**Section 226.75 Definitions**

"Behavioral intervention" means an intervention based on the methods and empirical findings of behavioral science that is designed to positively influence a child's actions or behaviors.

"Business day" means Monday through Friday, except for federal and State holidays.

"Common languages" means the five most commonly spoken languages other than English that are used in the State of Illinois, based on the most recent Home Language Survey results; and for a given school district, any language that is spoken by more than 20 total families in that school district.

"Day" means a calendar day.

"Disability" means the 13 disabilities identified in the federal Individuals with Disabilities Education Act for special education and related services. These disabilities (autism, deaf-blindness, deafness, emotional disability, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment) shall be defined as set forth in 34 CFR 300.8(c). In addition, for purposes of this Part, "autism" shall include, but not be limited to, any Autism Spectrum Disorder that adversely affects a child's educational performance.

"Domain" means an aspect of a child's functioning or performance that must be considered in the course of designing an evaluation. The domains are health, vision, hearing, social and emotional status, general intelligence, academic performance, communication status, and motor abilities.

"Equipment" has the meaning ascribed to that term under 34 CFR 300.14.

"Evaluation" has the meaning ascribed to that term under 34 CFR 300.15.

"Extended school year services" has the meaning ascribed to that term under 34 CFR 300.106(b).

"Functional behavioral assessment" means an assessment process for gathering information regarding the target behavior, its antecedents and consequences, controlling variables, the student's strengths, and the communicative and functional intent of the behavior, for use in developing behavioral interventions.

"General curriculum" means the curriculum adopted or used by a local school district or by the schools within a district for nondisabled students; the content of the program, as opposed to the setting in which it is offered.

"Individualized education program team" or "IEP team" has the meaning ascribed to that term under 34 CFR 300.23.

"Independent educational evaluation" has the meaning ascribed to that term under 34 CFR 300.502(a)(3)(i).

"Individualized education program" or "IEP" has the meaning ascribed to that term under 34 CFR 300.22. An IEP shall be considered "linguistically and culturally appropriate" if it addresses the language and communication needs of a student as a foundation for learning, as well as any cultural factors that may affect the student's education.

"Individualized Family Service Plan" or "IFSP" means 20 U.S.C. 1401(15).

"Interpreter" means a person fluent in English and in the necessary language of the parent and who can accurately speak, read, and readily interpret the necessary second language, or a person who can accurately sign and read sign language.

"Interpretation services" means the verbal interpretation of English into another language and of the other language into English. "Interpretation services" may also include sight translations of written text into spoken word.

"Least Restrictive Environment" or "LRE" has the meaning ascribed in 34 CFR 300.114.

"Less common language" means any language that is not considered a common language, as defined in this Section.

"Limited English proficient" has the meaning ascribed to that term under 34 CFR 300.27.

"Native language" has the meaning ascribed to that term under 34 CFR 300.29.

"Parent" has the meaning ascribed to that term under 34 CFR 300.30.

"Personally identifiable" has the meaning ascribed to that term under 34 CFR 300.32.

"Preferred language" means a parent's or guardian's native language or any other language with which both parents or guardians are fluent and have agreed upon. "Preferred language" does not include artificial or constructed languages, including, but not limited to, Klingon, Dothraki, Elvish, or Esperanto.

"Qualified bilingual specialist" means an individual who holds the qualifications described in Section 226.800(f).

"Qualified interpreter" means a school staff member or other personnel who is:

bilingual and demonstrably qualified and competent to interpret;

trained in providing the interpretations requested and sufficiently knowledgeable in both languages and of any specialized terminology needed; and

trained in ethics of interpretation.

"Qualified personnel" means staff members or other individuals who hold the certificate, educator or professional license, registration, or credential that is required for the performance of a particular task.

"Qualified specialist" means an individual who holds the applicable qualifications described in Subpart I.

"Related services" has the meaning ascribed to that term under 34 CFR 300.34.

"School Code" or "Code" means 105 ILCS 5.

"School day" means any day, including a partial day, that children are in attendance at school for instructional purposes.

"School district" means a public school district established under Article 10 or Article 34 of the School Code or a charter school established under Article 27A of the School Code.

"Special education" has the meaning ascribed to that term under 34 CFR 300.39.

"State Board" means the Illinois State Board of Education.

"Student record" has the meaning ascribed at 23 Ill. Adm. Code 375.10 (Student Records).

"Supplementary aids and services" has the meaning ascribed to that term in 34 CFR 300.42.

"Transition services" has the meaning ascribed to that term in 105 ILCS 5/14-8.03.

"Vital Documents List" includes the IEP, Parent/Guardian Notification of Conference, Parent/Guardian Notification of Conference Recommendations, Notice of Procedural Safeguards for Parents/Guardians of Students with Disabilities, Parent/Guardian Consent for Initial Evaluation, Parent Consent for Reevaluation, Evaluation Reports, Eligibility Determination, Manifestation Determination Review documents, IEP Progress Reports, and Medicaid Consent Forms.

(Source: Amended at 47 Ill. Reg. 2244, effective February 6, 2023)