I. Course Description

EDAD 720 – Special Education Law for School Administrators: A study of the organizational structure and administrative procedures at the federal, state, and local governmental levels used in special education service delivery systems.

II. Rationale

Learning and Leading through Reflective Practice is the shared vision of the USD School of Education for all of its programs. The underlying intent of the vision requires that students be exposed to learning experiences that will enhance their ability to engage in life-long learning and leadership roles anchored in reflective practice. The purpose of this course is to provide class participants with the knowledge and skills necessary to assume their prospective roles as school administrators and other special education service providers in the provision of a free appropriate public education for students with disabilities. Participants will gain an appreciation and understanding of the legal underpinnings that are present in the delivery of special education services.
III. Textbooks and Readings

The textbook adopted for this course:


IV. Course Objective/Outcomes

Upon completion of the course, students will be able to

<table>
<thead>
<tr>
<th>Objectives/Outcomes</th>
<th>Standards /Code</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. describe the philosophical bases underlying the American system of law including the legal framework, legal principles and terms</td>
<td>CEC Standard: SA1K2; SOE # 1 and 2</td>
<td>Exam Abstracts/Briefs Online Discussion</td>
</tr>
<tr>
<td>2. Explain the federal and state laws, policies, and regulations governing programs for individuals with disabilities</td>
<td>CEC Standard: SA1K1; SA1K5; SA1K6 SOE #2 and 5</td>
<td>Abstracts/Briefs Exam Online Discussion</td>
</tr>
<tr>
<td>3. analyze significant legal cases from various sources of law related to individuals with disabilities</td>
<td>CEC Standard: SA1S1 SOE #2 and 3</td>
<td>Online Discussion Abstracts/Briefs Exam</td>
</tr>
</tbody>
</table>

V. Instructional Methods and Activities

Methods and activities for instruction include:

A. Distance Experiences
   a. Online readings/discussion
   b. Student interaction and participation in the online environment

B. Clinical Experiences
   a. Online discussion
   b. Abstracts
   c. Final Exam

VI. Technology Requirements

If this is your first online course be sure to review “A New Student’s Guide to Online Learning at the U.” found at: [http://www.usd.edu/~media/files/usd-online/online-orientation-guide.ashx](http://www.usd.edu/~media/files/usd-online/online-orientation-guide.ashx) This information will tell you how to gain access to the Student Portal, USD Email, and the Desire2Learn online management system.

D2L is the course management software for this course. Please review the other student resources available for you for online learning. These resources may be found at [http://www.usd.edu/continuing-and-distance-education/student-resources.cfm](http://www.usd.edu/continuing-and-distance-education/student-resources.cfm)
Course materials will be provided as PDF files that you can read online or print off. Assignments should be submitted in the DROP BOX in D2L.

Most technical problems experienced by students can be solved through conversations with the USD Computer Center Help Desk. This office can be reached at (605)658-6000 or 877-225-0027 helpdesk@usd.edu. Email and Call support available 24/7.

VII. Course Requirements and Assessment

A. Course Requirements

Online Discussion: 5 points for the introductory response and 15 points for each online discussion (ten points for response to the instructor and five points for responses to other two students) = 5+ (15 x 10) discussions

Course materials will be posted in the Content Section for D2L. These materials will include:

1) The Instructor’s Notes which identifies the assigned chapters from the text and objectives for the week,
2) Notes or brief comments by the instructor on the reading assignment from the text,
3) Prompts/questions which are meant to focus and guide the weekly discussion; these will be posted in each discussion group as well,
4) Additional resources related to the reading assignments (websites or brief articles, for example).

Students will be divided into groups of 7-9 students in order to participate in the online discussion. After reading the textbook assignments and the materials under course content in D2L, students will post their responses to the prompts/questions from the instructor.

The responses are posted to members within discussion groups and not to the whole class. The responses are posted in the discussion portion of D2L. There is a two-step process to submit your discussion post. First submit it to the DROPBOX where it will automatically be checked for plagiarism. Then you may post it in DISCUSS. You will need to post your response to the prompt before you can read the postings of other students.

Students should complete all of the requirements for the online discussion within 2 class days after the assignment is given. First, respond to the instructor’s initial prompt. Second, respond to postings of at least two members in your discussion.

In order to be more thoughtful about your responses and assignments, please prepare your responses first using a word processor and then copy (Control C) and paste (Control V) them into the D2L discussion section.

There are three expectations regarding the online discussion/postings.

1. The first expectation is to respond with one original posting to the instructor’s prompts/questions. Initial responses should be at least 500 words in length; responses should also include at least two references to the reading assignment in the text (i.e., Yell p. 36) in order to provide support for comments and ideas in the initial response. You are to paraphrase information from the text and comment on it, not directly quote long passages of the text.
2. The second expectation is to participate in discussion groups. Each student in a group should respond to at least two of their colleagues’ postings within the time limit. The responses to team members should be substantive in nature, adding to what was said, challenging the comments with rationale, or agreeing with the comments and providing different reasons or providing examples. Please avoid phrases such as “good post” without additional explanation or response to another person’s discussion posting.

3. The third expectation is to respond to the instructor and two members of the discussion group by the due dates outlined in the schedule found in the syllabus.

**Grading of discussion responses:**
During the summer session, the discussion will typically be read by the instructor within 48 hours after the due date for the week’s discussion. Points will be recorded in the grade book at that time.

A rubric for the discussion may be found in the CONTENT for Day 1 Introduction in D2L. The rubric will be used to guide the grading of the discussion responses. Typically, the rubric will not be sent to the student. When the responses do not meet the expectations as outlined in the rubric, the instructor will post comments in the GRADIENTS for Discussion.

**Abstracts/Briefs: (2 x 50 points each)**

Students will submit two abstracts or briefs of recent opinions from Circuit Courts of Appeals (case law). The abstracts/briefs should be two to three pages in length and formatted using single spacing within each section and double-spacing between headings. Please see the sample abstract under CONTENT for DAY/Week 1.

A decision/ruling from the Circuit Court of Appeals (CASE LAW) and a sample completed abstract are posted in the content for Day 1 of the class. The rubric used for grading the abstract is also available in the Content for Week 1.

**The two cases are provided by the instructor. All of the cases are posted in D2l under the content for Week 1.**

The goal of this assignment is to have students analyze cases related to special education. These exercises are designed to help you understand the complexities involved in determining special education legal cases. When writing the abstract, please **do not** cut and paste from the opinions of the courts that have been provided. It is important that you as a graduate student read the case carefully and analyze the opinions and findings of the court, and then paraphrase the information when you write the abstract. It is particularly important that you consider the implications of the case; implications should be related directly to special education practices in school districts.
The following is a list of the required sections for each completed abstract:

**Name of the Case and Citation if available:** ____F. Supp.____ (200_)

**Topic:** Include a brief description (one sentences) of the case.

**Relief Sought** State who both parties are in the case. State who is appealing the case and what do they want to happen. Also, state who is/are the defendants in the case and why they believe they followed the law.

**Issue:** Clearly identify the major issue(s) associated with the case.

**Facts:** Explain the essential facts of the case up to the point of entering the legal system (administrative hearings and court system). Tell the story of the case. Provide a narrative description of the facts of the case so that the reader has a clear understanding of what is contributing to the court’s decision. Remember to do this in your own words—paraphrase. DO NOT CUT AND PASTE information from the case.

**Decision in administrative hearings and the lower courts:** State each decision in administrative hearings and in the lower court(s).

**Holding/Finding:** Identify the name of the court that made the decision and identify the ruling of the court.

**Rationale:** This is a very important part of the case brief. You must explain the gist of the court ruling, (i.e., why the court arrived at its holding) in your own words.

**Implications:** Identify what the decision means for school administrators in their day-to-day activities related to special education programs. This is where you can demonstrate your depth of understanding. Think, “What do administrators need to do to avoid such situations in their school/district?”

**Schedule for completion/submission of completed abstracts:**
Abstract #1 is due by midnight on June 23rd.
Abstract #2 is due by midnight on June 30th.
Please note: Once you have submitted an abstract, I will return the rubric with points and a few comments in approximately seven days.

**EXAMS:** (1 x 100 points) Due July 7 by midnight.

Students will complete a final exam. This exam will be open-book, open-notes and must be submitted to the instructor on or before the due date. The final exam will be posted in the course content.

The final exam will be available in the Content for Final Exam several days prior to the due date. The completed final exam should be submitted in the Drop Box of D2L according to the Tentative Class Schedule. The final exam will be graded within seven days of due date. A rubric will be used to assess the submitted final exam. The rubric for the exam may be found in the content for Day 1 in D2L. The rubric with comments will be returned to the student at that time; points will be recorded in the grade book as well.
B. Grading Scale and Criteria

<table>
<thead>
<tr>
<th>Course Requirements</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>5 Points</td>
</tr>
<tr>
<td>Online Discussion</td>
<td>10 discussions x 15 pts= 150 pts</td>
</tr>
<tr>
<td>Abstracts</td>
<td>2 x 50 pts = 100 pts</td>
</tr>
<tr>
<td>Final Exam</td>
<td>1 x 100 pts = 100 pts</td>
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<tr>
<td>TOTAL POINTS</td>
<td>355 points</td>
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Grades will be assigned on the following basis:

- 325-355 points A=92%-100%
- 298-324 points B=84-91%
- 270-297 points C=76%-83%
- 241-269 D=68%-75%
- 240 and below F= below 68%

*Grading Criteria:* All responses, abstracts, and postings will be assessed on rubrics posted in Content for Day 1 in D2L. Rubric for the final will be released with the final.

VIII. Course Schedules and Policies

A. Tentative Course Schedule  June 12- July 7
   End of Add/Drop for session Tuesday, June 13, 2017
   Last day to drop a class with a “W”, session II  Wednesday, June 28, 2017
   Independence Day Holiday  Tuesday, July 4, 2017
<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Readings</th>
<th>Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>M-June 12</td>
<td>Welcome and Introductions</td>
<td>Syllabus</td>
<td>Online Introduction Introductions in D2L due by midnight Tues. June 13.</td>
</tr>
<tr>
<td></td>
<td>Course Overview</td>
<td>INTRODUCTION</td>
<td></td>
</tr>
<tr>
<td>T-June 13</td>
<td>#1 The American Legal System</td>
<td>Chapter 1</td>
<td>#1 Online discussion Initial post and all responses due by midnight Wed. June 14.</td>
</tr>
<tr>
<td>W-June 14</td>
<td>#2 History of Special Education</td>
<td>Ch. 3</td>
<td>#2 Online discussion Initial post and all responses due by midnight Thursday, June 15.</td>
</tr>
<tr>
<td>R-June 15</td>
<td>Work on Abstract #1</td>
<td></td>
<td>Due midnight June 19</td>
</tr>
<tr>
<td>M- June 19</td>
<td>#3 Individuals with Disabilities Act</td>
<td>Ch. 4 &amp; Appendix A</td>
<td>#3 Online discussion Initial post and all responses due by midnight Tues. June 20.</td>
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<tr>
<td></td>
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<td>Yell article</td>
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<tr>
<td>T-June 20</td>
<td>#4 Section 504 of the Rehabilitation Act of 1973 and The Americans with Disabilities Act</td>
<td>Ch. 5 and 6 Handout &amp; Smith article</td>
<td>#4 Online discussion Initial post and all responses due by midnight Wed. June 21.</td>
</tr>
<tr>
<td>W-June 21</td>
<td>#5 Free Appropriate Public &amp; Related Services Education</td>
<td>Ch. 8 Handouts</td>
<td>#5 Online discussion Initial post and all responses due by midnight Thursday, June 22</td>
</tr>
<tr>
<td>R-June 22</td>
<td>Work on Abstract #2</td>
<td></td>
<td>Due midnight June 26</td>
</tr>
<tr>
<td>M-June 26</td>
<td>#6 Identification, Assessment, and Evaluation</td>
<td>Ch. 9</td>
<td>#6 Online discussion Initial post and all responses due by midnight Tuesday, June 27</td>
</tr>
<tr>
<td>T- June 27</td>
<td>#7 Individualized Education Program</td>
<td>Ch. 10 Armenta article</td>
<td>#7 Online discussion Initial post and all responses due by midnight Wednesday, June 28</td>
</tr>
<tr>
<td>W-June 28</td>
<td>#8 Least Restrictive Environment</td>
<td>Ch. 11 Final Exam</td>
<td>#8 Online discussion Initial post and all responses due by midnight Thursday 29</td>
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<td></td>
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<td>Distributed.</td>
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<tr>
<td>R-June 29</td>
<td>#9 Procedural Safeguards</td>
<td>Ch. 12</td>
<td>#9 Online discussion Initial post and all responses due by midnight due by midnight Monday, July 3.</td>
</tr>
<tr>
<td>M-July 3</td>
<td>#10 Disciplining Students with Disabilities</td>
<td>Ch. 13</td>
<td>#10 Online discussion Initial post and all responses due by midnight Wednesday, July 5</td>
</tr>
<tr>
<td>T-July 4</td>
<td>Independence Day Holiday</td>
<td></td>
<td></td>
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<tr>
<td>W-July 5</td>
<td>Additional Issues</td>
<td>Chapter 14</td>
<td>Chapter 14 No Discussion posting needed</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>R-July 6</td>
<td>Final Exam</td>
<td>No additional readings</td>
<td>Submit the Final Exam in the Drop Box by Midnight on Friday, July 7.</td>
</tr>
</tbody>
</table>
University Policies

Academic Integrity

The University of South Dakota considers plagiarism, cheating, and other forms of academic dishonesty inimical to the objectives of higher education. The University supports the imposition of penalties on students who have been adjudicated to have engaged in academic dishonesty, as defined in the “Conduct” section of the University of South Dakota Student Handbook, and South Dakota Board of Regents policy 2-33 [www.sdbor.edu/policy/Documents/2-33.pdf].

No credit can be given for a dishonest assignment. A student found to have engaged in any form of academic dishonesty may, at the discretion of the instructor, be:

a. Given a zero for that assignment.
b. Allowed to rewrite and resubmit the assignment for credit.
c. Assigned a reduced grade for the course.
d. Dropped from the course.
e. Failed in the course.

Freedom in Learning

Under Board of Regents and University policy student academic performance may be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled. Students who believe that an academic evaluation reflects prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards should contact the dean of the college or school that offers the class to initiate a review of the evaluation.

Disability Accommodation

Any student who feels s/he may need academic accommodations or access accommodations based on the impact of a documented disability should contact and register with Disability Services during the first week of class or as soon as possible after the diagnosis of a disability. Disability Services is the official office to assist students through the process of disability verification and coordination of appropriate and reasonable accommodations. Students currently registered with Disability Services must obtain a new accommodation memo each semester.

Please note: if your home institution is not the University of South Dakota but one of the other South Dakota Board of Regents institutions (e.g., SDSU, SDSMT, BHSU, NSU, DSU), you should work with the disability services coordinator at your home institution.

   Ernetta L. Fox, Director
   Disability Services, Room 119 Service Center
   (605) 677-6389
   Web Site: www.usd.edu/ds
   E-mail: disabilityservices@usd.edu

Diversity and Inclusive Excellence

The University of South Dakota strives to foster a globally inclusive learning environment where opportunities are provided for diversity to be recognized and respected.
Class Policies
1. Academic Dishonesty—At the discretion of the instructor, any and all assignments may be submitted to Turnitin.com to check for plagiarism.

2. Late Assignments—Written assignments are part of the learning experience. Therefore, to benefit most from the assignment, it is important to do the assignment when it assigned to be done. Assignments turned in after the due date may have 10 points deducted for each day the assignment is late. Please contact me, preferably, in advance, about extenuating circumstances that prevent you from completing assignments on time. **Note that a grade of “I” may only remain incomplete for one calendar year at which time it converts to a grade of “NCI” and the course must be repeated (and repaid) for credit.**

IX. Bibliography

A. Contemporary References (1990-present)


*Deskbook encyclopedia of American school law.* (new edition each year). Rosemont, MN: Data Research, Inc.


B. Key Journals
   1. *Journal of Law and Education*
   2. *Individuals with Disabilities Law Report*
   3. *National Disabilities Reporter Highlights*
Appendix A

ACCREDITATION STANDARDS FOR THE USD SCHOOL OF EDUCATION

DOE (South Dakota State Department) Standards

School of Education Standards for Advanced Professionals

1. **Theoretical Foundations:** the advanced professional understands the theoretical foundations of the profession and applies knowledge of theoretical foundations to professional practice.

2. **Professional Studies and Research:** the advanced professional accesses, reads, and interprets the literature in his or her field and applies information from the research to professional practice.

3. **Leadership:** the advanced professional assumes leadership roles in the profession and shares knowledge and expertise with others in the profession and community.

4. **Diversity and Exceptionality:** the advanced professional addresses issues of cultural diversity and exceptionality in his/her professional practice.

5. **Professional Practice:** the advanced professional recognizes and addresses current issues in the profession, solves problems encountered in professional practice, and reflects on his/her professional practice and its effects.

6. **Assessment:** the advanced professional uses a variety of formal and informal assessments to evaluate his/her performance and the performance of others.

7. **Technology:** the advanced professional uses technology in his/her professional practice.

8. **Management of the Work Environment:** the advanced professional creates and maintains a safe and effective work environment.

9. **Interpersonal Skills:** the advanced professional fosters and maintains positive work relationships and models effective oral and written communication.

10. **Personal Characteristics:** the advanced professional displays the beliefs, values, and behaviors that guide the ethical dimension of professional practice.