EDLE 612: EDUCATION LAW
Summer 2010

Course Syllabus

Contact Information

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Schedule Information

Meeting Times: Mondays and Wednesdays, 4:30 p.m. – 7:30 p.m.

Location: Forest Park High School, Library & Media Center

Attendance: All students are expected to attend every class session. Personal problems that prevent students from attending class should be reported to the instructor prior to class meeting via telephone or email. Note: participation points will be deducted for missed time. If you are absent for a presentation, you will not receive credit for that activity.

Legal problems with students, parents, and community organizations are increasing in number and complexity and official reactions and solutions to these problems are likely to be subjected to judicial review. A wrong step can land the school administrator in court, with accompanying expense, notoriety, and embarrassment. Litigation cannot be avoided entirely, but school systems, administrators and teachers can minimize it and increase their chances of success in lawsuits that are filed by knowing the law, anticipating problems and taking precautionary steps. The body of school law, both statutory and case, has increases by leaps and bounds in the last decade. Colleges and universities preparing prospective teachers and administrators have offered courses in school law similar to this one. Some state legislatures and state boards of education have prescribed training in school law as one of the prerequisites for certification.

Course Description

EDLE 621 provides legal foundations of U.S. public schools. The course examines general principles of statutory and case law and applies judicial decisions to educational

environments. It focuses on legal responsibilities, constraints, and opportunities of public school officials and includes a component of Special Education law.

Candidate Outcomes

The following two performances are required of this course:

1. Legal Issue Analysis
2. Special Education Case Study Analysis

Candidates will focus on major legal and ethical issues in education. Outcomes include:

1. Verbally demonstrate an informed perspective on major topics in education law
2. Evaluate a school or school division's application of education law to specific situations via analysis of school board policy and actions taken at the school level
3. Analyze a case study involving the identification, placement, and provision of programs and services for a student who is eligible pursuant to special education provisions
4. Analyze key educational law issues in a manner that reveals comprehension of political, social, ethical, and legal influences, specifically the principles, laws, policies, cases and regulations that are applicable in education
5. Attend and reflect upon a school board meeting

In addition to the outcomes stated above, the following *process goals* are identified for this course:

Teaching and Learning:

1. Discussion is an important component of this course. All candidates are expected to make multiple, thoughtful contributions to each class discussion, based on careful reading and analysis of the text and in response to previous comments by classmates.

2. Writing is an integral activity in the daily life of a school administrator. The process of writing will be emphasized so that candidates will achieve the following objectives:

   a. Develop greater confidence in writing expository, analytical, and persuasive prose
   b. Edit and review work and the work of others to eliminate errors and maximize clarity
   c. Produce written products immune to criticism from a skeptical public

Note: All written work is expected to be submitted on time as indicated in the writing assignments described below. All written work must be edited carefully before being submitted so that candidates are submitting their best work. Typographical errors, misspelled words, incoherent passages, or run-on sentences are unacceptable and will be graded accordingly.

Classroom Climate:

A positive climate depends on cooperation among all students and with the instructor. Candidates need to work collaboratively to ensure that everyone has the confidence to participate honestly and enthusiastically. Every candidate is expected to:

   a. Be fully prepared for each class session
   b. Be attentive to others and respond thoughtfully and respectfully
   c. Work toward a common purpose
   d. Persevere through the common challenge of understanding education law
   e. Affirm one another's successes and help one another overcome weaknesses

Relationship of Candidate Outcomes to Program Goals

This course serves as a foundation for understanding the legal process related to education in the Master's sequence in Education Leadership. All the program goals are active, to a greater or lesser degree, in this course. Candidates will:

   1. Engage in reflective practice with regard to education law
   2. Strengthen and improve their communication skills through class discussion and paper writing activities
   3. Understand the legal implications and responsibilities associated with cultural, economic, and learning diversity
   4. Reflect on the ethical implications of applying education law to everyday situations in schools and school divisions
   5. Learn how to use the Internet to obtain legal information

Course Material

Textbook: Alexander, K. & Alexander, M.D. *American Public School Law* (6th edition). Belmont, CA: Thomson West. (The text is available in the GMU Bookstore in the Johnson Center.)
To successfully complete the required assignments, students will need to have access to a personal computer with internet access, and the ability to use basic word processing and e-mail. **Correspondence by e-mail will use your Mason e-mail account**. TaskStream site will also be used for this class (http://taskstream.gmu.edu). Candidates will be

expected to log-on to blackboard in order to participate in an electronic discussion/activity during the time period that class would typically meet.

Instructional Delivery

A variety of instructional methods will be used in this course, including large and small-group discussion, cooperative learning activities, internet assignments, lectures, guest practitioner presentations, individual presentations, case studies, and written assignments.

ELCC Standards: Specific competencies, identified by the Standards for the Preparation of Educational Leaders, identified by Educational Leadership Constituent Council (ELCC) include:

ELCC: 5.1, 5.2, 5.3, 6.1, 6.3

In addition to the above competencies, candidates will develop an explicit understanding of Virginia's "Child Abuse and Neglect Recognition and Intervention Act (Code of Virginia 22.1-98). Such understanding will include:

1. Recognizing child abuse and neglect
2. Reporting child abuse and neglect
3. Intervention following child protective services litigation

Course Assignments

High quality work on all assignments and meaningful class participation are expected. Students should refer to the rubrics for additional guidance on the Legal Issue Analysis and Special Education Case Study Analysis assignments. No late work is accepted.

1. Legal Issue Analysis (40%)
2. Special Education Case Study Analysis (40%)
3. Participation (20%)

Participation: A percentage of your course grade is earned through ongoing assessment of your attendance, performance, communication, and professional disposition during class discussions. Punctual and regular class attendance is vital to the successful completion of this course. In addition, one must come to class prepared (reading assigned material), reflect professional demeanor and appearance at all times, be willing to volunteer for class activities, constructively contribute to class discussions, maintain foci of topics, demonstrate respect for the opinions of others, employ appropriate use of allotted time, share experiences from work or observations that apply to topics, and not dominate class discussions. Arriving to class late or leaving early will impact your grade.

Grading Scale:
        A+ =   100 points
        A =   95-99 points
        A- =   90-94 points
        B+ =   87-89 points

B = **83-86 points**
B- = **80-82 points**
C = **75-79 points**
F = **below 75 points**

Grade Appeals: Candidates must present grade appeals in writing and must provide a reasonable explanation that supports their request for a grade change.

Expectations for Written Work:

- Use appropriate grammar and spell correctly.
- Write clearly to reflect the caliber of a graduate student.
- Type and use Times Roman or Arial 12 point font (*required).*
- Include a cover page with name, date, and assignment description (*required).*
- Limit the use of "I" in your writing.
- Utilize no binders or plastic covers when submitting work.
- Proofread all work. Clerical and grammatical errors will lower your grade.
- Do not plagiarize.

<u>Course Session and Topic</u> <u>   Date</u>

1. Overview of Course and Syllabus
   Introduction to Legal System, School Laws
   and Case Law   10 May 10

   Reading Assignment for 5/13: Chapters 1-2

2. Federal Government and Governance   12 May 10

   Reading Assignment for 5/18: Chapters 3 & 4

3. Church & State and School Attendance   17 May 10
   Guest Speaker: School Board Attorney

   Reading Assignment for 5/19: **Chapters 5 & 6**

4. Student Rights   19 May 10

   Reading Assignment for 5/21: **Chapter 8 & 9**

5. Instructional Program, Defamation & Student Records   24 May 10

   Reading Assignment for 5/26: **Chapters 7 & 12**

6. Liability Issues   26 May 10*

   Reading Assignment for 5/28: **Chapters 11 &13**

7. Special Education   7 Jun 10
    Reading Assignment for 6/2: Chapter 10

8. Desegregation   9 June 10
    Reading Assignment for 6/4: **Chapter 19**

9. Teacher Contracts & Tenure   14 June 10
    Employment Discrimination
    Reading Assignment for 6/9: **Chapter 14**
    Reading Assignment for 6/18: **Chapter 17**

10. Teacher Rights & Due Process   16 June 10
    NCLB & Related Issues
    Reading Assignment for 6/11: **Chapters 15 & 16**

<u>Statement of Expectations</u>
The College of Education and Human Development (CEHD) expects all students to abide by the following:

Responsible Use of Computing
Students must agree to abide by the university policy for Responsible Use of Computing. See http://mail.gmu.edu and click on Responsible Use of Computing at the bottom of the screen.

Plagiarism
Students must avoid plagiarizing the work of others. Specifically, when referencing a source or author, students must give appropriate source documentation; and when using direct quotes, students must use quotations, provide page numbers, and ensure that credit is given to the author of quoted material. If a student's work contains plagiarism, the student will receive no credit for the assignment.

Disability Resource Center
Students with disabilities who seek accommodations in a course must be registered with the GMU Disability Resource Center (DRC) and inform the instructor, in writing, at the beginning of the semester. See www.gmu.edu/student/drc or call 703-993-2474 to access the DRC.

 NOTE: *The above represents an approximation of the items to be covered and the respective dates. True coverage will depend on the pace of the discussion, the collective needs of students and the professor and the demands of time. You are expected, however, to keep pace with the calendar of assigned readings.*

Special Education Case Study Analysis

	Exceeds Expectations	Meets Expectations	Approaching Expectations	Falls Below Expectations	Score/ Level
Introduction	Analysis begins with a clear and concise statement of purpose. The introduction provides a solid overview of the case study analysis for the reader.	Analysis begins with a brief statement of purpose. The introduction provides a basic overview of the case study analysis for the reader.	Analysis begins with an unclear or limited statement of purpose. The introduction fails to provide a sufficient overview of the case study analysis.	Analysis begins with a confusing and unclear statement of purpose. The introduction fails to provide an overview of the case study analysis.	
Identification of community interests and exceptional needs of diverse learners (ELCC 4.2c,d)	Candidate provides extensive discussion of the leader's role in improving programs and services for exceptional learners.	Candidate provides general discussion of the leader's role in improving programs and services for exceptional learners.	Candidate provides limited discussion of the leader's role in improving programs and services for exceptional learners.	Candidate provides insufficient discussion of the leader's role in improving programs and services for exceptional learners.	
Discussion of key principles, laws, policies, cases and regulations affecting students & school communities (ELCC 6.1d)	Candidate includes extensive references to principles, laws, policies, cases & regulations. The discussion & application of such principles reveals a clear understanding.	Candidate includes numerous references to principles, laws, policies, cases & regulations. The discussion & application of such principles reveals general understanding.	Candidate includes few references to principles, laws, policies, cases & regulations. The discussion & application of such principles reveals limited understanding.	Candidate includes insufficient references to principles, laws, policies, cases & regulations. The discussion & application of such principles reveals lack of understanding.	
Understands how to engage others and foster positive change for all students (ELCC 6.3a, b, c)	Candidate 's written analysis of political, social, economic, legal and cultural context is exemplary. Analysis includes clear & specific reference to the leader's	Candidate 's written analysis of political, social, economic, legal and cultural context is thorough. The analysis includes clear & specific reference to the leader's role as an advocate for all students.	Candidate 's written analysis of political, social, economic, legal and cultural context is limited. The analysis includes some degree of reference to the leader's	Candidate 's written analysis of political, social, economic, legal and cultural context is unacceptable. The analysis includes inadequate reference to the leader's	

	role as an advocate for all students.		role as an advocate for all students.	role as an advocate for all students.	
Discussion reveals respect for the rights of others and awareness of need for integrity (ELCC 5.1)	Candidate demonstrates genuine respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates genuine respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates genuine respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates genuine respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	
Response reflects ethical awareness and sensitivity to student diversity. (ELCC 5.2)	Candidate clearly discusses how laws, cases and articles confirm ethical & moral role of school leaders; bias language is absent; sensitivity to diverse student needs is clearly demonstrated.	Candidate discusses how laws, cases and articles confirm ethical & moral role of school leaders; bias language is limited; sensitivity to diverse student needs is demonstrated.	Candidate provides limited discussion of how laws, cases and articles confirm ethical & moral role of school leaders; bias language is present; sensitivity to diverse student needs is poorly demonstrated.	Candidate poorly discusses how laws, cases and articles confirm ethical & moral role of school leaders; bias language is present; sensitivity to diverse student needs is not demonstrated.	
Discussion of diversity is informed by ethical and legal principles.(ELCC 5.3)	Candidate includes clear and extensive discussion of the applicable legal and ethical principles; clearly addresses diverse needs of students and of the community.	Candidate includes discussion of the applicable legal and ethical principles; clearly addresses diverse needs of students and of the community.	Candidate includes limited and unclear discussion of the applicable legal and ethical principles; addresses diverse needs of students and of the community.	Candidate includes insufficient and unclear discussion of the applicable legal and ethical principles; poorly addresses diverse needs of students and of the community.	
Discussion of information and references is useful and instructive.	Candidate gathers at least 8 high quality reference	Candidate gathers 6-8 references , but not all are from high quality	Candidate gathers at least 6 references sources, but	Candidate gathers insufficient and poor quality	

	sources; provides clear & thorough discussion; and explains applicability of references.	sources; provides solid discussion; and explains applicability of references.	few are from high quality sources; provides some discussion; and weakly explains applicability of the references.	reference sources; provides insufficient discussion; and and poorly explains applicability of the references.	
Organization, mechanics and proofing of paper.	Paper is well-organized; nearly error-free; candidate uses non-discriminatory language, clear sentence structures; and correct APA format.	Paper is organized; contains few grammatical errors; non-discriminatory language, clear sentence structures; a few unclear word choices; and correct APA format.	Paper is somewhat organized; several errors; language is discriminatory, sentence structures are unclear; word choices are confusing; incorrect APA format is used.	Paper is poorly organized; many errors; discriminatory language, poor sentence structures; confusing word choices; no APA format.	

Students' Rights.Legal Issue Analysis

	1	2	3	4	Score/ Level
Introduction	Analysis begins with a clear and concise statement of purpose. The introduction provides a solid overview for the reader.	Analysis begins with a brief statement of purpose. The introduction provides a basic overview for the reader.	Analysis begins with an unclear or limited statement of purpose. The introduction fails to provide a sufficient overview for the reader.	Analysis begins with a confusing and unclear statement of purpose. The introduction fails to provide an overview for the reader.	
Discussion of key principles, laws, policies, cases and regulations affecting students & school communities (ELCC 6.1)	Candidate includes extensive references to principles, laws, policies, cases & regulations.	Candidate includes numerous references to principles, laws, policies, cases & regulations.	Candidate includes few references to principles, laws, policies, cases & regulations. The discussion	Candidate includes insufficient references to principles, laws, policies, cases & regulations.	

	The discussion & application of such principles reveals thorough understanding.	The discussion & application of such principles reveals general understanding.	& application of such principles reveals limited understanding.	The discussion & application of such principles reveals lack of understanding.	
Promotes positive changes in political, social, legal and cultural context of schooling (ELCC 6.3)	Candidate's written analysis of political, social, economic, legal and cultural context is exemplary. Analysis includes clear & specific references to the leader's role as an advocate for all students.	Candidate's written analysis of political, social, economic, legal and cultural context is thorough. The analysis includes specific references to the leader's role as an advocate for all students.	Candidate's written analysis of political, social, economic, legal and cultural context is limited. The analysis includes limited references to the leader's role as an advocate for all students.	Candidate's written analysis of political, social, economic, legal and cultural context is unacceptable. The analysis includes inadequate references to the leader's role as an advocate for all students.	
Discussion reveals respect for the rights of others and awareness of need for integrity (ELCC 5.1)	Candidate demonstrates genuine respect and awareness of rights of others by clearly using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others but insufficiently uses laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others but fails to use laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	
Response reflects ethical awareness of candidate's responsibility to school community. (ELCC 5.3)	Candidate clearly discusses the ethical & moral role of school leaders; bias language is absent; ethical commitment to the community is clearly demonstrated.	Candidate discusses the ethical & moral role of school leaders; bias language is limited; ethical commitment to the community is demonstrated.	Candidate provides limited discussion of the ethical & moral role of school leaders; bias language is present; ethical commitment to the community is poorly demonstrated.	Candidate poorly discusses the ethical & moral role of school leaders; bias language is present; ethical commitment to the community is not demonstrated.	
Discussion of diversity	Candidate	Candidate	Candidate	Candidate	

	includes extensive discussion of the applicable legal and ethical principles; clearly addresses diverse needs of students and of the community.	includes discussion of the applicable legal and ethical principles; clearly addresses diverse needs of students and of the community.	includes limited discussion of the applicable legal and ethical principles; addresses diverse needs of students and of the community.	includes insufficient discussion of the applicable legal and ethical principles; poorly addresses diverse needs of students and of the community.	
is informed by ethical and legal principles.(ELCC 5.2)					
Overall discussion of references is thorough, clear and instructive.	Candidate gathers 4-5 high quality reference sources; provides clear & thorough discussion; and conducts critical evaluations of references.	Candidate gathers 3 high quality reference sources; provides solid discussion; and conducts evaluations of references.	Candidate gathers 2-3 references but not from high quality sources; provides some discussion; and conducts limited evaluations of references.	Candidate gathers insufficient and poor quality reference sources; provides insufficient discussion; and conducts insufficient evaluations of references.	
Organization, mechanics and proofing of paper.	Paper is well-organized; nearly error-free; candidate uses clear word choices & sentence structures; and correct APA format.	Paper is organized; only occasional grammatical errors; clear word choices & sentence structures; a few unclear word choices; correct APA format.	Paper is somewhat organized; several errors; unclear sentence structures; confusing word choices; incorrect APA format.	Paper is poorly organized; many errors; poor sentence structures; confusing word choices; incorrect APA format.	

Annotated Bibliography.Legal Issue Analysis

	1	2	3	4	Score/ Level
Overview	Candidate provides a clear and brief overview of the resources for the reader.	Candidate provides a brief overview of the resources for the reader.	Candidate provides an incomplete overview of the resources for the reader.	Candidate fails to provide an overview of the resources for the reader.	

Identification of community interests (ELCC 4.2)	Candidate selects high quality resources that clearly connect to the focus on laws and policies impacting community interests.	Candidate selects high quality resources that connect to the focus on laws and policies impacting community interests.	Candidate selects acceptable quality resources that partly connect to the focus on laws and policies impacting community interests.	Candidate selects poor quality resources with little connection to the focus on laws and policies impacting community interests.	
Discussion of key principles, laws, policies, cases and regulations affecting students & school communities (ELCC 6.1)	Candidate's discussion of resources includes extensive references to laws & policies. Discussion reveals thorough understanding.	Candidate's discussion of resources includes sufficient references to laws & policies. Discussion reveals general understanding.	Candidate's discussion of resources includes limited references to laws & policies. Discussion reveals limited understanding.	Candidate's discussion of resources includes inadequate references to laws & policies. Discussion reveals lack of understanding.	
Discussion reveals respect for the rights of others and awareness of need for integrity (ELCC 5.1)	Candidate demonstrates genuine respect and awareness of rights of others by clearly using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others by using laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others but insufficiently uses laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	Candidate demonstrates basic respect and awareness of rights of others but fails to use laws, policies, and literature to support the discussion of critical values that guide behavior in the school community.	
Discussion of diversity is informed by ethical and legal principles.(ELCC 5.2)	Candidate's selection and discussion of resources reveals advanced thought about the applicable legal and ethical principles; and clearly addresses diverse needs of students and	Candidate's selection and discussion of resources reveals basic awareness of the applicable legal and ethical principles; and sufficiently addresses diverse needs of students and of the	Candidate's selection and discussion of resources reveals limited awareness of the applicable legal and ethical principles; and poorly addresses diverse needs of students and of the	Candidate's selection and discussion of resources includes insufficient thought about the applicable legal and ethical principles; and fails to address diverse needs of students and of the	

	of the community.	community.	community.	community.	
Overall discussion of references is thorough, clear and instructive.	Candidate gathers 3 high quality reference sources; provides clear & thorough discussion; and conducts critical evaluations of references.	Candidate gathers 3 high quality reference sources; provides solid discussion; and conducts evaluations of references.	Candidate gathers 3 references but not from high quality sources; provides some discussion; and conducts limited evaluations of references.	Candidate gathers insufficient and poor quality reference sources; provides insufficient discussion; and conducts insufficient evaluations of references.	
Organization, mechanics and proofing of paper.	Paper is well-organized; nearly error-free; candidate uses clear word choices & sentence structures; and correct APA format.	Paper is organized; only occasional grammatical errors; clear word choices & sentence structures; a few unclear word choices; correct APA format.	Paper is somewhat organized; several errors; unclear sentence structures; confusing word choices; incorrect APA format.	Paper is poorly organized; many errors; poor sentence structures; confusing word choices; incorrect APA format.	