RSED 8050/8056 Disabilities and the Law

**Auburn University Department of Special Education, Rehabilitation, & Counseling**

# Course Number: RSED 8050/8056

**Course Title:** **Disabilities and the Law**

**Meeting Time/Place: Tuesday/Thursday Weekly Sessions via ZOOM CLASS MEETINGS at 5:00pm**

**Office hours:** Weekly ZOOM Office Hours by appointment

**Credit:** 3 semester hours

**Instructor:** Dr. Suzanne Woods-Groves, Ph.D.

**Instructor’s email:** [woodssu@auburn.edu](mailto:woodssu@auburn.edu)

**Instructor’s phone:** 334-844-7621

**Office location:** Haley Center 1232C

1. **Date Syllabus Prepared:** May 10, 2020

**REQUIRED TEXTBOOKS:**

**Obtain your textbook before the first day of class.**

**ALL ACCESS TEXT:**

**Yell, M. L., (2019). *The Law and Special Education* (5th ed.). Upper Saddle River, NJ: Pearson.**

Please review ALL ACCESS information located in your CANVAS course home page.

**SEE ALL ACCESS information on the home page of your CANVAS course**.

**ADDITIONAL READINGS available via CANVAS**

Colker, R. (2017). Did the *Fry* decision under the IDEA overturn *Rowley*? *Journal of Law and*

*Education*, *46*(4), 443-457.

El Moussaui. S (2017). The Every Student Succeeds Act and its impact on vulnerable children.  *Journal of Law and Education*, *46*(3), 407-413.

Garda, R. (2017). *Fry v. Napoleon Community Schools*: Finding a middle ground. *Journal of Law and Education*, *46*(4), 459-477.

[Greene G., & Landmark, L. J. (2019). See you in court! How to avoid IDEA Transition-Related Mediations and Due Process Hearings. *Journal of Disability Policy Studies*, 30(3), 148-155.](https://journals-sagepub-com.spot.lib.auburn.edu/doi/pdf/10.1177/1044207319835193)

Hilyerd, W. A. (2005). Using the law library: A guide for educators-Part III: Oh statute (or regulation), where art thou? *Journal of Law and Education*, *34* (1), 101-116.

Hilyerd, W. A. (2005). Using the law library: A guide for educators-Part IV: Secondary sources to the rescue. *Journal of Law and Education*, *34* (2), 273-292.

Larson, E. D., Thurlow, M. L., Lazarus, S. S., & Liu, K. K. (2020). Paradigm shifts in states’ assessment accessibility polices: Addressing challenges in implementation. *Journal of Disability Policy Studies, 20(4), 244-252.*

Rubin, D.B. (2017). Standardized IEPs: One size fits none. *Journal of Law and Education*, *46* (2), 227-233.

Turnbull, H.R., Turnbull, A.P., Cooper, D.H. (2018). The Supreme Court, *Endrew*, and the appropriate education of students with disabilities. *Exceptional Children*, *84*(2), 124-140.

Valverde, J.R (2017). An indefensible idea: Eliminating individualization from the Individuals with Disabilities Education Act. *Journal of Law and Education*, *46* (2), 235-243.

Yell, M.L. (2017). Individualization is special education: A response to Czapansky. *Journal of Law and Education*, *46* (2), 245-252.

Yell, M.L., Katsiyannis, A., Ennis, R. P, Losinski, M, (2013). Avoiding procedural errors in IEP development. *Teaching Exceptional Children*, *46*(1), 56-66.

Yell, M.L., Katsiyannis, A., Rose, C., & Houchins, D. (2016). Bullying and Harassment of Students with Disabilities in Schools: Legal Considerations and Policy Formation. *Remedial and Special Education*, *37*, 274-284.

Zirkel, P.A. (2018). Response to intervention and child find: A legally problematic intersection? *Exceptional Children, 84 (4), 368-383.*

Zirkel, P.A. & McGuire B.L. (2010). A roadmap to legal dispute resolution for students with disabilities. *Journal of Special Education Leadership*, *23*, 100-112.

Zirkel, P.A. & Scala G. (2010). Due process hearing systems under the IDEA: A state-by-state survey. *Journal of Disability Policy Studies*, *21*, 3-8.

# COURSE DESCRIPTION:

This course will include an overview of legal challenges, precedents, and outcomes of legislation and case law related to individuals with disabilities in American society. A primary focus will be education and employment issues as they relate to rights, privileges, discrimination, and empowerment of individual with disabilities across the lifespan.

1. **Student Learning Outcomes: After completing this course you will:**

***COURSE OBJECTIVES*: After appropriate learning activities, the student will:**

1. Demonstrate knowledge of the history of disability legislation and litigation

2. Demonstrate knowledge of the essential concepts and features of the legal process

3. Demonstrate knowledge of educational and employment rights for PWD

4. Demonstrate knowledge of rational arguments on controversial issues

5. Locate sources of information regarding legislation and litigation

**5. COURSE CONTENT SCHEDULE This syllabus** is a tentative outline for the course and is **subject to change** with advance notice from the instructor.

**This is a compressed mini-semester course. You will cover the same amount of material you would cover in a traditional semester course.**

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| **Dates** | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** |
| **05/21**  **Thursday**  **Week 1**  **MODULE 1**  **ZOOM CLASS MEETING 5:00pm** | **Module 1:**   * Course Introduction * Foundational law components * Primary sources for legal research * Code of federal regulations & citations * Components of federal court systems * ID parts of judicial opinion * Evolution of Special Ed. law | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 1-2*  **Readings in CANVAS:**  Hilyerd, (2005). *Journal of Law and Education*, *34* (1), 101-116.  Hilyerd, (2005). *Journal of Law and Education*, *34* (2), 273-292. | **DUE Sunday May 24th by 11:59pm.**  **Module 1**   * Quiz 1 Yell Ch. 1-2 Hilyerd articles |
| **05/26**  **Tuesday**  **Week 2**  **MODULE 2** | **Module 2:**   * History of exclusion * Parental Advocacy * Civil Rights & Equal Opportunity * Federal Laws * “From access to accountability” * Individuals with Disabilities Act * Historical past of IDEA * Purpose & major principles of IDEA * Legal aspects of IDEA | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 3-4*  **Readings in CANVAS:**  Rubin (2017). *Journal of Law and Education*, *46* (2), 227-233.  Valverde (2017). *Journal of Law and Education*, *46* (2), 235-243. | **DUE Sunday May 31th by 11:59pm**  **Module 2**   * Quiz 2 Yell Ch. 3-4 Rubin & Valverde articles * Application Activity 1 |

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| **Dates** | | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** | |
| **05/28**  **Thursday**  **Week 2**  **MODULE 3**  **ZOOM CLASS MEETING 5:00pm** | | **Module 3:**   * Section 504 of Rehabilitation Act 1973 * Purpose of 504 * Eligibility 504 * School Districts’ 504 requirements * Americans with Disabilities Act * ADA requirements/eligibility * U.S. Supreme court decisions | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 5-6*  **Readings in CANVAS:**  Yell, (2017). *Journal of Law and Education*, *46* (2), 245-252.  Colker, R. (2017). *Journal of Law and Education*, *46*(4), 443-457  Garda, R. (2017). *Journal of Law and Education*, *46*(4), 459-477. | **DUE Sunday May 31th by 11:59pm**  **Module 3**   * Quiz 3 Yell Ch. 5-6 Yell, Coker, & Garda articles * **Case Written Briefings Due May 31st** | |
| **06/02**  **Tuesday**  **Week 3**  **MODULE 4**  **EXAM 1 via CANVAS** | **Module 4:**  **EXAM 1 OPENS Tues. June 2nd 8:00am** | | **Exam 1 covers**  **Modules 1-3 and all material addressed** | | **DUE Wed. June 3rd by 11:59pm**  **Complete EXAM 1 via CANVAS**  **Exam 1 will close after due date and will NOT REOPEN.** | |

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| **Dates** | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** |
| **06/04**  **Thursday**  **Week 3**  **MODULE 5**  **ZOOM CLASS MEETING 5:00pm** | **Module 5:**   * Every Student Succeeds Act 2015 * Development of ESSA * Requirements of ESSA * Changes in ESSA * Free Appropriate Public Education * IDEA & FAPE * Components of FAPE * U.S. Supreme Court cases * Peer-Reviewed research * Implementation & monitoring of FAPE | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 7-8*  **Readings in CANVAS:**  El Moussaui. S (2017). *Journal of Law and Education*, *46*(3), 407-413.  Turnbull, H.R., Turnbull, A.P., Cooper, D.H. (2018). *Exceptional Children*, *84*(2), 124-140. | **DUE Sunday June 7th by 11:59pm**  **Module 5**   * Quiz 4 Yell Ch. 7-8 Moussaui & Turnbull articles   **Thursday, June 4th**  **3 Case Briefing Presentations**   * Application Activity 2 |
| **06/09**  **Tuesday**  **Week 4**  **MODULE 6** | **Module 6:**   * Identification & Child Find * Assessment & Evaluation Processes * Protection IDEA & Parents * FAPE & assessment * IEP components, LRE, FAPE * U.S. Supreme Court Cases * IEP Procedural components | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 9-10*  **Readings in CANVAS:**  Yell, M.L., Katsiyannis, A., Ennis, R.P., Losinski, M., Christle, C. (2016). *Teaching Exceptional Children*, *49* (1), 31-40.  Larson, E. D., Thurlow, M. L., Lazarus, S. S., & Liu, K. K. (2020). *Journal of Disability Policy Studies, 20(4), 244-252.* | **DUE Sunday June 14th by 11:59pm**  **Module 6**   * Quiz 5 Yell Ch. 9-10 Yell & Larson articles * Application Activity 3 |

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| **Dates** | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** |
| **06/11**  **Thursday**  **Week 4**  **MODULE 7**  **ZOOM CLASS MEETING 5:00pm** | **Module 7**   * Least Restrictive Environment * LRE & IDEA * LRE Continuum * Case Decisions * Procedural Safeguards * Dispute resolution IDEA * Pertinent Cases | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 11-12*  **Readings in CANVAS:**  Zirkel, P.A. & McGuire B.L. (2010). *Journal of Special Education Leadership*, *23*, 100-112.  Greene, G., & Landmark, L. J., (2019). *Journal of Disability Policy Studies*, 30(3), 148-155. | **DUE Sunday June 14th by 11:59pm**  **Module 7**   * Quiz 6 Yell Ch. 11-12 Zirkel & Greene articles   **Thursday, June 4th**  **3 Case Briefing Presentations** |

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| **Dates** | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** |
| **06/16**  **Tuesday**  **Week 5**  **MODULE 8** | **Module 8**   * Discipline & Students with Disabilities * Procedural Due Process * Due Process Rights of Students * Addressing problem behaviors & IEP * Legal requirements of FBA & BIPs * Manifestation Determination * Bullying * RTI * Charter School * Students’ Educational Records * Student Injury | **Textbook:**  Yell (2019) *The Law and Special Education*  *Chapters 13-14*  **Readings in CANVAS:**  Zirkel, P.A. (2018). *Exceptional Children, 84 (4), 368-383.*  Yell, M.L., Katsiyannis, A., Rose, C., & Houchins, D. (2016). R*emedial and Special Education*, *37*, 274-284. | **DUE Sunday June 21st by 11:59pm**  **Module 9**   * Quiz 7 Yell Ch. 13-14 Zirkel & Yell articles * Application Activity 4 |
| **06/18**  **Thursday**  **Week 5**  **MODULE 9**  **ZOOM CLASS MEETING 5:00pm** | **Module 9**  Ethical Debate Presentations  Ethical Debate Summaries  PowerPoints of presentations | **Readings in CANVAS:** | **DUE Thursday, June 18th**  ***Ethical Debate Presentations Presented in Class on June 18th***  **Written Ethical Debate Summaries due June 18th**  **Copy of PowerPoint Presentation due June 18th** |

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| **Dates** | **Topic** | **Assigned Readings** | **Assignments & Due Date**  **Quizzes & Exams will close after due date and will NOT REOPEN** |
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| **06/23**  **Tuesday**  **Week 6**  **MODULE 10**  **EXAM 2 via CANVAS** | **Module 10:**  **EXAM 2 OPENS Monday June 17th**  **at 8:00am**  **EXAM 2 DUE Tuesday June 18th at 11:59pm** | **Exam 2 covers**  **Modules 5-9 and all material addressed** | **DUE Tues. June 18th at 11:59pm**  **Complete EXAM 2 via CANVAS**  **Exam 2 will close after due date and will NOT REOPEN.** |

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* 1. **COURSE REQUIREMENTS/EVALUATION:**

**Students are required to**

a) Successfully complete all required activities, quizzes, and projects and will submit their projects via CANVAS no later than the date designated for each project,

b) Take and pass all required exams,

c) Watch all class lectures,

d) Read assigned materials within the delineated time.

**STRUCTURE/SCHEDULE OF CLASS SESSIONS:**

* **Tuesday/Thursday Weekly Sessions via ZOOM CLASS MEETINGS at 5:00pm**
* Weekly ZOOM Office Hours are available by appointment. Email your instructor, to make an appointment. The instructor will send you a ZOOM link. You can attend via video or audio.
* Students are required to visit the CANVAS course site regularly to access course material, lectures, activities, assignments, quizzes, and exams via CANVAS. All lectures will be recorded and available via CANVAS. Students will watch all lectures and will complete assigned readings, quizzes, activities, and coursework in a timely manner.

# EXAMS (400 points)

Another requirement of this course is the completion of **two** **50-minute online examinations**. All Exams will consist 25 items which will include a variety of item times such as multiple choice, true/false, applied activities, and matching questions. All students will access and complete their exams via CANVAS. These exams are timed and must be -completed during the allotted time period and due date. All exams must be completed individually and must represent your own work and responses. **Exam 1** will cover all information in Modules 1-3 (200 points), **Exam 2** will cover all information in Modules 5-9 (200 points).

# QUIZZES (140 points)

There will be seven online quizzes **each worth 20 points**. The quizzes will focus on the required readings, course materials, and class activities. The quizzes will be allow students to demonstrate their knowledge of key components and concepts presented in assigned readings and course material. **You should complete these quizzes individually with your answers representing your own work.**

**3**. **APPLICATION ACTIVITIES (200 points)**

**There will be 4 Application Activities, each worth 50 points**. Each Application Activity is designed to offer you a chance to demonstrate critical thinking and explore concepts and skills introduced within this course. The Application Activities can only be COMPLETED ONCE and ARE NOT TIMED.

**4. PRESENTATION OF ETHICAL DEBATE (200 points)**

Each student will choose a controversial issue related to disabilities (e.g., right to life/death, right to reproduction, employer rights/undue burden, independent living, mental illness/treatment) from a list provided from the instructor. The student will prepare 20-minute presentation (using a program such as PowerPoint) and lead a class discussion which articulates both or multiple positions /views related to the issue. In addition, students will write a summary of their position(s).

**5. CASE BRIEF (200 points)** Each student will be assigned a case related to disabilities to brief. Each student will complete a brief and will prepare a 20-minute presentation of this information for the class. Students will write a brief and will prepare a presentation.

* 1. **EVALUATION:** Final grades will be based on points assigned through completion and evaluation of course requirements and grades will be assigned on the basis of number of accumulated points, as follows:

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| --- | --- | --- | --- |
| **ASSIGNMENTS** | **Points per activity** | **Total Points Possible** | **Approximate**  **% of final grade** |
| **Quizzes (7)** | 20 | 140 | 12.5% |
| **Case Briefing Assignment** | 200 | 200 | 17.5% |
| **Ethical Debate Presentation** | 200 | 200 | 17.5% |
| **Application Activities (4)** | 50 | 200 | !7.5% |
| **Exams (2)** |  | 400 | 35% |
| * **Exam 1** | 200 |  |  |
| * **Exam 2** | 200 |  |  |
| **Total Points** |  | **1,149** | **100%** |

# Final Course Grades will be Assigned for Undergraduate or Graduate as follows:

|  |  |  |
| --- | --- | --- |
| **Letter Grade** | **Percentage** | **Points** |
| **A** | **90 - 100** | **1,034 to 1,149** |
| **B** | **80- 89** | **919 to 1,033** |
| **C** | **70-79** | **804 to 918** |
| **D** | **65-69** | **746 to 803** |
| **F** | **64 and below** | **745 and below** |

* 1. **CLASS POLICY:**

*Extra Credit:* No extra credit opportunities will be provided. Final grades will be comprised of points earned on the activities, tests, and projects described in the syllabus.

***Assignments:*** All written assignments are expected to conform to the current style manual of the American Psychological Association (APA). This includes the use of person-first language (i.e. “child with a disability” rather than “disabled child”). Written assignments are expected to be typewritten, grammatically accurate, and free of spelling and typographical errors. Assignments are to be of a quality that would be expected of a professional. **Please do not email me assignments, they will not be graded. All Assignments must be submitted via CANVAS and be typed.**

All assignments must be turned in when due via CANVAS unless otherwise indicated. Assignments must be turned in by the student completing the assignment. **No late assignments** will be accepted unless the instructor has received **prior notice of absence** (via phone, email, etc…) that can be verified as a university approved excuse. When prior notice is provided and the student has a university approved excuse, he or she will have **one week** from the time he or she returns to class to turn in the assignment.

***Accommodations:*** Students who need special accommodations in class, as provided for by the American Disabilities Act, should arrange a confidential meeting with the instructor during office hours the first week of classes - or as soon as possible if accommodations are needed immediately. You must bring a copy of your Accommodation Memo and an Instructor Verification Form to the meeting. If you do not have these forms but need accommodations, make an appointment with the Program for Students with Disabilities, 1244 Haley Center, 844-2096 (V/TT).

***Professionalism:*** As faculty, staff, and students interact in professional settings, they are expected to demonstrate professional behaviors as defined in the College’s conceptual framework. These professional commitments or dispositions are listed below:

* Engage in responsible and ethical professional practices
* Contribute to collaborative learning communities
* Demonstrate a commitment to diversity
* Model and nurture intellectual vitality

***Classroom Behavior and Honesty:*** Students are expected to read and adhere to all classroom polices in the Auburn University’s Tiger Cub regarding classroom behavior and honesty.

**Classroom Behavior: “**Behavior in the classroom that impedes teaching and learning and creates obstacles to this goal [learning] is considered disruptive and therefore subject to sanctions… Students have the responsibility of complying with behavioral standards… Examples of improper behavior in the classroom (including the virtual classroom of e-mail, chat rooms, telephony, and web activities associated with courses) may include, but are not limited to the following: arriving after a class has begun; use of tobacco products; monopolizing discussion; persistent speaking out of turn; distractive talking including cell phone usage; audio or video recording of classroom activities or the use of electronic devices (including cell phones) without the permission of the instructor; refusal to comply with reasonable instructor directions; employing insulting language or gestures; verbal, psychological, or physical threats, harassment, and physical violence.” (See *Tiger Cub*).

**Honesty Code**: The University Academic Honesty Code and the Tiger Cub Rules and Regulations pertaining to Cheating will apply to this class. The Auburn Academic Honesty Code is found in both the Tiger Cub and the Student Government Association’s Code of Laws. Students are to read the honor code carefully, making sure they understand the policy, its implications for their work (e.g. tests, reports, papers, projects), and the consequences of code violation. Non-compliance with this policy will result in formal action with the university academic honesty procedures. Among other things, students are responsible for understanding the definition of plagiarism. Individuals are to (a) reference materials they use, and

(b) reference only material they access directly. Individuals who copy or use ideas from the works of others without properly acknowledging the author, risk grave consequences.

***Student Academic Grievance Policy:*** The purpose of this university policy is to “resolve academic grievances of students, which results from actions of faculty or administration. This resolution should be achieved at the lowest level and in the most equitable way. The burden of proof rests with the complainants.” See *Tiger Cub* for steps toward redress.

***Confidentiality:*** Respect family rights to privacy, the identity of children and families will be confidential.

**Ethical Debate Grading Rubric**

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| --- | --- | --- | --- | --- |
| CATEGORY | **4 per category** | **3 per category** | **2 per category** | **0-1 per category** |
| CEC Advanced Standard 7.3 Special education specialists collaborate to promote understanding, resolve conflicts, and build consensus for improving program, services, and outcomes for individuals with exceptionalities. | | | | |
| **Understanding of Topic** | The presenter clearly demonstrated deep understanding of the topic and presented his/her information convincingly. | The presenter clearly understood the topic in-depth and presented his/her information with ease. | The presenter seemed to understand the main points of the topic and presented those with ease. | The team did not show an adequate understanding of the topic. |
| **Rebuttal** | All arguments and counter-arguments were accurate, relevant and strong. | Most arguments and counter-arguments were accurate, relevant, and strong. | Most arguments and counter-arguments were accurate and relevant, but several were weak. | Arguments and counter-arguments were not accurate and/or relevant |
| **Use of Facts/Statistics** | Every major point was well supported with several relevant facts, statistics and/or examples. | Every major point was adequately supported with relevant facts, statistics and/or examples. | Every major point was supported with facts, statistics and/or examples, but the relevance of some was questionable. | Every point was not supported. |
| CEC Advanced Standard 5.0 Provide leadership to formulate goals, set and meet high professional expectations, advocate for effective policies and evidence-based practices and create positive and productive work environments. | | | | |
| CATEGORY | **4 per category** | **3 per category** | **2 per category** | **0-1 per category** |
| **Connection to Policies and Practices** | The presenter provides a detailed explanation as to how ethical issue and policies or practices in the field of disability that exist, or for which one might advocate. | The presenter makes a clear connection between the ethical issue and policies or practices that exist or for which one might advocate. | The presenter states policies or practices in the field of disability that exist, or for which one might advocate. The connection between the ethical issue is not clear. | There is no mention of and policies or practices in the field of disability that exist or for which one might advocate. |
| CATEGORY | **4 per category** | **3 per category** | **2 per category** | **0-1 per category** |
| **Presentation Style** | The presenter consistently used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience. | The presenter usually used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience. | The presenter sometimes used gestures, eye contact, tone of voice and a level of enthusiasm in a way that kept the attention of the audience. | The presenter had a presentation style that did not keep the attention of the audience. |

1. **Presentation of Case/Litigation History:** Each student will be assigned a case related to disabilities to brief. Each student will prepare a ten-minute presentation of this information for the class.

**Case Presentation Grading Rubric**

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| CATEGORY | **4 per category** | **3 per category** | **2 per category** | **1 per category** |
| **Presentation Style** | Stands up straight, looks relaxed and confident. Establishes eye contact with everyone in the room during the presentation and volume is loud enough to be heard by all audience. Speech is clear with no mispronunciations | Presenter does not appear relaxed. Stands up straight and establishes eye contact with everyone in the room during the presentation and volume is loud enough to be heard most of the time. Speech is unclear at times with up to 3 mispronunciations | Presenter does not appear relaxed. Sometimes stands up straight and establishes eye contact. Volume is loud enough half of the time. Speech is unclear at times with up to six mispronunciations | Presenter does not appear relaxed. Slouches and/or does not look at people during the presentation. Volume often too soft to be heard by all audience members. Speech is unclear at times with ten or more mispronunciations. |
| **Stays on Topic** | Stays on topic throughout entire presentation | Stays on topic most of the time. | Stays on topic some half of the time | It was hard to tell what the topic was. |
| CEC Advanced Standard 6.1 Maintain a comprehensive understanding of the history of special education, legal policies, ethical standards, and emerging issues to inform special education specialist leadership. | | | | |
| CATEGORY | **4 per category** | **3 per category** | **2 per category** | **1 per category** |
| **Case background** | Background is explained accurately and in detail | Some background details are vague or explained in a way that is confusing | Some background details are missing for the explanation | Significant or important details regarding the case background are missing |
| **Content related to case details** | All content is accurate. | Most of the content is accurate, but there are lapses in logic or time line of case | At least half of the content is presented or presented accurately | Significant gaps in content, less than half of the content or pertinent details are presented |
| **Understanding of Topic** | The presenter clearly understood the topic and presented his/her information forcefully and convincingly. | The presenter clearly understood the topic and presented his/her information with ease. | The presenter seemed to understand the main points of the topic and presented those with ease. | The team did not show an adequate understanding of the topic. |
| **Stays on Topic** | Stays on topic throughout entire presentation | Stays on topic most of the time. | Stays on topic some half of the time | It was hard to tell what the topic was. |

**Format for Briefing a Case**

1. *Name & citation of case*:
2. *Facts*: Explain the essential facts of the case. Tell the story of the case.
3. *Decision in administrative hearings and the lower courts*: State the decision in administrative hearings and in the lower court(s).

4. *Rationale*: This is a very important part of the case brief. You must explain the gist of the court ruling, (i.e., why the court arrived at its holding).

*5. Holding*: The ruling of the court.

*6. Scope of the holding*: Identify the jurisdiction of the court and the population addressed by the court.

*7, Dissenting opinions:* In cases out of the U.S. Courts of Appeals and the U.S. Supreme Court, there may be dissenting opinions. Were there any dissenting opinions? If so, what were their primary reasons for dissenting from the majority opinion?

*8. Significance of the case*: Explain how this case was significant to the field of special education.