Preventing professionals for changing educational contexts

I. **Course Prefix & Number:** ESP 422 CMT

II. **Title:** Legal Aspects of Special Education

III. **Course Credit Hours:** 3 hours

IV. **Semester:** Fall, 2006

V. **Instructor:** Dr. John Filler

VI. **Office Location:** CEB 118A

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1 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 for coordination in your academic accommodations. The DRC is located in the Reynolds Student Services Complex in Room 137. The DRC phone number is 895-0866 or TDD-895-0652”.

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 dishonesty 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), or the Office of the Dean of the College of Education.

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.

**Collection of Student Assignments for Accreditation Purposes**

Assignments completed for this course may be used as evidence of candidate learning in national, regional and state accreditation reports of COE programs. Names and other identifying elements of all assignments will be removed before being included in any report. Students who do not wish their work to be used for accreditation purposes must inform the instructor in writing by the end of late registration. Your participation and cooperation in the review of COE programs is appreciated. Thank you.
Class Location: CEB 117

VII. Office Hours:
      Tuesday: 9:00 - 10:30am
      Wednesday: 9:00 - 10:00am
                  3:00 - 4:00pm
      Thursday: 3:00 - 4:00pm

VIII. Telephone:
      895-1105 (Voice Mail)
      john.filler@unlv.edu (email)

IX. Prerequisite(s):
      None

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.

CEC Guidelines Addressed:

• GC Standard 1.0: Foundations of Special Education
• GC Standard 3.0: Assessment, Diagnosis & Evaluation
• GC Standard 5.0: Teaching & Learning Environment
• GC Standard 6.0: Behavior & Social Interaction Skills
• GC Standard 7.0: Communication & Collaborative Partnerships
• GC Standard 8.0: Professionalism & Ethical Practices

XI. Course Objectives:

Knowledge:

1. Each candidate will demonstrate knowledge of both federal and state law regarding
   education of students from birth to 22 with disabilities. GC 1. K1, K5, K7; GC 3. K2

2. Each candidate will demonstrate knowledge of due process, procedural safeguards, and

3. Each candidate will demonstrate knowledge of the range and breadth of services
   necessary to ensure FAPE for students with disabilities. GC 1. K6.

4. Each candidate will demonstrate an understanding of the relationship between eligibility
   and needs as indicated by present levels of performance contained in the IEP. GC 1. K;
   GC 3. K2;

5. Each candidate will demonstrate an understanding of the ways in which an IEP may
   reference the general education curriculum in present levels of performance, benchmarks
   or short-term objectives, classroom setting and related services. GC 3. K2.
6. Each candidate will demonstrate an awareness of the essential elements of a minimally effective transition plan for, first, transition from ECSE to elementary programs and, second, from secondary school to competitive and/or assisted community-based employment. **GC 5. K1.**

7. Each candidate will demonstrate a thorough understanding of the legal proscriptions regarding discipline including suspension and expulsion as related to students with disabilities. **GC 6. K1.**

8. Each candidate will demonstrate an understanding of the role of teacher and administrator as advocate for children with disabilities. **GC 7. K1.**

**Performance (Skills):**

1. Each candidate will demonstrate the ability to construct conceptually sound and objectively measurable goals and objectives (benchmarks). **GC 7. S2.**

2. Each candidate will demonstrate the ability to use 34 CFR 300 and 34 CFR 303 to find answers to specific questions regarding the appropriateness of special education and related services. **GC 1. S3; GC 5. K2, K4.**

**Disposition(s):**

1. Each candidate will demonstrate an awareness of the legal basis for placement in the Least Restrictive Environment including a thorough understanding of the differences between “integration”, “mainstreaming”, and “inclusion”. **GC 5. K2, K4; GC 4. S6; GC 7. S2.**

**Results:**

1. Each candidate will use relevant sections of the Code of Federal Regulations to construct answers to questions regarding the appropriateness of services and educational practices for students with disabilities. **GC 6. S2; GC 4. S6; GC 8. S2.**

**XII. Suggested Resources:**

**Required Text(s) & Materials:**

Public Law 108-446: The Individuals with Disabilities Education Act Amendments of 2004. (Parts B through C printed, all downloaded).


**Optional Text(s):**


Current and Classical Reference(s):

Federal Register, Volume 63, Number 71, Tuesday, April 14, 1998, Pp. 18289-18296.
Early Intervention Program for Infants and Toddlers with Disabilities; Final Rule.

Federal Register, Volume 58, Number 145, Friday, July 30, 1993, Pp. 40958-40989. 34 CFR Part 303, Early Intervention Program for Infants and toddlers with Disabilities; Final Rule.

Federal Register, Volume 57, Number 189, Tuesday, September 29, 1992, Pp. 44794-44840.
34 CFR Parts 300 and 301, Assistance to States for the Education of Children with Disabilities Program and Preschool Grants for Children with Disabilities; Final Rule.

Federal Register, Volume 57, Number 208, Tuesday, October 27, 1992, Pp. 48694-48704.
34 CFR Parts 300 and 301, Assistance to States for the Education of Children with Disabilities program and Preschool Grants for Children with Disabilities; Correction; Final Rule.


Public Law 105-17: The Individuals with Disabilities Education Act Amendments of 1997. (Can be down loaded from http://thomas.loc.gov/ )


**Additional Material(s):**

**Internet Resources:**

The Americans with Disabilities Act:  
http://www.janweb.icdi.wvu.edu/kinder/

EDLAW:  
http://www.access.digex.net/~edlawinc/#links

ERIC: (search engine)  
http://io.syr.edu/plweb-cgi/fastweb?searchform+dbview

Federal Government Resources (SPED law):  
http://www.law.vill.edu/Fed-Agency/fedwebloc.html

Federal Register (UC San Diego search engine):  
http://www.gpo.ucop.edu/search/fedfld.html

Thomas: U.S. Congress on the Internet, a service of the Library of Congress:  
http://thomas.loc.gov/

USDOE:  
http://www.ed.gov/index.html

USDOE / OSEP:  
http://www.edgov/offices/OSERS/OSEP/index.html

**XIII. Course Requirements and Grading Policy:**

**Course Requirements:**

1. **Examinations:**

Two tests are required. One will be given at mid-week and the other at the end of the week. Each will be taken in class and consist of 10 to 15 short-answer questions which cover material presented in class and in the assigned readings. Some of the questions will involve using regulations to answer rule specific "what if" questions. **Exams must be taken at the date and time indicated.** Failure to do so, without an acceptable excuse, will result in assignment of a zero score.
2. Attendance:

Regular class attendance is expected. Exams must be taken at the date and time indicated. Failure to do so, without an acceptable excuse, will result in assignment of a zero score.

Grading Policy:

Each test is worth 100 points. The final grade is, then, the simple arithmetic average of the points earned on the first test and the second test. Grades with associated point ranges are:

- A = 95 - 100
- A- = 90 - 94
- B+ = 87 - 89
- B = 83 - 86
- B- = 80 - 82
- C+ = 77 - 79
- C = 73 - 76
- C- = 70 - 72
- D+ = 67 - 69
- D = 63 - 66
- D- = 60 - 62
- F = 59 and below

Instructional Methods:

Material will be presented using a variety of formats, primary among them is lecture and class discussion. Other methods, including role playing, discussion groups and video presentations also will be employed to a lesser degree.

XIV. Course Outline:

<table>
<thead>
<tr>
<th>Session</th>
<th>Topic(s)</th>
<th>Readings / Assignments</th>
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<tbody>
<tr>
<td>1. October 2</td>
<td>I. Introductions &amp; Course Overview</td>
<td>Chapter 1 in text (Turnbull &amp; Turnbull, 2000)</td>
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<tr>
<td></td>
<td>II. The Legal System</td>
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<td>III. P.L. 94-142 Background</td>
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<td>IV. P.L. 105-17 Provisions - (Part B)</td>
<td>Chapter 2 in text</td>
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<td>V. P.L. 105-17 (Part C)</td>
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<td>VI. The “Law” from 1975 to Now</td>
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<td>2. October 3</td>
<td>VII. P.L. 105-17- Who’s Eligible?</td>
<td>Chapter 4 in text</td>
</tr>
</tbody>
</table>
VIII. Appropriate Education Defined
IX. IEP v. IFSP Content Chapter 5 in text
X. Present Levels. What are they? Where do they come from?
XI. Referencing the “general education curriculum”.
XII. Benchmarks, Outcomes, Goals and Objectives

XIII. “Developing” Goals and Objectives

3. October 4
   * MIDTERM EXAM All notes and readings assigned thus far
   XIV. What IS LRE? - 34 CFR 300.550 to 300.552
   XV. REI - A matter of public policy and law.
   XVI. Frequent LRE Questions
   XVII. Steps in developing Transition Plans

4. October 5
   XVIII. Related Services: Where, When and How
   XIX. Teacher as Advocate Chapter 8 in text
   XX. Teacher/Family Partnerships: From IEP to Collaborative Team
   XXI. Discipline Issues
     - “Stay Put” & discipline
     - Manifestation Determination
     - Weapons & Drugs (IAP)

5. October 6
   XIX. Intro. to Due Process Issues Chapter 7 in text
   XX. Teachers in Due Process Proceedings
   XXI. Policy and Politics Chapter 10 in text
   XXII. Catch-up on unfinished topics
   *FINAL EXAM All notes & readings from midterm to now.

* Exams must be taken at the date and time indicated. Failure to do so, without an acceptable excuse, will result in assignment of a zero score.