Preparing professionals for changing educational contexts

I. Course Prefix & Number: ESP 422 CM1

II. Title: Legal Aspects of Special Education

III. Course Credit Hours: 3 hours

IV. Semester: Fall, 2007

The Disability Resource Center (DRC) coordinates all academic accommodations for students with documented disabilities. The DRC is the official office to review and house disability documentation for students, and to provide them with an official Academic Accommodation Plan to present to the faculty if an accommodation is warranted. Faculty should not provide students accommodations without being in receipt of this plan.

UNLV complies with the provisions set forth in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, offering reasonable accommodations to qualified students with documented disabilities. If you have a documented disability that may require accommodations, you will need to contact the DRC for the coordination of services. The DRC is located in the Student Services Complex (SSC), Room 137, and the contact numbers are: VOICE (702) 895-0866, TTY (702) 895-0652, FAX (702) 895-0651. For additional information, please visit: <http://studentlife.unlv.edu/disability/>.

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Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV’s function as an educational institution.

An example of academic misconduct is plagiarism: “Using the words or ideas of another, from the internet or any source, without proper citation of the sources.” See the “Student Academic Misconduct Policy” (approved December 9, 2005, located at <http://studentlife.unlv.edu/judicial/misconductPolicy.html>.

As a general rule, a student missing a class or laboratory assignment because of observance of a religious holiday shall have the opportunity to make up missed work. Students must notify the instructor of anticipated absences by the last day of late registration, August 31, 2007, to be assured of this opportunity. Faculty may give students an additional week, but are encouraged to set a clear deadline. NOTE: Students who represent UNLV at any official extracurricular activity shall also have the opportunity to make up assignments, but the student must provide official written notification to the instructor no less than one week prior to the missed class(es).

Writing Assistance. One-on-one or small group assistance with writing is available free of charge to UNLV students at the Writing Center, located in CDC-301. Although walk-in consultations are sometimes available, students with appointments will receive priority assistance.

Appointments may be made in person or by calling 895-3908. The student’s Rebel ID Card, a copy of the assignment (if possible), and two copies of any writing to be reviewed are requested for the consultation. http://writingcenter.unlv.edu/

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.
V. Instructor: Dr. John Filler

VI. Office Location: CEB 118A
   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. GC1.K1, K5, K7; GC 3.K2

2. Each candidate will demonstrate knowledge of due process, procedural safeguards, and parental rights. GC 3.K2.

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.


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:


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 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 downloaded 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>
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<th><strong>Session</strong></th>
<th><strong>Topic(s)</strong></th>
<th><strong>Readings / Assignments</strong></th>
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<tbody>
<tr>
<td>1. October 1</td>
<td>I. Introductions &amp; Course Overview</td>
<td>Chapter 1 &amp; 2 in text (Turnbull et al., 2007)</td>
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<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. 108-446 Provisions - (Part B)</td>
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<td>V. P.L. 108-446 (Part C)</td>
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<td>VI. The “Law” from 1975 to Now</td>
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2. October 2

VII. P.L. 108-446: Who’s Eligible?
VIII. Appropriate Education Defined
IX. IEP v. IFSP Content
X. Developing Goals and Objectives
XI. LRE: What is It?.
XII. Regular Educ. Initiative
XIII. LRE Arguments

Chapter 4 in text

Chapter 6 in text

3. October 3

* MIDTERM EXAM

XIV. Transistion Planning
XV. Related Services
XVI. Teacher Advocacy
XVII. Family Involvement

Chapter 7 in text

All notes and readings assigned thus far

4. October 4

XVIII. Discipline

-“Stay Put” & discipline
- Manifestation Determination
- Weapons & Drugs (IAP)

Chapter 9 in text

XIX. Intro. To Due Process

5. October 5

XX. Medically Fragile
XXI. Policy and Politics
XXII. Catch-up on unfinished topics

Chapter 11 in text

*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.