

# Wayland Baptist University Syllabus

Course #: EDAD 5332

Title: School Law

Term: Spring 2009

Lecture Hours: On Line, "Friday"

Professor: Dr. Karen E. Dempster, Esq; BA, MED, EDS, JD

Office Hours: By e-mail or telephone (remember I am 3 hours later than TX, 9:00 AM Texas is 6:00 AM Fairbanks, Alaska). Call me after 1:00PM Tx time until 9:00 PM Tx time during the week, or any time after 1PM TX time on Friday and Weekends.

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## Mission of the University

Wayland Baptist University exists to educate students in an academically challenging and distinctively Christian environment for professional success, lifelong learning and service to God and mankind.

### I. Catalog Description

State school law and Federal constitution and law as examined to determine their impact on the operation and management of the individual campus and the school district.

### II. Prerequisite: Graduate Standing

### III. Required Course Materials:

EDAD 5332. School Law

BOOK	AUTHOR	ED	YEAR	PUBLISHER	ISBN	REVIEW
The Educators Guide to Texas School Law (use for Texas School Law)	Walsh, Jim & Kemerer, Frank	6th	2005	University of Texas Press	0292706634	June 2008
School Law: Cases and Concepts	La Morte, Michael	9th	2008	Allyn & Bacon	0205509290	June 2008

### Access to WBU Learning Resources

[www.wbu.edu/lrc](http://www.wbu.edu/lrc); John Elliott, email: [elliottj@wbu.edu](mailto:elliottj@wbu.edu)

### IV. Course Objectives

Students will:

- Identify and explain major issues in School Law.

- Use a case study approach to gain a working knowledge of legal principles.
- Explain court cases impacting classroom instruction and administrative procedures.
- Examine rights of students, parents, employees, and school boards.
- Demonstrate knowledge of the legal framework at the local, state, and federal level which impacts education today.
- Translate board policies as well as administrative regulations and/or directives into on-the-job requirements.
- Have the legal knowledge to “stay out of trouble”!

## **V. Content Outline**

### I. Educational Governance:

- Sources of Law
- The American Judicial System
- US constitution and Federal government impact on Texas
- Parent Rights

### II. Student Attendance and the Instructional Program

- Compulsory Attendance
- Safe School Environment
- The Instructional Program
- Extracurricular Activities and the UIL
- Special Groups

### III. Special Education

- Federal Legislation
- Discipline of Students with Disabilities
- Section 504 of the rehabilitation Act of 1973

### IV. Employment Relationship

- Constitutional Issues
- Type of Employment Arrangements
- Selection of Staff
- Ending of the Relationship

### V. Personnel Issues

- Reassignment
- Compensation Disputes
- Teacher Appraisal
- Employment Benefits
- Grievances and the Role of Employee Organizations

### VI. Expressions and Associational Rights

- Educator Rights of Expression and Association

- B. Student Rights of Expression and Association

VII. Religion in the Schools

- A. Legal Framework
- B. Contemporary Issues
- C. Religion in Classrooms
- D. Student religious groups and the equal access act

VIII. Student Discipline

- A. Guidelines for Rule Making
- B. Due Process
- C. Chapter 37 TAC

IX. Privacy Issues: Community, Educators and Students

- A. Legal Framework
- B. Educator Privacy Rights
- C. Student Privacy Rights
- D. Student Search and Seizure

X. Legal Liability

- A. State Torts
- B. Federal Civil Rights Liability

**III. Course Requirements**

- Attendance in on Blackboard (See Below)
- Read assigned text/sources and participate in Black Board discussion boards, answering Dr. Dempster and responding to your classmates.
- Critique assigned law cases. Each critique should consist of a one paragraph summary of the article, and a one paragraph reaction to the article.
- Students are expected to interview one principal/superintendent designee, identifying two or three most difficult legal problems he/she faces regularly. A short summary of the interview is required(as the midterm exam).
- Prepare and present a briefing paper that is designed to inform a superintendent on a legal issue. This paper needs to be presented to the class through blackboard. The topic for the paper must be approved by the professor (this will be your final exam).

- Mid-term and final exam will consist of the interview and the “briefing paper above. The discussion board is also graded.

#### IV. Attendance

University Policy:

- All absences must be explained to the instructor in writing who will then decide whether the work missed may be made up.
- Any student who misses 25% of scheduled class activities will receive an F.
- For every week of absence (or the equivalent in short-term courses) the student’s grade may be lowered one letter. Call me if you run into problems.
- Other policies as they are published are considered to be part of this syllabus.
- When a student reaches what the instructor considers to be excessive inactivity, the student will be advised and the Division Chair will be notified.
- A student may petition the Academic Council for exceptions to the above stated policies.

#### V. Evaluation

A. Critique/Reaction reports, (7) at 10 points each	(70)
B. Principal Interview	200
C. Presentation project (Briefing Paper)	200
D. Participation	200

Total points will be converted to a letter grade as follows: Points earned divided by total points possible, the percentage is assigned a grade as follows

A =	(90-100%)		
B =	(80-89%)		
C =	(70-79%)		
D =	(60-69%)		
F =	(0-59%)		
Cr	For Credit	NCR	No Credit
I	Incomplete**	W	for Withdrawal
X	No Grade Given	IP	In Progress

\*\* A grade of incomplete is changed if the deficiency is made up by the end of the next regular semester, otherwise, it becomes “F”. This grade is given only if circumstances beyond the student’s control prevented completion of work during the semester enrolled and attendance requirements have been met.

A grade of “CR” indicates that credit in semester hours was granted but no grade or grade points were recorded.

#### **IX. Course Outcome Expectations**

- Describes the role of education in a democratic society within an historical context
- Develops procedures for defining mutual expectations
- Develops strategies for formulating and implementing organizational policy and funding practices
- Adjust and aligns policy to state and federal requirements
- Develops procedures to provide equal educational opportunities in programs
- Applies strategies addressing international issues that affect teaching and learning
- Identifies the potential legal issues affecting school personnel selection, development, supervision, retention and dismissal
- Implements policies and procedures that promote professional educator compliance with the code of ethics and standard practices for educators.
- Implements effective, appropriate and legal strategies for the recruitment, screening and selection, assignment, induction, development, evaluation, promotion, discipline and dismissal of campus staff
- Apply laws and policies to ensure sound financial management in relation to accounts, bidding, purchasing and grants
- Apply local, state, and federal laws and policies to support sound decision making related to school programs and operations

#### **X. ADA statement**

“It is the university policy that no otherwise qualified disabled person be excluded from participation in, be denied the benefits of or be subject to discrimination under any educational program or activity in the university”.

#### **XI. Methods of Instruction**

1. Legal concepts, laws and constitution will be presented through BlackBoard and Discussion Board, external links and course documents.
2. Candidates will interview a principal to determine major legal issues encountered. The student will summarize the interview and present in writing and on Blackboard, the knowledge gained from the interview.
3. The candidate will research an area of the law and significant cases relating to the legal point and provide a legal brief to the class discussion board. This is the briefing paper you would prepare for your principal/superintendent

#### **XII. Calendar**

Read Chapters in the two texts that deal with the topic for the week  
Participate in discussion board based on the reading.

Week 1 – Feb 23-27, 2009

Overview of course

Chapters 1 in both books – Educational governance:

Sources of Law

## Structural and Governance of the School System

Week 2 – March 2-6, 2009

**Critique 1**     *Roles of the courts in law making process*  
*Prayer at public school sponsored events*

Chs. 2            Student attendance and the Instructional program, both texts

Week 3 – March 9-13, 2009

**Critique 2**     *IDEA and special education litigation*

Chapter 3        Special Education

Chapter 6 in Cases and Concepts (C& C)

Spring Break March 16-20, 2009

Week 4 - March 23-27, 2009

**Critique 3**     *Academic Freedom of public school teachers*  
*Personal appearance*

Chapter 4        Employment Relationship

Chapter 4        Cases & Concepts (C&C)

Week 5 – March 30 – April 3, 2009

Chapter 5        Personnel Issues

Chapter 4        C & C

Week 6 – April 6-10, 2009

Chapter 8        Student Discipline

Chapter 3        C & C

**Critique 4**     *Procedural rights*  
*Substantive rights*  
*Alien discrimination*

Work on Principal/Superintendent Interview & Summary

Week 7 – April 13-17, 2009

Chapter 10 – Legal Liability

Chapter 8 – in C & C

Week 8 – April 20-24, 2009

**Critique 5**     *First amendment cases*  
*Student rights of Expression*  
*Faculty rights of expression*

Chapter 6        Expression and Associational Rights

Chapter 3        C & C

Week 9 – April 27-May 1, 2009

**Critique 6**     *Religion in the school*  
*Dress code and the courts*

Chapter 7        Religion in the Schools

Week 10 – May 4 - 8, 2009

Chapter 9 Privacy Issues: Community, Educators, Students

Week 11 – May 11-15, 2009

*Critique 7 – Teacher liability*

Use: Chapter 10 in Tex Sch Law & Chapter 8 in C & C

Briefing paper – (Final Examination) due