As used in these rules:

(a) “Instructional services” means services provided by teaching personnel that are specially designed to meet the unique needs of a student with a disability. These may be provided by any of the following:
   (i) An early childhood special education teacher under R 340.1755.
   (ii) A teacher consultant under R 340.1749.
   (iii) A teacher of the speech and language impaired under R 340.1745.
   (iv) A teacher providing instruction to students with disabilities who are homebound or hospitalized.
   (v) A teacher providing instruction to students who are placed in juvenile detention facilities under R 340.1757.

(b) “Multidisciplinary evaluation team” means a minimum of 2 persons who are responsible for evaluating a student suspected of having a disability. The team shall include at least 1 special education teacher or other specialist who has knowledge of the suspected disability.

(c) “Occupational therapy” means therapy provided by an occupational therapist or an occupational therapy assistant who provides therapy under the supervision of a licensed occupational therapist. Occupational therapist and occupational therapy assistants are licensed by the state of Michigan under 1978 PA 368, MCL 333.1101 et seq.

(d) “Parent” means any of the following:
   (i) A biological or adoptive parent of a child.
   (ii) A foster parent, unless state law, regulations, or contractual obligations with a state or local entity prohibit a foster parent from acting as a parent.
   (iii) A guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the child, but not the state if the child is a ward of the state.
   (iv) An individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative, with whom the child lives, or an individual who is legally responsible for the child’s welfare.
   (v) A surrogate parent who has been appointed in accordance with R 340.1725f.
(vi) Except as provided in paragraph (vii) of this subdivision, the biological or adoptive parent, when attempting to act as the parent under this part and when more than 1 party is qualified under paragraphs (i) to (v) of this subdivision to act as a parent, shall be presumed to be the parent unless the biological or adoptive parent does not have legal authority to make educational decisions for the child.

(vii) If a judicial decree or order identifies a specific person or persons under paragraphs (i) to (iv) of this subdivision to act as the parent of a child, or to make educational decisions on behalf of a child, then such person or persons shall be determined to be the parent.

(viii) The affected student or youth with a disability when the student or youth with a disability reaches 18 years of age, if a legal guardian has not been appointed by appropriate court proceedings.

(e) “Parent advisory committee” means a committee of parents of students with disabilities of a particular intermediate school district appointed by the board of that district under R 340.1838.

(f) “Physical therapy” means therapy prescribed by a physician and provided by a therapist who is licensed by the state of Michigan under 1978 PA 368, MCL 333.1101 et seq. or a physical therapy assistant who provides therapy under the supervision of a licensed physical therapist.

Related IDEA Federal Regulations

§ 300.22 Individualized education program.

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.

(Authority: 20 U.S.C. 1401(14))

§ 300.29 Native language.

(a) Native language, when used with respect to an individual who is limited English proficient, means the following:

(1) The language normally used by that individual, or, in the case of a child, the language normally used by the parents of the child, except as provided in paragraph (a)(2) of this section.