

## **Federal Legal Definitions of Education Terms**

The term **'reading'** means a complex system of deriving meaning from print that requires all of the following:

- (A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.
- (B) The ability to decode unfamiliar words.
- (C) The ability to read fluently.
- (D) Sufficient background information and vocabulary to foster reading comprehension.
- (E) The development of appropriate active strategies to construct meaning from print.
- (F) The development and maintenance of a motivation to read. (20 U.S.C. § 6368 (5))

The term **'essential components of reading instruction'** means explicit and systematic instruction in-

- (A) phonemic awareness;
- (B) phonics;
- (C) vocabulary development;
- (D) reading fluency, including oral reading skills; and
- (E) reading comprehension strategies. (20 U.S.C. § 6368 (3))

The term **'diagnostic reading assessment'** means an assessment that is-

- (i) valid, reliable, and based on scientifically based reading research; and
- (ii) used for the purpose of-
  - (I) identifying a child's specific areas of strengths and weaknesses so that the child has learned to read by the end of grade 3;
  - (II) determining any difficulties that a child may have in learning to read and the potential cause of such difficulties; and
  - (III) helping to determine possible reading intervention strategies and related special needs. (20 U.S.C. § 6613 (7)(C))

The term **'scientifically based reading research'** means research that-

- (A) applies rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties;
- and
- (B) includes research that-
  - (i) employs systematic, empirical methods that draw on observation or experiment;
  - (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
  - (iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and
  - (iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review. (20 U.S.C. § 6368 (6))

## **Special Education Teacher defined in IDEA - effective December 2004**

**(B) Requirements for special education teachers.**--When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that--

(i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law;

(ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

(iii) the teacher holds at least a bachelor's degree.

**(C) Special education teachers teaching to alternate achievement standards** --When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under the regulations promulgated under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, such term means the teacher, whether new or not new to the profession, may either--

(i) meet the applicable requirements of section 9101 of such Act for any elementary, middle, or secondary school teacher who is new or not new to the profession; or

(ii) meet the requirements of subparagraph (B) or (C) of section 9101(23) of such Act as applied to an elementary school teacher, or, in the case of instruction above the elementary level, has subject matter knowledge appropriate to the level of instruction being provided, as determined by the State, needed to effectively teach to those standards.

**(D) Special education teachers teaching multiple subjects** --When used with respect to a special education teacher who teaches 2 or more core academic subjects exclusively to children with disabilities, such term means that the teacher may either--

(i) meet the applicable requirements of section 9101 of the Elementary and Secondary Education Act of 1965 for any elementary, middle, or secondary school teacher who is new or not new to the profession;

(ii) in the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under section 9101(23)(C)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects; or

(iii) in the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under section 9101(23)(C)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects, not later than 2 years after the date of employment. (20 U.S.C. § 1402(10))