

Spring 2016
New Jersey Special Education Law
15:293:610:01
Credits: 3 Credits
Tuesdays, 4:50-7:30 PM, FH A1

Instructor Name: Esther Canty-Barnes	Email address ecanty-barnes@kinoy.rutgers.edu
Phone Number 973-353-3268	10 Seminar Pl Rm ____
Office Hours Tuesdays – by appointment 3:30-4:30PM	Prerequisites or other limitations:
Mode of Instruction: <input checked="" type="checkbox"/> Lecture <input type="checkbox"/> Seminar <input type="checkbox"/> Hybrid <input type="checkbox"/> Online <input type="checkbox"/> Other	Permission required: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Directions about where to get permission numbers:

Learning goals:

- 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. Title 18A
- 7) Selection articles and journals

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

¹ Including exams, papers etc.

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.

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 19	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)
January 26	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
February 2 Feb. 2	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
February 9	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
February 16	Procedural Safeguards, Rights of Parents/Students, and Burden of Proof in Special Education Matters Chapter 12, pages 291-328 - 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- 2.10 N.J.S.A. 18A:46-1.1 Class Exercises – Procedural safeguards
February 23	IEP Simulations ***WRITTEN PAPER ASSIGNMENT DUE***
March 1	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 Dear Colleague Letters
March 8	MIDTERM EXAMINATION (OPEN BOOK)
March 15	SPRING BREAK
March 22	Student Discipline – General Education and Special Education 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 Dear Colleague Letter on Discipline
March 29	Student Discipline – continued NJSA 18A:37-1 to 37.19 OCR Data on Discipline and Special Education
April 5	***STUDENT DISCIPLINE SIMULATIONS***
April 12	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
April 19	*****MEDIATION SIMULATIONS*****
April 26	Winding Up and Final Exam