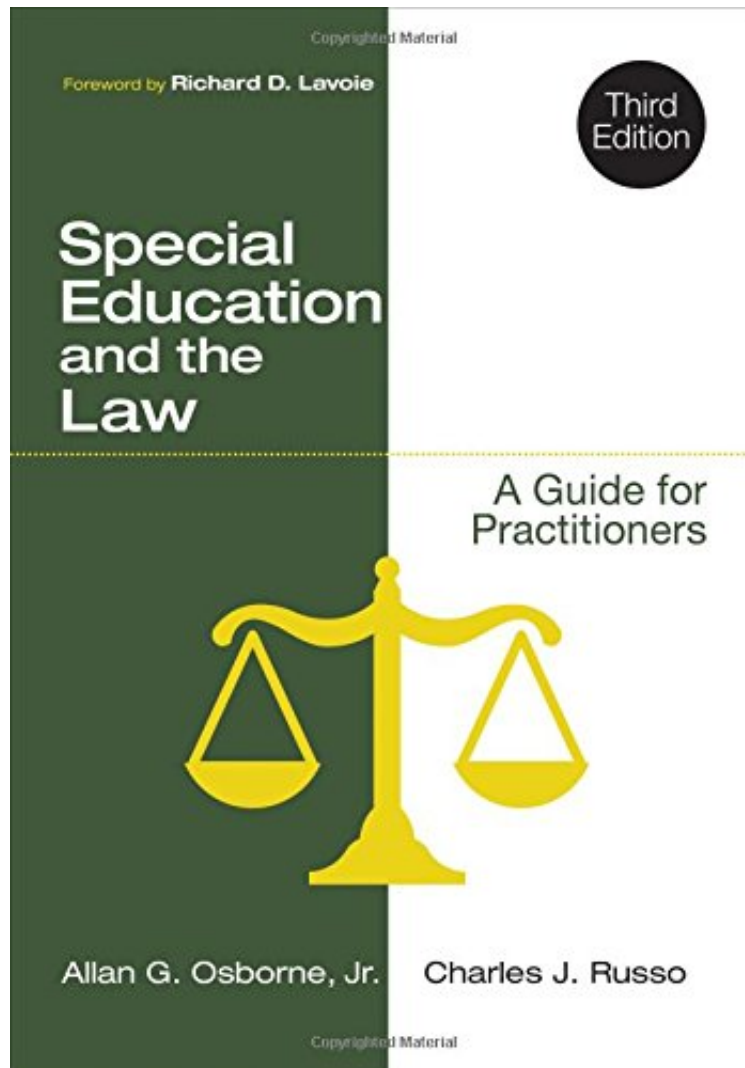


Special Education and the Law: A Guide for Practitioners

Allan G. Osborne, Charles J. Russo

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The ultimate resource for success in special education newly updated! Authored by two past presidents of the Educational Law Association, this essential guide translates legalese into your language and allows you to focus on your core competency: providing excellent education for students with special needs. Updated to reflect significant court decisions and new developments, the book features: Extensive coverage of IDEA's reauthorization, Section 504 and the ADA, and FAPE and LRE New analysis of parent and student rights Guidance on discipline A preventative approach to special education litigation Focus on federal and state interpretations of the law

"The authors write dense legal material in a manner that enables the education practitioner to readily understand the applicable principles and procedures." --Dr. Karen L. Tichy, Associate Superintendent for Instruction and Special Education "Every administrator should have this manuscript in their professional library to guide them in making appropriate decisions in scheduling and meeting students' needs." --Dr. Elizabeth Alvarez, Principal "Osborne and Russo have produced an ideal guide for educators working in the field of special education. The authors not only describe the legal rights of special education students, they also explain the legal constraints on disciplining students who are subject to the IDEA and the dispute resolution process for resolving disagreements about what services must be provided under special education law. All teachers and administrators working in the field of special education should have a copy of Osborne and Russo's book on their bookshelves." --Richard Fossey, Paul Burdin Endowed Professor of Education "Some books are carefully placed on bookshelves and easily forgotten, while others sit on desks with their spines cracked and well worn from use. My copy of Osborne's and Russo's Third Edition of Special Education and the Law will soon be dog eared, highlighted in yellow, its margins scribbled with notes because it will be used. I teach school law and special education law and regularly work with colleagues in the schools. The Osborne Russo third edition will be my go-to book for teaching and assisting with problems of practice in special education. Read it and you will use it." --Todd A. DeMitchell, Professor of Education Law Justice Studies "Similar to past editions, these two well-regarded authors take extremely complex legal issues and explain them in a way that is easy to understand. The book examines several recent and important cases and covers the new guidance from the U.S. Department of Education on students with disabilities and athletics. The new chapter on Section 504 and the ADA is especially helpful. This book is indispensable for anyone working in the field. It will help parents, educators, academics, and policymakers gain a better understanding of the many legal requirements of special education law." --Suzanne E. Eckes, Associate Professor "The newest edition of Osborne and Russo's "Special Education and the Law" provides indispensable information for those interested in understanding the legal complexities related to the provision of educational services to students with special needs and disabilities. One of the book's primary contributions is its ability to increase the special education legal literacy of today's educational practitioners, including school administrators, through engaging and readable legal case summaries on far-ranging special education legal compliance topics." --Kevin Brady, Associate Professor "The authors write dense legal material in a manner that enables the education practitioner to readily understand the applicable principles and procedures." --Dr. Karen L. Tichy, Associate Superintendent for Instruction and Special Education "Every administrator should have this manuscript in their professional library to guide them in making appropriate decisions in scheduling and meeting students' needs." --Dr. Elizabeth Alvarez, Principal "Osborne and Russo have produced an ideal guide for educators working in the field of special education. The authors not only describe the legal rights of special education students, they also explain the legal constraints on disciplining students who are subject to the IDEA and the dispute resolution process for resolving disagreements about what services must be provided under special education law. All teachers and administrators working in the field of special education should have a copy of Osborne and Russo's book on their bookshelves." --Richard Fossey, Paul Burdin Endowed Professor of Education "Some books are carefully placed on bookshelves and easily forgotten, while others sit on desks with their spines cracked and well worn from use. My copy of Osborne's and Russo's Third Edition of Special Education and the Law will soon be dog eared, highlighted in yellow, its margins scribbled with notes because it will be used. I teach school law and special education law and regularly work with colleagues in the schools. The Osborne Russo third edition will be my go-to book for teaching and assisting with problems of practice in special education. Read it and you will use it." --Todd A. DeMitchell, Professor of Education

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About the Author Allan G. Osborne, Jr. is the retired principal of the Snug Harbor Community School in Quincy, Massachusetts, a nationally recognized Blue Ribbon School of Excellence. During his 34 years in public education, he served as a special education teacher, a director of special education, an assistant principal, and a principal. He has also served as an adjunct professor of special education and education law at several colleges, including Bridgewater State University and American International University. Osborne earned an EdD in educational leadership from Boston College and an MEd in special education from Fitchburg State College (now Fitchburg State University) in Massachusetts. He received a BA in psychology from the University of Massachusetts. Osborne has authored or coauthored numerous peer-reviewed journal articles, book chapters, monographs, and textbooks on legal issues in education, along with textbooks on other aspects of education. Although he writes and presents in several areas of educational law, he specializes in legal and policy issues in special education. He is the coauthor, with Charles J. Russo, of five texts published by Corwin, a SAGE company. A past president of the Education Law Association (ELA), Osborne has been an attendee and presenter at most ELA conferences since 1991. He has also written a chapter now titled "Students With Disabilities" for the Yearbook of Education Law, published by ELA, since 1990. He is on the editorial advisory committee of Wests Education Law Reporter and is coeditor of the "Education Law Into Practice" section of that journal, which is sponsored by ELA. He is also on the editorial boards of several other education journals. In recognition of his contributions to the field of education law, Osborne was presented with the McGhehey Award by ELA in 2008, the highest award given by the organization. He is also the recipient of the City of Quincy Human Rights Award, the Financial Executives Institute of Massachusetts Principals Award, the Junior Achievement of Massachusetts Principals Award, and several community service awards. Charles J. Russo, JD, EdD, is the Joseph Panzer Chair in Education in the School of Education and Allied Professions and adjunct professor in the School of Law at the University of Dayton. He was the 1998-1999 president of the Education Law Association and 2002 recipient of its McGhehey (Achievement) Award. He has authored or coauthored more than 200 articles in peer-reviewed journals; has authored,

coauthored, edited, or coedited 40 books; and has in excess of 800 publications. Russo also speaks extensively on issues in education law in the United States and abroad. Along with having spoken in 33 states and 25 nations on 6 continents, Russo has taught summer courses in England, Spain, and Thailand; he also has served as a visiting professor at Queensland University of Technology in Brisbane and the University of Newcastle, Australia; the University of Sarajevo, Bosnia and Herzegovina; South East European University, Macedonia; the Potchefstroom Campus of North-West University in Potchefstroom, South Africa; the University of Malaya in Kuala Lumpur, Malaysia; and the University of So Paulo, Brazil. He regularly serves as a visiting professor at the Potchefstroom Campus of North-West University. Before joining the faculty at the University of Dayton as professor and chair of the Department of Educational Administration in July 1996, Russo taught at the University of Kentucky in Lexington from August 1992 to July 1996 and at Fordham University in his native New York City from September 1989 to July 1992. He taught high school for 8 years before and after graduation from law school. He received a BA (classical civilization) in 1972, a JD in 1983, and an EdD (educational administration and supervision) in 1989 from St. Johns University in New York City. He also received a master of divinity degree from the Seminary of the Immaculate Conception in Huntington, New York, in 1978, as well as a PhD Honoris Causa from the Potchefstroom Campus of North-West University, South Africa, in May 2004 for his contributions to the field of education law.