

Key Definitions in IDEA

A Reference List

A reference document for parents from We See Different (WSD)
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Why does WSD offer this reference list? It's very important for parents and other disability stakeholders to understand how our nation's special education law, the Individual with Disabilities Education Act (IDEA), defines terms that are central to providing a free appropriate education (FAPE) to eligible children with disabilities. We offer this handy reference list to support your work and continuous learning.

The reference list includes the definitions four acronyms, and five key terms often used in IDEA, in the special education field, and in the Dear Colleague Letter on FAPE released by OSEP on November 16, 2015. The acronyms come first and are listed in alphabetical order. These are followed by the key terms, again in alphabetical order.

What Acronyms and Key Terms Are Defined?

Acronyms: FAPE, IDEA, IEP, IRE

Terms: Child with a Disability, Individualized Education Program, Related Services, Special Education, Supplementary Aids and Services

FAPE

Acronym stands for - Free Appropriate Public Education

FAPE is a cornerstone of IDEA, our nation's special education law, is that each eligible child with a disability is entitled to a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet the child's unique needs and that prepares the child for further education, employment, and independent living.

Defined in IDEA at 34 CFR §300.17, as follows:

§300.17 Free appropriate public education.

Free appropriate public education or 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 the SEA [State Education Agency], 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 through 300.324.

- [Cheat sheet what each letter of FAPE stands for](#)

IDEA

Acronym stands for – Individuals with Disabilities Education Act

IDEA is the acronym for a law. Public Law 108-446 is called the “Individuals with Disabilities Education Improvement Act of 2004.” Its short title is Individuals with Disabilities Education Act.

For more information about IDEA

If you are involved in the well-being of a child, youth, toddler or infant with disabilities, you will find reading the exact language of IDEA both illuminating and important. In addition to being able to read it here online, you may also wish to download a full copy, print it out, and keep it handy.

- [Read the entire IDEA law](#)

IEP

Acronym stands for – Individualized Education Program

Importance of IEP to FAPE: Under the IDEA, the primary vehicle for providing FAPE is through an appropriately developed IEP that is based on the individual needs of the child.

Defined in IDEA at 34 CFR §300.22, as follows:

Individualized education program or IEP means a written statement for a child with a disability that is developed, reviewed, and revised in accordance with §§300.320 through 300.324.

§300.17 Free appropriate public education.

Free appropriate public education or 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 the SEA [State Education Agency], 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 through 300.324.

IEP Overview and More Information

For additional information about the IEP, as well as questions and answer:

- [IEP questions and answers](#)
- [Download IEP plan form](#) you can fill out

Acronym stands for – Least Restrictive Environment

Importance of LRE to FAPE. IDEA does not define “least restrictive environment” in its definitions section. However, it requires that each student receive special education and related services in the “least restrictive environment” and describes what this means. These provisions appear in the final Part B regulations at §§300.114 through 300.120, as part of IDEA’s provisions addressing “State Eligibility.” The core of IDEA’s LRE provisions are at §300.114, cited below

§300.114 LRE requirements

1. (a) **General.** (1) Except as provided in §300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§ 300.115 through 300.120.
 2. Each public agency must ensure that—
 - (i) 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 nondisabled; and
 - (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- (b) **Additional requirement—State funding mechanism—**(1) **General.** (i) A State funding mechanism must not result in placements that violate the requirements of paragraph (a) of this section; and
- (ii) A State must not use a funding mechanism by which the State distributes funds on the basis of the type of setting in which a child is served that will result in the failure to provide a child with a disability FAPE according to the unique needs of the child, as described in the child’s IEP.
- (2) **Assurance.** If the State does not have policies and procedures to ensure compliance with paragraph (b)(1) of this section, the State must provide the Secretary an assurance that the State will revise the funding mechanism as soon as feasible to ensure that the mechanism does not result in placements that violate that paragraph.

“Child with a Disability”

Importance of key term. The definition of “child with a disability” explains how and why children are found to be eligible – or ineligible - for special education and related services under IDEA. A “child with a disability,” as defined by IDEA, is entitled to a free appropriate public education that emphasizes special education and related services designed to meet the child’s unique needs.

IDEA’s definition and beyond. IDEA’s definition of “child with a disability” includes definitions of specific disabilities such as intellectual disability, learning disabilities, and other health impairment. IDEA’s definitions guide how states define disability and who is eligible for FAPE. So it’s important to know both how IDEA and their state or territory define individual disabilities. Note that, in order to fully meet the definition (and eligibility for special education and related services) as a “child with a disability,” a child’s educational performance must be **adversely affected** due to the disability. Note also that “educational performance” is not limited to academic performance.

Where “child with a disability” is defined in IDEA at 34 CFR §300.8. The complete definition of “child with a disability” is quite long, so we have not included the verbatim definition in this reference list, only the first paragraph of the definition, which reads:

§300.8 Child with a disability.

(a) **General.** (1) *Child with a disability* means a child evaluated in accordance with §§300.304 through 300.311 as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, and other health impairment, a specific learning disability, deaf- blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

- [Read the entire IDEA law](#)

“Individualized Education Program”

Importance of key term. As the OSEP *Dear Colleague Letter (DCL) on FAPE* makes clear, the primary vehicle for providing FAPE is through an appropriately developed IEP. The DCL focuses extensively on components of the IEP that contribute directly to holding children with disabilities to high standards while also ensuring that their education includes needed supports and services. IEP components such as the present levels of academic achievement and functional performance; the annual goals set for the child; and the special education, related services, and supplementary aids and services that will be provided to support the child’s progress toward the annual goals. You’ll see all of those terms in the law’s description of the IEP.

Where some of the term is defined in IDEA 34 CFR §300.320 as follows:

§300.320 Definition of individualized education program

(a) **General.** As used in this part, the term *individualized education program* or *IEP* means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting 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 (i.e., the same curriculum as for nondisabled children); 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—

(i) How the child’s progress toward meeting the annual goals described in paragraph (2) of this section 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;

- [Read the entire IDEA law](#)

“Related Services”

Importance of this key term. As the OSEP *Dear Colleague Letter on FAPE* discusses, pivotal elements in helping children with disabilities achieve to high standards in the general education curriculum for their grade level **are the supports they receive** in the classroom and elsewhere in the school, especially special education and related services. The related services that a student receives are based upon his or her unique needs related to disability. So it’s important to know what kinds of related services are available and which would appropriately support the student’s learning .

Long definition! Rather than reproduce the lengthy definition in its entirety here, let us give you a brief list of the related services named in IDEA. It’s always good to read the actual language of the law and its regulations.

Related services, in brief. Related services help children with disabilities benefit from their special education by providing extra help and support in needed areas, such as speaking or moving. Related services can include, but are not limited to, any of the following:

- 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
- medical services for diagnostic or evaluation purposes
- school health services and school nurse services
- social work services in schools
- parent counseling and training
- [Read the entire IDEA law](#)

“Special Education”

Importance of key term. As the OSEP *Dear Colleague Letter on FAPE* indicates, special education is at the core of how schools address the needs of students with disabilities and support them in achieving the annual goals stated in their IEPs as aligned with the state’s academic content standards. Accordingly, how this term is defined in law and implemented in the real world is extremely important to students, families, and schools.

Where some of the term is defined in IDEA 34 CFR §300.39 as follows:

§300.39 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—

(1) 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) Vocation 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 development —

(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.

(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.

- [Read the entire IDEA law](#)

“Supplementary Aids and Services”

Importance of this key term. If special education and related services are at the core of providing student with disabilities with a free appropriate public education, so, too, are supplementary aids and services for many such students. Supplementary aids and services are often critical elements in supporting the education of children with disabilities in regular classes and their participation in a range of other school activities.

Where “supplementary aids and services” is defined in IDEA at 34 CFR §300.42, as follows:

§300.42 Supplementary aids and services.

Supplementary aids and services means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with §§300.114 through 300.116.

Some of these additional supports and services are:

- adapted equipment—such as a pencil grip, special seat, or cut-out cup for drinking
- a one-on-one aide
- assistive technology—such as a computer, special software, or a communication system
- training for staff, the student, and/or parents
- adapted materials—such as books on tape, large print, or highlighted notes
- peer tutors
- collaboration/consultation among staff, parents, and/or other professionals (such as an occupational therapist, a behavior specialist, or a mobility specialist).

Who decides? The IEP Team (which includes the parents, and the student no later than age 16) determines what supplementary aids and services are appropriate for a student with a disability, given the student’s disability-related needs, the curriculum and academic content to be learned, and the school routine. The team then documents their decision in the IEP.

- [Read the entire IDEA law](#)

We See Different work to create equal opportunities and expand possibilities through strategic partnerships, advocacy, and thought leadership. Get in touch with our team, and we’ll help answer any questions or help you find resources and information.

We See Different

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