



Educational Leadership: School Law

Course Description

This course will focus on legal issues that arise in elementary and secondary schools. The course introduces participants to legal reasoning and analysis and examines a variety of contemporary legal concerns in school contexts. Some of the goals of the course include: (1) interpreting the U.S. judicial and legislative systems and the formation of laws relating to public education, and (2) analyzing current school practices from the standpoint of potential legal controversies.

Course Prerequisites

No prerequisites for this course are required.

System Requirements

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

Operating Systems	Browsers
Windows XP	Firefox, Chrome
Windows 7 and 8	IE9, IE10, Firefox, Chrome
Windows Vista	IE9, IE10, Firefox, Chrome
Mac OSX	Safari, Firefox, Chrome
iOS devices (tablets and phones)	Safari
Android devices (tablets and phones)	Chrome

NOTE: Additional software will be used, but will either be free and open-source or trial versions, and will be based on the individual needs of each teacher's Web site development and deployment needs. The instructor will work closely with each teacher to assist in determining the appropriate software.

Text Books/Supplemental Reading

Critical reading of assigned articles and text is embedded throughout the course.

Global Goals of the Course

Upon completion of the course, the learner will be able to:

1. Examine the various clauses of the First Amendment that impact the public school system, teachers, and students
2. Explore the legal issues surrounding hiring and firing public school teachers, employment discrimination, and teacher privacy rights
3. Analyze the legal considerations that impact school disciplinary matters, including bullying and harassment issues
4. Examine the foremost laws that provide protections for students with disabilities
5. Analyze the legal parameters of states and school boards in controlling most curricular matters
6. Investigate the extent to which the school may be liable for student injuries on schools grounds

Instructional Objectives

The learner will deepen existing knowledge of content and apply professional expertise to the skills and strategies contained in this course by meeting the following instructional objectives:

Lesson 1: Federal, State, and Local Laws Affecting Public Schools

- 1.1 For a given public school system, distinguish between the state and federal roles in education
- 1.2 For a given public school system, describe the role of federal and state administrative agencies in enacting regulations that impact schools
- 1.3 Identify the U.S. Constitutional Amendments that apply to public schools
- 1.4 For a situation in a public school setting, determine which court will have jurisdiction to hear and decide school legal controversies

Lesson 2: Church/State Relations

- 2.1 Describe the purpose of the separation of church and state in US law
- 2.2 Explain the difference between the Free Exercise and Establishment Clauses of the First Amendment of the U.S. Constitution
- 2.3 For a given situation, apply the various constitutional tests to determine if there is an Establishment
- 2.4 Identify situations in which public schools must accommodate students' religious requests

Lesson 3: Students' Expression Rights

- 3.1 Describe the scope and intent of the First Amendment's free speech clause
- 3.2 For a given situation within a public school setting, determine how the First Amendment applies to the protection of free speech

- 3.3 Describe at least four major U.S. Supreme Court cases that involve student expression rights
- 3.4 Differentiate between speech in schools and off-campus speech.
- 3.5 Describe how the Equal Access Act applies to student speech
- 3.6 For a given situation in a school setting, determine how the law applies to student appearance and dress

Lesson 4: Student Discipline

- 4.1 For a given school setting, identify the due process procedures for expulsion and suspension
- 4.2 For a public school setting, describe the legal status of zero tolerance policies
- 4.3 Describe the legal status of corporal punishment across the U.S.
- 4.4 For a given situation, identify the legal issues involved in employing academic sanctions as a form of discipline
- 4.5 Outline the issues pertinent to search and seizure in public schools (e.g. locker searches, car searches, drug testing) as it relates to the Fourth Amendment

Lesson 5: Harassment and Bullying

- 5.1 For a given situation in a public school setting, determine the role Title IX plays in protecting students from peer harassment
- 5.2 Explain the trends in anti-bullying legislation, including the role of state law
- 5.3 For a given situation in a public school setting, determine if school officials may discipline students for off-campus harassment committed through the use of various social media outlets
- 5.4 Identify marginalized groups that may warrant legal protection from bullying
- 5.5 Describe the legal trends of bullying against various marginalized groups (e.g. LGBT, students with disabilities)

Lesson 6: Rights of Individuals with Special Needs

- 6.1 For a given situation within a school setting, apply Section 504, the Americans with Disabilities Act, and the Individuals with Disabilities Education Act
- 6.2 Describe the role and purpose of the IEP and the IEP Team in providing for students with disabilities
- 6.3 Identify the legal issues surrounding LRE, FAPE, and educational related service requirements
- 6.4 For a given situation in a public school setting, determine the status of the law regarding a unilateral placement of a child by a parent in another school setting
- 6.5 For a given school setting, determine the legal rights of students with disabilities in disciplinary matters

Lesson 7: Instructional Issues

- 7.1 Describe the role of the federal government in legislating and funding school instructional matters (e.g. NCLB, IDEA)

- 7.2 For a given school setting, determine the legal rights of parents in directing their children's schooling
- 7.3 For a given school setting, determine the legal requirements and status of immunization laws and other health related issues
- 7.4 For a given school setting, identify the laws that determine the residency requirements and the legal status of students
- 7.5 For a given school setting, describe how to implement testing requirements mandated by state or federal law
- 7.6 For a given school setting identify the state, federal and local laws regarding the privacy rights of students in schools
- 7.7 Describe the focus of legal trends involving intellectual property matters in public schools

Lesson 8: Terms and Conditions of Employment and Termination

- 8.1 For a given public school setting, identify the role the state plays in teacher licensure, the various conditions that impact employment, and the grounds for termination
- 8.2 For a given school setting, identify the role the school board plays in teacher contracts and various personnel issues
- 8.3 Identify the federal constitutional protections that come into play in teacher termination, including due process rights
- 8.4 Identify legal trends in collective bargaining rights

Lesson 9: Employees' Speech Rights

- 9.1 For a given school setting, identify the legal rights of teachers with respect to freedom of expression under the First Amendment both inside and outside the school
- 9.2 For a given situation, explain how the First Amendment applies to a teacher's right to associate
- 9.3 For a given school setting, determine the school board's role in regulating teacher appearance

Lesson 10: Discrimination in Employment

- 10.1 Identify behaviors that constitute employment discrimination
- 10.2 Describe the legal issues surrounding racial discrimination in hiring and firing
- 10.3 Explain the role affirmative action can play in hiring decisions
- 10.4 Describe how Title VII impacts sex discrimination in employment decisions
- 10.5 Describe laws that protect teachers from religious discrimination in schools
- 10.6 For a given school setting, determine the legal considerations surrounding age discrimination
- 10.7 Describe the role of the ADEA in addressing age discrimination
- 10.8 For a given school setting, determine the legal parameters of disability discrimination as it applies to employee rights

Lesson 11: Tort Liability

- 11.1 For a given situation in a school setting, explain how elements of negligence may apply
- 11.2 For a given situation in a school setting, determine how to apply the defenses to negligence
- 11.3 Explain the difference between negligence and intentional torts
- 11.4 For a given situation in a school setting, determine occurrences of defamation (i.e., libel, and slander)
- 11.5 For a given situation in a school setting, determine procedures for responding to defamation, libel and slander

Lesson 12: Teacher Out of School Conduct

- 12.1 In a given school setting, explain how the Fourteenth Amendment's substantive due process clause applies to teacher privacy
- 12.2 Explain how the nexus theory has been applied in disciplining teachers for their out of school conduct
- 12.3 In a given setting, determine how community standards may influence issues involving teachers' out of school conduct

Teaching Methodology and Delivery Model

Teaching methodologies used in this course are specifically designed to maximize learning in a graduate-level, online distance-learning model. Each course facilitator is trained and/or experienced in facilitating graduate-level online courses as well as the specific content and skills of this course.

1. Online methodologies include instructor/expert presentations, directed skill practice, assignment and quiz completion, as well as the synthesis of new knowledge and skills in designing educational applications.
2. The course is taught in a supportive learning environment with teacher-participant interaction and feedback.
3. Content focuses on the presentation of advanced concepts linked to instructional strategies which accommodate learning needs of a diverse student population.
4. Course content, activities, and assignments are organized into Lessons/Milestones that participants complete during the 12-week span of the course. Course content is intended to cover material equal to 45 seat hours of instructional time.
5. Class participants actively construct their own learning and make it personally relevant by acquiring and applying course knowledge/skills to their own teaching situation.

Topics Agenda

Milestone One: Federal, State, and Local Laws Affecting Public Schools

This milestone focuses on state and federal legislation, jurisdiction, and constitutional amendments. After completion of this milestone, participants will be able to identify the various sources of law that impact administrators, teachers, and students within a given school system.

Milestone Two: Church/State Relations

This milestone focuses on religious influences in schools, accommodations for religious beliefs, and the Equal Access Act. After completion of this milestone, participants will be able to determine how to respond within the law to controversies that involve religion for a given situation within a school system.

Milestone Three: Students' Expression Rights

This milestone focuses on freedom of speech and press, student-initiated clubs, and student appearance. After completion of this milestone, participants will be able to apply federal laws to determine the status of student free expression rights for a given situation within a public school setting.

Milestone Four: Student Discipline

This milestone focuses on expulsions and suspensions, zero tolerance policies, corporal punishment, and search and seizure. After completion of this milestone, participants will be able to determine the legal considerations that impact school disciplinary matters for a given situation within a public school setting.

Milestone Five: Harassment and Bullying

This milestone focuses on peer harassment, bullying, and marginalized groups. After completion of this milestone, participants will be able to identify legal issues as they relate to bullying and harassment for a given situation within a school setting.

Milestone Six: Rights of Individuals with Special Needs

This milestone focuses on IDEA, ADA, and Section 504, individualized education programs, related services, and student discipline. After completion of this milestone, participants will be able to examine the major laws that provide protections for students with disabilities within a given school setting.

Milestone Seven: Instructional Issues

This milestone focuses on residency requirements and compulsory school attendance, curricular and instructional matters in public schools, and copyright. After completion of this milestone, participants will be able to outline the legal parameters of states and school boards in controlling curricular matters.

Milestone Eight: Terms and Conditions of Employment and Termination

This milestone focuses on contracts, collective bargaining, and termination. After completion of this milestone, participants will be able to discuss the legal issues surrounding hiring and firing public school teachers within a given school setting.

Milestone Nine: Employees' Speech Rights

This milestone focuses on freedom of expression and association, academic freedom, and personal appearance. After completion of this milestone, participants

will be able to determine the various legal issues involving teachers' substantive rights in schools within a given school setting.

Milestone Ten: Discrimination in Employment

This milestone focuses on racial discrimination, sex discrimination, religious discrimination, age discrimination, and discrimination on the basis of disability. After completion of this milestone, participants will be able to determine whether a given employment action constitutes discrimination according to the applicable laws.

Milestone Eleven: Tort Liability

This milestone focuses on negligence, intentional torts, and defamation. After completion of this milestone, participants will be able to determine the extent to which a school may be liable for student injuries on schools grounds within a given school setting.

Milestone Twelve: Teacher Out of School Conduct

This milestone focuses on privacy rights, and community standards. After completion of this milestone, participants will be able to determine the legal status of teachers' out-of-school conduct and the issue of privacy rights within a given school setting.

Assessments and Grading

In keeping with best instructional and assessment practices, this course requires participants to demonstrate synthesis and application of course knowledge linked to the instructional objectives of this course. Assessment of the projects should not be limited to the quantity of work submitted but should carefully consider the quality and intellectual value of the work. Assessments are due and will be submitted to the instructor within the 12 weeks of the allotted class time. Unless the instructor states otherwise, all papers are expected to be properly formatted electronically.

Graded Assessment Types	Weights (%)
Writing Assignments	80%
Quizzes	20%
Total:	100%

Copies of performance assessment rubrics are included in the course. 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.

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

Attendance

Participants will have 12 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

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.

Compliance with National Standards

Upon successful completion of the course, the participant will demonstrate competence in the standards developed by the Educational Leadership Constituent Council (ELCC) of the National Policy Board for Educational Administration (NPBEA) and The Interstate School Leaders Licensure Consortium (ISLLC) in alignment with guidelines for the National Council for Accreditation of Teacher Education (NCATE).

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

InTASC is guided by the basic premise that an effective teacher must be able to integrate content knowledge with the specific strengths and needs of students to ensure that all students learn and perform at high levels.