

Glossary of Important Terms

504 Plan

When a student does not require specific educational services related to his/her disability, a student might still require accommodations in order to participate in classes or other school activities. These accommodations would be addressed in a 504 Plan that is mandated through Section 504 of The Rehabilitation Act.

Accommodations and Adaptive Equipment

These terms refer to a variety of programmatic or physical changes that may be required for a person with a disability to fully participate in a school, work, home or community setting. One example is that a school or place of employment would provide a wheelchair accessible restroom for a student or employee with a mobility impairment. Another example is that a student with a learning disability would be provided with extended time on tests or alternate testing formats such as having the test read aloud.

Americans with Disabilities Act (ADA)

A national disability civil rights law enacted in 1990 that addresses the rights of people with disabilities in the areas of employment, public accommodations, government services, and communication access.

Conservatorship

Under conservatorship, a person is not considered to be legally incompetent. A person who is assigned as a conservator or limited guardian for another individual has been assigned limited decision-making responsibility depending on the needs of the individual. The limited guardian may only have responsibility for healthcare, financial, education or other specific rights. The individual retains all other rights not specifically assigned by the court to the conservator.

Guardianship

Under guardianship, a person is considered to be legally incompetent. When a guardianship is in place, the individual loses the authority to make all the decisions granted to adults. A person called a guardian is assigned by a legal court process to make these decisions. In some states, a partial guardianship option is available. It may be called conservatorship or limited guardianship. With guardianship and conservatorship, documents must be filed with a court explaining why a person needs this arrangement. A court hearing must occur and annual reports on the status of the guardianship or conservatorship must be filed with the court.

Individuals with Disabilities Education Act (IDEA)

This is the federal law that authorizes special education services. Included as part of this law are the requirements that all eligible students have an Individualized Education Program (IEP) and all eligible students have a Transition Plan in place on or before their 16th birthday.

Individualized Education Program (IEP)

The IEP is a document that describes the student's educational goals and the special education programs or services that the school provides in order to assist the student in meeting his/her goals.

Transfer of Rights at Age of Majority

The Individuals with Disabilities Education Act (IDEA) gives states the authority to transfer educational decision-making rights to students at the age of majority. In states that do transfer educational decision-making rights at the age of majority, parents and students must be given notice of this transfer at least one year before a student reaches age of majority. In addition, this notice must be included in the student's IEP.

In most states, the age of majority is 18, but there are exceptions. Some states have chosen not to transfer IDEA decision-making rights from parents to students. Whether or not IDEA rights transfer from parent to student, there may be other "general education" related education rights that do not transfer. It is important to know your state's laws.

Transition Plan

All students who receive special education services under IDEA must have a Transition Plan as part of their IEP on or before their 16th birthday. The Transition Plan addresses the student's specific goals related to completing high school and preparing for post-secondary education, vocational training, or immediate employment. Non-academic issues such as managing personal finances, using public or private transportation, and other related life skills would be addressed in a Transition Plan.