“Preparing Professionals for Changing Educational Contexts”

University of Nevada, Las Vegas
Department of Special Education

Syllabus

I. Prefix & Number: ESP 422
II. Title: Legal Aspects of Special Education
III. Credit: 3 Hours
IV. Semester: Spring, 2005
V. Class Location & Time: CEB 133/ Tue: 4:00 – 6:45 p.m.
VI. Instructor: Jane M. Williams, Ph.D.
VII. Office / Phone / Email: CEB 154 / 895-3329 / janew@unlv.nevada.edu
VIII. Office Hours: Tu: 2:30-3:30; W: 3:30-5 p.m.
IX. Prerequisite Courses: ESP 200 and ESP 421

X. Course Description:

An analysis of federal, state, and local statutes, policies and titles which affect the funding and direction of special education programs particularly as related to the development and implementation of Individual Education Programs for students with disabilities. Prerequisites: ESP 200 and ESP 421.

Council for Exceptional Children Program Standards Addressed in this Course

CC1: Philosophical, Historical, and Legal Foundations of Special Education
CC4: Instructional Content and Practice
CC6: Managing Student Behavior and Social Interaction Skills
CC8: Professionalism and Ethical Practices
CC1: Philosophical, Historical, and Legal Foundations of Special Education
GC3: Assessment, Diagnosis, & Evaluation
GC5: Planning and Managing the Teaching and Learning Environment
GC6: Managing Student Behavior and Social Interaction Skills
GC7: Communication and Collaborative Partnership
GC8: Professionalism and Ethical Practices

XI. Course Objectives:

Knowledge

Upon completion of this course, the student will have acquired knowledge related to:

1. Models, theories, and philosophies that provide the basis for special education practice. (CEC-CC1-K1)
2. Issues in definition and identification procedures for individuals with exceptional learning needs including individuals from culturally and/or linguistically diverse backgrounds. (CEC-CC1-K3)
3. Assurances and due process rights related to assessment, eligibility, and placement. (CEC-CC1-K4)
4. Rights and responsibilities of parents, students, teachers and other professionals, and schools as they relate to individual learning needs. (CEC-CC1-K5)
5. Applicable laws, rules and regulations, and procedural safeguards regarding the planning and implementation of management of behaviors of individuals with exceptional learning needs. (CEC-CC6-K1)
6. Current educational terminology and definitions of individuals with disabilities* including the identification criteria and labeling controversies, using professionally accepted classification systems and current incidence and prevalence figures (CEC GC1:K1).

7. The legal system to assist individuals with disabilities* (CEC GC1:K5).

8. Continuum of placement and services, including alternative programs available for individuals with disabilities* (CEC GC1:K6).

9. Laws, regulations, and policies related to the provision of specialized health care in the educational setting (CEC GC1:K7).

10. Legal provisions, regulations, and guidelines regarding unbiased assessment and use of psychometric instruments and instructional assessment measures with individuals with disabilities* (CEC GC3:K2).

11. Monitor intragroup behavior changes across subjects and activities (CEC GC5:K1).

12. Design learning environments for individuals with disabilities* that provide feedback from peers and adults. (CEC GC5:K2).

13. Common environmental and personal barriers that hinder accessibility and acceptance of individuals with disabilities* (CEC GC5:K4).

14. Rationale for selecting specific management techniques for individuals with disabilities* (CEC GC6:K1).

15. Sources of unique services, networks, and organizations for individuals with disabilities*, including career, vocational, and transition support. (CEC GC7:K1)

16. Types and importance of information generally available from family, school officials, legal system, community service agencies. (CEC GC7:K4)

Performance (Skills)

1. Conduct instructional and other professional activities consistent with the requirements of law, rules and regulations, and local district policies and procedures. (CEC-CC1-S2)

2. Delineate the principles of normalization versus the educational concept of “least restrictive environment” in designing educational programs for individuals with disabilities* (CEC GC1:S3).

3. Develop and implement a systematic behavior management plan using observation, recording, charting, establishment of timelines, hierarchies of interventions, and schedules of reinforcement (CEC GC6:S2).

4. Assist students, in collaboration with parents and other professionals, in planning for transition to post-school settings with maximum opportunities for decision making and full participation in the community (CEC GC7:S2).

5. Articulate the teacher’s ethical responsibility to nonidentified individuals who function similarly to individuals with disabilities* (CEC GC8:S2).

Dispositions

1. Articulate the teacher’s ethical responsibility to nonidentified individuals who function similarly to individuals with disabilities* (CEC GC8:S2).

2. Comply with local, state, provincial, and federal monitoring and evaluation requirements. (CEC-CC8-S7)

XII. Resources

Required Texts:


Recommended Texts:


Required Readings:

Required readings from the texts required supplementary readings are indicated in the syllabus. Required supplementary readings that are marked with an asterisk (*) are available through e-reserves or at the Reserve Desk at CML. Articles that are available through the internet must be downloaded by the student.

XIII. Course Assignments and Grades

<table>
<thead>
<tr>
<th>Activities</th>
<th>Points</th>
</tr>
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<tbody>
<tr>
<td>1. Attendance and participation</td>
<td>150</td>
</tr>
<tr>
<td>2. Video Summaries (5)</td>
<td>100</td>
</tr>
<tr>
<td>3. Article Reviews (10)</td>
<td>100</td>
</tr>
<tr>
<td>4. Mid-Term: 2 Case Studies</td>
<td>50</td>
</tr>
<tr>
<td>5. Final Exam: 4 Case Studies</td>
<td>100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>500</strong></td>
</tr>
</tbody>
</table>

1. **Class attendance and participation.** Each student is expected to prepare for, attend, and participate actively in each class session. Punctuality is also expected. These professional behaviors are essential to successful achievement in this course as well as in the profession. Since class participation is critical to attainment of course objectives, very few reasons will be accepted for missing, or being tardy for, class.

2. **Video Summaries.** During the semester, 9 videos will be shown during class. For five of the videos, the student must prepare a written summary of the video. *The video summary will be due the following class session.* The summary must include bibliographic information; a summary of major points; state and federal regulations addressed; and major implications for you as a service provider. The summary should be typed, double-spaced, with correct punctuation, grammar, and sentence construction. The summary should be between 2-4 pages.

3. **Article Reviews.** In addition to readings in the required texts, additional readings are required. For 10 of the articles, each student is expected to complete an article review. The review must include bibliographic information, a brief synopsis of the contents of the reading, and implications for educators charged with ensuring a free appropriate public education for students with disabilities. Article reviews must be typed, double spaced, and be between 2-4 pages. It is suggested that the article reviews be submitted throughout the semester. *Half of the article reviews are due by mid-term, or March 8, 2005; the remainder are due no later than April 26, 2005*

4. **Mid-term Examination.** Two case studies from the Boyle and Weishaar text will be selected for the mid-term examination. Students will respond to assigned case studies related to the Nevada Administrative Code, Section 388, and federal laws and regulations, The Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, as amended. Responses must be thorough, based on legal requirements of pertinent state and federal statutes and regulations, and address points discussed in class. The mid-term examination will be a take home examination. *It will
be distributed on March 1, 2005 during class. It is due at the beginning of class on March 15, 2005.

5. Final Examination. Four case studies from the Boyle and Weishaar text will be selected for the final examination. Responses must address pertinent regulations in the Nevada Administrative Code, Section 388, and federal laws and regulations, The Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, as amended, and the Family Educational Rights and Privacy Act (FERPA). Responses must be thorough, based on legal requirements of pertinent state and federal statutes and regulations, and address points discussed in class. Responses must be typed with correct spelling, punctuation, grammar, sentence construction, etc. The final examination will be a take-home examination. The exam will be distributed on April 26, 2005 and is due no later than 4:00 p.m. on May 10, 2005.

Grading Scale: (Note: Points will be deducted for late assignments.)

<table>
<thead>
<tr>
<th>Points</th>
<th>Grade</th>
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<tbody>
<tr>
<td>465-500</td>
<td>A (93-100%)</td>
</tr>
<tr>
<td>425-464</td>
<td>B (85-92%)</td>
</tr>
<tr>
<td>375-424</td>
<td>C (75-84%)</td>
</tr>
<tr>
<td>325-374</td>
<td>D (65-74%)</td>
</tr>
<tr>
<td>&lt;324</td>
<td>F (&lt; 64%)</td>
</tr>
</tbody>
</table>

Points will be deducted for late work. No work will be accepted more than one week after the due date. Assignments will be evaluated on both content and language usage. Assignments completed outside of class must be typed or word-processed with correct syntax, grammar, spelling, and punctuation. Points will be deducted for errors in any of these areas.
**SPECIAL NOTES**

**Disability Resource Center**
The Americans with Disabilities Act mandates accessibility in all aspects of the learning environment. "If you have a documented disability that may require assistance, you will need to contact the Disability Resource Center (DRC) for coordination in your academic accommodations. The Disability Resource Center is located in the Reynolds Student Services Complex, room 137. The DRC phone number is 895-0866 or TDD 895-0652."

**Academic Integrity Statement**
UNLV and its College of Education demand a high level of scholarly behavior and academic honesty on the part of students. Violations by students exhibiting honesty while carrying out academic assignments and procedural steps for dealing with academic integrity are delineated in the *Handbook of Regulations Governing Probation and Suspension Within The College of Education*. This publication may be found in the curriculum Materials Library (CML – CEB 101), the Department of Educational Leadership (CEB 320), or the Office of the Dean of the College Education (CEB 301).

**Religious Holidays**
It is UNLV’s policy to give students who miss class because of observance of religious holidays the opportunity to make up missed work. Students are responsible for notifying the instructor no later than the last day of registration for the semester or summer term of plans to observe the holiday.

**Beepers and Cellular Telephones**
It is UNLV’s policy that all beepers and cellular telephones must be turned off during class time. If extenuating circumstances exist that this policy cannot be followed, please consult with the professor.

**Accreditation Purposes**
Assignments completed for this course may be used as evidence of candidate learning in national, regional, and state accreditation reports of College of Education Programs. Names and of the identifying elements of all assignments will be removed from being included in any report. Your participation and cooperation in the review of COE programs is appreciated. If you do not wish to have your coursework used, it is your responsibility to let the professor know.
Class Schedule – At a Glance

ESP 422

1/18/05 (1) Introduction, Course Overview and Expectations
P.L. 105-17, The Individuals with Disabilities Education Act of 1997 (IDEA)

Williams & Alexander - Chapters I and II, pp. 1-30; Appendices A and B

2/01/05 (3) Gorn - Chapter 2, Evaluations, pp. 2:1-2:18
Williams & Alexander – Chapter V, pp. 67-83

2/08/05 (4) Gorn – Chapter 1, Eligibility, pp. 1:1 – 1:15
Williams & Alexander – Chapter VI, pp. 83-110

2/15/05 (5) Gorn - Chapter 4, Individualized Education Program (IEP), pp. 4:1-4:21
Gorn - Chapter 4, Individualized Family Services Plan (IFSP), Question 3, pp. 4:1-4:2
Gorn - Chapter 5, Placement, Question 3, pp. 5:26-5:27
Williams & Alexander – Chapter VII, pp. 112-136

2/22/05 (6) Gorn - Chapter 4, Individualized Education Program (IEP) - Parental Involvement, pp. 4:21- 4:24
Gorn - Chapter 3, Free Appropriate Public Education - Transition, pp. 3:18-3:20
Williams & Alexander - Chapter VII, pp. 127-130; 136-139

3/01/05 (7) Gorn - Chapter 6, Related Services, pp. 6:1-6:21
Williams & Alexander – Chapter I, pp. 11-13

3/08/05 (8) Gorn - Chapter 5, Placement, pp. 5:1-5:26
Williams & Alexander – Chapter VII, pp. 141-148

3/15/05 (9) Gorn - Chapter 11, Discipline
Williams & Alexander - Chapter X, pp. 190-217; Appendix E

3/22/05 (10) NO CLASS – Spring Break

3/29/05 (11) Gorn - Chapter 7, Procedural Safeguards, pp. 7:1-7:19
Williams & Alexander – Chapter VIII, pp. 155-166; Appendix D

4/05/05 (12) Independent Study

4/12/05 (13) Gorn - Chapter 7, Procedural Safeguards, Consent, pp. 7:19-7:22
Gorn - Chapter 10, Private School Students
Williams & Alexander – Chapter IV, pp. 44-54; Chapter XI, pp. 220-230; Chapter XII, pp. 231-236; Appendix C

4/19/05 (14) Gorn - Chapter 8, Due Process Hearings & Appeals, Mediation, & Complaint Procedures, pp. 8:1-8:24
Gorn - Chapter 12, Judicial Actions and Remedies, pp. 12:1-12:25
Williams & Alexander – Chapter IX, pp. 167-188
Williams & Alexander – Chapter IX, pp. 178-179; 184-185
**Supplementary Readings**

|---------|---------------------------------------------------------------------------------------------------------------------|


2/22/05


3/08/05


3/15/05

*During manifestation hearing, how to decide if student’s IEP, placement, and services were appropriate. (2003, April). *IEP Team Trainer. New York, NY: Brownstone Publishers, Inc., 1-4.


3/22/05

3/29/05


4/19/05


4/26/05


Videos

1/18/05

1/25/05

2/15/05

2/22/05

3/08/05

3/15/05

4/12/05

4/19/05

4/26/05
<table>
<thead>
<tr>
<th>Proficiency Levels</th>
<th>Content</th>
<th>Analysis</th>
<th>Organization</th>
<th>Format</th>
</tr>
</thead>
</table>
| **Target**        | *Case study presented without errors*  
|                   | *Includes responses to all questions*  
| 6-8 points        | *Based on legal requirements of pertinent state and federal statutes and regulations with appropriate references*  
|                   | *Demonstrates strong understanding of information presented*  
| 6-8 points        | *Provides detailed information in logical order of major issues in case study*  
|                   | *Consistently well-organized*  
| 4-5 points        | 4-5 points            | 4-5 points            | *3-5 pages in length*  
|                   | *Typed or word-processed with correct syntax, grammar, spelling, & punctuation* |
| **Acceptable**    | *Case study presented with 1 to 3 minor errors*  
|                   | *Includes responses to most questions*  
| 4-5 points        | *Minimal analysis of pertinent requirements of state and federal statutes and regulations with minimal citations*  
|                   | *Demonstrates adequate understanding of case study issues*  
| 4-5 points        | *Provides information in logical order*  
|                   | *Somewhat organized*  
| 2-3 points        | 2-3 points            | 2-3 points            | *1-2 pages in length*  
|                   | *Typed or word-processed with minimal errors in syntax, grammar, spelling, & punctuation* |
| **Unacceptable**  | *Displays major misunderstanding of case study issues*  
|                   | *Includes responses to fewer than half of the questions*  
| < 4 points        | *Provides minimal or no legal foundation*  
|                   | *Provides insufficient detail to ensure understanding of topic*  
| < 4 points        | *Provides partial information of the case study issues*  
|                   | *Disorganized*  
| < 2 points        | < 2 points            | < 2 points            | *Fewer than 1 page in length*  
|                   | *Typed or word-processed with significant errors in syntax, grammar, spelling, & punctuation* |