

SPED 145-SPECIAL EDUCATION AND THE LAW

SEMESTER, YEAR

INTRODUCTION TO COURSE AND INSTRUCTOR

Semester	Special Education/Literacy, Early, Bilingual, & Special Education (LEBSE) California State University, Fresno
Course Name: SPED 145 Special Education and the Law	Instructor Name
Units: 3	Office Location
Time	E-Mail
Location	Telephone
Website	Office Hours

The following sections regarding COVID are subject to change given changing circumstances on-campus and in the community. Please check the COVID website for the most up-to-date information at:

www.fresnostate.edu/coronavirus

Vaccination: In order to create a safe environment on campus, all students must be vaccinated against the SARS-CoV-2 virus, or obtain an exemption, in order to attend classes on campus or access any services on campus. Documentation of the first dose of the vaccination must be uploaded to the student portal by Aug 20, and documentation of the final dose by Sept 30. Students may request an exemption to the vaccine requirement by going to their student portal to complete the COVID self-certification. Students with vaccination exemptions are subject to weekly COVID testing. You are not allowed to come to campus if any of the following is true:

- You have not been vaccinated, and have not been granted an exemption, or
- You have been granted an exemption, but have not completed your required weekly testing.

Health Screening: Students who come to campus and/or are participating in off-campus in-person experiential learning will be required to complete a [daily health screening](#) before coming to campus or learning site. You are not allowed to come to campus if any of the following is true:

- If you are experiencing COVID-19 symptoms (vaccinated or not).

- If you have tested positive within the past 10 days.

If you have a suspected or confirmed case of COVID-19, please complete the campus [online reporting form](#). A campus official will reply to provide guidance and information.

Safety Measures: Face coverings are required to be worn indoors on-campus and during in-person classes (vaccinated or not), and/or in accordance with learning site requirements if participating in off-campus experiential learning, to reduce the risk of community spread of COVID-19. The [Student Health and Counseling Center](#) has complimentary masks available for students who need them. The mask requirement may be modified if/when transmission rates in Fresno County drop below the threshold identified by the CDC.

Please remember that the same student conduct rules for in-person classroom instruction also apply for virtual/online classrooms. Students are prohibited from any unauthorized recording, dissemination, or publication of any academic presentation, including any online classroom instruction, for any commercial purpose. In addition, students may not record or use virtual/online instruction in any manner that would violate copyright laws. Students are to use all online/virtual instruction exclusively for the educational purpose of the online class in which the instruction is being provided. Students may not record any online recordings or post any online recordings on any other format (e.g., electronic, video, social media, audio recording, web page, internet, hard paper copy, etc.) for any purpose without the explicit written permission of the faculty member providing the instruction. Exceptions for disability-related accommodations will be addressed by Student Disability Services working in conjunction with the student and faculty member.

Course description: In this course, students will analyze federal, state, and local statutes, policies and case law which affect the funding and direction of special education programs particularly as related to the development and implementation of Individualized Education Programs (IEPs) for students with disabilities.

Prerequisites for the course: There are no prerequisites for this course.

REQUIRED COURSE MATERIALS:

Yell, M.L. (2012). *The law and special education* (3rd. Ed.). Pearson.

Individuals with Disabilities Education Act, 20 U.S.C. § 1400 (2004). (Provided on Canvas)

Individuals with Disabilities Education Act Regulations, 34 C.F.R. § 300.1 *et seq* (2006). (Provided on Canvas).

SUPPLEMENTAL/ADDITIONAL MATERIALS (NOT REQUIRED)

Stainback, W., & Stainback, S. (1992). *Controversial issues confronting special education: Divergent perspectives*. Needham Heights, MA: Allyn and Bacon.

Turnbull, H. R. (1993). *Free appropriate public education: The law and children with disabilities* (4th Ed.). Denver, CO: Love Publishing Company.

Underwood, J. K., & Mead, J. M. (1995). *Legal aspects of special education & pupil services*. Needham Heights, MA: Allyn and Bacon.

Weber, M. C. (1992). *Special education law and litigation treatise*. Horsham, PA: LRP Publications.

Yell, M.L. (1998). *The law and special education* (2nd Ed.). Upper Saddle River, NJ: Prentice-Hall, Inc.

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.

Gostin, L.O. & Beyer, H.A. (1992). *Implementing the Americans with Disabilities Act: Rights and responsibilities of all Americans*. Baltimore, MD: Paul H. Brookes Publishing Co.

Howe, K. R., & Miramontes, O. B. (1992). *The ethics of special education*. New York: Teachers College Press.

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

Ratzlaff, L.A. (Ed.). (1989). *Special education compliance: Guidance from the U.S. Office of Special Education Programs*. Vol. I. Alexandria, VA: Capitol Publications, Inc.

Ratzlaff, L.A. (Ed.). (1990). *Special education compliance: Guidance from the U.S. Office of Special Education Programs*. Vol. II. Alexandria, VA: Capitol Publications, Inc.

Ratzlaff, L.A. (Ed.). (1991). Special education compliance: Guidance from the U.S. Office of Special Education Programs. Vol. III. Alexandria, VA: Capitol Publications, Inc.

Sailor, W., Anderson, J., Halvorsen, A., Doering, K., Filler, J., & Goetz, L. (1989). The comprehensive local school: Regular education for all students with disabilities. Baltimore: Paul H. Brookes Publishing Co.

Smith, B. J., & Rose, D. F. (1993). Administrator's policy handbook for preschool mainstreaming. Cambridge, MA: Brookline Books.

COURSE SPECIFICS

Course goals: Upon completion of this course students will be able to identify and apply legal requirements to IEP development, cite specific areas of regulations and law, write measurable annual goals and objectives as well as post-secondary goals, demonstrate knowledge of the history of special education law, and demonstrate knowledge of legal cases that have shaped special education law.

Student Learning Outcomes: The following teacher performance expectations (TPEs) are addressed in this course:

Note: (EX = Extensive Support Needs TPE, MM= Mild/Moderate TPE, U = Universal TPE)

EX1.2 Demonstrate understanding of mandated considerations for augmentative and alternative communication (AAC) technology for students with extensive support needs.

EX1.5 In collaboration with families and appropriate related services personnel, use students' present levels of academic achievement and functional performance from a variety of sources to plan, develop, and adapt/adjust IEPs and ITPs that address the unique learning, sensory and accessibility needs of students with extensive support needs.

EX1.10/U1.3 Demonstrate the ability to develop IEPs/ITPs with students and their families, including goals for independent living, post-secondary education, and/or careers, with appropriate connections between the school curriculum and life beyond high school. (U1.3)

EX4.5/ U4.1 Demonstrate the ability to create short and long-term goals that are responsive to the unique needs of the student that meet the grade level requirements of the core curriculum, and systematically adjusted as needed to promote academic achievement within inclusive environments.

EX5.2/U5.1/5.2 Apply knowledge of the purposes, characteristics, and appropriate uses of different types of assessments used to determine special education eligibility, progress monitoring, placement in LRE, and services. Candidates also apply knowledge of when and how to use assessment sources that integrate alternative statewide assessments, formative assessments, and formal/informal assessment results as appropriate, based on students' needs.

EX5.4 Demonstrate knowledge of special education law, including the administration and documentation of assessments and how to hold IEP meetings according to the guidelines established by law.

EX5.5/U5.6 Demonstrate knowledge of requirements for appropriate assessment and identification of students whose cultural, ethnic, gender, or linguistic differences may be misunderstood or misidentified as manifestations of a disability.

EX6.4/U6.7 Demonstrate knowledge of historical interactions and contemporary legal, medical, pedagogical, and philosophical models of social responsibility, treatment and education in the lives of individuals with disabilities.

EX6.5 Demonstrate knowledge of federal, state, and local policies related to specialized health care in educational settings.

MM1.1 Demonstrate the ability to collaboratively develop and implement Individualized Education Programs (IEP), including instructional goals that ensure access to the California Common Core State Standards and/or California Preschool Learning Foundations, as appropriate, that lead to effective inclusion of students with disabilities in the general education core curriculum.

MM5.3 Demonstrate knowledge of special education law, including the administration and documentation of assessments and how to hold IEP meetings according to the guidelines established by law.

MM5.4/U5.6 Demonstrate knowledge of requirements for appropriate assessment and identification of students whose cultural, ethnic, gender, or linguistic differences may be misunderstood or misidentified as manifestations of a disability.

MM6.3/U6.7 Demonstrate knowledge of historical interactions and contemporary legal, medical, pedagogical, and philosophical models of social responsibility, treatment and education in the lives of individuals with disabilities.

MM6.4 Demonstrate knowledge of federal, state, and local policies related to specialized health care in educational settings.

Course requirements/assignments:

Requirements:

ATTENDANCE/PARTICIPATION TBD.

Assignments:

- 1) **Discussions.** Students will participate in live discussions as well as discussion posts regarding current legal issues from the field. (20 points). TPEs Addressed: *EX1.2, EX1.5, EX1.10/U1.3, EX4.5/U4.1, EX5.2/U5.1/5.2, EX5.4, EX5.5/U5.6, EX6.4/U6.7, EX6.5, MM5.3, MM5.4/U5.6, MM6.3/U6.7, MM6.4,*
- 2) **SPED Law Quizzes.** Each week, students will take a quiz regarding legal aspects of special education. Quizzes will be based on readings in the course and will be provided in Canvas. There will be 10 quizzes total. (50 points). TPEs Addressed: *EX5.4, EX6.5, MM5.3, MM6.3/U6.7, MM6.4*
- 3) **The IEP Document.** Students will be provided an IEP document based on their credential status (extensive needs or mild/moderate) that clearly violates IDEA 2004. Students will identify each violation and cite the section within IDEA Regulations that addresses the violation, and then provide an example of how to correct each violation. (50 points). TPEs Addressed: *EX1.5, EX1.10/U1.3, EX4.5/U4.1, EX5.2/U5.1/5.2, EX5.4, EX6.5, MM1.1, MM5.3, MM6.4*
- 4) **Case Law Summaries.** Students will summaries three cases of their choosing. Of the three, one case must address the IEP document, one must address the provision of a free appropriate public education (FAPE), and one must address placement in the least restrictive environment (LRE). (15 points). TPEs Addressed: A rubric will be provided. *EX5.2/U5.1/5.2, EX5.4, EX5.5/U5.6, EX6.4/U6.7, MM1.1, MM5.3, MM5.4/U5.6, MM6.3/U6.7*
- 5) **Case Law Presentations.** Working in groups or independently, students will create a presentation based on their case law summaries. A rubric will be provided. (10 points) TPEs addressed: *EX5.2/U5.1/5.2, EX5.4, EX5.5/U5.6, EX6.4/U6.7, MM1.1, MM5.3, MM5.4/U5.6, MM6.3/U6.7*
- 6) **Final Exam.** Students will take a final exam based on the quizzes and the IEP Document. Students can use their notes, course materials, and even call friends and family to assist in successfully passing the final exam. The Final Exam will be provided in Canvas. (50 points). TPEs addressed: *EX1.5, EX1.10/U1.3, EX4.5/U4.1, EX5.2/U5.1/5.2, EX5.4, EX6.5, MM1.1, MM5.3, MM6.3/U6.7, MM6.4*

Grading policy:

A = 90 - 100% B = 80 - 89% C = 70 - 79% D = 60 - 69% F = below 60%

Assignment and Examination Schedule

Due Date	Assignment	Points/Percent
	Discussions	25
	SPED Law Quizzes	50
	The IEP Document	50
	Case Law Summaries	15
	Case Law Presentations	10

Due Date	Assignment	Points/Percent
	Final Exam	50
	Total Points in Course	200

COURSE POLICIES & SAFETY ISSUES

In this course, due dates are flexible in order to facilitate emerging support needs within the ever-changing expectations of life. However, deadlines are suggested as mile-markers to keep you on track as to when things should be completed as no one fares well trying to cram a semester's worth of work into one weekend.

When classes occur on-line, please wear clothes if you are using your video camera.

We are well past the stage of punishment for missing classes, or rewarding those who attend. However, it has been observed and noted at length that those who attend classes are much more likely to successfully complete them than those who disappear until the last day. That said, if you are absent from class, it is your responsibility to check on announcements made while you were away. Also, it will be viewed as a kind and responsible act if you email your instructor that you will have to miss class.

If you want to record lectures, please ask. Sometimes courses are delivered on-line, and this may create a modicum of difficulty with regard to an adequate recording. Keep in mind, courses that are recorded are for educational purposes only and should not appear on various social media platforms as sources of entertainment.

Behavior expectations include: Active listening, honesty, and sharing one's experiences. If students appear intoxicated during class, they will be invited to leave. Should students become belligerent or abusive in their comments, they will be invited to leave and may be subjected to further disciplinary actions. In short, be kind, be here, use good words, and keep your hands (and other parts of your body) to yourself.

Late work and make-up work policy.

Late-work and make-up will be accepted for full credit; however, depending on how late it is, it may fall outside of the "do it again" deadline.

Plagiarism Detection: The campus subscribes to Turnitin, a plagiarism prevention service, through Canvas. You will need to submit written assignments to Turnitin. Student work will be used for plagiarism detection and for no other purpose. The student may indicate in writing to the instructor that he/she refuses to participate in the plagiarism detection process, in which case the instructor can use other electronic means to verify the originality of their work. **Turnitin Originality Reports WILL/WILL NOT* be available for your viewing.**

If there are questions or concerns that you have about this course that you and I are not able to resolve, please feel free to contact the Chair of the department to discuss the matter

Chair's name

Department name

Chair's email

Department phone number

UNIVERSITY POLICIES

Students with Disabilities: Upon identifying themselves to the instructor and the university, students with disabilities will receive reasonable accommodation for learning and evaluation. For more information, contact Services to Students with Disabilities in the Henry Madden Library, Room 1202 (278-2811).

The following University policies can be found at:

- [Adding and Dropping Classes](#)
- [Cheating and Plagiarism](#)
- [Computers](#)
- [Copyright Policy](#)
- [Disruptive Classroom Behavior](#)
- [Honor Code](#)
- [Students with Disabilities](#)
- [Title IX](#)

UNIVERSITY SERVICES

The following University services can be found at:

- [Associated Students, Inc.](#)
- [Dream Success Center](#)
- [Learning Center Information](#)
- [Student Health and Counseling Center](#)
- [Writing Center](#)

SUBJECT TO CHANGE STATEMENT

THIS SYLLABUS AND SCHEDULE ARE SUBJECT TO CHANGE IN THE EVENT OF EXTENUATING CIRCUMSTANCES.

COURSE CALENDAR

The calendar should include projected dates, topics covered, deadlines, and/or periods of time for readings, field trips, projects, exam dates (including the date and time of the final exam) and assignment due dates. The following statement is suggested to footnote the calendar: *“The course schedule is subject to change in the event of extenuating circumstances.”*

If you plan to give your exam online or not to meet in class on the final exam day, please explicitly inform students in your syllabus. You also need to address a memo to that effect to your department chair and dean.

TENTATIVE COURSE SCHEDULE

Following are schedules showing class meeting dates for Fall 2021 for Monday-Wednesday courses, Monday-Wednesday-Friday courses, and Tuesday-Thursday courses.

Tentative Course Schedule Fall 2021 (Monday, Wednesday, Friday Courses)

	Date	Topic	Reading Assignment
1	Mon., Aug 23		
2	Wed., Aug 25		
3	Fri., Aug 27		
4	Mon., Aug 30		
5	Wed., Sept 1		
6	Fri., Sept 3		
	Mon., Sept 6	HOLIDAY – Labor Day	
7	Wed., Sept 8		
8	Fri., Sept 10		
9	Mon., Sept 13		
10	Wed., Sept 15		
11	Fri., Sept 17		
12	Mon., Sept 20		
13	Wed., Sept 22		

	Date	Topic	Reading Assignment
14	Fri., Sept 24		
15	Mon., Sept 27		
16	Wed., Sept 29		
17	Fri., Oct 1		
18	Mon., Oct 4		
19	Wed., Oct 6		
20	Fri., Oct 8		
21	Mon., Oct 11		
22	Wed., Oct 13		
23	Fri., Oct 15		
24	Mon., Oct 18		
25	Wed., Oct 20		
26	Fri., Oct 22		
27	Mon., Oct 25		
28	Wed., Oct 27		
29	Fri., Oct 29		
30	Mon., Nov 1		
31	Wed., Nov 3		
32	Fri., Nov 5		
33	Mon., Nov 8		
34	Wed., Nov 10		
35	Fri., Nov 12		
36	Mon., Nov 15		
37	Wed., Nov 17		
38	Fri., Nov 19		

	Date	Topic	Reading Assignment	
39	Mon., Nov 22			
	Wed., Nov 24	Thanksgiving Break		
	Fri., Nov 26	Thanksgiving Break		
40	Mon., Nov 29			
41	Wed., Dec 1			
42	Fri., Dec 3			
43	Mon., Dec 6			
44	Wed., Dec 8	Last Day of Instruction		
Finals week			Days	Dates
Final Exam Preparation & Faculty Consultation Days:			Thursday and Friday	Dec 9 – 10
Final Semester Examinations			Monday – Thursday	Dec 13 – 16
Final Exam in this course				

**Tentative Course Schedule
Fall 2021
(Tuesday, Thursday Courses)**

	Date	Topic	Reading Assignment
1	Tues., Aug 24		
2	Thurs., Aug 26		
3	Tues., Aug 31		
4	Thurs., Sept 2		
5	Tues., Sept 7		
6	Thurs., Sept 9		
7	Tues., Sept 14		
8	Thurs., Sept 16		
9	Tues., Sept 21		

	Date	Topic	Reading Assignment	
10	Thurs., Sept 23			
11	Tues., Sept 28			
12	Thurs., Sept 30			
13	Tues., Oct 5			
14	Thurs., Oct 7			
15	Tues., Oct 12			
16	Thurs., Oct 14			
17	Tues., Oct 19			
18	Thurs., Oct 21			
19	Tues., Oct 26			
20	Thurs., Oct 28			
21	Tues., Nov 2			
22	Thurs., Nov 4			
23	Tues., Nov 9			
	Thurs., Nov 11	Holiday – Veterans Day		
24	Tues., Nov 16			
25	Thurs., Nov 18			
26	Tues., Nov 23			
	Thurs., Nov 25	Thanksgiving Break		
27	Tues., Nov 30			
28	Thurs., Dec 2			
29	Tues., Dec 7	Last Day of Instruction		
Finals week			Days	Dates
Final Exam Preparation & Faculty Consultation Days:			Thursday and Friday	Dec 9 – 10
Final Semester Examinations			Monday – Thursday	Dec 13 – 16

	Date	Topic	Reading Assignment
Final Exam in this course			

**Tentative Course Schedule
Fall 2021
(Monday, Wednesday Courses)**

	Date	Topic	Reading Assignment
1	Mon., Aug 23		
2	Wed., Aug 25		
3	Mon., Aug 30		
4	Wed., Sept 1		
	Mon., Sept 6	HOLIDAY – Labor Day	
5	Wed., Sept 8		
6	Mon., Sept 13		
7	Wed., Sept 15		
8	Mon., Sept 20		
9	Wed., Sept 22		
10	Mon., Sept 27		
11	Wed., Sept 29		
12	Mon., Oct 4		
13	Wed., Oct 6		
14	Mon., Oct 11		
15	Wed., Oct 13		
16	Mon., Oct 18		
17	Wed., Oct 20		
18	Mon., Oct 25		
19	Wed., Oct 27		

	Date	Topic	Reading Assignment	
20	Mon., Nov 1			
21	Wed., Nov 3			
22	Mon., Nov 8			
23	Wed., Nov 10			
24	Mon., Nov 15			
25	Wed., Nov 17			
26	Mon., Nov 22			
	Wed., Nov 24	Thanksgiving Break		
27	Mon., Nov 29			
28	Wed., Dec 1			
29	Mon., Dec 6			
30	Wed., Dec 8	Last Day of Instruction		
Finals week			Days	Dates
Final Exam Preparation & Faculty Consultation Days:			Thursday and Friday	Dec 9 – 10
Final Semester Examinations			Monday – Thursday	Dec 13 – 16
Final Exam in this course				