part of your child's IEP or as an attachment to the IEP.

Change of placement – occurs when either (1) the school removes the student from his or her educational placement for more than 10 consecutive school days; or (2) the school removes the student from his or her educational placement on several occasions that constitute a pattern and add up to more than 10 school days.

Charter Schools – Under Louisiana law, private groups may apply for a “charter”, which allows them to operate an independent school using public money. There are various types of charter schools. Some are chartered by the state Board of Elementary and Secondary Education (BESE), while others are chartered either by the Orleans Parish School Board or the Recovery School District. Charter schools must follow the same state law regarding discipline and the same state and federal law regarding special education.

Due Process Hearing – The IDEA includes rules of procedure for resolving disputes between parents and schools. These rules include mediation, due process hearings and appeals to state or federal court. A due process hearing is usually a formal, contested, adversarial trial. Before you request a due process hearing, you should be familiar with the federal statute and regulations and your state special education statute and regulations. How can parents prevail?

Exceptionality – is a child's special learning need. There are several types of exceptionalities. For example, Autism/Asperger's Syndrome, Attention Deficit Hyperactivity Disorder, Behavior Disorders/Emotional Disturbance, Gifted and Talented, Learning Disabilities, Mental Retardation are just some of the possible exceptionalities. Identifying a student's exceptionality is the first step in determining the appropriate classroom placement for that student.

Expulsion – is any denial of school attendance for the remainder of the school year, for a time designated during the current or next school year, or permanently.

Evaluation – A “special education evaluation” is a process used for making decisions about a child's eligibility for special education. A special education evaluation is done to decide whether your child has a disability and whether your child requires special education and related services. Both conditions must be met in order for a child to be eligible to receive special education supports and services. A Re-evaluation should happen at least every three years.

Free and Appropriate Public Education (FAPE) – is the standard of education that schools must provide to children with special needs or exceptionalities. This means that the school must help to create a specific plan to address the child's learning needs, place them in the appropriate educational setting appropriate for their needs, and deliver the special education and related services required for the child to learn. FAPE differs for each student because each student has unique needs. FAPE ensures that all students with disabilities receive an appropriate public education at no expense to the family.

Functional Behavioral Analysis (FBA) – a process of examining the function that a particular behavior plays for a student that includes an analysis of the frequency, intensity and duration of a behavior. The end result of the FBA is a Behavior Management Plan (BMP) – a plan to implement intervention for specific behaviors as identified.

Inclusion – Inclusive education means that all students in a school, regardless of their strengths or weaknesses in any area, become part of the school community. They are included in the feeling of belonging among other students, teachers, and support staff. The federal Individuals with Disabilities Education Act (IDEA) makes it clear that schools have a duty to educate children with disabilities in general education classrooms where possible.

Individuals with Disabilities Education Act (IDEA) – is a federal law mandating that all children with disabilities have available to them a free, appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living. It provides funds to assist states in the education of students with disabilities and requires that states ensure the rights of children with disabilities and their parents are protected. IDEA also assists states in providing early intervention services for infants and toddlers with disabilities and their families.

Individualized Educational Plan (IEP) – Under federal special education law (IDEA), all children identified as having special learning needs must have an IEP. This is a document that sets out a specific plan for educating children with special needs.

IEP Team – is a group of people who are responsible for developing, reviewing, and revising the IEP (Individualized Education Program) for a student with a disability. The IEP team must review each student's progress yearly to determine current progress and future needs. The review needs to consider whether annual goals for the child are being achieved, staff and parental concerns about the student's progress, the results of any reevaluation conducted, and what changes need to be made. By law, the IEP Team must include the following people:

- At least one general education teacher, if the student is (or might be) participating in the general education environment.
- At least one special education teacher or provider.
- A representative of the local educational agency who is knowledgeable about specially designed instruction for students with disabilities, the general curriculum, and the availability of local educational agency resources.
- The parents.
- The student, as appropriate.
- Someone who can interpret the instructional implications of evaluation results, who may be another team member.
- Other people whom the parents or the school have chosen to invite.

In-School Suspension – is the temporary removal of a student from the normal school classes and the placement of a student in an approved “time-out” program, usually at the same school.

Instructional Supports – are changes that teachers can make in the classroom to help students with exceptionalities learn more easily. These changes may include modifications to the classroom environment or method of teaching, as well as finding different ways to help the student express what he or she has learned. The teacher may also arrange for extra help from other school professionals.

Intervention Services (IS) – are interventions used prior to referring a student for an evaluation to determine if special education services are needed.

Least Restrictive Environment (LRE) - The federal law, IDEA, mandates that students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student's needs. This is known as the

Least Restrictive Environment (LRE). The IEP Team (including the parent) determines the placement that the student needs to provide the services on the student's IEP and the Team must choose the least restrictive environment able to provide those services. This means that the student should attend the school he or she would attend if non-disabled, unless the Team determines that the nature of the student's disability will not allow that student to have a successful educational experience in that environment.

Local Education Agency (LEA) – An LEA is a public board of education or other public authority within a state that maintains administrative control of public elementary or secondary schools in a city, county, township, school district or other political sub-division. In New Orleans, NOPS and RSD are both LEAs.

Manifestation Determination Review (MDR) – is a safeguard to ensure that students are not being punished because of their exceptionality. An MDR examines the child's behavior and previously documented information about the student in an effort to determine whether the behavior for which the student is being disciplined is not a manifestation of the student's disability. The MDR Committee consists of the parent and at least two people, one who is familiar with the student's behavioral patterns and one who is knowledgeable of the student's exceptionality.

Mediation – Special Education Mediation is a process in which the parent(s) or guardian(s) of a student with an exceptionality and a representative of the school district meet with a mediator, who is an independent person. All school districts must offer special education mediation as a means to resolve disputes relating to the identification, evaluation, educational placement or the provision of a free appropriate public education to a child with a disability.

In mediation, decision-making authority rests with the parties. The role of the mediator is to assist them in identifying issues, fostering joint problem solving, and exploring settlement options. It is a non-adversarial process designed to help the disputing parties reach a mutually acceptable agreement. By asking questions and discussing all information with both sides, the mediator helps the parent(s) and the school district representative resolve disagreements, reach a more complete understanding of each other's concerns and agree upon the special education program for the student in a cooperative and timely manner. At the end of the mediation session, whatever the parent and the school district representative agree upon should be done is written down. The district will then arrange to carry out the agreement. Agreement may be reached on any or all of the issues that were discussed during the mediation session. Mediation does not diminish or limit the rights of a parent, including the right to request an impartial hearing (due process hearing). So a parent may request an impartial hearing after terminating mediation. However, the agreement reached in

mediation is binding upon the parties. Any discussions that take place during mediation are confidential and cannot be used as evidence in any impartial due process hearing, appeal to the State Review Office or civil court proceeding.

No Child Left Behind Act (NCLB) - The No Child Left Behind Act of 2001 commonly known as NCLB, is a federal law that aims to improve the performance of U.S.'s primary and secondary schools by increasing the standards of accountability for states, school districts and schools, as well as providing parents more flexibility in choosing which schools their children will attend.

NCLB requires states to create an accountability system of assessments, graduation rates, and other indicators. Under NCLB the progress of all students is measured annually in reading and math in grades 3 through 8 and at least once during high school. By the end of the 2007-2008 school year, testing will also be conducted in science once during grades 3-5, 6-9, and 10-12.

Schools have to make adequate yearly progress (AYP), as determined by the state, by raising the achievement levels of subgroups of students such as African Americans, Latinos, low-income students, and special education students to a state-determined level of proficiency. All students must be proficient by the 2013-2014 school year.

Schools receiving Title I funds that do not meet AYP requirements for two consecutive years will be identified as "in need of improvement" and required to offer parents the option of sending their children to another public school within the district. Schools must provide students with the opportunity to take advantage of public school choice no later than the beginning of the school year following their identification for school improvement. School in need of improvement are also required to develop or revise an existing school improvement plan which must be approved by the district. If the school does not meet targets the next year, supplemental educational services such as tutoring and after school programs must also be offered to all students who receive free or reduced price lunch, regardless of the students' academic standing.

If the school is still "in need of improvement" the following year it will be required to take corrective action such as removing relevant staff, implementing new curriculum, decreasing management authority, appointing outside experts to advise the school, extending the length of the school day or year or restructuring the school's internal organization. Only schools receiving Title I funds are subject to these sanctions.

NCLB also requires that by the end of the 2005-2006 school year all teachers will be "highly qualified" as defined in the law. A highly qualified teacher is one who has fulfilled the state's certification and licensure requirements. In order to better inform parents, states are required to issue detailed report cards on the status of schools and districts. Under the law, parents must also be informed when their child is being taught by a teacher who does not meet "highly qualified" status. Schools are also required to include and involve parents in the school improvement planning process.

New Orleans Public School System (NOPS) – public school system in New Orleans, operated by the Orleans Parish School Board.

Out-of-School Suspension – is the temporary removal of a student from school. Suspensions are limited in time and the student should be able to return to school after the term of suspension is completed. During the suspension period, students are not permitted to visit their school campus.

Placement - If your child is receiving special education or related services under IDEA, your child's placement is the educational setting that the IEP team determines is best for your child, as reflected in your child's written IEP. Placement does not mean the room your child is in, but the program and services most appropriate for your child, as stated in the IEP.

Positive Behavioral Supports (PBS) – are an approach to eliminate challenging behaviors and replace them with social skills. Use of PBS is a "best practice" that decreases the need for more intrusive or aversive interventions (i.e., punishment or suspension) and can lead to both systemic as well as individualized change.

Re-evaluation – If a child already receives special education, he or she must have a re-evaluation at least every three years or more often if needed. The purpose of re-evaluation is to: (1) see if your child still has a disability and needs special education and related services; (2) identify how your child is doing in school and identify any educational needs; (3) determine if any changes need to be made in the child's IEP to help your child to meet the annual goals and objective that are in the IEP and to participate, as appropriate, in the general curriculum. Re-evaluation does not necessarily mean more testing. If you ask for re-evaluation in writing to see if your child needs services, or if it is time for the three-year re-evaluation, someone from the school may set up a team meeting to look at existing information and talk with you.

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. The following are included within the definition of related services: speech-language pathology and audiology 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; medical services for diagnostic or evaluation purposes; school health services; social work services in schools; parent counseling and training; and transportation.

Response to Intervention (RTI) – is a process that provides high-quality research based instruction and interventions that are matched to a student’s needs. This process incorporates data developed to examine the student’s learning rate over time to make appropriate educational and instructional decisions regarding assistance to at-risk students. In the RTI process, students with academic delays are given one or more research-validated interventions. The student’s academic progress is monitored frequently to see if the interventions are sufficient to help the student reach the instructional level of his or her grade. If collected data indicates that the student does not show adequate progress despite several implemented research-based interventions, consideration for special education may be warranted.

Recovery School District (RSD) – is a New Orleans school district created by the State Board of Elementary and Secondary Education (BESE). The RSD took control over most of the schools in New Orleans after Hurricane Katrina, leaving the local school district (NOPS) in charge of only a few schools. The RSD currently operates schools and has granted charters to others.

Schools and Teachers Achieving Results for Students Team (STARS) – is designed to help principals, teachers, parents, specialists, and paraprofessionals utilize data-based decision making to improve the educational outcomes for all students, especially those who are at-risk for academic failure, and concurrently, reduce the need for special education services. The data demonstrates that the student was provided with appropriate high-quality, research-based instruction in the general education setting, delivered by qualified personnel, prior to any referral for special education services. STARS replaces the Student Assistance Team (SAT) process within the RSD.

State Education Agency (SEA) – An SEA is the agency primarily responsible for the supervision of the state’s public elementary and secondary schools. In Louisiana, the SEA is the Louisiana Department of Education.

Stay Put – a legal term that refers to the continuation of services for a student while some component of the educational process, placement or programming is in dispute.

Student Assistance Team (SAT) – Student Assistance Teams are trained staff, representing a cross section of the school, who, through a collaborative team process, provide early intervention support for students whose behavior is considered to put that student at risk of academic or social failure.

Suspension – See listing for In-School Suspension and Out-of-School Suspension.

Title I – Formerly called Chapter One, Title I provides federal funding for schools to help students who are behind or who are at risk of falling behind academically. The funding is based on the number of low-income children in a school, which is generally determined by the number of students eligible for the free lunch program. Title I is intended to supplement, not replace, state and district funds. Title I is the largest federally funded education program.

504 Plan – a plan that outlines the services needed by a student that has been identified 504 eligible and protected under Section 504 of the Rehabilitation Act. Essentially, Section 504 covers students who have been defined as having any physical or mental impairment that interferes with any major life activities (learning, walking, talking, etc.). These students may or may not fall under the protection of IDEA (Individual with Disabilities Education Act).