

**FOUNDATIONS AND PROCEDURAL ISSUES
IN SPECIAL EDUCATION – EDDS 511**

SPRING, 2011

Instructor: Fred Kennon

434-4263 (H)

Course Description

This course will provide an overview of procedural and legal issues in special education affecting all teachers. Specific attention will be paid to situations involving students suspected of having disabilities, students identified with disabilities under IDEIA (IDEA 2004), and students who qualify for services under Section 504 of the Rehabilitation Act of 1973. Students will be taught to critically evaluate situations, engage in risk analysis, and make legally sound educational decisions involving students with special needs. Students will use Virginia's Special Education Regulations to make judgments as to ensure a free appropriate public education to students with disabilities.

Objectives The student will:

- 1) become familiar with the characteristics of students with disabilities including special emphasis on students with learning disabilities, emotional disturbance, mental retardation, autism, as well as attention deficit disorder (ADD) and oppositional defiant disorder (ODD).
- 2) demonstrate an understanding of federal and state laws governing special education services for students
- 3) become knowledgeable about IDEIA (IDEA 2004), No Child Left Behind (NCLB), and Section 504 issues related to all students
- 4) understand the legal requirements in disciplining disabled students
- 5) gain an understanding of least restrictive environment and full inclusion requirements for public schools
- 6) demonstrate an understanding of IEP requirements for teacher and administrators
- 7) understand the time demands of a due process hearing
- 8) learn the emerging requirements related to transition services for disabled students
- 9) review selected case law related to a variety of special education issues impacting students and schools
- 10) exercise reflection as a tool for self-evaluation and professional growth

- 11) demonstrate knowledge of options to legal conflicts when developing educational programs for identified disabled students

Materials:

- 1) Individuals with Disabilities Education (IDEA) Improvement Act of 2004, Federal Register.
- 2) Guidance Document for Virginia's Special Education Regulations, 2009, Va. D.O.E.
- 3) Parent's Guide to Special Education, Revised 2010, Va. D.O.E.
- 4) Yell, Mitchell. The Law and Special Education (2006). Prentice Hall.
- 5) Special Education Procedural Safeguard Requirements, August, 2009, Va. D.O.E.
- 6) Public Law 107-110... No Child Left Behind.
- 7) Special Education Cases... Internet Searches of Council for Exceptional Children, Emory School of Law, Wrights Law and Reed Martin websites.
- 8) Section 504 Procedures, Rockingham County Public Schools
- 9) Inclusion of Children and Youth with Attention Deficit Disorder... video by Joseph Evans and Bruce Buehler
- 10) Other selected documents on needs and characteristics of disabled students, student study, inclusion, due process hearing, IEP development, student discipline, functional behavioral assessment, and transition services.

Course Requirements:

- 1) Students are expected to attend all class meetings unless an emergency occurs. Absence from class may lower one's grade.
- 2) Students are expected to complete all reading assignments.
- 3) Students will successfully complete a series of study guides developed around major class topics.
- 4) Students will complete internet searches of specific topics and recent court rulings (class presentations)
- 5) Students will read and react to current IDEIA requirements (class project)
- 6) Students will successfully complete a final exam.

Class Format:

Combination of lecture, discussions, problem solving, case studies, videos, and student presentations.

Evaluation:

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|----|---------------------------------------|---|-----|
| 1) | Class participation and presentations | - | 20% |
| 2) | Study guides (six guides) | - | 30% |
| 3) | Class project | - | 30% |
| 4) | Final exam | - | 20% |

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Class Meeting #1

- Introductions
- Index Card...name two things you want to learn from this course
- Six major principles of IDEA
- Federal Judicial Circuits...pp.11-12 text
- Legal Research...chap.2 text
- Characteristics of disabled students
- Student Study and Eligibility Flow Chart...handout/overview
- Read Parent's Guide to Special Education...and complete 3 study guides
- Review Procedural Safeguard
- IEP meeting agenda and considerations...handout
- The Law and Special Education...complete study guide for chapters 1-6

Class Meeting #2

- Characteristics of disabled students (con't)
- IEP pitfalls to avoid
- Various court cases summarized...Faulders,Withers,Jaynes
- The Law and Special Education...complete study guide for chapters 7-9

Class Meeting #3

- Characteristics of disabled students (con't)
- Internet search on selected court cases assigned to students
- Report findings of Internet search/court cases to class
- Review landmark court cases
- The Law and Special Education...complete study guide for chapters 10-14

Class Meeting #4

- Section 504...handout/discussion...medications to students...ADD/ADHD Video
- Full Inclusion...defined/discussion
- Student Discipline...suspensions less than 10 days/more than 10 days
- Functional Behavioral Assessment and Manifestation Determination review
- Federal Program Monitoring...handout
- Guidance Document for Va. Sp.Ed.Reg. ... handout...project...significant impact on instruction,finance,personnel...due two weeks after end of class

Class Meeting #5

- Due Process Hearing...how to prepare for....
- Rockingham County Due Process Hearing Transcript Summary (July, 2004)
- FAQ's and Review of Va.Reg.
- Final Exam

-Course evaluation