



Instructor's Manual & Test Bank

The Law and Special Education

5th Edition

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Instructors of classes using Yell's *The Law and Special Education, 5e*, may reproduce material from the Instructor's Manual and Test Bank for classroom use.

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Introduction

The purpose of this manual is to assist instructors in using the textbook *The Law and Special Education* (5th ed.). Each chapter in the manual includes the following: Written and video resources, assignments, a case briefing exercise (most chapters), a test bank, and an answer key.

In conjunction with this textbook and instructor's manual I also write a Law and Special Education blog (www.spedlawblog.com) in which I provide updates on legislation, regulations, litigation, policy letters, and important articles on special education law. The blog will be updated at least twice a month.

I hope the instructor's manual will be useful to you. If you need additional information or have suggestions please feel free to email me at myell@sc.edu.

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Course Syllabus

I. Descriptive Information

A. Course number and title:

B. Catalog description: Analysis of legislation, litigation, and administrative rulings related to special education. The course will emphasize on the development of legally sound policies and procedures to ensure that schools provide an educationally meaningful and legally correct education for students with disabilities.

C. Course credit:

D. Prerequisites

E. Intended audience: Special education teachers, counselors, administrators, students in the special education undergraduate, masters, and Ph.D. programs.

Alternative Accessibility to Course Materials: Any candidate enrolled in this course with a documented disability should contact the Office of Student Disability Services at _____ to make arrangements for accommodations prior to the first class meeting. For more information please see their web site at _____

F. Instructor:

Office:

Hours:

Phone Number:

E-mail:

II. Statement of Course Goals and Objectives:

A. Goal: To provide students with information about legal issues in special education with an emphasis on developing legally sound and educationally useful policies and procedures

B. Learner Outcomes: At the completions of this course students will be able to:

1. Describe federal and state legal systems.
2. Describe the major provisions of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), the Family Education and Privacy Act (FERPA), the Elementary and Secondary Education Act (ESEA), and other federal and state laws affecting the education of students with disabilities.
3. Identify and explain the six major principles of the IDEA.
4. Identify and explain the major litigation leading to the passage of the IDEA.
5. Discuss and evaluate the major court rulings on the IDEA.
6. Critical discuss and evaluate legal trends in special education.
7. Identify and explain the major principles of Section 504.
8. Identify and explain the major principles of ESEA.
9. Develop legally sound policies and procedures with respect to special education in accordance with IDEA, Section 504, FERPA, ESEA, and pertinent litigation.
10. Locate sources of information regarding legislation and litigation.

III. Required Text:

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

IV. Academic Course Requirements: The course is divided into 6 modules. Each module consists of at least the following: (a) an online lecture, (b) chapter readings from the textbook, (c) a web streamed video or videos, and (d) an assignment or assignments (usually an additional reading or review of the video), and (e) a module test. The module tests and assignments **MUST** be completed by the due date listed on the syllabus. If you have a legitimate reason for missing a due date, ***you must let me know before the assignment or test is due.*** The following are requirements of the course.

- A. Examinations (Approximately 40%).**
- B. Assignments (Approximately 20%).** Modules will include online assignments. All points for assignments will be listed. If the module includes a video, the assignment will involve doing a review of the video (for the format of the video review, see the final page of this syllabus). All assignments will be graded on thoroughness, quality, and timeliness.
- D. Completion of a Scholarly Paper (Approximately 40%).**
- C. Extra Credit.** Students will receive 5 extra credit points for membership in a professional organization (e.g., CEC, NASSP, CASE, ACA).

V. Administrative Course Requirements

- A. Adherence to due dates:**
- B. Class Meetings:**
- C. Submitting Assignments:**

VI. Evaluation and Grading

- A. Grades:** Grades will be based on the successful completion of all course requirements. Grades will be assigned in accordance with the following percentile values: A-90%; B-80%; C-70%

Case Briefing Exercise

The purpose of this exercise is to teach students how to analyze a case. Assign students a case to read and brief either individually or in a group. When they have completed reading the case, have them answer the following questions. Additionally students can pose further questions that have yet to be answered. Students can the report on the case to the rest of the class. A number of cases for possible briefing are provided for each of the final 11 chapters. The exact format may vary depending on the case chosen for briefing.

These cases I have included for each chapter include a URL where the case can be found on the Internet. Many of the cases are available through Casetext (casetext.com), Justia (www.justia.com), the Legal Information Institute at Cornell University Law School (www.law.cornell.edu).

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.

Chapter 1: Introduction to the American Legal System

Chapter 1 Resources

Books and Articles

Bonfield, L. (2006). *American law and the American legal system in a nutshell*. Eagan, MN: Thomson West.

Davis, J. (2007). *Legislative law and process in a nutshell*. Eagan, MN: Thomson West.

Hilyerd, W. A. (2004). Using the law library: A guide for educators-Part 1: Untangling the legal system. *Journal of Law and Education*, 33 (2), 213-224.

Reynolds, W.L. (2003). *Judicial process in a nutshell* (3rd ed.). Eagan, MN: Thomson West.

Web resources

Executive and Legislative Process

<https://www.congress.gov/legislative-process> , A series of nine very good videos on the legislative process.

<http://www.usa.gov/Agencies/federal.shtml>, How the U.S. government is organized.

<https://www.whitehouse.gov>, Official website of the President of the U.S.

<http://www.senate.gov/>, Official website of the U.S. Senate.

<http://www.house.gov/>, Official website of the U.S. House of Representatives.

<https://www.congress.gov/>, Officials website for U.S. federal legislative information.

U.S. Constitution and state constitutions

<http://www.archives.gov/exhibits/charters/constitution.html>, the official website for the U.S. Constitution.

<http://www.usconstitution.net/stateconst.html>, Constitutions for all 50 states.

Federal and state courts

<http://www.uscourts.gov/about-federal-courts>, About federal courts.

<http://www.uscourts.gov/about-federal-courts/federal-courts-public/court-website-links>, Federal

courts grouped by states.

<http://www.ncsc.org/Information-and-Resources/Browse-by-State/State-Court-Websites.aspx>, State court web sites

<http://www.supremecourt.gov/>, Homepage of the U.S. Supreme Court.

<http://www.scotusblog.com/>, Blog of the U.S. Supreme Court.

<http://www.ca1.uscourts.gov>, Homepage of the U.S. Court of Appeals for the First Circuit.

<http://www.ca2.uscourts.gov>, Homepage of the U.S. Court of Appeals Second Circuit.

<http://www.ca3.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Third Circuit.

<http://www.ca4.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Fourth Circuit.

<http://www.ca5.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Fifth Circuit.

<http://www.ca6.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Sixth Circuit.

<https://www.ca7.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Seventh Circuit.

<http://www.ca8.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Eighth Circuit.

<http://www.ca9.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Ninth Circuit.

<http://www.ca10.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Tenth Circuit.

<http://www.ca11.uscourts.gov>, Homepage of the U.S. Court of Appeals for the Eleventh Circuit.

Case Briefing Exercise

Smith v. Robinson, Rhode Island Associate Commissioner of Education (1984). Retrieved from <https://cdn.loc.gov/service/ll/usrep/usrep468/usrep468992/usrep468992.pdf>. The U.S. Supreme Court was very important, especially because of the dissent which resulted in Congress adding attorney fees to the IDEA.

Chapter 1 Assignment

Investigating Education Law in Your State

As mentioned in chapter 1, education is primarily a matter left to the states. To gain a thorough knowledge of special education law and education law, therefore, students should investigate their state's laws, regulations, rules, and guidelines that implement the *Individuals with Disabilities Education Act, No Child Left Behind*, and other education-related matters. This information can be found on websites of state departments of education and state law and regulation sections in law libraries. Having students investigate laws in your state, complete projects, and report to class is an important way for students to gain a complete understanding of education law.

For example, students could locate information, write a report, and make a presentation to the class on the following subjects regarding their state's education law:

Special Education

- The state's special education law.
- The state's definition of Free Appropriate Public Education.
- State requirements regarding the Individualized Education Programs.
- State guidelines for disciplining students with disabilities.
- State policies for including students with disabilities on statewide assessments.
- State accommodations and modifications that are allowed on statewide testing for students with disabilities.
- The state's alternate assessment.
- The state's requirements for licensure as a special education teacher.
- The state's program to ensure high-quality professional development opportunities for special education teachers.

Chapter 1 Test Bank

True or False

1. All states have educational mandates in their constitutions.
 - a. True
 - b. False
2. Unless an appellate court finds a procedural problem or bias in a trial court's fact-finding process, the facts as determined by the trial court do not change.
 - a. True
 - b. False
3. A trial court in Oregon is obligated to adhere to an appellate court's special education ruling that is authority in Nebraska.
 - a. True
 - b. False
4. A dissent is a statement of a judge (or judges) who does not agree with the results reached by the majority.
 - a. True
 - b. False
5. Controlling legal authority always cuts across jurisdictional lines (e.g., a decision made by the U.S. Court of Appeals for the Fourth Circuit will be legally binding in the eighth circuit).
 - a. True
 - b. False
6. Under the U.S. system of federalism, the federal government has only those powers granted expressly by the U.S. Constitution; those powers not specifically granted to the federal government are the province of the states.
 - a. True
 - b. False
7. Federal involvement has been minimal and, thus, an unimportant factor in the progress and growth of special education.
 - a. True
 - b. False
8. If states accept categorical grants programs, such as the Individuals with Disabilities Education Act, the states do not need to abide by the terms and guidelines of the grant.
 - a. True
 - b. False

9. There is a federal constitutional right to an education.
 - a. True
 - b. False
10. When the Supreme Court interprets the laws created by the legislative branch, the legislature may change or alter the law or create a new law if the members disagree with the court's interpretation.
 - a. True
 - b. False

Multiple Choice

1. The _____ Amendment to the Constitution has become the legal basis for special education.
 - a. 4th
 - b. 10th
 - c. 14th
 - d. 15th
2. The Handicapped Children's Protection Act overturned the decision of the U.S. Supreme Court in *Smith v. Robinson*, and made it possible for families to:
 - a. Hire in home teachers at no cost
 - b. Collect attorney's fees
 - c. Receive daily progress reports
 - d. Receive in-school medical treatment for children
3. The role of the federal district court differs slightly in special education cases because:
 - a. The fact-finding process takes place at the administrative review process
 - b. The trial court takes on more of an appellate role
 - c. The trial court determines if the administrative agency or due process hearing officer correctly applied the law
 - d. All of the above
4. A hearing by all judges on an appellate court is referred to as:
 - a. Jurisprudence
 - b. En banc
 - c. A precedential hearing
 - d. Gatherus supremeus
5. A judge's written opinion usually contains:
 - a. A summary of the case and a statement of the facts
 - b. An explanation of why the court took a particular action
 - c. An explanation of the court's reasoning and a record of the decision
 - d. All of the above

6. Which of the following does not have the force of law?
 - a. U.S. Supreme Court decisions
 - b. Federal regulations
 - c. Federal statutes
 - d. Federally issued policy statements
7. The ability of a well-reasoned court decision to influence decisions of courts in different jurisdictions is
 - a. Persuasive authority
 - b. Probative value
 - c. Controlling authority
 - d. En banc
8. Which of the following administrative agencies monitors LEA and SEA compliance with the IDEA?
 - a. The Institute of Education Sciences
 - b. The Office of Special Education Programs (OSEP)
 - c. The Office of Civil Rights (OCR) of the Department of Education
 - d. The National Dispute Resolution Center
9. Which of the following administrative agencies enforce LEA and SEA compliance with Section 504 of the Rehabilitation Act?
 - a. The Institute of Education Sciences
 - b. The Office of Special Education Programs (OSEP)
 - c. The Office of Civil Rights (OCR) of the Department of Education
 - d. The National Dispute Resolution Center
10. Which of the following levels of courts has the power to deny appeals in special education lawsuits?
 - a. State Educational Agency
 - b. Federal District Court
 - c. U.S. Courts of Appeals
 - d. U.S. Supreme Court

Short Answer

1. The federal government gives indirect assistance to education through categorical grants. What are the two main purposes for categorical grants?
2. Why is it important to know within which jurisdiction a particular decision occurs?
3. Name at least two major differences between a trial court and an appellate court.
4. Describe the three types of judicial decisions: Majority, concurring, and dissent.

5. What is the basic or primary source of law in the United States?
6. Describe the two sources of judicial power.
7. Describe the concept of precedence and its importance in the court system.
8. Explain controlling and persuasive authority.
9. How many federal appellate courts are there in the United States? In which circuit do you live?
10. Describe the parts of a judicial opinion.

Essay

1. There are four major sources of law in the United States. Explain these sources.
2. Explain the three generic levels of courts in the United States. How are these levels reflected in the federal judiciary? What are the functions of these courts? What is their hierarchy from least to most powerful? What are their primary responsibilities?
3. Explain federalism and how it applies to our system of laws.
4. Explain the litigation/legislative cycle and give an example of how it applies to special education.
5. Explain how the roles of the three levels of courts differ in special education cases.

Answer Key Chapter 1

True or False

1. T
2. T
3. F
4. T
5. F
6. T
7. F
8. F
9. F
10. T

Essay

1. Pages 2-5
2. Pages 7-9
3. Pages 1-2
4. Page 11, Figure 1.8
5. Page 7

Multiple Choice

1. C
2. B
3. D
4. B
5. D
6. D
7. A
8. B
9. C
10. D

Short Answer

1. Page 2
2. Page 9
3. Page 7-8
4. Pages 10
5. Page 2-3
6. Pages 5-6
7. Page 9-10
8. Page 9
9. Page 8, Figure 1.7
10. Pages 10

Chapter 2: Legal Research

Chapter 2 Resources

Books and articles

Barkan, S. M., Bintliff, B., & Whisner, M. (2015). *Fundamentals of legal research*. St. Paul, MN: Foundation Press.

Hilyerd, W. A. (2004). Using the law library: A guide for educators-Part II: Deciphering opinions & other ways of locating court opinions. *Journal of Law and Education*, 33 (3), 365-381.

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.

Hilyerd, W. A. (2005). Using the law library: A guide for educators-Part V: Finding legal materials by topic. *Journal of Law and Education*, 34 (4), 533-553.

Hilyerd, W. A. (2006). Using the law library: A guide for educators-Part VI: Working with judicial opinions and other primary sources. *Journal of Law and Education*, 35 (1), 533-553.

Web resources

Legal Research

<https://law.duke.edu/lib/researchguides/nonlaw/>, Legal research for non-lawyers-Duke Law.

Statutes and Regulations

<https://www.congress.gov/>, Official website for federal statutes, bills, and Public Laws

<https://www.law.cornell.edu/uscode/text>, Searchable U.S. Code from Cornell Legal Information Institute.

<http://uscode.house.gov/browse.xhtml>, Best government website to find federal statutes by browsing, by citation , by popular name, and by searching.

<http://www.gpo.gov/fdsys/>, Federal digital system, contains Code of Federal Regulations, Federal Register, U.S. Code, Presidential Documents, Court opinions, etc.

<https://www.govtrack.us/>, Track bills in the U.S. Congress.

<http://findlaw.com>, Links to laws, regulations, and cases (unofficial)

<http://www.ecfr.gov>, Electronic code of federal regulations (unofficial).

<http://justia.com>, Links to laws, regulations, and cases (unofficial)

<http://www.plol.org>, Public library of law, links to federal and state cases, codes, and regulations

<http://www.archives.gov/federal-register/tutorial/>, The National Archives, Federal Register Tutorial: read online or download/includes FR & CFR

<https://www.law.cornell.edu/states/listing>, Searchable state laws from Cornell Legal Information Institute.

http://www.gpo.gov/fdsysinfo/instructional_video.htm, FDSys: tutorials and webinars.

Courts

<http://www.oyez.org>, Website is a multimedia archive devoted to the U.S. Supreme Court and its work. The website is hosted by the Chicago-Kent Law Schools. It contains all court recordings, including arguments and opinions, since the Supreme Court installed a recording system.

<https://www.justia.com/>, Search for cases. Contains complete text of many cases.

<https://casetext.com>, Search for cases. Contains complete text of many cases.

<https://scholar.google.com/>, Google Scholar: to search for cases

Law Reviews

<https://scholar.google.com/>, Google Scholar: to search for law reviews

http://www.americanbar.org/groups/departments_offices/legal_technology_resources/resources/free_journal_search.html, ABA's free full text law review and journal search

Special Education Law Blogs

www.spedlawblog.com, The special education law blog for this textbook. Blogger-Mitchell Yell, Ph.D. from the University of South Carolina

<http://specialedlaw.blogs.com/>, Blogger-Charles Fox, an attorney in Chicago, IL.

<http://www.wrightslaw.com/blog/>, Blogger-Peter Wright-Attorney and speaker

Chapter 2 Assignment

Internet Scavenger Hunt

The purpose of this assignment is to have students familiarize themselves with legal research on the internet. Use your libraries website to access this information. If your college or university has a law school, this information probably can be found on the law school's website.

If your college/university has a law school, their law library website should have a subscription to Hein Online or some other legal database service. This section of the assignment involves Hein Online. If you do not have access to a law library you could substitute Google Scholar for Hein Online.

Click on “Hein Online.” Search Hein Online for an article on some aspect of law and education that interests you (e.g., least restrictive environment, teacher liability, Individual education programs). Enter your search term into the “Full Text Search” box and hit enter. Under “Refine Your Search” place an x beside “Law Journal” (Under Collection/Library). The page will refresh, then place an x beside “Articles” (Under Section Type). The page will refresh. Then place an x beside “2006 to date.” Choose and read an article that interests you.

1. List the author(s), title of the article, date in which it was published, and journal in which it was published.
2. Briefly summarize this article.

Go back to the law library website. Find the libraries Electronic Resources and click on Legal Periodicals or legal textbooks. Find Publications. Enter “Journal of Law and Education.” Click on Journal of Law and Education.” On the right side of the page the volumes by year will be listed. Look at least through the 2012 to 2018 issues. Find any article of interest on some aspect of law and education.

3. List the author(s), title of the article, date in which it was published, and the volume number and issue of JLE that the article appeared in.
4. Briefly summarize this article.

Find and list three blogs on special education law. List the URL and the name or subject of the last entry

Blog #A-

Blog #B-

Blog #C-

Find the U.S. Department of Education’s website on IDEA.

5. What is the URL of this website of the IDEA website?
6. Name the major components of the website

Find the website of the National Center on Intensive Intervention.

9. List the primary sections of the website and briefly describe each.

Find the website of the National Center on Response to Intervention.

List the four essential components of RTI. (See diagram on the first page).

Essential component #1.

Essential component #2.

Essential component #3.

Essential component #4.

Find the website of the OSEP Technical Assistance Center on Positive Behavioral Interventions & Supports. Find the section titled “*Getting PBIS in My School*” on the right side of the page and click on “*view details*” and answer the following question:

10. If your state has a PBIS coordinator, what is this person’s name?

Chapter 2 Test Bank

True or False

1. Legal research is the process of finding laws that govern activities in our society.
 - a. True
 - b. False
2. All law resources on the Internet are an excellent substitute for the law library.
 - a. True
 - b. False
3. A primary problem with law articles on the internet is that they may have not been subjected to a rigorous peer review process as have law review articles in a law library.
 - a. True
 - b. False
4. The two primary computer-assisted research data systems are West's Westlaw system and Nexis-Lexis.
 - a. True
 - b. False
5. Because most of the articles in law reviews are primarily the author's opinions, law reviews are not a reliable source for legal research.
 - a. True
 - b. False
6. *Daniel R.R. v. State Board of Education*, 854 F. 2d 1036 (5th Cir. 1989) has controlling authority in your state. (Depends on the state).
 - a. True
 - b. False
7. *Florence County School District #4 v. Carter*, 510 U.S. 7 (1993) has controlling authority in your state.
 - a. True
 - b. False
8. The U.S. Department of Education maintains a webpage that can be very useful to teacher, researchers, students, and parents.
 - a. True
 - b. False
9. Supreme Court decisions are published in the reporter abbreviated F. Supp.
 - a. True
 - b. False
10. Only the most prestigious law schools produce law reviews.

- a. True
- b. False

Multiple Choice

1. The resources used to facilitate the legal research process are:
 - a. Primary, secondary, and tertiary sources
 - b. Finding tools, secondary materials and tertiary sources
 - c. Primary sources, finding tools and secondary materials
 - d. Secondary materials, regulations and finding tools
2. The internet is particularly useful because
 - a. it is updated more frequently than law libraries and journals
 - b. information can be accessed very quickly
 - c. the full opinion of some courts is available within hours of announcement
 - d. Only a and b
 - e. All of the above
3. Search engines allow the researchers to
 - a. search using keywords
 - b. use advanced searching techniques
 - c. focus their search by searching within the results of their query
 - d. only b and c
 - e. all of the above
4. Which Latin phrase usually means that in the court proceeding there was no opponent?
 - a. Mens rea
 - b. In re
 - c. Actus Reus
 - d. Ipso Facto
5. In the citation 300 F.2d 95 (4th Cir. 1986) the volume number is
 - a. 300.
 - b. F. 2d.
 - c. 95
 - d. 4th
6. In the citation 300 F.2d 95 (4th Cir. 1986) the level of the court is
 - a. Federal District Court.
 - b. US Court of Appeals.
 - c. US Supreme Court.

7. On what page of the court reporter does *Daniel R.R. v. State Board of Education*, 854 F.2d 1036 (5th Cir. 1989) begin?
 - a. 854
 - b. F. 2d
 - c. 1036
 - d. 5th
8. Case occurring at the United States District court level can be found in West's
 - a. Federal Supplement.
 - b. Federal Reporter.
 - c. United States Code.
 - d. Code of Federal Regulations.
9. Which of the following is a secondary legal source?
 - a. United States Code Annotated.
 - b. Journal of Law and Education.
 - c. Federal Supplement.
 - d. Federal Reporter, 2nd edition.
10. What publication contains Federal Regulations?
 - a. USCA.
 - b. USC.
 - c. CFR.
 - d. S.Ct.

Short Answer

1. List and describe the three categories of primary source material.
2. Why are the annotated code versions of the *United States Code* so useful?
3. What is *ERIC* and how can it be useful for legal research in special education?
4. In conducting legal research, it is often easier to begin with secondary sources. What are secondary sources and what are their primary functions?
5. Describe legal blogs (also called blawgs) and how they can be useful in legal research. Are blogs a primary or secondary source?
6. Explain the following statement: The key to successful full text searching is choose the smallest database possible.
7. In computer-assisted legal research keywords are very important? Why?
8. What is the website of the Library of Congress, ??? and what is it used for?

9. In what two sources are federal regulations published?
10. List and describe the publications for (a) federal district courts, (b) appellate decisions, and (c) US Supreme court decisions.

Essay

1. Describe the three levels of federal courts and the corresponding reporters in which you can find cases. What websites are good sources for opinions from these courts?
2. Label and describe the parts of the following citations:

34 C.F.R. 303.404

29 U.S.C. 794 (b)

20 U.S.C.A. 1401(29)

In what source can each of these citations be found?

3. Explain the three-stage procedure for conducting legal research described in the text.
4. Describe four government resources that can be found online.
5. Label and describe the parts of the following judicial citations:

Board of Education v. Rowley, 458 U.S. § 176 (1982)

Amanda J. v. Clark County SD., 207 F.3d 877 (9th Cir. 2001)

Hairston v. Drosick, 423 F.Supp. 180 (S.D.WV 1976).

**Answer Key
Chapter 2**

True or False

1. T
2. F
3. T
4. T
5. F
6. T in LA, MS, & TX- F in all other states
7. T
8. T
9. F
10. F

Essay

1. Pages 19-20
2. Pages 17-17
3. Pages 32-33
4. Page 31-32
5. Page 22

Multiple Choice

1. C
2. E
3. E
4. B
5. A
6. B
7. C
8. A
9. B
10. C

Short Answer

1. Pages 14-19
2. Pages 14-15
3. Pages 31-32
4. Pages 26
5. Page 29
6. Pages 30
7. Page 30
8. Page 30
9. Page 17
10. Pages 19-20

Chapter 3: The History of Law and Education

Chapter 3 Resources

Books and Articles

Ballard, J., Ramirez, B, Winetraub, F., (Eds.) (1982). *Special education in America: Its legal and governmental foundations*. Reston, VA: Council for Exceptional Children

Levine, E.L. & Wexler, E.M. (1981). P.L. 94-142: An act of Congress. New York: Macmillan.

Martin, E. (2013). Breakthrough: Federal special education legislation 1965-1981. Sarasota, FL: Bardolf & Company.

Winzer, M.A. (1993). History of special education: From isolation to integration. Washington, DC: Gallaudet Press.

Yell, M.L., Katsiyannis, A., & Bradley, M.R. (2017). The Individuals with Disabilities Education Act: The continuing evolution of special education law. *Handbook of Special Education*. In J. M. Kauffman, D. P. Hallahan, and P. Pullen, *Handbook of Special Education* (2nd ed.), (pp. 55-71). Philadelphia, PA: Taylor & Francis/Routledge.

Yell, M.L., Shriner, J.G., Thomas, S.S., & Katsiyannis, A. (2019). Special education law for leaders and administrators of special education in J. Crockett, M.L. Boscardin, & Billingsley, B. (Eds.). *Special education leadership handbook* (2nd ed. pp. 77-99) Philadelphia, PA: Routledge.

Websites

<https://www.youtube.com/watch?v=TTGHLdr-iaK>, *Brown v. Board of Education*, 1954. An excerpt from a PBS special on *Brown v. Board*.

<https://www.youtube.com/watch?v=QQzCV1UdPLc>, Remarks of President Johnson at the signing ceremony of the Elementary and Secondary Education Act on April 4, 1965.

https://www.youtube.com/watch?v=RLXm9NJDacM&feature=player_e, Lives Worth Living, a short series of testimonials from persons with disabilities on the effect of laws on their lives.

