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

Course: EDSP 5378.060
Semester & Year: Spring 2016
Time & Days: Online (Assignments posted each Monday at 6:00 a.m.)
Location: Online

Instructor Frank Dykes, Ed.D.

Office: BEP 243
Office Hours: Virtual: Tuesday 5-6:00
Phone: 903-565-5772
E-mail: fdykes@uttyler.edu (Preferred method of contact)

It is my desire that each of you profits from this course. Please contact me via e-mail or phone or meet with me during office hours if you need any assistance. Appointments are NOT required, but are appreciated, preferred, and given priority.

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:
<table>
<thead>
<tr>
<th>Objectives/Learning Outcomes</th>
<th>Standards: SBEC CEC</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Students will understand the history of the law regarding children with disabilities.</td>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
<td>Quizzes</td>
</tr>
<tr>
<td>2. Students will demonstrate understanding of the fundamentals of the legal system in the</td>
<td>Domain IV-Standard I, II ACC1K4</td>
<td>Quizzes</td>
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<tr>
<td>United States.</td>
<td></td>
<td>Case Briefings</td>
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<tr>
<td>3. Students will identify major federal laws including (IDEA, Section 504, ADA, ESEA)</td>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
<td>Quizzes</td>
</tr>
<tr>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
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<td>Case Briefings</td>
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<td>4. Students will identify case laws pertaining to special education and the treatment of</td>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
<td>Case Briefings</td>
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<tr>
<td>individuals with disabilities in the United States.</td>
<td></td>
<td>Due Process Review</td>
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<tr>
<td>5. Student will demonstrate understanding of the specific rules and regulations that are</td>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
<td>Quizzes</td>
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<tr>
<td>applicable to special education in the state of Texas.</td>
<td></td>
<td>Scavenger Hunt</td>
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<td>Due Process Hearing Review</td>
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<td>6. Students will demonstrate and apply professional and ethical standards for educational</td>
<td>Domain IV-Standard I, II ACC1K4, ED1K1, ACC5K1</td>
<td>Quizzes</td>
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<tr>
<td>diagnosticians (NCED).</td>
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<td>Case Briefings</td>
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### Evaluation and Grading

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

**Summary of Course Assignments:**

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Maximum Points</th>
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</thead>
<tbody>
<tr>
<td>Quizzes (4 x 30 pts)</td>
<td>120</td>
</tr>
<tr>
<td>Online Activities (5 x 20 pts)</td>
<td>100</td>
</tr>
<tr>
<td>Case Briefings (2 x 50 pts)</td>
<td>100</td>
</tr>
<tr>
<td>Scavenger Hunt- Commissioner’s Rules</td>
<td>25</td>
</tr>
<tr>
<td>Due Process Hearing Review</td>
<td>35</td>
</tr>
<tr>
<td>Director/Diagnostician Interview</td>
<td>35</td>
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</table>

**TOTAL 415 points**

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

**Grading Rubric:**
Points Earned

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<tr>
<td>A (90-100%)</td>
<td>B (80-89%)</td>
<td>C (70-79%)</td>
<td>D (60-69%)</td>
<td>F (less than 60%)</td>
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Maximum Points x 100 = Final Grade

**Description of Grading and Evaluation**

1. **Weekly Modules:** Each Monday morning at 6:00 a.m. a weekly module will be posted. Each module consists of an online lecture, reading assignment, quiz and assignment for the week. Module components must be completed by **11:59 p.m. on Sunday evening**. If any module component is not completed by 11:59 p.m., the work is considered to be **late** and a penalty will be assessed.

2. **Online Activities:** Throughout the semester a variety of online activities/assignments will be assigned. Grading criteria will be based on the type of assignment/activity.

3. **Case Briefings:** The purpose of this exercise is to teach students how to analyze a case. Two seminal cases that impact special education services will be analyzed. A case briefing form will be placed in the Course Documents folder on Blackboard. This form will be used to complete the case analysis.

4. **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.

5. **Due Process Hearing Review:** This activity will familiarize you with the due process hearing in the state of Texas. An actual recent Texas special education hearing will be reviewed. The Texas Education Agency website provides links to all hearing officers decisions.

6. **Director/Diagnostician Interview:** Students are responsible for interview a director or diagnostician regarding legal issues in special education. See Appendix A for further guidance.
Teaching Strategies
The following instructional strategies may be employed during this class:
• Online lecture, modules, simulations, discussion board and activities.

Required Text and Related Readings


Documents and document links posted on UT Tyler Course Web Site:
www.blackboard.uttyler.edu

**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.

Code of Conduct
• Please see section 2.098 of 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” an not “an autistic child.

• **Course Organization and Time Requirements:** The course is organized into weekly learning modules. *The modules will open each Monday at 6:00 a.m. and close at 11:59 p.m. each Sunday. All assignments, activities, and quizzes for the week must be completed and posted by 11:59 p.m. Sunday evening the week that they are due.* (See late assignment policy). Please plan adequate amount of time to complete the requirements of each of the weekly module assignments and activities.
• **Late Assignments** (turning in after due date) Assignments are due by midnight on Sunday nights. **No late assignments are accepted. Modules are several weeks in length allowing for an extended amount of time to complete module activities. If work is not turned in by the due date, a grade of zero will be assigned.**

• **Coffee and Conversations:** You’ll need to log in to Blackboard 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 Blackboard 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 periodically 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.

• **Correspondence:** Instructor reserves the right to respond to emails within 24 hours of receipt. Students should not expect an immediate response. However, most responses will be within 24 hours of receipt.

• **Written assignments:** Written assignments MUST be typed using double spaced 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.

• **Safe Zone:** The professor considers this online course to be a place where you will be treated with respect as a 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 the
professor's expectation that ALL students consider the classroom a safe environment.

• Academic Dishonesty. To be successful in this class, you must invest time for study. Honesty is expected. Academic dishonesty (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 (i) the use of unauthorized materials, (ii) any communication with peers during quizzes, (iii) representing another’s work as one’s own (i.e. plagiarism) or (iv) 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 syllabi.

• 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 Blackboard, please contact IT Support at http://bit.ly/StudentBbHelp

• Blackboard: Students will access class notes, assignments, grades and course information through Blackboard 8. Any changes to the course schedule, schedule of assignments, or any special assignments will be posted on Blackboard. Students are expected to regularly check blackboard for updates and to download any class handouts. Please refer to http://www.blackboard.uttyler.edu for more information.

Topical Outline:

See Attached Schedule Page (specific information for each week is listed in the module posted on Blackboard)

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.

Students Rights and Responsibilities
To know and understand the policies that affect your rights and responsibilities as a student at UT Tyler, please follow this link: http://www.uttyler.edu/wellness/rightsresponsibilities.php

Grade Replacement/Forgiveness and Census Date Policies
Students repeating a course for grade forgiveness (grade replacement) must file a Grade Replacement Contract with the Enrollment Services Center (ADM 230) on or before the
Census Date of the semester in which the course will be repeated. (For Spring 2016, the
Census Date is February 1st.) Grade Replacement Contracts are available in the Enrollment
Services Center or at http://www.uttyler.edu/registrar. Each semester’s Census Date can be
found on the Contract itself, on the Academic Calendar, or in the information pamphlets
published each semester by the Office of the Registrar.

Failure to file a Grade Replacement Contract will result in both the original and repeated
grade being used to calculate your overall grade point average. Undergraduates are eligible
to exercise grade replacement for only three course repeats during their career at UT Tyler;
graduates are eligible for two grade replacements. Full policy details are printed on each
Grade Replacement Contract.

The Census Date (February 1st) is the deadline for many forms and enrollment actions of
which students need to be aware. These include:
· Submitting Grade Replacement Contracts, Transient Forms, requests to withhold directory
information, approvals for taking courses as Audit, Pass/Fail or Credit/No Credit.
· Receiving 100% refunds for partial withdrawals. (There is no refund for these after the
Census Date)
· Schedule adjustments (section changes, adding a new class, dropping without a “W”
grade)
· Being reinstated or re-enrolled in classes after being dropped for non-payment
· Completing the process for tuition exemptions or waivers through Financial Aid

State-Mandated Course Drop Policy
Texas law prohibits a student who began college for the first time in Fall 2007 or thereafter
from dropping more than six courses during their entire undergraduate career. This includes
courses dropped at another 2-year or 4-year Texas public college or university. For
purposes of this rule, a dropped course is any course that is dropped after the census date
(See Academic Calendar for the specific date).
Exceptions to the 6-drop rule may be found in the catalog. Petitions for exemptions must be
submitted to the Enrollment Services Center and must be accompanied by documentation
of the extenuating circumstance. Please contact the Enrollment Services Center if you have
any questions.

Disability Services
In accordance with Section 504 of the Rehabilitation Act, Americans with Disabilities Act
(ADA) and the ADA Amendments Act (ADAAA) the University offers accommodations to
students with learning, physical and/or psychiatric disabilities. If you have a disability,
including non-visible disabilities such as chronic diseases, learning disabilities, head injury,
PTSD or ADHD, or you have a history of modifications or accommodations in a previous
educational environment you are encouraged to contact the Student Accessibility and
Resources office and schedule an interview with the Accessibility Case Manager/ADA
Coordinator, Cynthia Lowery Staples. If you are unsure if the above criteria applies to you,
but have questions or concerns please contact the SAR office. For more information or to
set up an appointment please visit the SAR office located in the University Center, Room
3150 or call 903.566.7079. You may also send an email to cstaples@uttyler.edu

Student Absence due to Religious Observance
Students who anticipate being absent from class due to a religious observance are requested to inform the instructor of such absences by the second class meeting of the semester.

**Student Absence for University-Sponsored Events and Activities**

If you intend to be absent for a university-sponsored event or activity, you (or the event sponsor) must notify the instructor at least two weeks prior to the date of the planned absence. At that time the instructor will set a date and time when make-up assignments will be completed.

**Social Security and FERPA Statement:**

It is the policy of The University of Texas at Tyler to protect the confidential nature of social security numbers. The University has changed its computer programming so that all students have an identification number. The electronic transmission of grades (e.g., via e-mail) risks violation of the Family Educational Rights and Privacy Act; grades will not be transmitted electronically.

**Emergency Exits and Evacuation:**

Everyone is required to exit the building when a fire alarm goes off. Follow your instructor’s directions regarding the appropriate exit. If you require assistance during an evacuation, inform your instructor in the first week of class. Do not re-enter the building unless given permission by University Police, Fire department, or Fire Prevention Services. **Student Standards of Academic Conduct:** Disciplinary proceedings may be initiated against any student who engages in scholastic dishonesty, including, but not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.

(i) “Cheating” includes, but is not limited to:

- copying from another student’s test paper;
- using, during a test, materials not authorized by the person giving the test;
- failure to comply with instructions given by the person administering the test;
- possession during a test of materials which are not authorized by the person giving the test, such as class notes or specifically designed “crib notes”. The presence of textbooks constitutes a violation if they have been specifically prohibited by the person administering the test;
- using, buying, stealing, transporting, or soliciting in whole or part the contents of an unadministered test, test key, homework solution, or computer program;
- collaborating with or seeking aid from another student during a test or other assignment without authority;
- discussing the contents of an examination with another student who will take the examination;
- divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructors has designated that the examination is not to be removed from the examination room or not to be returned or to be kept by the student;
- substituting for another person, or permitting another person to substitute for oneself to take a course, a test, or any course-related assignment;
- paying or offering money or other valuable thing to, or coercing another person to obtain an unadministered test, test key, homework solution, or computer program or
information about an unadministered test, test key, home solution or computer program;
• falsifying research data, laboratory reports, and/or other academic work offered for credit;
• taking, keeping, misplacing, or damaging the property of The University of Texas at Tyler, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct; and
• misrepresenting facts, including providing false grades or resumes, for the purpose of obtaining an academic or financial benefit or injuring another student academically or financially.

(ii) “Plagiarism” includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any means another’s work and the submission of it as one’s own academic work offered for credit.

(iii) “Collusion” includes, but is not limited to, the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any section of the rules on scholastic dishonesty.

(iv) All written work that is submitted will be subject to review by SafeAssign™, available on Blackboard.

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.

Code of Ethics and Standard Practices for Texas Educators

Texas Administrative Code

| TITLE 19 | EDUCATION |
| PART 7 | STATE BOARD FOR EDUCATOR CERTIFICATION |
| CHAPTER 247 | EDUCATORS' CODE OF ETHICS |
| RULE §247.2 | Purpose and Scope; Definitions |

(b) Enforceable Standards.

(1) Professional Ethical Conduct, Practices and Performance.

(A) Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

(B) Standard 1.2. The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge
for personal gain or advantage.
(C) **Standard 1.3.** The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
(D) **Standard 1.4.** The educator shall not use institutional or professional privileges for personal or partisan advantage.
(E) **Standard 1.5.** The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
(F) **Standard 1.6.** The educator shall not falsify records, or direct or coerce others to do so.
(G) **Standard 1.7.** The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
(H) **Standard 1.8.** The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
(I) **Standard 1.9.** The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
(J) **Standard 1.10** The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
(K) **Standard 1.11.** The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
(L) **Standard 1.12.** The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
(M) **Standard 1.13.** The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

**(2) Ethical Conduct Toward Professional Colleagues.**

(A) **Standard 2.1.** The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
(B) **Standard 2.2.** The educator shall not harm others by knowingly making false statements about a colleague or the school system.
(C) **Standard 2.3.** The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
(D) **Standard 2.4.** The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
(E) **Standard 2.5.** The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
(F) **Standard 2.6.** The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
(G) **Standard 2.7.** The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

**(3) Ethical Conduct Toward Students.**

(A) **Standard 3.1.** The educator shall not reveal confidential information
concerning students unless disclosure serves lawful professional purposes or is required by law.

(B) **Standard 3.2.** The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.

(C) **Standard 3.3.** The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

(D) **Standard 3.4.** The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

(E) **Standard 3.5.** The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

(F) **Standard 3.6.** The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

(G) **Standard 3.7.** The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

(H) **Standard 3.8.** The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

(I) **Standard 3.9.** The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

(i) the nature, purpose, timing, and amount of the communication;

(ii) the subject matter of the communication;

(iii) whether the communication was made openly or the educator attempted to conceal the communication;

(iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;

(v) whether the communication was sexually explicit; and

(vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student

**Source Note:** The provisions of this §247.2 adopted to be effective March 1, 1998, 23 TexReg 1022; amended to be effective August 22, 2002, 27 TexReg 7530; amended to be effective December 26, 2010, 35 TexReg 11242

**SCHOOL OF EDUCATION PROGRAM STANDARDS**

The School of Education has adopted program standards that guide the development of teacher candidates in their understanding of the complexity of teaching. These standards are based on those developed by the Interstate New Teacher Assessment and Support Consortium (InTASC) and shared by other accredited universities in Texas and across the United States. The Standards are broad understandings and practices gained throughout the
program using a constructivist model in which new learnings are assimilated and attached to prior understandings, thus, over time, building a mental structure (schema) of educational concepts.

**Standard #1: Learner Development (students in general)**
The teacher understands how learners grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas, and designs and implements developmentally appropriate and challenging learning experiences.

*Texas Teacher Practice Standards: 1.2, 2.1, 2.2, 2.3, 4.1*

**Standard #2: Learning Differences (individual students)**
The teacher uses understanding of individual differences and diverse cultures and communities to ensure inclusive learning environments that enable each learner to meet high standards.

*Texas Teacher Practice Standards: 1.3, 2.1, 2.2, 2.3, 4.1*

**Standard #3: Learning Environments**
The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self motivation.

*Texas Teacher Practice Standards: 1.3, 1.4, 1.6, 2.3, 4.1, 4.2, 4.3, 4.4*

**Standard #4: Content Knowledge**
The teacher understands the central concepts, tools of inquiry, and structures of the discipline(s) he or she teaches and creates learning experiences that make these aspects of the discipline accessible and meaningful for learners to assure mastery of the content.

*Texas Teacher Practice Standards: 1.2, 1.5, 1.6, 3.1, 3.2, 3.3, 5.2*

**Standard #5: Application of Content**
The teacher understands how to connect concepts and use differing perspectives to engage learners in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.

*Texas Teacher Practice Standards: 1.5, 3.2, 3.3*

**Standard #6: Assessment**
The teacher understands and uses multiple methods of assessment to engage learners in their own growth, to monitor learner progress, and to guide the teacher’s and learner’s decision making.

*Texas Teacher Practice Standards: 1.6, 5.1, 5.2, 5.3, 5.4, 6.2*

**Standard #7: Planning for Instruction**
The teacher plans instruction that supports every student in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, and pedagogy, as well as knowledge of learners and the community context.

*Texas Teacher Practice Standards: 1.1, 1.2, 1.3, 5.1, 5.3, 5.4*

**Standard #8: Instructional Strategies**
The teacher understands and uses a variety of instructional strategies to encourage learners to develop deep understanding of content areas and their connections, and to build skills to apply knowledge in meaningful ways.

*Texas Teacher Practice Standards: 1.4, 1.5, 1.6, 5.4*

**Standard #9: Professional Learning and Ethical Practice**
The teacher engages in ongoing professional learning and uses evidence to continually evaluate his/her practice, particularly the effects of his/her choices and actions on others (learners, families, other professionals, and the community), and adapts practice to meet the needs of each learner.
Texas Teacher Practice Standards: 3.2, 3.3, 6.1, 6.2, 6.4

**Standard #10: Leadership and Collaboration**
The teacher seeks appropriate leadership roles and opportunities to take responsibility for student learning, to collaborate with learners, families, colleagues, other school professionals, and community members to ensure learner growth, and to advance the profession.

Texas Teacher Practice Standards: 6.3, 6.4

**Standard #11: Technology**
The teacher is able to create, implement, and evaluate technology to enhance teaching, student learning, and other obligations (e.g. reports, grades, tests, etc.) required of teachers.

Texas Educator Standards

Title 19: Chapter 149, Subchapter AA

Rule: 149.1001

(a) Purpose. The standards identified in this section are performance standards to be used to inform the training, appraisal, and professional development of teachers.

(b) Standards.

(1) **Standard 1: Instructional Planning and Delivery.** Teachers demonstrate their understanding of instructional planning and delivery by providing standards-based, data-driven, differentiated instruction that engages students, makes appropriate use of technology, and makes learning relevant for today's learners.

(A) Teachers design clear, well organized, sequential lessons that build on students' prior knowledge.

(i) Teachers develop lessons that build coherently toward objectives based on course content, curriculum scope and sequence, and expected student outcomes.

(ii) Teachers effectively communicate goals, expectations, and objectives to help all students reach high levels of achievement.

(iii) Teachers connect students' prior understanding and real-world experiences to new content and contexts, maximizing learning opportunities.

(B) Teachers design developmentally appropriate, standards-driven lessons that reflect evidence-based best practices.

(i) Teachers plan instruction that is developmentally appropriate, is standards driven, and motivates students to learn.

(ii) Teachers use a range of instructional strategies, appropriate to the content area, to make subject matter accessible to all students.

(iii) Teachers use and adapt resources, technologies, and standards-aligned instructional materials to promote student success in meeting learning goals.

(C) Teachers design lessons to meet the needs of diverse learners, adapting methods when appropriate.

(i) Teachers differentiate instruction, aligning methods and techniques to diverse student needs, including acceleration, remediation, and implementation of individual education plans.

(ii) Teachers plan student groupings, including pairings and individualized and small-group instruction, to facilitate student learning.

(iii) Teachers integrate the use of oral, written, graphic, kinesthetic, and/or tactile methods to teach key concepts.

(D) Teachers communicate clearly and accurately and engage students in a manner that
encourages students' persistence and best efforts.

(i) Teachers ensure that the learning environment features a high degree of student engagement by facilitating discussion and student-centered activities as well as leading direct instruction.

(ii) Teachers validate each student's comments and questions, utilizing them to advance learning for all students.

(iii) Teachers encourage all students to overcome obstacles and remain persistent in the face of challenges, providing them with support in achieving their goals.

(E) Teachers promote complex, higher-order thinking, leading class discussions and activities that provide opportunities for deeper learning.

(i) Teachers set high expectations and create challenging learning experiences for students, encouraging them to apply disciplinary and cross-disciplinary knowledge to real-world problems.

(ii) Teachers provide opportunities for students to engage in individual and collaborative critical thinking and problem solving.

(iii) Teachers incorporate technology that allows students to interact with the curriculum in more significant and effective ways, helping them reach mastery.

(F) Teachers consistently check for understanding, give immediate feedback, and make lesson adjustments as necessary.

(i) Teachers monitor and assess student progress to ensure that their lessons meet students' needs.

(ii) Teachers provide immediate feedback to students in order to reinforce their learning and ensure that they understand key concepts.

(iii) Teachers adjust content delivery in response to student progress through the use of developmentally appropriate strategies that maximize student engagement.

(2) Standard 2: Knowledge of Students and Student Learning. Teachers work to ensure high levels of learning, social-emotional development, and achievement outcomes for all students, taking into consideration each student's educational and developmental backgrounds and focusing on each student's needs.

(A) Teachers demonstrate the belief that all students have the potential to achieve at high levels and support all students in their pursuit of social-emotional learning and academic success.

(i) Teachers purposefully utilize learners' individual strengths as a basis for academic and social-emotional growth.

(ii) Teachers create a community of learners in an inclusive environment that views differences in learning and background as educational assets.

(iii) Teachers accept responsibility for the growth of all of their students, persisting in their efforts to ensure high levels of growth on the part of each learner.

(B) Teachers acquire, analyze, and use background information (familial, cultural, educational, linguistic, and developmental characteristics) to engage students in learning.

(i) Teachers connect learning, content, and expectations to students' prior knowledge, life experiences, and interests in meaningful contexts.

(ii) Teachers understand the unique qualities of students with exceptional needs, including disabilities and giftedness, and know how to effectively address these needs through instructional strategies and resources.

(iii) Teachers understand the role of language and culture in learning and know how to modify their practices to support language acquisition so that language is comprehensible and instruction is fully accessible.

(C) Teachers facilitate each student's learning by employing evidence-based practices and
concepts related to learning and social-emotional development.

(i) Teachers understand how learning occurs and how learners develop, construct meaning, and acquire knowledge and skills.

(ii) Teachers identify readiness for learning and understand how development in one area may affect students' performance in other areas.

(iii) Teachers apply evidence-based strategies to address individual student learning needs and differences, adjust their instruction, and support the learning needs of each student.

(3) Standard 3--Content Knowledge and Expertise. Teachers exhibit a comprehensive understanding of their content, discipline, and related pedagogy as demonstrated through the quality of the design and execution of lessons and their ability to match objectives and activities to relevant state standards.

(A) Teachers understand the major concepts, key themes, multiple perspectives, assumptions, processes of inquiry, structure, and real-world applications of their grade-level and subject-area content.

(i) Teachers have expertise in how their content vertically and horizontally aligns with the grade-level/subject-area continuum, leading to an integrated curriculum across grade levels and content areas.

(ii) Teachers identify gaps in students' knowledge of subject matter and communicate with their leaders and colleagues to ensure that these gaps are adequately addressed across grade levels and subject areas.

(iii) Teachers keep current with developments, new content, new approaches, and changing methods of instructional delivery within their discipline.

(B) Teachers design and execute quality lessons that are consistent with the concepts of their specific discipline, are aligned to state standards, and demonstrate their content expertise.

(i) Teachers organize curriculum to facilitate student understanding of the subject matter.

(ii) Teachers understand, actively anticipate, and adapt instruction to address common misunderstandings and preconceptions.

(iii) Teachers promote literacy and the academic language within the discipline and make discipline-specific language accessible to all learners.

(C) Teachers demonstrate content-specific pedagogy that meets the needs of diverse learners, utilizing engaging instructional materials to connect prior content knowledge to new learning.

(i) Teachers teach both the key content knowledge and the key skills of the discipline.

(ii) Teachers make appropriate and authentic connections across disciplines, subjects, and students' real-world experiences.

(4) Standard 4--Learning Environment. Teachers interact with students in respectful ways at all times, maintaining a physically and emotionally safe, supportive learning environment that is characterized by efficient and effective routines, clear expectations for student behavior, and organization that maximizes student learning.

(A) Teachers create a mutually respectful, collaborative, and safe community of learners by using knowledge of students' development and backgrounds.

(i) Teachers embrace students' backgrounds and experiences as an asset in their learning environment.

(ii) Teachers maintain and facilitate respectful, supportive, positive, and productive interactions with and among students.

(iii) Teachers establish and sustain learning environments that are developmentally...
appropriate and respond to students' needs, strengths, and personal experiences.

(B) Teachers organize their classrooms in a safe and accessible manner that maximizes learning.

(i) Teachers arrange the physical environment to maximize student learning and to ensure that all students have access to resources.

(ii) Teachers create a physical classroom set-up that is flexible and accommodates the different learning needs of students.

(C) Teachers establish, implement, and communicate consistent routines for effective classroom management, including clear expectations for student behavior.

(i) Teachers implement behavior management systems to maintain an environment where all students can learn effectively.

(ii) Teachers maintain a strong culture of individual and group accountability for class expectations.

(iii) Teachers cultivate student ownership in developing classroom culture and norms.

(D) Teachers lead and maintain classrooms where students are actively engaged in learning as indicated by their level of motivation and on-task behavior.

(i) Teachers maintain a culture that is based on high expectations for student performance and encourages students to be self-motivated, taking responsibility for their own learning.

(ii) Teachers maximize instructional time, including managing transitions.

(iii) Teachers manage and facilitate groupings in order to maximize student collaboration, participation, and achievement.

(iv) Teachers communicate regularly, clearly, and appropriately with parents and families about student progress, providing detailed and constructive feedback and partnering with families in furthering their students' achievement goals.

(5) **Standard 5—Data-Driven Practice.** Teachers use formal and informal methods to assess student growth aligned to instructional goals and course objectives and regularly review and analyze multiple sources of data to measure student progress and adjust instructional strategies and content delivery as needed.

(A) Teachers implement both formal and informal methods of measuring student progress.

(i) Teachers gauge student progress and ensure student mastery of content knowledge and skills by providing assessments aligned to instructional objectives and outcomes that are accurate measures of student learning.

(ii) Teachers vary methods of assessing learning to accommodate students' learning needs, linguistic differences, and/or varying levels of background knowledge.

(B) Teachers set individual and group learning goals for students by using preliminary data and communicate these goals with students and families to ensure mutual understanding of expectations.

(i) Teachers develop learning plans and set academic as well as social-emotional learning goals for each student in response to previous outcomes from formal and informal assessments.

(ii) Teachers involve all students in self-assessment, goal setting, and monitoring progress.

(iii) Teachers communicate with students and families regularly about the importance of collecting data and monitoring progress of student outcomes, sharing timely and comprehensible feedback so they understand students' goals and progress.

(C) Teachers regularly collect, review, and analyze data to monitor student progress.

(i) Teachers analyze and review data in a timely, thorough, accurate, and appropriate manner, both individually and with colleagues, to monitor student learning.
(ii) Teachers combine results from different measures to develop a holistic picture of students' strengths and learning needs.

(D) Teachers utilize the data they collect and analyze to inform their instructional strategies and adjust short- and long-term plans accordingly.

   (i) Teachers design instruction, change strategies, and differentiate their teaching practices to improve student learning based on assessment outcomes.

   (ii) Teachers regularly compare their curriculum scope and sequence with student data to ensure they are on track and make adjustments as needed.

(6) Standard 6—Professional Practices and Responsibilities. Teachers consistently hold themselves to a high standard for individual development, pursue leadership opportunities, collaborate with other educational professionals, communicate regularly with stakeholders, maintain professional relationships, comply with all campus and school district policies, and conduct themselves ethically and with integrity.

   (A) Teachers reflect on their teaching practice to improve their instructional effectiveness and engage in continuous professional learning to gain knowledge and skills and refine professional judgment.

      (i) Teachers reflect on their own strengths and professional learning needs, using this information to develop action plans for improvement.

      (ii) Teachers establish and strive to achieve professional goals to strengthen their instructional effectiveness and better meet students' needs.

      (iii) Teachers engage in relevant, targeted professional learning opportunities that align with their professional growth goals and their students' academic and social-emotional needs.

   (B) Teachers collaborate with their colleagues, are self-aware in their interpersonal interactions, and are open to constructive feedback from peers and administrators.

      (i) Teachers seek out feedback from supervisors, coaches, and peers and take advantage of opportunities for job-embedded professional development.

      (ii) Teachers actively participate in professional learning communities organized to improve instructional practices and student learning.

   (C) Teachers seek out opportunities to lead students, other educators, and community members within and beyond their classrooms.

      (i) Teachers clearly communicate the mission, vision, and goals of the school to students, colleagues, parents and families, and other community members.

      (ii) Teachers seek to lead other adults on campus through professional learning communities, grade- or subject-level team leadership, committee membership, or other opportunities.

   (D) Teachers model ethical and respectful behavior and demonstrate integrity in all situations.

      (i) Teachers adhere to the educators' code of ethics in §247.2 of this title (relating to Code of Ethics and Standard Practices for Texas Educators), including following policies and procedures at their specific school placement(s).

      (ii) Teachers communicate consistently, clearly, and respectfully with all members of the campus community, including students, parents and families, colleagues, administrators, and staff.

      (iii) Teachers serve as advocates for their students, focusing attention on students' needs and concerns and maintaining thorough and accurate student records.
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: prereferral and screening, preplacement 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.
# Tentative Schedule

*Subject to Change*

*(Any changes will be announced via an Announcement on Blackboard)*

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<thead>
<tr>
<th>Module</th>
<th>Date</th>
<th>Topic</th>
<th>Assignments</th>
<th>What’s Due</th>
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<tr>
<td>Introductory Module Course Orientation</td>
<td>Jan 19-31</td>
<td>Course Orientation Syllabus Overview</td>
<td>Course Orientation Video Get your textbook and read the syllabus.</td>
<td></td>
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<tr>
<td>Module 1: Introduction to the Legal System</td>
<td>Feb 1-21</td>
<td>The Legal System Legal Research on the Internet The History of Law and Children with Disabilities</td>
<td>Read Chapters 1-3 Quiz 1 Module Assignments</td>
<td>Module 1 Assignments/Quiz</td>
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<tr>
<td>Module 2: Federal Laws</td>
<td>Feb 22- March 7</td>
<td>IDEA Section 504 ADA</td>
<td>Read Chapter 4-6 Quiz 2 Module Assignments</td>
<td>Module 2 Assignments/Quiz Case Brief 1 Due Interview Due</td>
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<tr>
<td>Module 3: Assessment Issues</td>
<td>March 8-27</td>
<td>ESEA FAPE Identification, Assessment, and Evaluation</td>
<td>Read Chapter 7-9 Quiz 3 Module Assignments</td>
<td>Module 3 Assignments/Quiz Case Brief 2 Due</td>
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<tr>
<td>Module 4: Individual Education Plans</td>
<td>March 28 April 17</td>
<td>IEP LRE Procedural Safeguards Discipline</td>
<td>Read Chapters 10-13 Quiz 4 Module Assignments</td>
<td>Module 4 Assignments/Quiz</td>
</tr>
<tr>
<td>Course Wrap Up</td>
<td>April 18- May 2</td>
<td>Due Process Hearing Review</td>
<td>Due Process Hearing Review Course Evaluation</td>
<td>Due Process Hearing Review Due</td>
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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 3 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**

- As a director/diagnostician, what preparation did you have to assist you with the legal issues of your position?
- What type of training does the school district/campus provide for administrators in special education law?
- When changes are made in special education law or in district special education procedures how are administrators made aware of the changes?
- What is the most challenging part of your job?
- 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?
- How do you keep abreast of special education law?
- What advice would you have for a future diagnostician who is concerned with keeping up with the legal issues in special education?
- Do you use the legal framework from Region 18 ESC or the Commissioner's Rules (Side-by-Side) in your job? How?

Your 3 page report will also need to include the following information:

- Your reaction / reflection on the experience
- What did you learn that will make you a better diagnostician/teacher/ LSSP (based on your future/current position)?