

**EEX: 4520 Disability: Legal Aspect and Policy**  
**(Distance Learning Course)**  
**Spring 2016**



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- ✓ This fully on-line course is powered by Canvas through the College of Education.
  - ✓ If you are having issues with canvas, please email the helpdesk at [help@coe.ufl.edu](mailto:help@coe.ufl.edu) and be sure to include the course number and your Gatorlink ID when you request help.
  - ✓ To connect to Canvas, please go to <http://education.ufl/distance-learning/>
  - ✓ There are 5 sections of this course. Each section is taught by a different instructor.  
*Please make sure that you know your instructor and section*
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Instructors:

Dr. Linda Lombardino (section 02EE)	<a href="mailto:llombard@ufl.edu">llombard@ufl.edu</a>
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Dr. Aile Montoya (section 0420)	<a href="mailto:aile@ufl.edu">aile@ufl.edu</a>

**Office hours:** By appointment

Please let your instructor know if you need to schedule an appointment by phone. At least a 48-hour notice would be appreciated. We will address your immediate concerns via email.

**Course description:**

This course will cover the development and enactment of laws and policies designed to protect the rights of persons with disabilities. The Americans with Disabilities Act will be examined, as well as other significant legislative policies that impact the lives of people who have disabilities. Students will review and discuss court cases in the context of specific federal policies for major life activities.

**Course Objectives:** Students will

1. Discuss enactment of public policies towards persons with disabilities within a historical context.
2. Demonstrate knowledge of historical legislation protecting the rights of persons with disabilities.
3. Demonstrate an understanding of the ADA and other related legislation that affects persons with disabilities.
4. Cite seminal court cases that define, redefine or clarify policies that affect persons with disabilities.
5. Critically examine pending court cases and discuss their possible effect(s) on policies that affect persons with disabilities.
6. Investigate some aspect of legislation or policy with a person who has knowledge of disability law/ policy on a local, state, or national, or international level.

**Required Text:** Colker, R., and Milani, A. (2006). *Everyday law for individuals with disabilities*. Boulder, Paradigm Publishing.



**Please introduce yourselves to each other by the end of the week. Your instructor will post an introduction first and then you can follow.**

**Course Requirements: APA Style is expected for all submissions.**

See the current *Publication Manual of the American Psychological Association* for guidelines. The Purdue Online Writing Lab may be helpful: <https://owl.english.purdue.edu/owl/section/2/10/> Also, the California State University-Stanislaus provides helpful information on citing legal materials: <http://library.csustan.edu/apalegal>

***Discussion posts for each module (100 pts)***

- You will have a discussion section for each of 10 modules. Your instructor will post a question for each module to guide your discussion. Each member of the group is expected to respond to this information by posing questions, raising issues, and making relevant comments to facilitate the sharing of ideas and information. Discussions are the core feature of this on-line course. This is your only way of sharing information within your group members. Hence, a great deal of thought and effort should be put into formulating your discussion posts.
- Your posts should be instructive and substantive. Doing some on-line research on the topic posed will help ensure that you are contributing adequately to the discussions.
- When you reference information that you find on-line, please include the website address in your text so that others can find the information.
- You are required to **post twice for each of the 10 modules**. Your discussion posts will take place in a small group of 5-8 students. The Canvas system will assign you to group randomly.
- Your **first post** should be a thoughtful response to your instructor's discussion topic. Your first post must be submitted within 2 days of the opening of the module or points will be deducted. For example, **if the module opens on a Monday then your first post must be made before midnight on Wednesday**. You do not have to read all the module content to make your first post.
- Your **second post** must be an interactive response to a member of your group. This post cannot be made on the same day of your first post. We are trying to achieve on-going dialogue throughout the period that the module is open. This second post must be made before the opening of the next module to qualify for full points. Your post should add new information and not simply affirm that your peer had a "good idea". Going to the web to find pertinent information on the topic is always a great idea when posting!
- Please write posts that adhere to the general length and detail shown in the sample post (see **canvas course page for a sample of posts**) for one module.

### ***Interview Assignment paper (100 pts)***

- You will interview a person (interviewee) who is connected in some way to the disability population and who has knowledge of legislation or policy and then write a paper based on this interview. The interviewee may be an adult with a disability who can talk knowledgeably about legislation and policy or a caseworker, a parent of a child with a disability, a social service person (state or local), a nurse, etc.
- Prior to your interview, you need to complete the interviewee information form and have the interviewee ***sign the form*** (see **canvas course page for interviewee information form**) stating that he or she understands that your interview is a class assignment for your instructor alone. Please hand it this consent form with your assignment. If your interview is conducted on the phone or by some other distal form of communication, you have your interviewee send a short notice to your instructor's email address affirming consent.
- Your interview questions should be taken from a bank of questions compiled for this course. You should choose the questions that are relevant to the experiences of your interviewee. You can ask additional questions but please be unobtrusive and sensitive (see **canvas course page for interview questions**)
- A sample interview paper is provided to guide you. Please format your paper in a similar way although it does not need to be identical (see **canvas course page for sample interview paper**). Please be sure to adhere to these formatting issues:
  1. Type your paper in Word and attach the interviewee information form
  2. Double-space your paper
  3. Do not exceed 3 double-spaced pages

### ***Case Review Assignment based on a recent (or pending) ADA case (100 points).***

The purpose of the case review assignment is to demonstrate in-depth knowledge of a case that had been tried in court with or without a ruling from an appellate court or a pending appeal. The case you choose will fall into one of the 6 major life activities below:

- Education, employment, housing, recreation, sports and transportation
- You will submit an ADA case review paper. You can choose the case you wish to review (from the list below) and access the case document from the links for ADA cases **found on the canvas course page**.

- (1) Bowers v. NCAA;
- (2) Enyart v. Nat'l Conf of Bar Examiners, Inc.;
- (3) Emory v. Astrazeneca;
- (4) Turner v. Hershey Chocolate USA

- You must use one of the cases above.
- Your paper should provide information on the following: purpose of case (question the court needs to address), history, or background, details of case, outcomes, and discussion for related issues are required components
- In addition, you are required to provide your personal reaction on the merits of the case and the court's decision
- Please note that ***the case you choose will serve as the basis for your policy paper on one of the major life activities cited above***
- A sample case review paper is provided to guide you. Please format your paper in a similar way although it does not need to be identical (see **canvas course page for sample case review paper**)
- Do not exceed 6 double-spaced paper

**Policy paper (100 pts) Please include an APA Reference List of sources you consult.**

The purpose of the policy paper assignment is to demonstrate your ability to discuss disability legislation in the area of the specific life activity (i.e., education, employment housing etc.) that was the basis for the case that you reviewed. You are expected to integrate relevant policy with some of the details involved in the case you choose.

- You will identify the major life activity (as defined by ADA) and write a summary of major legislation that resulted in specific policies that affect persons with disabilities.
- In addition, you will use your case review (from the assignment above) related to a major life activity (as defined by the ADA) and discuss the possible effects a decision would have on future policies.
- Finally, you will reflect on whether the course of legislation has been beneficial or non-beneficial in promoting the constitutional rights of persons with disabilities (as defined by our main text authors Colker and Milani).
- Please do not exceed 7 double-spaced pages.

**Exam (75 points).**

- There will be one test that you must take half way through the course.
- The test will cover material presented in the course notes and readings to that point.

## **Course Policies and Expectations**

### ***Grading Scale***

Grades are determined by the percentage score calculated from the points you have obtained divided by the total number of possible points (475). You are expected to complete all assignments below by their due dates unless you have discussed an alternative date with your instructor.

Discussions (10 modules)	100 points
Interview paper	100 points
Case review paper	100 points
Policy paper	100 points
Exam	75 points

The following grading scale will be used:

A	440-475	B-	378-394	D+	316-325
A-	427-439	C+	366-377	D	302-317
B+	418-426	C	334-365	D-	285-301
B	395-417	C-	326-333	E	285 or below

For details on the meaning of letter grades and related university policies, see the Registrar's Grade Policy regulations at

<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx#grades>

**Academic Integrity:**

Students are expected to act in accordance with the University of Florida policy on academic integrity. See Student Honor Code at this web site for more details:

<http://www.dso.ufl.edu/sccr/honorcodes/honorcode.php>

Cheating, lying, misrepresentation, or plagiarism in any form is unacceptable and inexcusable behavior, and will result in reduction of course grade, and possibly a report to university officials.

**Attendance and Make-up Exams and Assignments:**

Students are expected to participate in all class sessions. Students who have difficulty meeting this expectation should speak with the instructor to determine whether make-up assignments or exams are possible. Absence for permitted religious reasons will be handled according to University written protocol.

**Accommodations for Students with Disabilities:**

If you require classroom accommodations because of a disability, contact the Disability Resource Center at <http://www.dso.ufl.edu/drc/about.php>. The College is committed to providing reasonable accommodations to assist students in their coursework.

**Counseling and Student Health:**

Students with academic concerns related to this course should contact the instructor through phone or email. Students also may occasionally have personal issues that arise in the course of pursuing higher education that may interfere with their academic performance. If you find yourself facing problems affecting your coursework, you are encouraged to talk with your instructor and to seek confidential assistance at the UF Counseling & Wellness Center, 352-392-1575. Visit their web site for more information: <http://www.counseling.ufl.edu/cwc/>. In addition, 24/7 from the Alachua County Crisis Center: (352) 264-6789.

**SEE COURSE CALENDAR ON PAGE BELOW**

## Course Calendar: EEX 4520

Dates	Topics	Readings	Assignments
<b>Review course requirements</b> Jan. 5-10	Review of course syllabus and introductions		<ul style="list-style-type: none"> <li>• Post online introduction</li> <li>• Read syllabus carefully</li> <li>• Learn terminology for the course (see definitions uploaded)</li> </ul>
<b>Module 1</b> Jan. 11-17	Disability Specific Legislation: Introduction and Overview; Concepts and Findings; Historical Context; Core Precept; Overarching Goals		<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 2</b> Jan. 19-24	Historical Concepts, Disability Principles	Ch. 1	<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 3</b> Jan. 25-31	Entitlement Programs, Def. of Disability, Ugly Laws		<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 4</b> Feb. 1-7	Historical Context of Legislation Civil Rights Statutes	Ch. 6, 7	<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 5</b> Feb. 8-14	Civil Rights Statutes; Housing Acts; Transportation Acts	Ch. 3, 6, 7	<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Exam</b>	Modules 1-5		<ul style="list-style-type: none"> <li>• Exam Feb 14-16</li> </ul>
<b>Module 6</b> Feb. 15-21	Education (IDEA); Rehabilitation Act Section 504; Post-secondary Education Laws		<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 7</b> Feb. 22-Mar. 6	Americans with Disabilities Act (ADA)	Ch. 4, 5	<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Spring Break</b> <b>February 27- March 5</b>			
<b>Module 8</b> Mar. 7-13	Employment Discrimination; Civil Rights Statutes: Independent Living Economic Self-Sufficiency, Voting, Medicaid Waiver	Ch. 2, 8, 9  Case—	<ul style="list-style-type: none"> <li>• Discussion Posts</li> <li>• Interview Paper due March 14</li> </ul>
<b>Module 9</b> Mar. 14-27	United States: Pending Cases	Posted list of cases	<ul style="list-style-type: none"> <li>• Discussion Posts</li> </ul>
<b>Module 10</b> Mar. 28 - Apr. 3	Disabilities: International Aspects and Policy		<ul style="list-style-type: none"> <li>• Discussion Posts</li> <li>• Case Review due April 4</li> </ul>
Apr. 4-20	Work on Policy Paper		<ul style="list-style-type: none"> <li>• Policy Paper due April 20</li> </ul>