

EDSP 5378
Administrative and Legal Issues in Special Education
University of Texas at Tyler
School of Education

Course: EDSP 5378:060
Semester: Spring 2021
Location: Online

Instructor: Staci Zolkoski, Ph.D.
Phone: 903-565-5612
Email: Canvas email or szolkoski@uttyler.edu
Zoom link: <https://uttyler.zoom.us/j/8309886084>

Course Catalog Description:

An in-depth study of federal and state education laws, court cases, related legal issues affecting special education. Content includes legal/administrative responsibilities inherent in special education program planning and development, alternative program formats, funding sources, consultation, and communication techniques.

Student Outcomes:

Objective/Learning Outcomes	Standards: SBEC CEC	Assessment
1. The Students will understand the history of the law regarding children with disabilities	Domain IV Standard I, II ACC1K4, ED1K1, ACC5K1	Quizzes
2. Students will demonstrate understanding of the fundamentals of the legal system in the United States	Domain IV Standard I, II ACC1K4	Quizzes
3. Students will identify major federal laws including (IDEA, Section 504, ADA, ESEA)	Domain IV Standard I, II Acc1K4, ED1K1, ACC5K1	Quizzes Scavenger Hunt Article Review Module Activities
4. Students will identify case laws pertaining to special education and treatment of individuals with disabilities in the United States	Domain IV Standard I, II ACC1K4, ED1K1, ACC5K1	Case Briefings Due Process
5. Student will demonstrate understanding of the specific rules and regulations that are applicable to special education in the state of Texas.	Domain IV Standard I, II, ACC1K4, ED1K1, ACC5K1	Quizzes Scavenger Hunt Due Process Hearing

6. Students will demonstrate and apply professional and ethical standards for educational diagnosticians (NCED).	Domain IV Standard I, II ACC5K1, ACC5K2, ED5K3, ACC5SI, ACC5S3	Director Interview
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Evaluation and Grading:

Students will be assessed according to the stated objectives in this syllabus.

Summary of Course Assignments:	Maximum Points
Quizzes	120
Region 20 ESC Modules	200
Module Assignments	100
Scavenger Hunt – Commissioner’s Rules	25
Due Process Hearing Reviews	100
Director/Diagnostician Interview	35
Research Pool Participation	25

Total Possible Points: 600 points

Grading is based on your accumulated score as a percent of the total cumulative score available.

The last day to withdraw from courses is Monday, March 29th.

Grading Rubric:

A (90 –100%)	B (80 – 89%)	C (70 – 79%)	D (60 – 69%)	F (less than 60%)
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Description of Grading and Evaluation

Throughout the semester, a variety of online activities/assignments will be assigned. These activities are extensions of the topic discussed throughout the online modules.

Assignment Submission:

For written assignments a “page” is defined as:

- 8½” x 11” paper
- Times New Roman or Arial 12-point font
- Double-spaced (unless otherwise directed)
- 1-inch margin on all sides.
- Put page numbers on the top right-hand side.
- Put the title of the assignment on your paper. **You only need the title at the top of your paper.**
- Upload written assignments on the Canvas website under the assignment tab

Teaching Strategies:

The following instructional strategies will be employed during this class:

- Lecture, multimedia, and simulations
- Demonstration and case studies
- Cooperative learning
- Written assignments

Required Text and Related Readings

Yell, M. L. (2019). *The law in special education* (5th edition). New York, NY: Pearson.

Other readings as assigned in class.

NOTE: *A student of this institution is not under any obligation to purchase a textbook from a university-affiliated bookstore. The same textbook may also be available from an independent retailer, including an online retailer.*

Weekly Modules: Modules will open on Sundays at 11:59 p.m. Each module consists of an online lecture, reading assignment, quiz, and assignment for the week. Module components must be completed by 11:59 on Sunday evenings. If any module components are not completed by the deadline, the assignments will be considered late and will not be graded.

- Scavenger Hunt:** The Commissioner's Rules are considered the "bible" for diagnosticians and special education directors. This side-by-side document highlights the provisions of the *Individuals with Disabilities Education Act* and applicable Texas state law. To familiarize yourself with this document, a scavenger hunt activity will be completed.
- Due Process Hearing Reviews:** This activity will familiarize you with the due process hearing in the state of Texas. Actual recent Texas special education hearings will be reviewed. The Texas Education Agency website provides links to all hearing officers decisions.
- Director/Diagnostician Interview:** Students are responsible for interview a director or diagnostician regarding legal issues in special education. See Appendix A for further guidance.
- Research Pool Requirement:** Students enrolled in specified SOE courses must fulfill a research pool requirement each semester. The research requirement for these courses can be satisfied in one of two ways. First, students can satisfy the research pool requirement by volunteering to participate in approved research studies offered by the School of Education (2.5 credits). Alternatively, students can satisfy the research pool requirement by completing alternative assignments equal in time and effort to the research opportunities.

Plagiarism. Your work needs to be in your own words!! Plagiarism will be an automatic zero for an assignment and grounds for a disposition. All assignments will be submitted within the Unicheck plagiarism software within Canvas.

- All written assignments will be submitted via the submission link that utilizes Unicheck. Unicheck is a plagiarism detection device. A similarity match of 25% or greater indicates

that you engaged in unethical behavior. Any written assignments with a 25% or greater match will receive a grade of zero.

Code of Conduct

Please see section 2.098 or the University of Texas at Tyler Handbook of Operating Procedures for specific information about expectations related to student conduct. It is the responsibility of the student to bring to the instructor's attention any question, misunderstanding or confusions he/she has concerning classroom policy or course requirements BEFORE an adverse effect on student's grade results.

Course Policies

People First Language/Class Etiquette: Our language is a reflection of our attitudes. Always refer to persons with disabilities with respect. Degrading terminology will not be tolerated. In this class we will strive to use "people first" language at all times. "People First" language always refers to the person first and not as a label or a category. For example, refer to "a student with autism" and not "an autistic child."

Safe Zone: I consider this classroom to be a place where you will be treated with respect as human being - regardless of gender, race, ethnicity, national origin, religious affiliation, sexual orientation, political beliefs, age, or ability. Additionally, diversity of thought is appreciated and encouraged, provided you can agree to disagree. It is my expectation that ALL students consider the classroom a safe environment.

Communication: You'll need to log in to Canvas regularly (at least once a week) to view that week's assignments and check announcements and the Coffee & Conversations discussion board – this is a forum in Canvas that is for you to pose questions and general musings about the course. Before emailing me with questions, please post them here because 1) your classmates will respond more quickly with an answer, and 2) everyone in the class has the benefit of that answer. I will check this board throughout the week and answer any questions that have not been answered by your classmates or that still seems to be unclear. I encourage you to use Coffee and Conversations as an environment to interact with and support one another throughout the semester.

If you need to email me privately, I normally respond to emails within 24 hours during the week, and up to 48 hours on a weekend. If you email me over a weekend, holiday break, or semester break, there may be a longer response time.

Also, it is my policy to discuss grades in a live, one-on-one meeting so that we can clearly communicate, and I can hear your perspective and you can hear mine as this promotes open dialogue. If you have questions about grades or your performance in this class, I'm happy to meet with you in a Zoom conference or if you reside close to our campus during a face to face office visit.

Course Organization and Frequent Logins

This course is organized into learning modules. The modules will open Sundays at 11:59 p.m. and close Sundays at 11:59 p.m. Because this is an online course, on-campus attendance is not applicable. However, you must demonstrate self-motivation and be disciplined to complete the course activities and assignments in a timely manner. Thus, frequent (not less than once a week) logins to the course are expected.

Late Work: Because this is an online class, you have a lot of flexibility in where and when you complete many of your assignments. You have many opportunities to submit the assignment on time throughout the week. It is expected that assignments be turned in on time. An assignment will be considered late if it is not turned in on the day it is due. Assignments should be submitted in the assignment folder on Canvas. ***Late assignments are not accepted unless prior arrangements have been made with the instructor.*** Assignments and due dates are posted on the course syllabus.

Written assignments: Possessing the ability to clearly communicate in writing is an essential skill in our jobs as educational diagnosticians for the children and families we serve. Therefore, written assignments must be typed using double spacing lines and have page numbers. In addition, work submitted must reflect a professional quality in terms of scope, depth, writing mechanics, and appearance. Proofread all assignments as only materials with minimal or no errors will receive high scores. Plagiarism is not tolerated.

Academic Dishonesty: To be successful in this class, you must invest time for study. Honesty is expected. Academic dishonesty (e.g., cheating, plagiarism, collusion) will NOT be tolerated and will result in a grade of zero (0) for the assignment. A second infraction will result in automatic failure of the class. Dishonesty is defined as (a) the use of unauthorized materials, (b) any communication with peers during quizzes, (c) representing another's work as one's own (i.e. plagiarism), or (d) fabricating information. The professor reserves the right to determine occurrences of cheating. Additional information on Academic Dishonesty is found in the Selected University Policies section of this syllabus.

Plagiarism. Students need to use their own words when completing all assignments. A zero will be given for any assignment that is detected as being plagiarized. Students are subjected to a disposition or a failing grade in the course.

Unicheck is a tool that will be used to check a document for plagiarism. The tool provides feedback as to whether or not the text in a document is a close match with other documents on the Internet, in journal databases, and submitted to Canvas. If a student is caught plagiarizing, a grade of zero will be given as well as a disposition for cheating.

Dispositions - All students in the UT Tyler Teacher Preparation Program must adhere to the professional behaviors outlined in the U.T. Tyler School of Education Dispositions. These dispositions are listed at the following website:

<http://www.uttyler.edu/education/documents/Dispositions.pdf>

Canvas

You will access class lectures, assignments, grades, and course information through Canvas. Any changes to the course schedule, schedule of assignments, or any special assignments will be posted on Canvas.

Technology

Because this is an online course, you are expected to possess basic technology skills. However, if you are struggling with technology, please post your questions on coffee and conversations, or in many cases you can find answers to your question on Google or other search engines. For issues related to Canvas, please contact IT Support at itsupport@uttyler.edu.

Class Schedule

The schedule will be posted the first day of classes in Canvas.

State Board for Educator Certification (SBEC) Standards for Educational Diagnosticians

Standard I: The educational diagnostician understands and applies knowledge of the purpose, philosophy, and legal foundations of evaluation and special education.

Standard II: The educational diagnostician understands and applies knowledge of ethical and professional practices, roles, and responsibilities.

Standard III: The educational diagnostician develops collaborative relationships with families, educators, the school, the community, outside agencies, and related service personnel.

Standard IV: The educational diagnostician understands and applies knowledge of student assessment and evaluation, program planning, and instructional decision making.

Standard V: The educational diagnostician knows eligibility criteria and procedures for identifying students with disabilities and determining the presence of an educational need.

Standard VI: The educational diagnostician selects, administers, and interprets appropriate formal and informal assessments and evaluations.

Standard VII: The educational diagnostician understands and applies knowledge of ethnic, linguistic, cultural, and socioeconomic diversity and the significance of student diversity for evaluation, planning, and instruction.

Standard VIII: The educational diagnostician knows and demonstrates skills necessary for scheduling, time management, and organization.

Standard IX: The educational diagnostician addresses students' behavioral and social interaction skills through appropriate assessment, evaluation, planning, and instructional strategies.

Standard X: The educational diagnostician knows and understands appropriate curricula and instructional strategies for individuals with disabilities.

CEC ADVANCED SPECIAL EDUCATION DIAGNOSTICIAN SPECIALIST STANDARDS

Advanced Standard 1: Leadership and Policy

Special educators in advanced programs learn to use their deep understanding of the history of special education, current legal and ethical standards, and emerging issues to provide leadership. Special educators promote high professional self-expectations and help others understand the needs of individuals with exceptional learning needs. They advocate for educational policy based on solid evidence-based knowledge to support high quality education for individuals with exceptional learning needs. As appropriate to their role, they advocate for appropriate resources to ensure that all personnel involved have effective

preparation. Special educators use their knowledge of the needs of different groups in a pluralistic society to promote evidence-based practices and challenging expectations for individuals with exceptional learning needs. They model respect for all individuals and ethical practice. They help to create positive and productive work environments and celebrate accomplishments with colleagues. They mentor others and promote high expectations for themselves, other professionals, and individuals with exceptional learning needs.

Advanced Standard 2: Program Development and Organization

Special educators apply their knowledge of cognitive science, learning theory, and instructional technologies to improve instructional programs. They advocate for a continuum of program options and services to ensure the appropriate instructional supports for individuals with exceptional learning needs. They help design and deliver, as appropriate to their role, ongoing results oriented professional development designed to support the use of evidenced-based practices at all relevant organizational levels. They use their understanding of the effects of cultural, social, and economic diversity and variations of individual development to inform their development of programs and services for individuals with exceptional learning needs. Special educators continuously broaden and deepen their professional knowledge, and expand their expertise with instructional technologies, curriculum standards, effective teaching strategies, and assistive technologies to support access to learning. They use their deep understanding of how to coordinate educational standards to the needs of individuals with exceptional learning needs to help all individuals with exceptional learning needs to access challenging curriculum standards.

Advanced Standard 3: Research and Inquiry

Research and inquiry inform the decisions of special educators who have completed advanced programs in guiding professional practice. Special educators know models, theories, philosophies, and research methods that form the basis for evidence-based practices in special education. This knowledge includes information sources, data collection, and data analysis strategies. Special educators evaluate the appropriateness of research methodologies in relation to practices presented in the literature. They use educational research to improve instructional techniques, intervention strategies, and curricular materials. They foster an environment supportive of continuous instructional improvement and engage in the design and implementation of action research. Special educators are able to use the literature to resolve issues of professional practice and help others to understand various evidence-based practices.

Advanced Standard 4: Individual and Program Evaluation

Evaluation is critical to advanced practice of special educators. Underlying evaluation is the knowledge of systems and theories of educational assessment and evaluation, along with skills in the implementation of evidence-based practices in assessment. Effective special educators design and implement research activities to evaluate the effectiveness of instructional practices and, as appropriate to their role, to assess progress toward the organizational vision, mission, and goals of their programs. It is critical in evaluation that nonbiased assessment procedures are used in the selection of assessment instruments, methods, and procedures for both programs and individuals. With respect to evaluation of individuals, special educators prepared at the advanced level are able to apply their knowledge and skill to all stages and purposes of evaluation including pre-referral and screening, pre-placement for special education eligibility, monitoring and reporting learning progress in the general education curriculum and other individualized educational program goals.

Advanced Standard 5: Professional Development and Ethical Practice

Special educators are guided by the professional ethics and practice standards. Special educators have responsibility for promoting the success of individuals with exceptional learning needs, their families, and colleagues. They create supportive environments that safeguard the legal rights of students and their families. They model and promote ethical and professional practice. Special educators plan, present, and evaluate professional development, as appropriate to their roles, based on models that apply adult learning theories and focus on effective practice at all organizational levels. Special educators model their own commitment to continuously improving their own professional practice by participating in professional development themselves.

Advanced Standard 6: Collaboration

Special educators prepared at the advanced level have a deep understanding of the centrality and importance of consultation and collaboration to the roles within special education and use this deep understanding to integrate services for individuals with exceptional learning needs. They also understand the significance of the role of collaboration for both internal and external stakeholders, and apply their skill to promote understanding, resolve conflicts, and build consensus among both internal and external stakeholders to provide services to individuals with exceptional learning needs and their families. They possess current knowledge of research on stages and models in both collaboration and consultation and ethical and legal issues related to consultation and collaboration. Moreover, special educators prepared at the advanced level have a deep understanding of the possible interactions of language, diversity, culture and religion with contextual factors and how to use collaboration and consultation to enhance opportunities for individuals with exceptional learning needs.

UNIVERSITY POLICIES

UT Tyler Honor Code

Every member of the UT Tyler community joins together to embrace: Honor and integrity that will not allow me to lie, cheat, or steal, nor to accept the actions of those who do.

For a full list of university policies including information related to the topics listed below, click [here](#).

- Students Rights and Responsibilities
- Campus Carry
- Tobacco-Free University
- Grade Replacement/Forgiveness and Census Date Policies
- State-Mandated Course Drop Policy
- Disability Services
- Student Absence due to Religious Observance
- Student Absence for University-Sponsored Events and Activities
- Social Security and FERPA Statement
- Emergency Exits and Evacuation
- Student Standards of Academic Conduct

UT Tyler Resources for Students:

- UT Tyler Writing Center (903.565.5995), writingcenter@uttyler.edu, <http://www.uttyler.edu/writingcenter/>

- UT Tyler Tutoring Center (903.565.5964), tutoring@uttyler.edu, <https://www.uttyler.edu/tutoring/>
- The Mathematics Learning Center, RBN 4021, This is the open access computer lab for math students, with tutors on duty to assist students who are enrolled in early-career courses.
- UT Tyler Counseling Center (903.566.7254) <https://www.uttyler.edu/counseling/>

[University Guidelines, Links and Policies](#)

COLLEGE OF EDUCATION AND PSYCHOLOGY (CEP) VISION AND MISSION

Vision: The College of Education and Psychology is nationally recognized and respected for its academic programs and opportunities. It is a center of academic excellence, scholarly inquiry, and public service. The College prepares leaders to meet the critical challenges of the 21st Century through productive contributions to local and global communities and toward individual and cultural equity.

Mission: The mission of the College of Education and Psychology is to provide a positive environment that fosters the acquisition of knowledge and skills. The mission is individually and collectively realized through a community of scholars that contributes to knowledge through scholarly inquiry; organizes knowledge for application, understanding and communication; and provides leadership and service. We affirm and promote global perspectives that value individual and cultural diversity to enhance learning, service, and scholarship.

UT TYLER’S SCHOOL OF EDUCATION STANDARDS FOR EDUCATOR PREPARATION PROGRAMS

Texas Education Standards: The School of Education are committed to teaching and implementing the Texas Educator Standards at the highest level. The School of Education faculty use the Texas Education Standards, along with the Interstate New Teacher Assessment and Support Consortium (InTASC) standards used by educator preparation programs throughout the United States.

The list of [Texas Education Standards](#) can be accessed [here](#).

Access the [Code of Ethics and Standard Practices for Texas Educators](#).

Appendix Director/Diagnostician Interview

You will be required to interview either a special education director, supervisor, or a diagnostician. The purpose of this assignment is to acquaint you with the legal aspects of the job of a director/diagnostician.

You will be required to write a report (minimum of 5 pages) on your experience. The report should include:

Director/Diagnostician Background: This would include such information as number of years as a director/diagnostician, number of years in position, teaching background, etc. Information obtained from the director/diagnostician. You will use the list of mandatory questions below for your interview. **DO NOT PLAN FOR A LENGTHY INTERVIEW AND BE SENSITIVE TO FEELINGS AND EMOTIONS DURING THE INTERVIEW.**

MANDATORY QUESTIONS

1. As a director/diagnostician, what preparation did you have to assist you with the legal issues of your position?
2. What type of training does the school district/campus provide for administrators in special education law?
3. When changes are made in special education law or in district special education procedures how are administrators made aware of the changes?
4. What is the most challenging part of your job?
5. Have you ever had to prepare for a due process hearing? If so, could you elaborate on the steps you took to prepare for the hearing?
6. How do you keep abreast of special education law?
7. What advice would you have for a future diagnostician who is concerned with keeping up with the legal issues in special education?
8. Do you use the legal framework from Region 18 ESC or the Commissioner's Rules (Side-by-Side) in your job? How?

Your 5 page report will also need to include the following information;

Your reflection on the experience

What did you learn that will make you a better diagnostician?