

Tompkins Cortland Community College
Master Course Syllabus

Course Discipline and Number: PARA 206

Year: 2024-2025

Course Title: Special Education Law & Advocacy

Credit Hours: 3

I. Course Description: This is a paralegal elective course that will give students a background in education law with a focus on special education advocacy on behalf of public school children. Special education advocacy requires extensive knowledge of education law, disability needs, and the legal standards that apply. Participants will be introduced to the history of special education law, develop an understanding of key concepts of special education expressed in case law, understand educational evaluations, develop an understanding of the business of special education law, and learn the ethics of advocating for students with disabilities. The history of special education law is rooted in *Brown v. Board of Education* and is traced through legislative and judicial history to include the Education for All Handicapped Children Act, the IDEA, the IDEIA, Section 504 of the Rehabilitation Act of 1973, through No Child Left Behind and the related other acts, such as the Every Student Succeeds Act. This course will focus on the substance and procedural aspects of federal and state education laws, rules and regulations for a law office paralegal as well as for a lay advocate. Topics will include pragmatic concerns such as dealing with children, parents, and school administrators. Prerequisite: PARA 130. 3 credits (3 Lec.) Spring semester.

II. Additional Course Information:

1. This course will be offered online only; students must have access to a reliable computer and internet.
2. This course will serve as an elective for Paralegal A.A.S. and the post-bachelor's Paralegal Studies Certificate.
3. This course is required for the Special Education Advocacy Credential.
4. Students will have access and will need to know how to use Westlaw & Lexis (from PARA 130 <i>Legal Research and Drafting</i>).

III. Student Learning Outcomes

Upon successful completion of this course, students will be able to:

1. Outline the legal history and background of both federal and state education law.
2. Read, understand, and research topics regarding federal and state education cases, statutes, and administrative law.
3. Retrieve and apply relevant federal and state education cases, statutes, and administrative law.
4. Draft documents related to relevant hearings and appeals, using appropriate procedures and complying with required instructions with meticulous attention to detail, demonstrating competence in computer use, online research, and use of appropriate software.
5. Explain methods and optimal strategies for interacting with, advocating on behalf of, or advocating to children, special needs children, parents, school administrators, administrative law judges and other parties involved in enforcing education law.
6. Thoroughly explain both lawyer and paralegal ethics as applied to lay advocacy and education law practice.

IV. Tompkins Cortland General Education & SUNY Competency Goals

☒ **Critical thinking (Tompkins Cortland GE Goal; SUNY Competency)**

Students will read and interpret complex legal writing (legal authority) including federal and state judicial decisions, federal and state statutes and federal and state administrative law (rules and regulations). Students will be required to apply that reading in answering assignment questions, drafting, and applying that content in advocacy. Students will be presented with real-life legal situations for which they will conduct research to find applicable legal authority. Students will learn various procedural and substantive aspects of advocacy, both directly for advocacy and in support roles as a paralegal.

☒ **Social/Global Awareness**

A primary premise of education law is to provide education fairly to all students, whether citizens or not, and regardless of disability status. Students will be made aware of the challenges faced by students with different national, ethnic, and racial characteristics and the unique educational challenges faced by them, learn how to relate to both the students and their parents, and how to advocate for them. A particular emphasis will be on the various learning and social challenges faced by students with different disabilities that require accommodation.

☒ **Information Management**

Students will be required to retrieve information using Westlaw and Lexis, the proprietary, ubiquitous, online authoritative legal research tools. The class will be offered exclusively online, requiring that students master basic personal computer skills to navigate the course hosting program. They will create documents in both word processing formats and "pdf" format. While students will primarily rely on Westlaw and Lexis, students will access other non-legal resources relating to education law in general and special education law in particular, both online and in "hard-copy."

☐ This course does not address either of these Tompkins Cortland or SUNY General Education Goals.

V. Essential Topics/Themes

1. Lawyer and non-lawyer ethical considerations
2. Role of a Paralegal and Lay Advocate
3. Legal history of education case law
4. Federal and state statutes, rules and regulations
5. Procedures to enforce special education law
6. Education law research and drafting
7. Working with parties: clients, parents, school administrators

VI. Methods of Assessment/Evaluation

Method	% Course Grade
1. Weekly assignments including drafting; recommended best 10 of 13	50-100%
2. Exams; recommended best 3 of 4	0-50%
3. Projects	0-50%

VII. Texts –Recommended

1. <i>Special Education Law</i> , Rothstein & Johnson, 5 th Ed., Sage, 2014. ISBN-13: 978-1452241098 ISBN-10: 1452241090

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| 2. <i>Wrightslaw: Special Education Law</i> , 2 nd Ed., Wright & Wright, Harbor House Law Press, 2016. ISBN-13: 978-1892320162 ISBN-10: 1892320169 |
| 3. <i>The Special Educator's Comprehensive Guide to 301 Diagnostic Tests</i> , Pierangelo, Giuliani, John Wiley & Sons, Inc. 2006. ISBN-10: 9780787978136 |
| 4. <i>Wrightslaw: Special Education Legal Developments and Cases 2017</i> , Wright & Wright, Harbor House, 2017. ISBN-10: 1892320436 |

Editions listed are current as of date of syllabus. More recent editions may be used.

VIII. Bibliography of Supplemental Materials

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| 1. <i>Wrightslaw: From Emotions to Advocacy: The Special Education Survival Guide</i> , 2 nd Ed., Wright & Wright, 2016. ISBN-10: 9781892320094 |
| 2. <i>Your Special Education Rights: What Your School District Isn't Telling You</i> , Laviano & Swanson, Skyhorse Publishing, 2017. ISBN-10: 1510719393 |
| 3. <i>The Complete IEP Guide</i> , L. M. Siegel, Nolo Press, 2017. ISBN-10: 9781413323856 |

Editions listed are current as of date of syllabus. More recent editions may be used.

IX. Other Learning Resources

Audiovisual: None specified
Electronic: Students will need access to reliable computer with internet access
Other: Students will need to apply for access to Westlaw and Lexis as directed by course materials

Attendance Policy: *To maintain good grades, regular attendance in class is necessary. Absence from class is considered a serious matter and absence never excuses a student from class work. It is the responsibility of all instructors to distribute reasonable attendance policies in writing during the first week of class. Students are required to comply with the attendance policy set by each of their instructors. Students are not penalized if they are unable to attend classes or participate in exams on particular days because of religious beliefs, in accordance with Chapter 161, Section 224-a of the Education Law of the State of New York. Students who plan to be absent from classroom activity for religious reasons should discuss the absence in advance with their instructors. See college catalog for more information.*

Services for Students with Disabilities: *It is the College's policy to provide, on an individual basis, appropriate academic adjustments for students with disabilities, which may affect their ability to fully participate in program or course activities or to meet course requirements. Students with disabilities should contact the Coordinator of Access and Equity Services, to discuss their particular need for academic adjustments. All course materials are available in alternate formats upon request.*

Academic Integrity: *Every student at Tompkins Cortland Community College is expected to act in an academically honest fashion in all aspects of his or her academic work: in writing papers and reports, in taking examinations, in performing laboratory experiments and reporting the results, in clinical and cooperative learning experiences, and in attending to paperwork such as registration forms.*

Any written work submitted by a student must be his or her own. If the student uses the words or ideas of someone else, he or she must cite the source by such means as a footnote. Our guiding principle is that any honest evaluation of a student's performance must be based on that student's work. Any action taken by a student that would result in misrepresentation of someone else's work or actions as the student's own — such as cheating on a test, submitting for credit a paper written by another person, or forging an advisor's signature — is intellectually dishonest and deserving of censure.

Several degree programs offer student learning opportunities (such as internships, field work, and clinical experiences) outside the standard classroom setting. As part of the learning process, students must understand and engage in conduct that adheres to principles guiding employment within the professional workplace. These behaviors include, but are not limited to, academic integrity, accountability, reliability, respect, use of appropriate language and dress, civility, professional ethics, honesty, and trustworthiness. Disciplinary action may be initiated for inappropriate conduct occurring while participating in any course-related project or event.