

EDCI 531 ... School Law for Educators

Eastern Mennonite University

Instructor: Fred Kennon

Semester: Spring, 2011...directed study

Time: TBA

Phone: 434-4263(H)

Classroom: TBA

Knowledge Base:

The Constitution of the United States does not specifically address education; thus each state has the power to prescribe a system of education within its boundaries. With each state rests the primary responsibility for the maintenance and operation of public schools. In recent years, the federal government has taken steps to assure equality in education among the fifty states. Legislation by Congress, and rulings by the U.S. Supreme Court and lower level courts, have been aimed at providing each child in America with an adequate education. Accompanying this equal educational opportunity for students has been a recognition for the fundamental rights of parents to participate in educational decision-making. Not excluded from this process has been the recognition of the rights of educators and local governing bodies.

The need for a working knowledge of case law, statutes, and regulations is critical for teachers, administrators, and school boards to understand the meaning and application of law in the schools. This understanding should enable educators to make sound educational decisions in compliance with the law.

Course Description:

This course is designed to examine issues in school law that all teachers and prospective administrators should know. The purpose of this course is to explore legal opinions and pertinent court cases and how the outcomes have affected the school environment. Emphasis is given to state and federal statutes and case law affecting due process, liability, religion in the schools, special education, student rights, teacher evaluation, search and seizure, equal protection, and other relevant topics. Participants should develop a clear understanding of the rights and responsibilities of students, teachers, parents, and administrators in the school environment. This course includes lecture/discussion, use of technology, student presentations, role-playing, and modeling effective instruction as developed by Madeline Hunter.

Course Outcomes:

The student will evidence:

1. Understanding of the social and philosophical content in which laws are created including: (S, K)

- a. An insight into the U. S. System of Courts and the sources of law and regulation. (S, K)
2. Knowledge of the fundamental concepts and current applications of the law. (S, K)
3. Familiarization with examples of case law that can provide guidance in developing appropriate school board policies. (K, L)
4. Understanding of preventative school procedures and practices to avoid costly and stressful litigation. (K, L)
5. Awareness of the rights and responsibilities of students, parents, and teachers/administrators. (CM, CA, L)

Required Text:

Essex, Nathan (2005). *School law and the public schools: A practical guide for school leaders* (4th ed.). Boston: Allyn & Bacon.

Office of Special Education and Student Services (2001). *A parent's guide to special education*. Richmond, VA: Virginia Department of Education.

Course Requirements:

1. Attendance: Students are expected to attend all classes except in case of an emergency or approval by instructor. Student must notify the instructor prior to an absence if possible.
Students are expected to arrive on time and actively participate in class.
If absent, the student should arrange with a classmate to share notes and collect handouts.
2. Assignments: Students are expected to complete all readings/written assignments and demonstrate thoughtful reflection in written and oral work. Students are required to complete in-class assignments such as quizzes, study guides, or other projects/activities.
If an assignment is due and not given to the instructor on time, points will be deducted for each class period the assignment is late.

Evaluation Procedures:

1. Class Participation 15
2. Final Exam 25
3. Study Guides 30
4. Research Paper 30

The research paper is an opportunity for a student to go into depth on one legal topic of his/her interest. The aim of the paper is to understand the conflicting opinions and interpretations of the law surrounding an issue. Suggestions of topics include: Search and seizure; sexual harassment (either adult to student or student to student); freedom of religious expression; separation of

church and state; negligence; Title IX; teacher's freedom of expression; one aspect of special education law, etc. Student suggestions of other topics are welcome. Topics must be approved by the instructor. Papers are to be 10 pages in length. They will be evaluated on spelling and grammatical correctness, clarity of expression, organization of content and insightfulness. At least five sources in addition to required texts are to be cited. APA style is required.

Grading Scale:

Grade Scale:

A	...	95 - 100
A-	...	93 - 94
B+	...	90 - 92
B	...	86 - 89
B-	...	83 - 85
C+	...	80 - 82
C	...	76 - 79
C-	...	73 - 75
D+	...	71 - 72
D	...	67 - 70
D-	...	61 - 66
F	...	60 and below

Academic Support:

If you have received services related to a disability or feel you might need services in this course, please speak with me, the instructor, at the beginning of the course or with the Coordinator of Student Disability Support Services in the Academic Support Center, Roselawn Ground Floor, 432-4233.

Academic Honesty:

All students are responsible for reading the Student Handbook for policies regarding Academic Dishonesty. These policies also apply in completing coursework and in professional behavior in the practicum/field experience setting. The responsibility to foster and guard academic integrity rests with all members of the academic community. A foundation of mutual trust is essential to the learning community. Any incidences of academic dishonesty may result in a failing grade for the work submitted and a "Record of Academic Dishonesty" filed in the dean's office. Students will be asked to meet with the instructor (and other affected persons, where appropriate) to examine the effects of the dishonesty on others and to develop an accountability plan.

Writing Standards:

Students are expected to follow EMU writing standards as outlined in the Student Handbook.

Resources:

- Alexander, K., and Alexander, M. D. (2009). *American public school law*, (7th ed.). St. Paul, MN: West Publishing Company.
- Cambron-McCabe, N. H., McCarthy, M. M., and Thomas, S. B. (2009). *Public school law: Teacher's and student's rights*, (6th ed.). Boston: Allyn & Bacon.
- Fischer, L., Schimmel, D., Stellman, L. (2007). *Teachers and the law*. Boston: Allyn & Bacon.
- LaMorte, M. W. (2008). *School law: Cases and concepts*, (8th ed.). Boston: Allyn & Bacon.
- Public Law 107-110 of the 107th Congress (2002). *No Child Left Behind Act of 2001*. Washington, D.C.: U.S. Government Printing Office.
- Valente, W. D. (2005). *Law and the schools*, (6th ed.). Columbus, OH: Merrill.
- 20 U. S. C. §§ 1400 et. seq. *Individuals with Disabilities Education Act*. Washington, D.C.: U.S. Government Printing Office.
- 20 U. S. C. §§ 1701-1721. *Equal Education Opportunity Act*. Washington, D.C.: U.S. Government Printing Office.
- 20 U. S. C. §§ 1232g. *Family Educational Rights and Privacy Act*. Washington, D.C.: U.S. Government Printing Office.
- 34 C. F. R. §§ 300.1 et. seq. *Special Education*. Washington, D.C.: U.S. Government Printing Office.
- 34 C. F. R. §§ 99.1 et. seq. *Family Educational Rights and Privacy Act*. Washington, D.C.: U.S. Government Printing Office.

TENTATIVE COURSE OUTLINE

Date	Topic	Assignment
Week #1	Legal Framework and the U.S. Court System	Essex: Chapter 1
	Religion in Schools	Essex: Chapter 2
	<u>Parent's Guide to Special Education</u>	Study Guides (3)
	Review Study Guide #1	From <u>Parent's Guide</u> , etc.
	Religion in the Schools	Essex: Chapter 2
	Student's Rights	Essex: Chapter 3
	Review Study Guide #2	From <u>Parent's Guide</u> , etc.
Week #2	Student's Rights	Essex: Chapter 3
	Review Study Guide #3	From <u>Parent's guide</u> , etc.
	Due Process	Essex: Chapter 4
Week #3	School Personnel	Essex: Chapter 6
	Student Records	Essex: Chapter 7
	Liability	
	Teacher Rights	Essex: Chapter 8

Week #4	Discrimination in Employment	Essex: Chapter 9
	Recruitment, Tenure, Dismissal of Employees	Essex: Chapter 10
	Instructional Issues	Essex: Chapter 11
	Equal Opportunity	Essex: Chapter 12
Week #5	Research Paper Presentations	Student Presentations
	Final Exam	
	Review Final Exam Results	
	Course Summary/Closure	
	Course Evaluation by Students	