

SPED 528: Special Education Law
Semester and Year: Spring 2015
Course location: Online

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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 COURSE ACCESS

Contacting the Instructor

If you have a question that you feel others in the class would benefit from the answer to, please post your question in the virtual office. For all other inquiries, email is my preferred method of communication. Please give me 48 hours to respond to your emails before resending. In addition, please be aware that I will not respond to emails on Saturday or Sunday, and emails received on Friday could potentially be responded to the following Monday.

Accessing the Course

This is an online course that will be conducted via eCollege (the class will NOT meet face-to-face). eCollege works best with Microsoft Windows and requires a high speed internet connection. 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). Please perform a "Browser Test" prior to the start of the course. To launch a browser test, login to eCollege, click on the "My Courses" 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. **If you have never utilized eCollege, you should take the eCollege tutorial accessed through a link on the "My Courses" page when you enter eCollege.**

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
- 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

STUDENT LEARNING OUTCOMES

This course addresses the following domains/competencies:

TEXES 161 Domains/Competencies Addressed

Domain	Competencies	Competency #
1 Understanding Individuals with Disabilities and Evaluating Their Needs	understanding formal and informal assessment procedures and how to evaluate student competencies to make instructional decisions	002
2 Promoting Student Learning and Development	understanding assistive technology as defined by state and federal regulations	005
3 Promoting Student Achievement in Reading, Language Arts, and Mathematics	understanding and applying knowledge of the philosophical, historical and legal foundations of special education	010
	applying knowledge of professional roles and responsibilities and adhering to legal and ethical requirements of the profession	011
4 Foundations and Professional Roles and Responsibilities	knowledge of how to communicate and collaborate effectively in a variety of professional settings	012

TEXES 153 Domains/Competencies Addressed

Domain	Competencies	Competency #
1 <i>Students with Disabilities</i>	Knows eligibility criteria	001
	Knows procedures for identification of disabilities and determination of educational need	
2 <i>Assessment and Evaluation</i>	Understands and applies knowledge of student assessment and evaluation	003
	Understands and applies knowledge of program planning and instructional decision-making	
4 <i>Foundations/Professional Roles and Responsibilities</i>	Understands and applies knowledge of the purpose, philosophy, and legal foundations of evaluation	008
	Understands and applies knowledge of special education	
	Understands and applies knowledge of ethical and professional practices, roles, and responsibilities	
	Develops collaborative relationships with families, educators, the school, the community, outside agencies, and related service personnel	009
	Knows and demonstrates skills necessary for scheduling, time management, and organization	

Specifically, students will be able to:

- analyze and discuss the federal legislative process
- identify major legislation and litigation in the special education field and state the purpose/outcome of each

- discuss current trends, proposed changes, and potential initiatives for legislation
- identify the relationship between federal and state statutes, administrative regulations, and direct services
- conduct legal research; use the internet and other resources/databases to access public documents pertaining to special education and special education law
- analyze special education topics/legal guidelines and apply the principles to relevant case studies

Required Text

Yell, M. L. (2011). *The law and special education* (3rd 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>

Additional Resources

- Weblinks posted in Webliography section of eCollege shell

COURSE REQUIREMENTS AND EVALUATION CRITERIA

All written assignments should be typed and adhere to the American Psychological Association, 6th Edition manual. **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).** A penalty of 10% off will be assessed for each day an assignment is late. All assignments should reflect university level spelling, syntax, and grammar.

Assignment	Points
Discussion Questions	65
Case Brief	25
Case Studies (2 @ 25 points each)	50
Quizzes (3 @ 20 points each)	60
Presentation/Handout	50
Total	250

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 (65 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. **Discussion submissions should be posted in the discussion thread area for pertinent sections OR answers will be submitted to the DropBox, per instructions in the directions.** (Responses

to the Special Education Hearing Officer video and the RTI module will be submitted via Dropbox.)

- **Case Brief (25 points)** Students will use the LexisNexis database to locate one 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. There is both a case index (p. 405) and a subject index (p. 413) in the back of your book, which you can utilize to find case suggestions for topics you are interested in (it might be helpful to use a case on the topic of your presentation).
 - A case brief template/rubric 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 three case studies in DocSharing. Students will select two case studies to analyze and answer the questions to. Students should respond to the 'Legal Issues' questions and the 'Other Issues' Questions at the end of each case study selected. **Case studies should be submitted to the Dropbox. AFTER submission of your responses to the DropBox, students will participate in a discussion thread pertinent to the case analyzed. Please adhere strictly to the dates for the discussion listed in the table below.**
- **Quizzes (3 @ 20 points each)** A quiz is posted in Weeks 1, 2, and 4. Each quiz consists of 10 multiple choice or true false questions related to course readings. Quizzes are open book/open note and can be taken up to 3 times. However, please note that the questions come from a pool and may be different each time.
- **Legislative Research Project:** Students will research different topics related to special education law (i.e. IEPs, etc.). Topics will be selected from an instructor-provided list in the discussion for Section 1 of the course. Students will:
 1. prepare a 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)
 2. prepare a power point presentation on their topic and record audio to narrate your presentation
 - a. 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. **Students must use YouTube, Vimeo, Voice Thread, or some other resource, to record audio to go along with the power point presentation.**
 3. create and post 5 multiple choice or true/false questions about your topic for

classmates to complete after viewing the presentation (posted to Discussion thread for Section 5)

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.

This assignment should be a minimum of 20 minutes in length and will be worth 50 points. Presentations and handouts must be posted to DocSharing/Webliography in E-College by the assigned due date. Students will answer classmate-created questions for TWO of the submitted presentations and upload the answers to the DropBox (worth 10 points accounted for in Discussion Points above).

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	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; Select Presentation Research Topic and Respond to Getting to Know You Discussion by 1/25/14 Complete Lexis Nexis Tutorials Yell Chapters 1, 2, 3 Quiz 1 Available 1/26/14-2/15/14
Section 2	IDEA Section 504 ADA ESEA	Listen to Special Education Hearing Officer's Lecture and Complete Related Discussion Questions by 2/21/14 at 11:59 pm Yell Chapters 4, 5, 6, 7 Case Brief Due 3/1/14 at 11:59 pm Quiz 2 Available 2/23/14-3/15/14
Section 3	FAPE Identification, Assessment, Evaluation IEP LRE	Yell Chapters 8, 9, 10, 11 Post RTI Module Discussion Questions to DropBox by 3/22/14 at 11:59 pm Case Study 1 Due 3/29/14 by 11:59 pm;

		Respond to Discussion Thread BETWEEN 3/30/14 and 4/5/14 Yell Chapters 12, 13
Section 4	Procedural Safeguards Disciplining Students with Disabilities	Case Study 2 Due 4/19/14 by 11:59 pm; Respond to Discussion Thread for Case Study 2 BETWEEN 4/20/14 and 4/26/14 Quiz 3 Available 4/6/14-4/26/14
Section 5	Additional Issues	Yell Chapter 14 Presentations/Handouts/Quiz Questions Due by 4/26/14 at 11:59 pm; Completed Classmate Questions Due by 5/3/14 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, Policies 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.