

EDL 824
Legal Issues in Special Education
Southeastern Louisiana University & University of Louisiana at Lafayette Consortium
3.0 Credit Hours

Instructor:

Office hours:

Required Text: Yell, M. (2012). *The law and special education* (3rd ed.). Boston, MA: Pearson.

Supplemental Texts: Permuth, S., & Mawdsley, R. (Eds.) (2006). *Research methods for studying legal issues in education*. Dayton, OH: Education Law Association.

The Bluebook: A uniform system of citation (19th ed.). (2010).
Cambridge, MA: The Harvard Law Review Association.

Publication manual of the American Psychological Association (6th ed.). (2010).
Washington, DC: American Psychological Association.

Supplemental Readings:

Additional readings, such as journal articles, law reviews, and book chapters from other sources will be provided on Moodle. Students will be expected to supplement these with the results of their own searches for an appropriate body of literature that will contribute to their assignments for this course.

Catalog Description:

This course will provide an in-depth study of the historical and legal foundations of disability law and its functionality within public schools. Information presented in this course is contextualized through various means including: understanding the unique educational needs of students who qualify for IDEA or Section 504 services, disability law and policy, and current research. From this course, students gain an understanding of the legal and ethical roles and responsibilities of an educational leader in meeting the unique needs of children with disabilities.

Program Standards:

Two professional standards are embedded in this course. Students will demonstrate their level of acquisition of these standards by completing the course artifact that will be submitted to Pass-Port.

Ed.D. Consortium Goal (EdD)

1. To enhance the knowledge and competencies of leaders so they provide optimal leadership for the education of all learners, both youth and adult.

Carnegie Project on the Education Doctorate Working Principle (C)

The Professional doctorate in education:

2. Prepares leaders who can construct and apply knowledge to make a positive difference in the lives of individuals, families, organizations, and communities.

Course Objectives:

Through acquired knowledge of the history, statutory and case law, and principles of equitable and inclusionary education and through insights and skills gained from interactive strategies, students will:

- see beyond categories of children and search for alternative methods to develop equitable and inclusionary programs for all students; (EdD1; C2)
- understand their own need to continuously reflect on the ethics of their actions in relation to their beliefs

and the changing challenges to providing all students an excellent education; (EdD1; C2)

- use multiple perspectives to analyze beliefs about the purpose of public education and the role of specialized services in achieving that purpose; (EdD1; C2)
- understand the diverse and complex challenges facing students with disabilities, such as low socioeconomic levels, varied ethnic and cultural backgrounds, gender, and language barriers; (EdD1; C2)
- understand the legal, social, and political activities that facilitate or inhibit an inclusive and just educational environment; (EdD1; C2)
- understand the foundation created by federal disability laws (Section 504, ADA, IDEA) and their relationship to law in the delivery of special education; (EdD1; C2)
- understand the relationship between statutory and regulatory requirements and practice; (EdD1; C2)
- identify and use various analytic frameworks to guide legal analysis;
- apply principles and/or frameworks to an authentic case situation in which they analyze existing policy from a critical perspective; and
- pursue a professional identity and agenda that demonstrate respect for the educational needs of diverse students. (EdD1; C2)

Methodologies:

This course will be taught as a seminar, with a balance among in class, Internet, and field experiences and will include readings, lectures, case discussions, simulations, and field research projects. Learning will be drawn from theory and research, from student's experience, and from discussions in and out of class.

Evaluation Methods:

Multiple methods of evaluating students' understanding of content and application will be used. Among them are case briefs, written and oral discussions, a scholarly paper that conducts a legal analysis on a special education topic, and a presentation.

The course artifact described below must be submitted to Pass-Port. The rubric in Pass-Port will be used to evaluate the extent to which the Ed.D. consortium goals and Carnegie Project principles have been achieved.

Course Artifact:

Legal Analysis

The assignment is designed to give course participants the tools and experience of assessing the nature of educational problems in public education by collecting data and analyzing the impact on providing an equitable and inclusive education to children with disabilities.

Course participants will be asked to search for a scenario (one based on practice in their school or district) that is related to disability law and regulations (from IDEA, Section 504, and ADA). They are (a) to determine through analysis of statutory, regulatory, and case law in what ways the scenario illustrates a problem in how law, regulation, or policy is not properly practiced in their school or district and (b) to search for and apply the results of existing research in special education in suggesting one or more solutions to the problem. Students should also use data to determine the intended or unintended consequences of the law, policy, or practice has on diversity, educational opportunity, and ethical leadership.

General Expectations:

As with all graduate level work, course requirements will be evaluated on the level of completeness, appropriateness, creativity, and cohesiveness of the work. The focus of each activity, discussion, and course assignment should be from an educational leadership perspective. Clarity of writing, proper grammar, and appropriate format also will be considered in evaluation. Language used throughout this course should be sensitive

to issues of socioeconomic level, race, culture, gender, sexual orientation, special learning factors, and other issues that are important to individuals.

All written work must be in APA 6th Edition format and typed with a 12-point font, one-inch margins and double spaced. (An exception exists for the discussions online.) Any questions or concerns about course assignments must be discussed with the instructor *prior* to the due date.

University Statements and Policies

If you are a qualified student with a disability seeking accommodations under the Americans with Disabilities Act, you are required to self-identify with the Office of Student Life, Room 203, Student Union. No accommodations will be granted without documentation from the Office of Disability Services.

Free discussion, inquiry, and expression are encouraged in this class. Classroom behavior that interferes with (a) the instructor's ability to conduct the class or (b) the ability of the students to benefit from the instructions is not acceptable. Examples may include continually entering class late or departing early; use of beepers, cellular telephones, or other electronic devices; repeatedly talking in class without being recognized; talking while others are speaking; or arguing in a way that is perceived as "crossing the civility line." In the event of a situation in which a student legitimately needs to carry a beeper/cellular telephone to class, prior notice and approval by the instructor is required.

As per Southeastern policy, the instructor will communicate electronically with students, using their university email accounts only.

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As per Southeastern policy, the university classroom is not a place for children, and students are not to bring their family members for day care or for babysitting.

Students are expected to maintain the highest standards of academic integrity. Behavior that violates these standards is not acceptable. Examples are the use of unauthorized material; communication with fellow students during an examination; attempting to benefit from the work of another student and similar behavior that defeats the intent of an examination or other class work. Cheating on examinations; plagiarism; improper acknowledgment of sources in essays; and the use of a single essay or paper in more than one course without permission are considered very serious offenses and shall be grounds for disciplinary action as outlined in the current General Catalogue.