

Educ 558 Current Issues in Special Education and the Law

3 semester credit hours, graduate credit

Course Description: In the highly litigated area of Special Education, it is imperative that professionals in the field understand the legal requirements of providing a free appropriate public education to students with disabilities. This course prepares the reader with the essential skills to locate pertinent information in libraries, on the Internet, and other sources to keep abreast of the constant changes and developments in the field. This course provides the student with the latest information on the statutes, regulations, policy guidance, and cases on special education law, as well as the most current information on: the Individuals with Disabilities Education Act, RtI – Response to Intervention, Section 504 of the Rehabilitation Act and the Elementary and Secondary Education Act, The Family Educational Rights and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPAA). This course will also cover Nebraska Rule 51.

Goals and Objectives: The goal of this course is that students acquire the necessary information to understand the history and development of special education laws and the requirements of these laws in the field of special education. Current issues in the field will also be taught such as Response to Intervention (RtI) and other up to date issues in the area of Special Education.

The course objectives will enable the students to do the following:

1. Delineate the history of the law regarding children with disabilities.
2. Define the main components of the Individuals with Disabilities Education Act.
3. Define the main components of Section 504 of the Rehabilitation Act.
4. Define the main components of the Americans with Disabilities Act.
5. Define the main components of the Elementary and Secondary Education Act.
6. Define the main components of Response to Intervention (RtI) and what it means to implement RtI in a local school district.
7. Define the terms: free appropriate public education, related services, least restrictive environment, and the Individualized Education Program (IEP).
8. Define the steps in identification, assessment, evaluation, and placement of a child in special education.
9. Define the procedural safeguards in disciplining students with disabilities.
10. Define the main components of the Family Education Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA).
11. Delineate the rights of students with special needs when it comes to juvenile justice, liability for student injury, and search and seizure.
12. Define important features of Nebraska Rule 51.

Required text:

Yell, Mitchell L. (2012). LAW AND SPECIAL EDUCATION (3rd edition).
Merrill/Pearson.

Recommended resource:

Nebraska Department of Education (NDE) Rule 51-Regulations and Standards for Special Education Programs. Title 92 Nebraska Administrative Code, Chapter 51 [(92 NAC-51) Rev. 5/15/10].

Other Recommended Resources: Friend, Marilyn (2011). SPECIAL EDUCATION: CONTEMPORARY PERSPECTIVES FOR SCHOOL PROFESSIONALS (3rd edition). Merrill/Pearson.

RESPONSE TO INTERVENTION (RtI): IMPLEMENTATION AND LEGAL ISSUES monograph (2011). Authors: Stanley L. Swartz, Cathleen A. Geraghty-Jenkinson, & Sherri Franklin-Guy. <http://store.educationlaw.org/>.

5-7 MINUTE PODCASTS ON HOT EDUCATION LAW TOPICS (2012).
<http://store.educationlaw.org/>.

Course Content:

- a. Introduction to the American legal system
- b. Legal research in the law library and on the internet
- c. The history of law and children with disabilities
- d. The Individuals with Disabilities Education Act
- e. Section 504 of the Rehabilitation Act of 1973
- f. The Americans with Disabilities Act
- g. The Elementary and Secondary Education Act
- h. Free appropriate public education
- i. Related services
- j. Identification, assessment, and evaluation
- k. The individualized education program (IEP)
- l. Least restrictive environment
- m. Procedural safeguards
- n. Response to intervention (RtI)
- o. Disciplining students with disabilities
- p. The Family Educational Rights and Privacy Act (FERPA)
- q. The Health Insurance Portability and Accountability Act (HIPAA)
- r. Juvenile justice system
- s. Liability for student injury
- t. Search and seizure
- q. Nebraska Rule 51

Course Requirements:

- Examinations: Two exams will cover lecture material and information from the course readings, lecture, audiovisuals, and text.
- Weekly quizzes on readings. Students will complete an online quiz over the text and assigned readings. The quiz must be completed by class times of the week it is scheduled.
- Written paper. Find out what your school district plan is on Response to

Intervention (RtI). Critique this plan with what you have learned in this class about RtI.

Reviewed 07/12