



**School Law for Teachers
Understanding Rights and Responsibilities
Site-based Participant Syllabus**

Course Description

This course is designed to help teachers understand school law as it pertains to the rights of students, the rights of teachers, and the legal expectations of today's public schools, thereby improving their effectiveness. Participants in this course will develop an overall sense of the spirit of school law so that they may not only teach students to become good citizens, but also to ensure that their rights are protected in the educational process. In addition, participants will learn about their rights as government employees regarding Freedom of Speech and employment issues.

Course Prerequisites

Educators enrolled in the course are required to hold a baccalaureate degree. No prerequisites for this course are required.

NOTE: This course does not meet licensure requirements to become a principal in Illinois.

System Requirements

- Computer with word processing software
- Internet access connection
- Online video viewing capabilities/Adobe flash player
- Software capable of reading PDF files

Text Books/Supplemental Reading

There is not a required textbook for this class.

Teachers are encouraged to consult the website for the National School Boards Association website - www.nsba.org for additional information about current law cases involving schools and the Supreme Court. Click on the "School Law" tab at the top of the page for more information.

This site contains a link to *Recent Court Decisions* which are categorized by:

- District Organization and Operation
- No Child Left Behind
- Religion
- First Amendment
- Personal

- School Board Members and Meetings
- Liability for Injuries
- Recently Added Decisions
- Students

In addition an *Archive of Recent Court Decisions* is available. The summaries are accessible for up to a year.

Global Goals of the Course

To deepen and/or apply the content and skills of the teacher's existing professional knowledge base by meeting the following global goals of this course:

1. To understand the relationship between the Constitution and school law
2. To comprehend First Amendment Rights as they differ from students to faculty in public school settings (InTASC 2)
3. To analyze case studies and case law as they pertain to the role of a teacher (NBPTS 3)
4. To enhance teachers' understanding of the "spirit of the law" as it is applied to schools (InTASC 9)
5. To examine the implications of federal laws and acts (Civil Rights Act, Title IX, IDEA, etc.) on classroom practices (NBPTS 4)
6. To learn employee and employer rights and responsibilities as defined by law

Instructional Objectives

By the conclusion of the course, each participant should be able to do the following:

1. Understand the basic foundation upon which school law is built.
 - 1.1 Discern the role of the legislature in making laws and the judiciary in ensuring that the laws support the Constitution.
 - 1.2 Examine the transmittal of authority and responsibility from the federal Constitution to the respective state constitutions.
 - 1.3 Follow the process of filing a lawsuit including the roles of the plaintiff, defendant, and court.
 - 1.4 Analyze the delegation of power from the legislature to the local boards of education.
2. Utilize classroom practices that ensure student rights.
 - 2.1 Examine the various aspects related to First Amendment rights of students.
 - 2.2 Explore the concept of negligence and how it applies to the classroom.
 - 2.3 Understand the concepts of *reasonableness*, *scope of authority*, and *agents of the government* regarding legal rights and responsibilities.

- 2.4 Explore the due process rights of students and employees in schools.
3. Adhere to the Establishment Clause in school policies and practices.
 - 3.1 Apply the Lemon Test to ensure compliance with the Establishment Clause.
 - 3.2 Recognize the current interpretation of the separation of Church and State.
 - 3.3 Ensure student rights related to the Establishment Clause.
 - 3.4 Discern the role of *agents of the government* (teachers) in practices protected by the Establishment Clause.
4. Recognize the rights of employees and employers in school settings.
 - 4.1 Understand the fundamental rights related to collective bargaining.
 - 4.2 Explore the property interests related to contracts.
 - 4.3 Review cases related to employees' due process rights.
5. Develop an understanding of federal laws as they ensure civil rights.
 - 5.1 Recognize the rights of students with special needs (ADA, IDEA, 94-142).
 - 5.2 Ensure fair practices as per Title IX.
 - 5.3 Understand the appropriate use of demographics when ensuring racial and cultural balance in schools.
 - 5.4 Promote the rights of students who are learning English as a second language.

Teaching Methodology and Delivery Model

Teaching methodologies of this course are designed to support intensive, graduate-level course work in an interactive setting. Instructional plans support the content of this course, which focuses on the improvement of professional teaching expertise in any or all of the following categories: assessment, collaboration, communication, diverse learners, educational reform, instructional strategies, planning instruction, productivity, reflection of practice, student learning, subject matter, and/or technology.

- Methodologies include instructor presentations, specific skill practice, discussions, audio-visual presentations, self-evaluation, project development, course readings, research/inquiry exercises, and the synthesis of new knowledge and skills with previously acquired skills/expertise in relation to transition knowledge and content.
- The course is taught with instructor-participant and participant-participant feedback. Course content, activities, and assessments are organized into 10 modules totaling 45 seat hours. Assessments are due two-weeks following the end of the course.
- Research-based content, presentations, educator resources in print and on the Internet, notes from instructor presentations, class activity work pages, references, and assessments are supported by content designed specifically for educators.
- Daily activities include a variety of research-based instructional approaches appropriate for adult learners. Class participants actively construct their own

learning and make it personally relevant by acquiring and applying course knowledge/skills during hands-on practice and problem-solving activities, personal reflection, in-class presentations, whole-class and small group discussions and activities, assigned readings, research/inquiry, projects, and collaborative work in various group formats. All are designed to make it possible for educators and other school-related personnel to learn the same basic content and skills with an emphasis on application to their own specific content area or grade level.

Learning Assessment

Formative assessment of learning objectives for this course is conducted informally throughout the course via discussion, critiques, peer- and self-evaluations, journal entries, instructor feedback, small-group sharing and activities requiring participants to make sense of new knowledge and/or skills within their realm of teaching. Additionally, three formative assessments are embedded within the course. Summative assessment for the course occurs in the form of a final project which requires each participant to synthesize class content and apply it within the teacher's specific teaching environment. Copies of the course performance assessment rubrics are included in Appendices A-C.

Compliance with National Board of Professional Teaching Standards

The National Board of Professional Teaching Standards represents the highest level of professional achievement in the continuum of teacher professional development. There are five core principles (standards) which cover five aspects of professional educational practice: (1) commitment to students and their learning, (2) knowledge of subject matter and instructional strategies, (3) management and monitoring of student learning, (4) systematic reflection about the teaching profession to learn and grow from experience, and (5) collaborative participation in the educational learning community.

Compliance with Interstate Teacher Assessment and Support Consortium (InTASC) Standards

The Interstate Teacher Assessment and Support Consortium's work is guided by one basic premise: An effective teacher must be able to integrate content knowledge with the specific strengths and needs of students to assure that all students learn and perform at high levels. All teachers should meet the following standards: (1) learner development, (2) learning differences, (3) learning environments, (4) content knowledge, (5) application of content, (6) assessment, (7) planning for instruction, (8) instructional strategies, (9) professional learning and ethical practices, and (10) leadership and collaboration.

Topics Agenda

Milestone One: The Basic Foundation of the Law

Examination of the Constitution; delegation of power to the States and their respective Constitutions; empowerment of local Boards of Education to educate their respective

citizens; authority of the courts to determine constitutionality of laws and to ensure the rights of individuals; the scope of school law cases

Milestone Two: The Establishment Clause

Analysis of the concept of *separation of church and state*; applications for school policies and practices; implications for students' rights; implications for school district employees; considerations for use of school facilities by outside groups; accommodations of student requests; understandings of the overall intent and spirit of the Establishment Clause and how they've evolved over time

Milestone Three: First Amendment Rights – Students

Study of the rights of students; considerations for students' self-expression; restrictions as they relate to the instructional process; provisions for search and seizure; applications of *probable cause* and *reasonable suspicion*; censorship; understanding the overall intent and spirit of the First Amendment Rights of students

Milestone Four: First Amendment Rights – School Employees

Study of the rights of School Employees; restrictions related to being *agents of the government*; considerations for personal expression; questions regarding displays of personal beliefs on clothing and in the classroom; practices related to *academic freedom*; applications of the *pall of orthodoxy* on discretionary practices; understanding the overall intent and spirit of the First Amendment Rights of School Employees

Milestone Five: Due Process Rights – Students and Employees

Investigation of due process rights of students and employees; understanding the levels of due process; ensuring due process in the creation of discipline practices and policies; applying employment rights such as *property interests*, *tenure*, and *legal contracts*; ensuring fairness under the laws regarding *collective bargaining*; understanding the intent and spirit of due process rights

Milestone Six: Negligence and Immunity

Examination of the concepts of Negligence and Immunity; studying scenarios related to allegations of teacher negligence; understanding the concepts of *assumption of risk*, *shared liability*, *governmental immunity*, and *qualified immunity*; exploring cases related to school district and institutional negligence; investigating cases related to educational negligence; understanding the overall intent and spirit of court cases determining negligence or immunity

Milestone Seven: Legal Issues Related to Federal Legislation Involving Civil Rights

Examination of landmark federal cases ensuring civil rights of individuals; studying the ramifications of *Brown vs. Board of Education*; examining the implications of the Civil Rights Act; exploring scenarios related to Title IX applications including abuses such as *sexual harassment*; studying the rights of individuals under the *Americans with*

Disabilities Act, the IDEA, and Public Act 94-142; exploring school district practices related to *FERPA* and *FMLA*; understanding the overall intent and spirit of the federal legislation related to ensuring civil rights

Milestone Eight: School District Rights to Levy Taxes and to Acquire Property

Exploration of the authority of school districts to levy taxes and to acquire property in order to conduct their designated *business*; exploring the authorization to levy taxes and a brief history; understanding the concept of *eminent domain* in the acquisition of property; studying cases related to the acquisition of property outside the school district; study cases related to setting boundaries to ensure desegregation; examining the court's overall intent and spirit in determining appropriate use of property to curricular purposes

Final Projects

Assignments/ assessments should reflect that each participant is accountable for a high degree of learning appropriate for graduate level credit. Therefore, instructors will assign 3 formative assignments which can be completed throughout the course. These assignments will correlate to the instructional learning objectives. All courses will also include a final summative project which requires critical thinking, analysis, synthesis, evaluation or application. Assessment of the assignments should not be limited to the quantity of work submitted but should carefully consider the quality and intellectual value of the work.

Final projects are due within two weeks of the end of class. Projects submitted during the third week "grace period" will have their grade reduced one full letter grade. No papers will be accepted past the grace period, and participants will, consequently, forfeit credit for the course. Papers are expected to be properly formatted and submitted to the instructor either in person or via mail or an email attachment.

Participants taking professional development unit (not-for-credit) courses must attend all scheduled class sessions and complete all formative assignments. However, they will be exempt from completing the final summative project unless otherwise noted. Proof of seat hours will be presented to the participants after completing course reflection via the student portal and all hours are met.

Grading

Throughout the course, participants will engage in both formal and informal formative and summative assessments. Points are assigned based on a four-point criterion rubric specifically delineated for each assessment that can be further defined as follows:

Distinguished: The assessment is highly imaginative; demonstrates critical thought; is unique; shows substantial application to one's own teaching or professional position; *goes above and beyond requirements*; is creative; demonstrates both breadth and depth of knowledge of transition-related subject matter; shows individual's personality;

is professional in presentation and appearance; and demonstrates considerable effort. The assessment is exceptionally completed and demonstrates clear understanding of the tasks, gives explanations, and shows how the assessment applies to a teaching/learning situation. The assessment meets the specific criteria delineated in "Distinguished" on the course rubric.

Proficient: The assessment is well-organized and complete; is effectively and clearly presented; demonstrates clear understandings; applies what has been learned to the author's own classroom situation; clearly shows connections; is detailed; and is thoughtful and supported with ideas. A thoroughly completed assessment demonstrates that the participant shows awareness of the tasks, gives explanations, and shows how the assessment applies to a teaching/learning situation. The assessment meets the specific criteria delineated in "Proficient" on the course rubric.

Basic: This is the lowest passing grade. The assessment meets minimum requirements; includes general information but lacks descriptive detail; shows limited application to teaching/learning; and lacks originality. This denotes work that does not meet **all** aspects of standards for academic performance in a graduate-level course. The assessment meets the specific criteria delineated in "Basic" on the course rubric.

Unsatisfactory: The assessment is missing evidence or information; is sloppy and poorly organized; demonstrates only surface understandings; shows no evidence of application to the author's own teaching situation; is poorly written; and does not meet minimum standards for academic performance in a graduate-level course. The assessment meets the specific criteria delineated in "Unsatisfactory" on the course rubric.

The assessments for this course are weighted as follows:

Participation and Reflection	30%
Formative Assessments	30%
Summative Assessments	40%

Academic Honesty and Integrity

All participants are expected to maintain academic honesty and integrity by doing their own work to the best of their ability. Academic dishonesty (cheating, fabrication, plagiarism, etc.) will result in the participant receiving a zero for that assignment or paper.

Americans with Disabilities Act Compliance

In compliance with Section 504 of the Rehabilitation Act and The Americans with Disabilities Act, participants who have any condition, either permanent or temporary, which might affect their ability to perform in this class, are encouraged to inform the Director of Academic Affairs prior to the first class session. Reasonable academic

accommodations, aids, and adjustments may be made as needed to provide for equitable participation.

Attendance

Participants will have 8 weeks from the time of their first date of login to complete the course. They will need to contact The Connecting Link at (888) 550-5465 should they not be able to complete the online class in the time given.

Late Work and Make-Up Policy

Participants are expected to keep pace with in-class assignments and evening at-home assignments. If a situation arises in which an assignment cannot be completed, the participant is expected to make arrangements with the instructor for the timely submission of such work. All work is due not later than two weeks after the class ends. Failure to complete all work in this time frame will result in an **incomplete** or a grade of **F** for the work, depending on the reason for the delay.

University Compliance

Course content and instruction are bound by policies associated with the university granting academic credit for the course. Such policies include, but are not limited to: academic integrity and honor codes, institutional objectives and grade grievance procedures. These policies are located within the official academic catalogs which can be accessed through the university's official website.