

TEXAS A&M UNIVERSITY- COMMERCE
EDUCATION AND HUMAN SERVICES
PSYCHOLOGY, COUNSELING, AND SPECIAL EDUCATION
Syllabus for SPED 528: Special Education Law
(3 credits)
Semester and Year: Spring 2013
Course location: Online

Professor: Beth A. Jones, PhD

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Office Hours: by appointment (see the instructor support section for additional details)

COURSE DESCRIPTION

This course will provide students with a history of special education litigation and legislation. Specifically, students will gain a deep understanding of the Individuals with Disabilities Education Improvement Act, the major legislation governing the provision of special education services. Students will become familiar with federal statutes and regulations concerning assessment and evaluation procedures, due process and mediation, discipline, individual education plans (IEP's), free appropriate education (FAPE), and least restrictive environment (LRE).

INSTRUCTOR AND TECHNOLOGY SUPPORT

Instructor Support

In addition to using the eCollege virtual office, the instructor is available by email. If you would like to schedule an appointment, the best way is to email. We can then set up a time to chat. Please allow 24 hours to receive a response. If you have a question that you think others in the class might have, please post your question in my virtual office on eCollege, so that other class members can benefit from your question.

Technology Requirements

This is an online course that will be conducted within eCollege (the class will NOT meet face-to-face). eCollege works best within a Microsoft Windows environment, and requires a high speed internet connection (dial-up connections will be problematic). Students should use a Windows operating system (XP or newer) and a recent version of Microsoft Internet Explorer (6.0, 7.0, or 8.0). The course will also work with Macintosh OS X along with a recent version of Safari (2.0 or better). eCollege also supports Firefox/Mozilla (3.0 or better) on both Windows and Mac operating systems. It is strongly recommended that you perform a "Browser Test" prior to the start of your course. To launch a browser test, login to eCollege, click on the "myCourses" tab, and then select the "Browser Test" link under Support Services. To get started with the course, go to <https://leo.tamu-commerce.edu/login.aspx>. You will need your CWID and password to login to the course. If you do not know your CWID or have forgotten your password, contact Technology Services at 903-468-6000 or helpdesk@tamu-commerce.edu.

Contacting eCollege for Technical Support

The following options are available 24 hours a day/7 days a week:

- Help: Click on the "help" button on the toolbar for information regarding working with eCollege (e.g., "How do I submit to dropbox?", "How do I post to discussion board?")
- Chat Support: Click on the "Live Support" button on the toolbar within your course to chat with an eCollege representative
- Phone: 1-800-656-5511 (toll free) to speak with an eCollege Technical Support Representative
- Email: helpdesk@online.tamuc.org to indicate a support request with an eCollege Technical Support Representative

NATURE OF COURSE DELIVERY AND STUDENT OUTCOMES

Learning activities include the following:

- Student participation in small group activities, including analysis and synthesis of readings.
- Application of course concepts to case briefs and scenarios.
- Online discussions.
- Access and analyze materials and resources using a variety of mediums, including eCollege, web-based resources, and professional peer-reviewed journal articles.

This course is designed to enable students to:

- Articulate the major provisions of key legislation including IDEA, 504, ADA, and NCLB.
- Describe and evaluate the six major principles of IDEA.
- Describe and evaluate the role of the judiciary as an influential force affecting policy making and practice.
- Analyze judicial opinions and executive agency interpretations of special education and civil rights law and apply the opinions and interpretations to local situations.
- Critically discuss and evaluate legal trends in special education.
- Substantiate the need for adherence to procedural safeguards.
- Determine the scope of related services needed for students with disabilities.
- Understand the special issues regarding related services including the medical exclusion, in-school assistance with health-related needs, and children with substance abuse problems or psychiatric disorders.
- Develop educational opportunities within the scope and application of "least restrictive environment" in inclusive and non-inclusive settings.
- Understand the school's responsibility to evaluate, understand protections in the evaluation process and practice those responsibilities.
- Understand and communicate the procedural safeguards and dispute resolution under IDEA and Section 504 to colleagues and parents.
- Supervise the IEP review and revision process.
- Understand the "stay-put" provision in IDEA and Section 504 and communicate those requirements to principals and teachers.
- Serve as a consultant or supervisor of the IEP team in conducting "Manifestation Determination" reviews.
- Understand the requirements of a behavioral intervention plan and assist the IEP team in the preparation of such plans.
- Prepare for and administrate due process hearings and reviews under IDEA and Section 504.
- Provide testimony in administrative hearings and court actions.
- Maintain confidentiality of medical and academic records.

MATERIALS

Required Text

Yell, M. L. (2012). *The law and special education* (2nd ed.). Upper Saddle River, NJ: Pearson, Prentice Hall.

Optional Text

What Do I Do When...® The Answer Book on Special Education Law - Fifth Edition
By John Norlin, Esq.(2009. Softcover. 474 pp. Product Code: 300055) LRP Publications
<http://www.shoplrp.com/product/p-300055.html>

Helpful Websites

American Civil Liberties Union
<http://aclu.org>

Circuit Court Decisions, U.S. Supreme Court Decisions, Codes and Regulations
<http://findlaw.com>
<http://megalaw.com>
<http://www.law.cornell.edu>

Civil Rights Division, U.S. Department of Justice
<http://www.usdoj.gov/crt>

Council for Exceptional Children
<http://cec.sped.org>

Education Week
<http://www.edweek.org>

Legislation, Regulations, and Policy Guidance, U.S. Department of Education
<http://ed.gov>

National Education Association
<http://nea.org>

Federal Government Code and Regulations Access
<http://www.access.gpo.gov>

Supplemental Materials (as needed)

When seeking additional information and/or a research-base for your program, it is essential that you access a variety of professional journals. Some suggestions include:

Beyond Behavior

Teaching Exceptional Children

Intervention School and Clinic

Exceptional Children

Behavioral Disorders

Assessment for Effective Intervention

Journal for Emotional and Behavioral Disorders

JABA (Journal of Applied Behavioral Analysis)

Behavior Therapy

Behavior Analyst

COURSE REQUIREMENTS AND EVALUATION CRITERIA

Below are the basic weights of the various kinds of work required for the course. Assignments should be submitted to eCollege dropbox. Assignments are due at 11:59 p.m. on the dates indicate in the course schedule section of this syllabus. All written assignments should be typed and adhere to the American Psychological Association, 6th Edition manual, whenever appropriate. **In addition, all written assignments must contain a header with the name of the person submitting the assignment in the actual document itself (not just the file name when it is uploaded).** In fairness to students who make the effort to submit work on time, 5% of the total assignment points will be deducted each day from your grade for late assignments. All assignments should reflect university level spelling, syntax, and grammar.

In order to maximize your learning and success in this course, the instructor is available to review drafts of any assignments prior to the due date for submission. The goal in doing this is to provide guidance in terms of the content of the assignment, not to edit writing mechanics. Drafts must be sent via email at least 3 days prior to the assignment due date to allow sufficient time to provide constructive feedback in a timely manner.

| Assignment | Points |
|-----------------------------------|--------|
| Discussion Questions | 30 |
| Web Quest | 10 |
| Case Brief | 25 |
| Case Studies (2 @ 25 points each) | 50 |
| Quizzes (3 @ 5 points each) | 15 |
| Assessment Webinar | 20 |
| Presentation/Handout | 50 |
| Total | 200 |

It is recommended that students retain electronic and hard copies of ALL course products. Products from this class can become part of one's individual professional portfolio.

OVERVIEW OF ASSIGNMENTS

- **Discussions (30 points)** Students are expected to post responses to discussion questions by the assigned due dates. Correct grammar, spelling, and punctuation should be utilized in all entries—i.e. these are to be professionally completed.
- **Web Quest (10 points)** Students will complete an internet scavenger hunt to assist with learning to locate legal information on the Internet. The Web Quest activity is located under the Week 1 tab. It should take approximately an hour to complete. **Answers to the WebQuest should be submitted to the Dropbox.**
- **Case Brief (25 points)** Students will use the LexisNexis database to locate three unabridged court cases involving K–12 education. This activity provides an opportunity to become familiar with how to read a legal opinion, legal case analysis, and enhance research skills. Case suggestions will be available from the instructor by request. A case brief template will be available on eCollege. Each case brief should be approximately 2 to 3 double spaced pages. The following

information can be presented in a bulleted format: (a) case (name, year, legal citation), (b) court, (c) plaintiff/appellant, (d) defendant/respondent, (e) facts, (f) remedy sought by plaintiff, (g) appeal process, (h) issue, (i) holding of the court, (j) reasoning of the court including relevant legal authorities, and (k) dissent (if any). You should then write an opinion about the court's ruling. Do you think it was correct or incorrect? You may rely on other cases to support your opinion, journal articles, knowledge of curriculum and instruction, child development, and/or the day-to-day operations of a school. This is not intended to be a detailed research paper, rather an opportunity to practice reasoning skills. **Case briefs should be submitted to the Dropbox.**

- **Case Studies (2 @ 25 points each)** The instructor will post two case studies during weeks 2 and 5. Students will read, analyze, and respond to questions based on each case. **Case studies should be submitted to the Dropbox.**
- **Quizzes (3 @ 5 points each)** A quiz is posted in Weeks 1, 2, and 4. Each quiz consists of 5 multiple choice or true false questions related to course readings. Quizzes are open book/open note.
- **Assessment Webinar (20 points)** The IRIS Center provides free, online professional development for teachers and administrators. Students will complete an interactive webinar titled: *Accountability: High Stakes Testing for Students with Disabilities*. The IRIS website is <http://iris.peabody.vanderbilt.edu/>

To access the webinar students should click on the green resources tab. Next, click on School Improvement/Leadership tab located on the left side of the screen. Choose *Accountability: High States Testing for Students with Disabilities*. Click on the challenge button to start the webinar. Complete each component. In separate word document, answer the four assessment questions. **Submit your answers to Dropbox.**

- **Special Education Law Presentation/Handout:** Students will present on different topics related to special education law (i.e. IEPs, etc.). Students will prepare a one-page handout on their topic (in the manner of the example posted on E-College/you can provide additional handouts if you would like, but that is not required) and a power point presentation to accompany it. Presentations should include an overview, based on IDEA, the reference numbers for the statutes and regulations, and influential court cases/decisions related to the topic. The idea with this assignment is that, when everyone has completed it, you will have a complete resource file for every major topic in special education that you should place in your professional files. **Students must use YouTube, Vimeo, Voice Thread, or some other resource, to record audio to go along with the power point presentation. Presentations must be posted to DocSharing/Webliography in E-College by the assigned due date. This assignment should be a minimum of 20 minutes in length and will be worth 50 points.**

Grading Scales

A = 90-100%

B = 80-89%

C = 70-79%

D = 60-69%

F = 59 and below

COURSE SCHEDULE

| Section and Weeks | Topics | Assignments and Due Date |
|--------------------------------------|---|--|
| Section 1 (January 14-February 1) | The Legal System: An Overview Conducting Legal Research History of Legislative and Judicial Actions Regarding Special Populations Legislative & Judicial Updates: IDEA | View Course Overview/Syllabus Complete Lexis Nexis Tutorial Yell Chapters 1, 2, 3 Web Quest Due 1/27/13 by 11:59 pm Quiz 1 Available 1/30/13-2/3/13 |
| Section 2 (February 4-March 1) | IDEA Section 504 ADA ESEA | Listen to Special Education Hearing Officer's Lecture and Complete Related Discussion Questions by 2/17/13 at 11:59 pm Yell Chapters 4, 5, 6, 7 Case Brief Due 2/24/13 at 11:59 pm Quiz 2 Available 2/27/13-3/3/13 |
| Section 3 (March 4-April 5) | FAPE Identification, Assessment, Evaluation IEP LRE | Yell Chapters 8, 9, 10, 11 Case Study 1 Due 3/24/13 by 11:59 pm Assessment Webinar Questions Due 4/7/13 by 11:59 pm |
| Section 4 (April 8-19) | Procedural Safeguards | Yell Chapters 12, 13 |

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|------------------------------------|---|---|
| | Disciplining Students with Disabilities | Case Study 2 Due 4/14/13 by 11:59 pm Quiz 3 Available 4/17/13-4/21/13 |
| Section 5 (April 22- May 10) | Additional Issues | Yell Chapter 14 Presentations/Handouts Due by 4/28/13 at 11:59 pm Respond to Discussion about Classmates' Presentations by 5/8/13 at 11:59 pm |

UNIVERSITY POLICIES AND PROCEDURES

Students with Disabilities

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact:

Office of Student Disability Resources and Services
Texas A&M University-Commerce
Gee Library, Room 132
Phone (903) 886-5150 or (903) 886-5835
Fax (903) 468-8148
StudentDisabilityServices@tamu-commerce.edu

Resource for **Free Textbooks** for Students with a Documented Disability: www.bookshare.org

Student Conduct

- "All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment." (See Student's Guide Handbook, Polices and Procedures, Conduct)
- Plagiarism and/or cheating will **not** be tolerated. The first offense of either activity will result in a "0" on the assignment, and the second offense will result in a "0" for the entire course.

Plagiarism

- "1. The action or practice of plagiarizing; the wrongful publication or purloining, and publication as one's own of the ideas, or expression of the ideas (literary, artistic, musical, mechanical, etc.) of another." Oxford English Dictionary.
- Students should know that plagiarism occurs any time another's ideas or words are used without

attribution. Direct quotations must be cited and set off from other text by quotation marks (“”); paraphrasing of another’s ideas must also be cited. Copying from other students is also plagiarism. Any offense wholly or partially touching the above definition constitutes plagiarism for the purposes of this class.

- Faculty members take plagiarism very seriously for two main reasons. First, it represents a subversion of the learning process and cheapens the learning experience for other students as well as the offender. Secondly, college faculty themselves must strictly abide by rules governing their scholarly work, including prohibitions against plagiarism. It is a core value of scholarly professionalism to acknowledge the intellectual contributions of others. It is also an element of our civil and criminal law, as well as the ethical standards of the learned professions—i.e. accounting, architecture, engineering, law, medicine, etc.

Cheating On Examinations, Quizzes and Other Course Assignments

- The Oxford English Dictionary defines the verb “to cheat” as: “2. to defraud; to deprive of by deceit; 3. a. to deceive, impose upon, trick; b. to lead into (an action) by deception; 4. a. to deal fraudulently, practice deceit.”
- Any attempt to circumvent the integrity of the testing process or otherwise evade the fullest demands of class assignments in an unethical manner constitutes cheating. That can mean looking on another student’s exam, consulting notes or books during an exam unless specifically permitted by the instructor, stealing an exam and circulating it among other students, text messaging in class during an exam, or lying to an instructor about such activities all constitute forms of academic dishonesty that amount to cheating. Any offense wholly or partially touching the above definition constitutes cheating for the purposes of this class.

IMPORTANT NOTES

Please note that this syllabus serves as a guideline for the course and is subject to change as necessary. It is the student’s responsibility to check eCollege and email for updates regularly.

Portions of this syllabus and some course content were provided by Dr. Brittany Hott (Summer II 2012). Pertinent adaptations for the current semester have been made.