EDAD 5363/6363
Public School Law
Course Syllabus
Spring 2019

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Class Location: IH-158
Class Time: Thursdays, 7:00 – 9:30 pm

Office Hours: As indicated above, I am available to meet with you before class. If these arrangements do not meet your needs, please let me know so that we can establish a mutual time to meet. If you are having problems with assignments and readings, please call my office. When you call, please leave me a number of where to reach you. If you text, please identify yourself and the class.

I. Course Description
EDAD 5363/6363 3 sem. hrs.
Public School Law
Legal and managerial aspects of classroom management and basic principles of school law and school board policy.

II. Rationale
This course is designed to assist current and future faculty, staff, and administrators who have an interest in the legal issues in the K-12 public schools. Students will acquire knowledge related to the historical and philosophical underpinnings of public school law. Past and current legal issues will be analyzed to determine application possibilities and liabilities. This course is also designed to provide educational administration graduate students with knowledge regarding legal issues that impact K-12 public school education and to help develop competencies in public school education governance. Students will develop expertise as consumers of legal services. A further purpose is to provide students with information and background necessary to recognize and deal with legal issues as they emerge in the public schools. Current legal cases in public school education will be discussed; however, no attempt will be made to arrive at definitive judgments involving on-going legal cases.

III. State Adopted Proficiencies Administrators-
**Learner-Centered Values and Ethics of Leadership.** A principal is an educational leader who promotes the success of all students by acting with integrity and fairness and in an ethical manner.

**Learner-Centered Leadership and Campus Culture.** A principal is an educational leader who promotes the success of all students and shapes campus culture by facilitating the development, articulation, implementation and stewardship of a vision of learning that is shared by the school community.

**Learner-Centered Human Resources Leadership and Management.** A principal is an educational leader who promotes the success of all students by implementing a staff evaluation and development system to improve the performance of all staff members, selects and implements appropriate models for supervision and staff development, and applies the legal requirements for personnel management.

**Learner-Centered Communications and Community Relations.** A principal is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

**Learner-Centered Organizational Leadership and Management.** A principal is an educational leader who promotes the success of all students through leadership and management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

**Learned-Centered Curriculum Planning and Development.** A principal is an educational leader who promotes the success of all students by facilitating the design and implementation of curricula and strategic plans that enhance teaching and learning; alignment of curriculum, curriculum resources, and assessment; and the use of various forms of assessment to measure student performance.

IV. **TExES Domains**

068 Domains
- Domain I – School Community Leadership
- Domain II – Instructional Leadership
- Domain III – Administrative Leadership

268 Domains
- Domain I – School Culture
- Domain II – Leading Learning
- Domain III – Human Capital
- Domain IV – Executive Leadership
- Domain V – Strategic Operations
- Domain VI – Ethics, Equity, and Diversity

V. **Course Objectives and Outcomes**

This course is designed to enable students to:
1. describe in general terms education law, Texas schools and parent rights
2. discuss the legal issues of school attendance and the instructional program
3. describe special education and the applicable federal laws
4. discuss employment relationships
5. analyze personnel issues
6. compare and contrast educator and student expression and associational rights
7. discuss religion in the schools
8. discuss student discipline
9. compare and contrast privacy issues related to the community, educators, and students
10. compare and contrast the various legal liability issues related to state torts and civil rights

VI. Course Topics
The major topics to be considered are:
1. An overview of education law, Texas schools’, and parent’s rights
2. Student attendance and the instructional program
3. Special education
4. The employment relationship
5. Personnel issues
6. Expression and associational rights
7. Religion in the schools
8. Student discipline
9. Privacy issues: community, educator and students
10. Legal liability

VII. Instructional Methods and Activities
Methods and activities for instruction include:
Methods and activities for instruction in this course will include traditional university graduate level educational experiences including lecture/discussion, student presentations, and a major literature review.

We will have assigned readings in the required text and some of the bibliographic references listed in the text. Bibliographic entrees include relevant court cases to be read by students and which should be brought into the class discussions of the topics assigned for the particular class meeting. Student participation and contribution to the discussions will be an integral part of the class. Therefore it is important that students read the assigned material prior to coming to class.

The following constitute the course components:
1. Active involvement in the class in a way that demonstrates thoughtful consideration and reflection of topics and issues is expected. Students should be respectful of the opinions of peers but should not hesitate to propose opposing views appropriately supported and defended.
2. A variety of assignments ranging from case briefings, journals, discussions boards, quizzes and more are included throughout the semester.

3. The student will be responsible for attending a public school board of trustee meeting. This requires a 2-5 page, type written, double spaced paper summarizing items on agenda, who presented, date, and district.

4. Students will be assigned to a group. Each group will present the material covered by the reading for a particular topic. Groups are expected to facilitate a class discussion concerning their topic. Each member of the group will summarize their experience.

5. Final examination will be conducted. Students are to work independently, but may use the textbook, and any other material provided in class.

VIII. Evaluation and Grade Assignment

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Attendance/Active Learning Approach</td>
<td>10%</td>
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<tr>
<td>Attend School Board Meeting</td>
<td>10%</td>
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<tr>
<td>Key Court Cases</td>
<td>5%</td>
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<tr>
<td>Case Studies (2)</td>
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<tr>
<td>[Doctoral students will also write one case study]</td>
<td>20%</td>
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<tr>
<td>Journal</td>
<td>10%</td>
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<tr>
<td>Group Presentation/Class Discussion Facilitation</td>
<td>25%</td>
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<tr>
<td>Final Examination</td>
<td>20%</td>
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1. **Attendance/Participation/Active Learning Approach: (10%)**. Please read assigned readings in order to participate in group discussions. This class requires you to be critical of the reading so you can develop an understanding the nature of law applied in the educational setting. As part of your participation grade, you will be required to share your insights.

At the beginning of class, discussion about assignments and class issues are addressed. By entering the class late, it stops the flow of discussion and disrupts other students’ learning. As a common courtesy to all, please be on time and have readings completed.

When students are talking or presenting in class, students should be engaged, listen and respond in a positive manner. Treating each other with respect contributes to other students’ learning and establishes a positive learning environment.

Issues about schools, teachers, administrators and district issues should remain in the classroom and not be shared outside the classroom. Confidentiality and integrity are first and foremost.

2. **Attend School Board meeting – 10%**
The student will be responsible for attending a public school board of trustee meeting. Each student must “attend” a different district. Attendance may be virtual. This requires a 2-5 page synthesis of the meeting and readings.

3. Key Court Cases – 5%
Students will look up and write short summaries for court cases that have had significant influence on school law (cases specified by the instructor). Example provided.

4. Case Studies (2) - 20%
Students will read cases provided and respond in writing to the questions that accompany each case.

Doctoral Students - Writing a Case Study (1)
In addition to responding to two case studies, doctoral students will write a case study following the publication format for the Journal of Case Studies in Educational Leadership.

5. Journal (10%)
Journal writing is a means to acquire and improve reflective thinking. It is also a personal and unique endeavor. There are numerous benefits of journal writing such as it can assist you in developing critical thinking skills when used to analysis challenging issues and determine alternative solutions to problems. Additionally, it can help with the development of observational skills and the development of self-evaluative skills by revisiting prior journal entries in an effort to track progress.
Seven prompts will be provided periodically, with three sections in each prompt. Rubric available

6. Group Presentation/Class Discussion Facilitation (25%)
Students will be assigned to a group. Each group will present the material covered by the reading for a particular topic. Groups are expected to provide a written summary of their material as a handout for classmates. Creativity, use of audiovisual equipment, and group activities are encouraged. All group members will receive the same grade. Rubric available

7. Final Exam (20%)

IX. Textbook
The textbook adopted for this course is:

X. Bibliography
Knowledge base that support content and procedures:
In addition to the following items, Appendix C and Case Index in the course
textbook will also be used as the bibliographic knowledge base.


Boyle, J. and Weishaar, M. (2001). *Special education law with cases*. Boston,
MA: Allyn and Bacon.


NY: Longman.


heights, MA: Allyn & Bacon.


National Association of Elementary School Principals. (1986). *Elementary and
middle school: proficiencies for principals*. Reston, VA: National
Association of Elementary School Principals.

National Association of Elementary School Principals. (Revised, 1997).
*Proficiencies for principals*. (Available National Association of
Elementary School Principals, 1615 Duke Street, Alexandria,
VA 22314).

based preparation of principals: A framework for improvement*. Reston,

National Council for Accreditation of Teacher Education. (Revised, 1996, July
15). *NCATE curriculum guidelines for educational leadership:
Congruency of the NCATE curriculum guidelines for educational
leadership with the ISSLC indicators for the state licensure of school
leaders* (Available from National Council for Accreditation of Teacher
Education, 2010 Massachusetts Ave., NW Suite 500, Washington, DC
20036-1023).


XI. Grade Appeals

As stated in University Rule 13.02.99.C2, Student Grade appeals, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon the student to demonstrate the appropriateness of the appeal. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details, including the responsibilities of the parties involved in the process and the number of days allowed for completing the steps in the process, see University Rule 13.02.99.C2, Student Grade Appeals, and University Procedure 13.02.99.C2.01, Student Grade Appeal Procedures. These documents are accessible through the University Rules Web site at http://www.tamucc.edu/provost/university_rules/index.html. For assistance and/or guidance in the grade appeal process, students may contact the Office of Student Affairs.

XII. Disabilities Accommodations

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodations of their disabilities. If you believe you have a disability requiring an accommodation, please contact the Disability Services Office at (361) 825-5816 or visit the office in Driftwood 101.

XIII. Course Expectations

The Educational Administration Program encourages classroom discussion and academic debate as an essential intellectual activity. It is essential that students learn to express and defend their beliefs but it is also essential that they learn to listen and respond respectfully to others whose beliefs they may not share. The Program will always tolerate diverse, unorthodox, and unpopular points of view, but it will not tolerate condescending or insulting remarks. When students
verbally abuse or ridicule and intimidate others whose views they do not agree with, they subvert the free exchange of ideas that should characterize a university classroom. If their actions are deemed by the professor to be disruptive, they will be subject to appropriate disciplinary action, which may include being involuntarily withdrawn from the class.

1. Students are expected to engage as co-participants in this course working closely and consistently with professor and student colleagues.
2. Students are expected to show human concern for each of those with whom they work and study, while presenting a positive attitude and professional demeanor.
3. Students are expected to attend each class meeting and inform the instructor in advance if an emergency arises.
4. Just as students expect instructors to be prepared, students are expected to come to class prepared, having read assignments beforehand in order to contribute fully and thoughtfully to class discussions.
5. Students are expected to work with team members collaboratively and obtain their input when working on group exercises and projects.
6. Students are expected to engage respectfully in a dynamic classroom environment, creating and maintaining a safe place in which ideas can be explored, shared, and evaluated.
7. Students are expected to submit work that meets the academic honesty standards of Texas A&M Corpus Christi.
8. Students are expected to respect the rights and dignity of each member of the campus community.
9. Students are expected to contact the instructor with questions, concerns, or issues that need to be addressed.

XIV. Course Schedule
Week 1  January 17, 2019
Introductions
Course overview
Ripped from the headlines
Familiarization: Locating court cases
Overview of education law, Texas schools and parental rights
Readings:
• Walsh, Kemerer, & Maniotis Chapter 1
Activity:
Lecture/Discussion
Journal #1

Week 2  January 24, 2019
Legal Consciousness
Overview of education law, Texas schools and parental rights
Readings:
• Walsh, Kemerer, & Maniotis Chapter 1;
Activities:
Lecture/Discussion

Week 3  January 31, 2019
Student Attendance and the Instructional Program
Emerging Issues – home schooling
Readings:
• Walsh, Kemerer, & Maniotis Chapter 1 and 2
• *Rachel L. v. Superior Court of Los Angeles County* (2008).
Activities:
Lecture/Discussion
Journal #2
[Doctoral student case study progress report #1]

Week 4  February 7, 2019
Desegregation
The Road to Brown
*Mendez v. Westminster* (1943)
Readings: Walsh, Kemerer, & Maniotis Chapter 2

Activities:
Lecture/Discussion

Journal #3

Key Court Cases Due

Week 5  February 14, 2019
Instruction
Massive Resistance
The Lemon Grove Incident
Emerging Issues: Parents Involved in Community Schools v. Seattle School District No. 1
Title IX

Readings:
- Walsh, Kemerer, & Maniotis Chapter 2

Activities:
Lecture/discussion

Journal #4

Week 6  February 21, 2019
Special Education
504

Readings:
- Walsh, Kemerer, & Maniotis Chapter 3

Emerging Issues: Endrew F v Douglas County School District

Activities:
Group Presentation 1
Discussion

Week 7  February 28, 2019
Case Study #1
The Employment Relationship

Readings:
- Walsh, Kemerer, & Maniotis Chapter 4

Activities:
Group Presentation 2
Discussion

[Doctoral student case study progress report #2]
Week 8  March 7, 2019
Personnel Issues
Readings:
• Walsh, Kemerer, & Maniotis Chapter 5
Activities:
Group Presentation 3
Discussion
Journal #5

Week 9  March 11-15, 2019       Spring Break

Week 10 March 21, 2019
Privacy Issues
Readings:
• Walsh, Kemerer, & Maniotis Chapter 9
Activities:
Group Presentation 4
Discussion

Week 11 March 28, 2019
School Board Assignment
Readings:
Discussion
[Doctoral student case study progress report #3]

Week 12 April 4, 2019
Expression and Associational Rights
Readings:
• Walsh, Kemerer, & Maniotis Chapter 6
Activities:
Group Presentation 5
Discussion
Journal #6

April 5, 2019 Last day to drop class

Week 13 April 11, 2019
Religion in the Schools
Readings:
- Walsh, Kemerer, & Maniotis Chapter 7

Activities:
Group Presentation 6
Discussion

Week 14  April 18, 2019
Case Study 2
Student Discipline
Readings:
- Walsh, Kemerer, & Maniotis Chapter 8

Activities:
Group Presentation 7
Discussion

Week 15  April 25, 2019
Legal Liability
Readings:
- Walsh, Kemerer, & Maniotis Chapter 10

Activities:
Group Presentation 8
Journal #7

May 2, 2019 – Reading Day - No Class

May 9, 2019
Final Due - NO Face-to-Face CLASS
[Doctoral students will also turn in their case study]

Policies

Academic Integrity/Plagiarism

University students are expected to conduct themselves in accordance with the highest standards of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, such as illicit possession of examinations or examination materials, falsification, forgery, complicity or plagiarism. (Plagiarism is the presentation of the work of another as one’s own work.) In this class, academic misconduct or complicity in an act of academic misconduct on an assignment or test will result in an” F” in the course.

Class Attendance Policy
Students are required to attend all class meetings. In the event that a student misses a class, he or she is required to contact the professor. 10% of your grade is based on class attendance, participation and active learning. Each class period is worth 15 points.

At the beginning of class, discussion about assignments and class issues are addressed. By entering the class late, it stops the flow of discussion and disrupts other students’ learning. As a common courtesy to all, please be on time and have readings completed.

When students are talking or presenting in class, students should be engaged, listen and respond in a positive manner. Treating each other with respect contributes to other students’ learning and establishes a positive learning environment.

1. **Participation/Active learning** is based on the assumption that:
   a) Students will read all assigned reading materials.
   b) Students will raise relevant questions, contribute relevant observations to the topic being considered, and reflect on the content and activities of the course.
   c) Student participation will reflect prior preparation of presentations and completion of reading assignments.
   d) Participation will reflect awareness of appropriate interpersonal communication, i.e., use of “I” statements; listening as well as articulating skills; assertiveness rather than passivity or aggression; demonstrated awareness of amount of class time being used by individual students; shared ownership of classroom activities; feedback to instructors, guests, and classmates; and so on.