

Course Title: New Jersey Special Education Law
 Course Number (with section):15:293:610
 Credits: 3 Credits
 Day, Time, & Location: Tuesdays, 4:50-7:30, FH-B2

Instructor Name Prof. Esther Canty-Barnes	Email address ecanty-barnes@kinoy.rutgers.edu
Phone Number: 973-353-3268	10 Seminar Pl Rm __as arranged
Office Hours: As requested	Prerequisites or other limitations: None
Mode of Instruction: <input type="checkbox"/> Lecture <input type="checkbox"/> Seminar <input checked="" type="checkbox"/> Hybrid <input type="checkbox"/> Online <input type="checkbox"/> Other	Permission required: <input type="checkbox"/> No <input type="checkbox"/> Yes Directions about where to get permission numbers:

Learning goals: COURSE LEARNING OBJECTIVES

- 1) To understand the history and basic organizational aspects of the special education system in the U.S. as related to IDEA, Section 504, ADA
- 2) To understand the major components of IDEA 2004 legislation
- 3) To be familiar with basic regulatory requirements of IDEA
- 4) To understand basic fiscal, personnel, and organizational management issues related to delivery of special education services
- 5) To understand the main aspects of special education law with attention to landmark cases and guiding decisional law in the field
- 6) To understand basic issues surrounding the intersection of IDEA, 504 and the ADA
- 7) To understand current requirements for developing an appropriate IEP for a student with special needs
- 8) To understand cultural and racial concerns and issues regarding the overrepresentation of children of color in special education
- 9) To understand the roles and relationships, procedures and issues concerning the provision of appropriate special education services
- 10) To become familiar with current critical issues facing special education
- 11) To have basic knowledge of informational sources regarding IDEA practices and legal requirements
- 12) To understand key provisions of New Jersey Special Education law and regulations

Course catalog description:

This course will provide a comprehensive analysis of Federal and New Jersey Special Education laws and the relationship of these laws to the obligations and responsibilities of school districts in conjunction with the rights of parents and children with disabilities.

The course utilizes lecture, discussion, simulations and other experiential approaches to learning.

Class materials/ Textbooks:

Text: The Law and Special Education - Yell, Mitchell L. (3rd edition 2012)

Statutes and regulations (Selected Portions)

- 1) Individuals with Disabilities Education Improvement Act, 20 U.S.C. 1400 et seq
- 2) Code of Federal Regulations: 34 C.F.R. § 300 et seq
- 3) Section 504 of the Rehabilitation Act (Section 504)
- 4) The Americans with Disability Act (ADA)
- 5) New Jersey Administrative Code: 6A: 14-1 et seq
- 6) New Jersey Statute: N.J.S.A.
- 7) Selection articles or portions

Other description of course purposes, context, methods, etc:

Grading policy:

The final grade will be a combination of the exams, assignments, simulations and attendance as indicated below. Late assignments, unpreparedness for class, or failure to complete assignments may result in a lower grade for the designated matter.

Grades:

91-100 (A)

86- 90 (B+)

80- 85 (B)

76- 79 (C+)

70-75 (C)

Under 70 (F)

Class participation (overall participation) – 15%

Simulations - 15%

Written Interview Assignment – 10%

Mid-Term Exam – 20%

Final Exam– 40%

Total possible is 100%

Assignments¹:

1. Course Requirements

Readings. You are responsible for reading all assignments listed in the syllabus.

Supplemental handouts/reading materials will be available on Sakai and/or handed out in class. Portions of the Federal statute and the implementing regulations will be placed on Sakai for your convenience. A copy of the New Jersey implementing regulations, N.J.A.C. 6A:14-1.1 et seq., will be posted on SAKAI or can be downloaded at <http://www.nj.gov/education/specialed/reg/>. PLEASE BE SURE TO BRING COPIES OF N.J. REGULATIONS TO EVERY CLASS.

¹ Including exams, papers etc.

2. CLASS PARTICIPATION

Class participation is an important part of the course since you will be required not only to participate in discussions as a part of the class, but will be required to be an active participant in group assignments and discussions. Participation in simulations will be graded separately. Your grade will be based upon your participation in discussions, preparation for class, knowledge of the material assigned and ability to respond to questions posed. (15%)

3. ASSIGNMENTS

The written assignment may be one of the three options listed below:

A. Interview a member of a New Jersey Child Study Team, IEP Team or school official who is knowledgeable about the special education process. Identify what role, the person plays in the special education process including identification, evaluation, development of the IEP, monitoring the educational program or discipline. Prepare a written report between 3-5 pages, doubled spaced, detailing the results of your interview. Compare and contrast the roles and responsibilities of the person interviewed with the legal mandates required under NJ and federal law. Include a list of questions asked as a part of the interview. As a part of your report, please describe the structure, function and procedural mandates in N.J.'s regulations for the Child Study Team and the IEP Teams. Please refer to the relevant N.J. Administrative Code (Title 6A) located on the N.J. Department of Education's Special Education Website - <http://www.nj.gov/education/specialed/>

B. OPTION 2 - Interview a fellow student teacher using the same format as above. Use at least five legal resources as a part of your assignment.

C. OPTION 3 – Submit a self-reflective journal over a period of five days comparing your journey as a special education teacher. Compare and contrast the law with your experiences as a teacher. Do not provide names, school districts, or confidential information. Use at least five legal resources as a part of the reflection.

THIS ASSIGNMENT IS DUE ON FEBRUARY 24, 2015 AT THE BEGINNING OF CLASS. Please use the SAKAI dropbox and provide a written copy of your assignment at the beginning of the class. You will be graded on 1) Comprehensiveness of interview/paper and the 2) legal authority cited. You **MUST** cite at least five (5) Federal and/or State statutes or regulations that we have reviewed and be able provide an analysis and understanding of the law cited.(10%)

4. Simulations. Three simulations will be completed as class projects in the following areas:

1) Eligibility and IEP Meeting; 2) Manifestation Determination Meeting in a Discipline case and 3) Mediation. These projects will be completed during class. Some preparation may be required outside of class. Students will be assigned to groups/teams. Each member of the group will be given an assigned role to play at least one week in advance. Students will be graded on legal issues raised/addressed; Preparation and anticipation of issues raised; and legal compliance(15%).

5. EXAMS

Mid-Term Examination. One open-book examination will be given based on the assigned readings and material covered in class. (20%).

Final Examination. A final examination will be given. The Final will cover the material that we covered over the period of the semester and will include multiple choice, true/false and short answers based upon hypothetical questions. The grade will account for 40% of your grade. (40%)

6. Attendance

Students are required to attend every class. Exceeding more than one absence, may result in the lowering of the student's final grade by a half letter grade (e.g., from B+ to B). Exceptions will be made for documented emergencies or illness. Every effort will be made to provide possible accommodations or arrangements.

7. Late Assignments. Assignments received subsequent to the due date, will be deducted by one grade for each day that the assignment is late.

8. Accommodations for Disabilities. Requests for accommodations should be made as soon as practicable. Students requiring accommodations will be given all necessary support and accommodations. Students should notify the instructor and coordinate with the Rutgers University Office of Disability Services.

Web site: (If any)

Academic Integrity Policy:

The Office of Student Conduct supervises issues related to violations of academic integrity (see <http://academicintegrity.rutgers.edu>). Please familiarize yourself with the university policy on academic integrity at http://academicintegrity.rutgers.edu/files/documents/AI_Policy_2013.pdf

Office of Disability Services:

Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

Course Schedule:

Week	Assignments & Readings
January 20, 2015 Week 1	<p>Course expectations and the Law Introduction to the Legal system and History of Special Education Law ; Read: Yell- Chapter 1; Chapter 3 - pp 45-58 Finding the Federal and NJ Law– Where is it found? Pre-test- What do you Know about Special Education? (ungraded)</p>
January 27 Week 2	<p>Overview of Special Education Law 20 U.S.C. 1401 (definitions) (FAPE, LRE, Special Education, Related Services) The Right to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) - Read: Yell, Chapter 8 and 11, pages 270-76 & 283-88. - N.J.A.C. 6A:14-4.1 through 4.9</p>
February 3 Week 3	<p>Child-Find, Identification, Evaluations and Eligibility - Read: Yell, Chapter 9 - Read IDEA, 20 U.S.C. 1413(f), 1414(a) - (c), 1415(a) - (d) - Read 34 C.F.R. 300.111, 300.300 - 300.311, 300.500-300.505 - Read N.J.A.C. 6A:14-2.3, 2.5, 3.1 - 3.6, 3.8, 6.1 - 6.2</p>
February 10 Week 4	<p>The Individualized Education Program (IEP) and the role of the IEP Team Read: Yell – Chapter 10 - IDEA, 20 U.S.C. 1401(26), 1414(d) - (f) - 34 C.F.R. 300.34, 300.320 - 300.328 - N.J.A.C. 6A:14-3.7, 3.9 - Review sample blank IEP and other required forms from the NJ DOE website. -IEP Planning Meeting</p>
February 17 Week 5	<p>Procedural Safeguards, Rights of Parents/Students, and Burden of Proof in Special Education Matters Chapter 12, pages 291-312 - Review – 20 U.S.C. 1415 (a)-(j) - Review – 34 C.F.R. 300.121, 300.500-504 - Read N.J.A.C. 6A:14-2.1 through 2.5, 2.9 N.J.S.A. 18A:46-1.1</p>
February 24 Week 6	<p>IEP Simulations ***WRITTEN PAPER ASSIGNMENT DUE***</p>
March 3 Week 7	<p>Section 504 of the Rehabilitation Act and the Americans with Disability Act - Read: Yell, Chapter 5 & 6 - Read selected ADA provisions (42 U.S.C. § 12101 - 12134) - Read selected Section 504 provisions (29 U.S.C.S. §§ 705, 794a) - Review ADA, Section 504, IDEIA comparison chart</p>
March 10 Week 8	<p>MIDTERM EXAMINATION (OPEN BOOK)</p>

March 17 Week 9	SPRING BREAK
March 24 Week 10	Roles and Responsibilities of District Districts/teachers; Remedies and Damages Read: Yell, Chapter 12 pages 312 to 328 - Read IDEA, 20 U.S.C. 1415(i) - Read N.J.A.C. 6A:14-2.10 -Class Exercises – Procedural safeguards
March 31 Week 11	Student Discipline - Read: Yell, Chapter 13 - Read IDEA, 20 USC 1415(j) & (k) - Read 34 CFR 300.530 – 300.536 - See also: N.J.A.C. 6A:14-2.8
April 7 Week 12	***STUDENT DISCIPLINE SIMULATIONS***
April 14 Week 13	Due Process, Mediation and Complaint Investigation - Yell, Chapter 12, pages 291 to 312 - Read N.J.A.C. 6A:14-2.1 through 2.7, 2.9 - Read N.J.A.C. 6A:14-9.1 to 9.2 - N.J.S.A. 18A:46-1.1 Guest Speakers: School Board Attorneys and Parent Attorneys
April 21 Week 13	*****MEDIATION SIMULATIONS*****
April 28 Week 14	Winding Up –FINAL EXAM