



**College of Education and Human Development  
Division of Special Education and disAbility Research**

Spring 2018

EDSE 701 629: Legal Issues and Special Populations

CRN: 21548, 3 – Credits

<b>Instructor:</b> Ms. Deborah Dupree	<b>Meeting Dates:</b> 01/11/18 – 03/08/18
<b>Phone:</b> (703) 307-9173	<b>Meeting Day(s):</b> Thursday
<b>E-Mail:</b> ddupree@gmu.edu	<b>Meeting Time(s):</b> 4:45 pm - 9:15 pm
<b>Office Hours:</b> By appointment	<b>Meeting Location:</b> Westfield HS, room A111
<b>Office Location:</b> Class site or by telephone	<b>Other Phone:</b> N/A

\*Note: This syllabus may change according to class needs. Teacher Candidates/Students will be advised of any changes immediately through George Mason e-mail and/or through Blackboard.

**Prerequisite(s):** None

**Co-requisite(s):** None

**Course Description**

Studies the impact of legislation and litigation on the education of special populations emphasizing IDEA and Section 504. Covers emerging trends in special education based on interpretation of landmark court cases related to disability, legal updates on policies and procedures for exceptional learners, and discussion of the guiding principles of special education law when addressing the needs of special populations. Offered by Graduate School of Education. May not be repeated for credit.

Registration Restrictions:

Enrollment is limited to Graduate or Non-Degree level students.

Students in a Non-Degree Undergraduate degree may not enroll.

Schedule Type: Lecture

**Advising Contact Information**

Please make sure that you are being advised on a regular basis as to your status and progress through your program. Mason M.Ed. and Certificate teacher candidates/students should contact the Special Education Advising Office at (703) 993-3670 for assistance. All other teacher candidates/students should refer to their faculty advisor.

## **Course Delivery Method**

Learning activities include the following:

1. Class lecture and discussion
2. Application activities
3. Small group activities and assignments
4. Video and other media supports
5. Research and presentation activities
6. Electronic supplements and activities via Blackboard

## **Learner Outcomes**

Upon completion of this course, students will be able to:

1. Articulate the major provisions of key legislation including IDEA, 504, ADA, and NCLB.
2. Describe and evaluate the six major principles of IDEA.
3. Describe and evaluate the role of the judiciary as an influential force affecting policy making and practice.
4. Analyze judicial opinions and executive agency interpretations of special education and civil rights law and apply the opinions and interpretations to local situations.
5. Critically discuss and evaluate legal trends in special education.
6. Substantiate the need for adherence to procedural safeguards.
7. Determine the scope of related services needed for students with disabilities.
8. Understand the special issues regarding related services including the medical exclusion, in-school assistance with health-related needs, and children with substance abuse problems or psychiatric disorders.
9. Develop educational opportunities within the scope and application of “least restrictive environment” in inclusive and non-inclusive settings.
10. Understand the school’s responsibility to evaluate, understand protections in the evaluation process and practice those responsibilities.
11. Understand and communicate the procedural safeguards and dispute resolution under IDEA and Section 504 to colleagues and parents.
12. Supervise the IEP review and revision process.
13. Understand the “stay-put” provision in IDEA and Section 504 and communicate those requirements to principals and teachers.
14. Serve as a consultant or supervisor of the IEP team in conducting “Manifestation Determination” reviews.
15. Understand the requirements of a behavioral intervention plan and assist the IEP team in the preparation of such plans.
16. Prepare for and administrate due process hearings and reviews under IDEA and Section 504.
17. Provide testimony in administrative hearings and court actions.
18. Maintain confidentiality of medical and academic records in respect of the privacy of individuals with disabilities.

## **Course Relationship to Program Goals and Professional Organizations**

This course is part of the George Mason University, College of Education and Human Development (CEHD), Graduate School of Education, Special Education Leadership Graduate Certificate and Education Leadership, M.Ed Concentration in Special Education Leadership. These programs comply with university and program standards.

## **Required Textbooks**

Yell, M. L. (2015). *The law and special education (4<sup>th</sup> ed.)*. Boston: Pearson Education.

OR

Yell, M. L. (2016). *The law and special education (4<sup>th</sup> ed.)*. Boston: Pearson Education.

## **Recommended Textbooks**

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

## **Additional Readings**

Students will complete additional readings using instructor-supplied resources included on the Blackboard course site.

## **Course Performance Evaluation**

Students are expected to submit all assignments on time in the manner outlined by the instructor (e.g., Blackboard, Tk20, hard copy).

### **Tk20 Performance-Based Assessment Submission Requirement**

It is critical for the special education program to collect data on how our students are meeting accreditation standards. Every teacher candidate/student registered for an EDSE course with a required Performance-based Assessment (PBA) is required to upload the PBA to Tk20 (regardless of whether a course is an elective, a one-time course or part of an undergraduate minor). A PBA is a specific assignment, presentation, or project that best demonstrates one or more CEC, InTASC or other standard connected to the course. A PBA is evaluated in two ways. The first is for a grade, based on the instructor's grading rubric. The second is for program accreditation purposes. Your instructor will provide directions as to how to upload the PBA to Tk20.

For EDSE 701, the required PBA is Legal Dilemma. Failure to submit the assignment to Tk20 will result in reporting the course grade as Incomplete (IN). Teacher candidates/students have until five days prior to the University-stated grade change deadline to upload the required PBA in order to change the course grade. When the PBA is uploaded, the teacher candidate/student is required to notify the instructor so that the "IN" can be changed to a grade. If the required PBA is not uploaded five days prior to the University-stated grade change deadline and, therefore, the grade not changed, it will become an F. Please check to verify your ability to upload items to Tk20 before the PBA due date.

## **Assignments and/or Examinations**

### **Performance-based Assessment (Tk20 submission required)**

**Legal Dilemma Project — 30%:** Students are to complete a minimum 8-10 page paper regarding a legal dilemma surrounding the education of learners from special populations. The dilemma must be a real situation of legal significance. Students are to interview a school superintendent, principal, or other school official in a position of administrative responsibility who has experienced a situation with actual or potential, but not trivial, legal consequences and write a report and analysis of that situation. This is a confidential activity, meaning that no personal identities (including division/school/student/parent names) are to be revealed; fictitious names can be used. The paper should include background information on the situation, clear connections to the law(s), actual outcomes/consequences, and suggestions for successful resolution.

### **College Wide Common Assessment (TK20 submission required)**

None

### **Performance-based Common Assignments (No Tk20 submission required.)**

**Legal Updates Paper and Presentation — 30%:** Students are expected to collaborate with a colleague and complete a 5-page report not including an appendix containing at least six case briefs that provide the foundation for the concepts in the paper. The report will analyze landmark **and** current court cases on one issue related to special populations. Students may choose their own partner and will have time in class to select from an instructor generated topic list. A one page report handout will be shared with all colleagues during an in-class presentation. This paper should include:

- an overview of the issue,
- legal context,
- legal and ethical critique of the cases,
- a synthesis of the impact on practice, and,
- suggestions for future implementation strategies.

Each pair of students will have approximately 10 minutes for an in-class presentation to summarize the key ideas and strategies emerging from their legal updates paper. Presentation timeframes may be adjusted based on the number of students enrolled in the course.

### **Other Assignments**

Students will complete four (4) other graded activities, from choices including but not limited to blogs, group chats, discussion strategies/protocols, videos. Each graded activity is worth 10 points.

## **Course Policies and Expectations**

### **Attendance/Participation**

Students are expected to attend each scheduled class session and participate in class discussions/activities and complete all Blackboard assignments. Active participation will require that students complete required assignments before class in order to effectively ask questions, participate in small group activities, and share insights through discussions. Students may bring personal electronic devices to class and use the devices as learning tools/resources. Students are expected to refrain from participating in social media activities such as texting or emailing during class. With prior instructor approval, if needed, a student may participate in up to two (2) face-to face classes using technologies such as Facetime/Skype.

### **Late Work**

Due to the active engagement nature of this course, late work will not be accepted for the four (4) graded activities and for the Legal Dilemma paper/ presentation described above. University established submission requirements for the TK20 required submission are also described above.

### **Other Requirements**

None

### **Grading Scale**

A+	100 percent
A	95-99 percent
A-	90-94 percent
B+	86-89 percent
B	83-85 percent
B-	80-82 percent
C	75-79 percent
F	74 percent or below

### **Distribution of Points:**

Requirement	Points
Graded activities (4 @ 10 points each)	40 points
Legal Updates Paper (20) and Presentation (10)	30 points
Legal Dilemma Project	30 points
Total	100 points

\*Note: The George Mason University Honor Code will be strictly enforced. Students are responsible for reading and understanding the Code. “To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of the George Mason University community and with the desire for greater academic and personal achievement, we, the student

members of the university community, have set forth this honor code: Student members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work.” Work submitted must be your own or with proper citations (see <https://catalog.gmu.edu/policies/honor-code-system/>).

### Professional Dispositions

Students are expected to exhibit professional behaviors and dispositions at all times. See <https://cehd.gmu.edu/students/policies-procedures/>

### Class Schedule

\*Note: Faculty reserves the right to alter the schedule as necessary, with notification to students.

Date	Topic	Readings and Assignments
January 11	Course Overview Legal System Overview Conducting Legal Research	Begin Planning Assignments/Project Yell, Chapters 1 and 2
January 18	Legal Research Activity History of Special Education Law and IDEA	Yell, Chapters 3 and 4 Supplemental Readings online
January 25	Section 504 and ADA	Yell, Chapters 5 and 6 Graded Activity #1 due <i>Legal Dilemma Project <b>topic</b> due next class</i>
February 1	ESEA, ESSA, and Ethical Decision Making FAPE Identification, Assessment, and Evaluation	Yell, Chapter 7, 8, and 9 Supplemental Readings online Graded activity (#2) Group Work on Legal Updates Project
February 8	IEP LRE	Yell, Chapters 10 and 11 Work on Legal Updates Assignment Graded activity (#3) <b>Legal Updates Paper Due 11:59 PM Sunday, February 11, 2018</b>
February 15	Procedural Safeguards Discipline Bullying RTI Educational Records and Liability for Student Injury	Yell, Chapter 12 (skim) Chapter 13 Chapter 14 (skim) Supplemental Readings online
February 22	Legal Updates Presentations	Graded activity (#4)
March 1	Legal Update Presentations	
March 8	No face to face class	<b>Legal Dilemma Project Due</b>

Date	Topic	Readings and Assignments
<p><b>Note:</b> This is an off campus cohort course located in a Fairfax County Public School (FCPS) building. In the event of an emergency or weather event that closes FCPS schools for the day or closes schools to evening activities, students remain responsible to complete required textbook readings and assignments. Students are required to monitor FCPS school closing information; information will, wherever possible, also be posted on the GMU cohort website for this course.</p>		

### Core Values Commitment

The College of Education and Human Development is committed to collaboration, ethical leadership, innovation, research-based practice, and social justice. Students are expected to adhere to these principles: <http://cehd.gmu.edu/values/>

### GMU Policies and Resources for Students

#### Policies

- Students must adhere to the guidelines of the Mason Honor Code (see <https://catalog.gmu.edu/policies/honor-code-system/>).
- Students must follow the university policy for Responsible Use of Computing (see <http://universitypolicy.gmu.edu/policies/responsible-use-of-computing/>).
- Students are responsible for the content of university communications sent to their Mason email account and are required to activate their account and check it regularly. All communication from the university, college, school, and program will be sent to students **solely** through their Mason email account.
- Students with disabilities who seek accommodations in a course must be registered with George Mason University Disability Services. Approved accommodations will begin at the time the written letter from Disability Services is received by the instructor (see <http://ods.gmu.edu/>).
- Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.

#### Campus Resources

- Support for submission of assignments to Tk20 should be directed to [tk20help@gmu.edu](mailto:tk20help@gmu.edu) or <https://cehd.gmu.edu/aero/tk20>. Questions or concerns regarding use of Blackboard should be directed to <http://coursessupport.gmu.edu/>.
- For information on student support resources on campus, see <https://ctfe.gmu.edu/teaching/student-support-resources-on-campus>

For additional information on the College of Education and Human Development, please visit our website <https://cehd.gmu.edu/students/>.

**Appendix**

**Assessment Rubric(s)**

Legal Dilemma Project (Required Tk20 Submission)

<b>Assignment Component</b>	<b>Exceeds Expectations 3</b>	<b>Meets Expectations 2</b>	<b>Does Not Meet Expectations 1</b>
Background information and legal significance	Includes insightful background information on the situation and makes clear connections to legal significance of situation.	Includes background information on the situation and makes clear connections to legal significance of situation.	Fails to include clear and sufficient background information; fails to explain legal significance of situation.
Analysis	Fully and clearly summarizes and analyzes the legal framework.	Summarizes and analyzes the legal framework.	Summary and analysis is disorganized or lacking key information.
Suggestions for Resolution	Reveals novel thinking and generates insight on how special needs might be better met; suggestions are creative and realistic.	Reveals sufficient effort to think creatively about resolution of issue; suggestions are sound.	Reveals minimal effort to think about resolution in a creative manner; suggestions are unacceptable.
Overall Legal Dilemma Project	Project identifies a significant legal dilemma AND provides clear connections to a legal framework. Written in an organized style using APA and minimal errors.	Project identifies a significant legal dilemma AND connects to a legal framework. Writes in an organized style using APA and minimal errors.	Project fails to clearly identify a significant legal dilemma OR fails to provide clear

Rubrics for the Legal Updates Paper and Presentation and for the Graded Activities are posted on Blackboard.