Mayville State University
SPED 396: Special Education Law (3 credits)
Summer 2018 Online

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Office Hours: Digital conferencing, phone or by appointment
Learning Management System: Blackboard Learn
Instruction Mode: Online Asynchronous
Time Zone: All times indicated throughout this syllabus reflect Central Time (CT).

Course Description: In this course we will conduct an in-depth study of the laws and regulations that govern special education and related areas of education law. The course will focus on key concepts of special education law, emphasizing the relationship between legal and practical considerations. We will look at the formal statutes and regulations that govern special education, but put most of our emphasis on how these laws are implemented in the real world, by looking at legal decisions, case studies and practical scenarios. **Prerequisite:** Admission to Teacher Education and SPED 389: Foundations of Special Education. F. S.

Purpose of the Course: Since the civil rights movement, there have been laws protecting the rights of students with disabilities. Today, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires that school districts provide all individuals with disabilities, age 3 to 21, with a "free appropriate public education" (FAPE). The IDEA establishes a comprehensive system of procedural and substantive mandates to meet this standard. This area of law, its requirements, and the consequences of its implementation have received increasing attention from the classroom to the courtroom. Since its 1997 IDEA reauthorization, there has been a rise in IDEA-related disputes between school districts and parents of students with disabilities. Consequently, understanding IDEA fundamentals is necessary for professionals in education to understand and implement.

Conceptual Framework: Our conceptual framework at Mayville State is The Reflective Experiential Teacher. It is based upon a belief that pre-service teachers develop abilities to reflect on current research findings, essential and theoretical knowledge, and appropriate teaching strategies and practices through experience. Application requires learning how to reflect, to question, and test hypothesis, while experiential practices engage students in a variety of clinical, field-based opportunities in which to employ and assess their instructional abilities.

Required Materials:
Yell, M. L. (2016). *The law and special education* (4th. ed.). Upper Saddle River, NJ: Pearson
Education Inc.

Supplemental materials will be available and provided during the course through websites and downloadable files.

Course Improvements Based on Most Recent Assessment Findings: This course will be assessed during the next assessment cycle and findings reported when available.

	InTASC Model Core Teaching Standards
1	*Learner Development:* The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.
2	*Learning Differences:* The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards.
3	*Learning Environments:* The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self-motivation.
4	*Content Knowledge:* The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teachers and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content.
5	*Application to Content:* The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.
6	*Assessment:* The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher's and leaner's decision making.
7	*Planning for Instruction:* The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.
8	*Instructional Strategies:* The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understandings of content area and their connections, and to build skills to apply knowledge in meaningful ways.
9	*Professional Learning & Ethical Practice:* The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and action on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner.
10	*Leadership & Collaboration:* The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

	Council for Exceptional Children (CEC) Standards
1	*Learner Development & Individual Learning Differences:* Beginning special education professionals understand how exceptionalities may interact with development and learning and use this knowledge to provide meaningful and challenging learning experiences for individuals with exceptionalities.
2	*Learning Environments:* Beginning special education professionals create safe, inclusive, culturally responsive learning environments so that individuals with exceptionalities become active and effective learners and develop emotional well-being, positive social interactions, and self-determination.
3	*Curricular Content Knowledge:* Beginning special education professionals use knowledge of general and specialized curricula to individualize learning for individuals with exceptionalities.
4	*Assessment:* Beginning special education professionals use multiple methods of assessment and data-sources in making educational decisions.
5	*Instructional Planning and Strategies:* Beginning special education professionals select, adapt, and use a repertoire of evidence-based instructional strategies6 to advance learning of individuals with exceptionalities.
6	*Professional Learning & Ethical Practice:* Beginning special education professionals use foundational knowledge of the field and the their professional Ethical Principles and Practice Standards to inform special education practice, to engage in lifelong learning, and to advance the profession.
7	*Collaboration:* Beginning special education professionals collaborate with families, other educators, related service providers, individuals with exceptionalities, and personnel from community agencies in culturally responsive ways to address the needs of individuals with exceptionalities across a range of learning experiences.

Course Goals and Objectives:

- Demonstrate an understanding of the larger political, social, economic, legal and cultural context that contribute to the success in a pluralistic society of all students, especially those who demonstrate disabilities.(SLO 4; INTASC 1,5,7,9,10; CEC 1,2,3,6,7)
- Demonstrate an understanding of federal and state laws and regulations regarding the special education programs including free appropriate public education, nondiscriminatory evaluation, provision of technology, individual educational program, parental participation, discipline, least restrict environments, due process, and compliance. (SLO 1-4; INTASC 1-10; CEC 1-7)
- Demonstrate an understanding of the district, school, and classroom procedures used to assure compliance. (SLO 2,4; INTASC 1,9,10; CEC 6,7)
- Recognize legal provisions and ethical principles regarding assessment of individuals (ISCI 4 K2; INTASC 4; SLO 4)
- Define laws and policies regarding referral and placement procedures for individuals with exceptionalities (IGC4 K2 IIC4 K2; INTASC 4; SLO 4)
- Roles and responsibilities of the paraeducator related to instruction, intervention, and direct service (ISCI 5 K1; INTASC 7&8; SLO 3&4)
- Laws, policies, and ethical principles regarding behavior management planning and implementation (ISCI 6 K2; INTASC 9; SLO 1,2&4)
- Rights and responsibilities of individuals with exceptionalities, parents, teachers, and other professionals, and schools related to exceptionalities (ISCI 6 K4; INTASC 9; SLO 4)
- Issues, assurances and due process rights related to assessment, eligibility, and placement within a continuum of services (ISCI 6 K6; INTASC 9; SLO 2&4)
- Outline methods to remain current regarding research-validated practice (ISCI 6 K14; INTASC 9; SLO 3&4)

- Historical foundations, classic studies, major contributors, major legislation, and current issues related to knowledge and practice (IGC6 K3 IIC6 K3; INTASC 9; SLO 3&4)
- The legal, judicial, and educational systems to assist individuals with exceptionalities (IGC6 K4 IIC6 K4; INTASC 9; SLO 1-4)
- Laws and policies related to provision of specialized health care in educational settings (IGC6 K6 IIC6 K6; INTASC 9; SLO 2-4)
- Principles of normalization and concept of least restrictive environment (IGC6 K8 IIC6 K7; INTASC 9; SLO 1,2&4)

Diversity Competencies:
Knowledge: 0(i), 0(k), 1(g), 2(h), 3(l), 6(k), 6(p), 7(j), 7(k), 7(m), 8(l), 9(j), 10(l)
Skills: 0(a), 0(c), 2(c), 2(e), 3(f)
Dispositions: 1(h), 7(q), 8(p), 8(s), 9(m)

Technology Competencies:
5(k-1) The teacher recognizes the demands of accessing and managing information. (Goals 1,6)
5(k-2) The teacher can identify issues of ethics and quality related to information and its use. (Goals 2,4)
8(o-1) The teacher explains how content and skill development can be supported by media and technology.
(Goals 1, 3, 7)
8(r) The teacher is committed to exploring how the use of new and emerging technologies can support and promote student learning. (Goal 1,2,5,7,9)

Course Improvements Based on Most Recent Assessment Findings

This course will be assessed in the future and the findings will be reported in this syllabus.

Course Requirements:

1.) Course Lessons: (655 points-77% of final grade)
You will be completing 12 lessons through this session which will include readings, assignments, case briefings, case studies, videos, comprehension checks, and reflective, academic writing. Detailed instructions are on Blackboard and in each *Lesson Instruction* sheet. Components of each lesson will be graded-these are noted at the bottom of each instruction sheet. Grades for lessons will be submitted as they come due (see course calendar).
Due: Various dates-see schedule

2.) Special Education Philosophy Paper: (100 points-11.5% of final grade)
What is the purpose of special education? What are special education teachers supposed to do? What is the student's role in the process? How does a special educator remain current in their practice? It is important to be aware of your own philosophy of special education as it influences the decisions you make and the lessons you plan and implement. Through the writing of your own philosophy, you will see more clearly your own beliefs, values and goals about teaching students with exceptionalities. As topics around the Council for Exceptional Children Standards are addressed in

class, you will evaluate and establish your philosophy on each. See detailed assignment sheet for specifics and grading. A detailed assignment sheet will be provided.
Due: July 10 by Midnight

3). Final Exam: (100 points-11.5% of final grade)
One final examination will be held for the course covering the fundamental principles, laws and procedural requirements related to special education programs. A proctor must be submitted for approval at least 10 days in advance. The exam will be conducted online and made available July 13th from 8am to Midnight. A detailed assignment sheet for the final exam will be provided.
Due: July 13

Proctor Notification: This online course requires a proctor to supervise test-taking for the Final Exam. Please complete the process of securing a proctor as per the MSU Online process.

Course Schedule (tentative):

	Topic	**Date Due-Midnight**	**Points**
Lesson 1	Course Introduction & The American Legal System	May 25	45
Lesson 2	Legal Research & History of the Law	May 29	75
Lesson 3	IDEA	June 1	35
Lesson 4	Section 504 of the Rehabilitation Act of 1973	June 5	45
Lesson 5	The Americans with Disabilities Act	June 12	35
Lesson 6	The Elementary and Secondary Education Act	June 12	50
Lesson 7	Free Appropriate Public Education (FAPE)	June 19	65
Lesson 8	Identification, Assessment, and Evaluation	June 19	55
Lesson 9	The Individualized Education Program	June 26	75
Lesson 10	Least Restrictive Environment (LRE)	June 26	55
Lesson 11	Procedural Safeguards	July 2	45
Lesson 12	Discipline & Additional Issues	July 2	75
Philosophy Paper		July 10	100
Final Exam		July 13	100

Course Grading and Policies:

855-800	A100-94%	679-612	D 79-72%
799-740	B 93-87%	611-0	F 71-0%

739-680 C 86-80%

- All class assignments/work, graded and ungraded, must be attempted for a final grade to be given.
- *Assignments must be submitted on the due dates that are provided.* ***For the assignments that are late, a 1 point deduction will be taken for each day the assignment is past due***. If you would need an extension on an assignment, simply communicate with me in advance since life does happen along the way. For most situations, an extension will be granted, unless making this request has become patterned.
- If you receive a grade of *D* or lower on the a Lesson or the Philosophy Paper assignments which is not due to incompletion, you may redo the work to improve your score by **1 letter grade**…79% or lower is considered a *D*. Details of what is required for resubmission will be determined by the instructor. You will have *one week to resubmit* the assignment and all original documents must also be resubmitted.
- The mark of "I", Incomplete, will be assigned only to the student who has been in attendance and has done satisfactory work up to a time within four weeks of the close of the semester, including the examination period, and whose work is incomplete for reasons satisfactory to his or her instructor.
- Prior to submitting your assignment for grading, it is vital that you review the detailed assignment sheet to ensure not only quantity but quality in your work production. Students are only entitled to good grades when they produce quality work. Simply completing assignments or meeting the quantity requirements only entitles students to earning a minimal amount of points.
- Should students have any questions or concerns about their grades, they are encouraged to visit with the instructor to ask questions and explain their concerns.
- When I need to communicate with students individually, I will do so through email on Blackboard, which is linked to whichever account you have set as default through Connect ND. You are responsible for knowing which account this is and for all information that is sent electronically.
- **Last Drop Date: June 26 (with record)**

NOTE: During your coursework, your instructor may choose to complete a dispositions report at any time should concerns arise. You and the instructor will review it, sign it and submit it to the Division of Education. You will also be provided with a copy.

Reading Assignments: In the learning process, you progress through the following stages: *skill awareness, skill knowledge, skill practice, skill application, skill mastery.* The majority of time spent on lessons will be spent on the *skill awareness, knowledge*

and practice levels. Case briefings and activities are intended to focus on *application and mastery.* It is imperative that you are not only aware but knowledgeable about information delineated in the assigned readings. If you are a self-regulated learner, you will more than likely perform well in this class; but if you invest minimal time and effort, you will more than likely experience disequilibrium and frustration. We will explore different dimensions of the issues and ideas. A variety of learning approaches are used within the class for interpreting and analyzing the material.

Instructional Strategies:

- ✓ Simulation
- ✓ Literacy-based lessons
- ✓ Direct instruction
- ✓ Discovery learning
- ✓ Multimedia
- ✓ Independent study
- ✓ Role play
- ✓ Literacy-based less
- ✓ Revisiting
- ✓ Reflection

Learning Experiences:

* Critical analysis
* Questioning
* Discussions
* Technology application
* Professional decision making
* Disability case study
* Curriculum creation
* Conducting assessments
* Problem solving
* Skill building
* Academic research and writing

Instructional Technologies Utilized in This Course:

- **Blackboard –** MSU's learning management system and virtual class environment
- **Blackboard Instant Messenger -** an instant messaging and voice chat tool that allows students and instructors to communicate and collaborate synchronously online. This tool is available in every course and allows you to chat with the other members of your classes with ease.
- **Tegrity –** screen and video recording option. Some instructors use this to record their lectures with their presentation slides.
- **Padlet** – a digital canvas to create beautiful projects that are easy to share and collaborate on.
- **EBSCO Online Database -** online reference system accessible via the Internet. It offers a variety of proprietary full text databases and popular databases from leading information providers.
- **Google Hangout -** a communication platform developed by Google which includes instant messaging, video chat, SMS and VOIP features. Mrs. Theis's Google information is carly.theis@mayvillestate.edu

Special Accommodations:

- Students with disabilities who believe they may need an accommodation in this class are encouraged to contact Disability Support Services (701-788-4675) as soon as possible to ensure that accommodations are implemented in a timely fashion.

- Students who have difficulties in professional writing are encouraged to contact the Writing Center at 701-788-5240, or email the Coordinator at erin.kunz@mayvillestate.edu to receive assistance in skill development. The center offers distance consulting. Students who have difficulty with grammar, spelling, punctuation, sentence structure, and/or organization are strongly encouraged to take advantage of this opportunity.

Scholastic Honesty Code: Scholastic dishonesty includes, but is not limited to, cheating on a test, plagiarism, and collusion. Cases of dishonesty may be handled as a scholastic matter or as a disciplinary matter at the discretion of the instructor. Plagiarism means the appropriation, buying, receiving as a gift, or obtaining by any means another person's work and the unacknowledged submission or incorporation of it in one's own work. Collusion means the unauthorized collaboration with another person in preparing any academic work offered for credit.

Online Procedures

Enrollment Verification: The U.S. Department of Education requires instructors of online courses to provide an activity which will validate student enrollment in this course. The only way to verify that a student has been in this course is if he or she takes an *action* in Blackboard, such as completing an assignment or a taking a quiz. Logging into Blackboard is **NOT** considered attendance. Please see my enrollment verification activity in Lesson 1 and complete it by the date indicated. If it is not complete your enrollment in this course will be at risk. The grading system for students adding this course after the first day of instruction will be modified. The student will be graded only on the activities that transpired while the student is enroll. Students will not be penalized for missed assignments but the student is still responsible for learning the course material that was covered during their initial absence.

Course Format:

⇒ **Blackboard** will be utilized in this course for the following: making announcements, sending emails, using discussion forums, posting weekly lessons, posting handouts, posting assignments, submitting assignments, managing grades, and accessing Blackboard Collaborate.

⇒ If you are taking this course and you are from an institution that uses a different LMS (such as Jenzabar, Desire2Learn, Moodle, etc.) please review information on getting started with your online class from MSU Online and complete the Distance Student Orientation.

⇒ This course is going to be conducted similar to an independent study with 12 Lessons, 1 exam and 1 paper to be completed. The course is designed to consider "class time" and “homework” similar to the time you would spend in class if you took this course face-to-face.

⇒ Although this course is predominately an independent study, there are established due dates. I recommend you begin working through the lessons immediately; you can choose to submit assignments in advance, however, I will begin grading these assignments when they are due. I grade assignments at one time to ensure reliability in my grading. So, if you submit your assignment in advance of the date it is due, please do not be concerned if I have not graded it. I will provide feedback within 1 week of submission pending any unforeseen circumstances.

⇒ To maximize your learning in this online course, it is absolutely essential that you go through the lessons in their entirety. Blackboard has a component that allows instructors to monitor each student’s activity. Just so you are aware, I will use this tool to assist in the evaluation of student performance.

⇒ These assignments will be submitted electronically using Blackboard since the assignments route directly to the Grade Center. Always follow the submission guidelines. Please refrain from sending assignments as email attachments.

Communication:

⇒ When I need to communicate with students as a whole group, I will post an announcement through **Blackboard.** To stay informed, I recommend checking the Announcements section at least daily.

⇒ When I need to communicate with students individually, I will do so through email on **Blackboard**, which is linked to whichever account you have set as default through Connect ND. You are responsible for knowing which account this is and for all information that is sent electronically.

⇒ I will check my email and Blackboard Monday-Friday. Should you have an urgent question during the weekend, please feel free to call me at my listed cell phone number. If an email is sent during working hours, I will usually respond within a few hours. If it is sent after working hours, I will respond by the following morning. I try to not respond to emails over weekends.

⇒ Please be sure your email has specifics to the assignment you are referring to and/or course you are enrolled in so I can answer your question promptly. If you simply email me referring to the "assignment," I won't be able to answer your question until you provide specifics.

Course Assistance:

⇒ Should you have questions about course content, please contact Mrs. Theis.

⇒ Should you have questions about course technology, please click on the "Blackboard Support" button located on the menu bar in Blackboard.

Misconceptions:

1. *An online class is easier than a face-to-face class.* Although an online course may be more "convenient" it is certainly not easier. Self-regulatory behaviors are a must to succeeding in an online class.

2. *All students have to do in an online class is complete the major assignments*. All courses have major assignments to complete, as well as in-class hours. In an online class, students are still required to have "in-class hours," which in this course are the Course Lessons.

NOTE: Statements regarding the issues below are posed under announcements on Blackboard. Look for Important Student Information

- English Proficiency and other Academic Concerns
- Students with Disabilities
- Academic Honesty
- Emergency Notification
- Continuity of Academic Instruction for a Pandemic or Emergency
- Family Educational Rights & Privacy Act of 1974 (FERPA)
- The entire Academic Student Learning Outcomes (SLO) document can be found in your Moodle course shell. The document has an index so you can quickly find the degree you are pursuing.

Bibliography:

Alexander, K. & Alexander, M.D. (2011). *American public school law* (8th ed.). Covington, KY: Wadsworth Publishing.

Individuals with Disabilities Education Act (IDEA), P.L. 91-230, codified as amended at 20 U.S.C. §1400 et seq.

Murdick, N.L., Gartin, B.C., & Fowler, G.A. (2014). *Special education law* (3rd. Ed.). Upper Saddle River, NJ: Pearson.

No Child Left Behind Act of 2001, P.L. 107-110, 115 Stat. 1425 (2001), majority codified in Chapter 70 of Title 20, 20 U.S.C. § 6301 et seq.

Turnbull, E., Huerta, N., & Stowe, M. (2006). *The individuals with disabilities education act as amended in 2004.* Upper Saddle River, NJ: Pearson.

Wright, P.W.D., & Wright, P.D. (2007). *Special education law* (2nd ed.). Hartfield, VA: Harbor House Law Press, Inc.