

CALIFORNIA STATE UNIVERSITY, NORTHRIDGE

Michael D. Eisner College of Education Educational Leadership and Policy Studies

COURSE OUTLINE

ELPS 663 Legal Aspects of Educational Administration

MICHAEL D. EISNER COLLEGE OF EDUCATION MISSION STATEMENT:

The Michael D. Eisner College of Education as a professional school uses a developmental approach to promote reflection, critical thinking, and excellence in an inclusive learning community. Its graduates are well educated, highly skilled and caring persons who are lifelong learners prepared to practice in an ever changing, multicultural world. They are committed to promoting achievement of all students as a primary measure of successful educational practice. Graduates assume service and leadership roles in public and private educational, health, and social programs and institutions. The College establishes and maintains productive partnerships with community schools and agencies. The faculty is committed to excellence in teaching, scholarship, service and collaboration with the community and professions. The values for faculty and students that form the foundation of the Conceptual Framework include the following:

1. We value high standards in the acquisition and application of professional knowledge and skills in subject matter, pedagogy, and technology.
2. We value the achievement of students at all levels and promote its accomplishment in accordance with national, state, and institutional standards.
3. We value an inclusive learning community.
4. We value creative, critical and reflective thinking and practice.
5. We value ethical practice by caring professionals.

CATALOG DESCRIPTION

General principles of American school law with particular emphasis upon California statutes. Consideration of the legal bases of federal, state and local administrative levels. Review of the salient legal provisions of the Education Code respecting administration of schools, the rights of patrons and employees, torts, contracts, certification, tenure, school planning and the rights and obligations of pupils. Analysis and significance of major court decisions having implications for public education.

ELPS DEPARTMENT MISSION STATEMENT

Our mission is to prepare and inspire educational leaders to maximize student learning and access, link theory to best practice, support collaborative partnerships and promote culturally responsive leadership in a diverse environment.

PLACE OF COURSE IN CURRICULUM

This course is a requirement for the master's degree in Educational Administration and the Preliminary Administrative Services Credential.

CCTC PRELIMINARY ADMINISTRATIVE SERVICES CREDENTIAL - SIX STANDARDS

This course is designed to promote the success in educational leadership for all students by:

1. facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community;
2. advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth;

3. ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment;
4. collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources;
5. modeling a personal code of ethics and developing professional leadership capacity; and
6. understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

COURSE PERFORMANCE OBJECTIVES/LEARNING OUTCOMES

This course is designed to provide students with information and experiences that enable them to develop knowledge and competency in the following areas:

1. Gain knowledge and understanding of the governance and legal processes related to schools.
2. Acquire a working knowledge of legal principles, statutes, and case law with special emphasis on those related to the conduct of youth, contracts, liabilities, torts, and individual rights.
3. Acquire knowledge of the legal framework and organizational patterns of public education, U.S. Department of Education, California Department of Education, County Office of Education and local school districts.
4. Become familiar with aspects of the legal roles and responsibilities for education, and the relationships among the federal, state government, and local school districts.
5. Develop understanding of the legislative process.
6. Demonstrate knowledge of due process related to students and teachers.
7. Gain an overview of current federal and state legislation and court decisions affecting public education.
8. Become familiar with the California Education Code and Title V of the Government Code.
9. Understand the legal powers of local governing boards, public meeting laws, and board policies.
10. Be able to identify the influence of major “landmark” court decisions on practices in public schools.
11. Gain a working knowledge of laws related to personnel, employment, certification, tenure, dismissal, employee contracts.
12. Be familiar with legal aspects of collective bargaining.
13. Gain a working knowledge of laws related to instructional programs, student personnel, parents and the community, and business services.
14. Demonstrate knowledge of laws related to desegregation and their impact on public schools.
15. Demonstrate the ability to locate sources to answer legal questions and stay current with developing legislation and case law.
16. Acquire knowledge and understanding of students and parents’ rights and responsibilities.
17. Acquire knowledge and understanding of teachers’ and employees’ rights and responsibilities.
18. Reflect on personal ethical standards as well as the ethical standards of the profession of educational administration and demonstrate understanding of how these apply to the leader’s role in the content of this course.
19. Develop a basic understanding of the application of technology to the content of this course. Dependent upon the course, examples include: Principles of data-based management, use of computers in classroom instruction, student and personnel records, financial and facilities management, computerized scheduling, on-line research and electronic communication systems such as e-mail and newsletters.

COURSE CONTENT

This course will include the following topics:

- Sexual Harassment, students and staff
- Equal Access Act
- Due process
- Confidentiality
- Freedom of Speech, students
- Liability and ways to limit
- Student search including lockers, in loco parentis standard
- Americans with Disabilities Act
- Individuals with Disabilities Education Act

- Student Suspension and Expulsion
- Religious Observances
- Child Abuse
- Conflict of Interest
- Federal Constitutional Amendments
- Censorship Issues
- Employee testing
- Affirmative Action
- Landmark Supreme Court Cases
- Public Employees Relation Board, PERB
- Significant Court Cases
- Vocational Rehabilitation Act, Section 504
- Desegregation Issues
- Bilingual Education Issues
- Title IX, Gender Equity

METHODS AND PROCEDURES

A. Classes will include the following:

Lectures, discussion, case studies, analysis of court cases, small group activities, student presentations, use of resource persons and field experiences as appropriate

B. Requirements

- Read textbook and other required reading assignments.
- Participation in class activities, assignments, and discussions
- Written examinations and tests, objective and essay.
- Presentations and written reports.
- Individual and group projects, research reports, and class presentations.
- Reflective journal writing.

TEXTBOOKS

Instructors may choose from the following texts. For use of a textbook other than those listed, instructor must obtain approval from Department Chair.

LaMorte, M. *School Law: Cases and Concepts (7th edition)*. Boston: Allyn and Bacon

Townley, A., Schmieder-Ramirez, Wehmeyer, L., & Lane, K. *School Law: A California Perspective*. Dubuque, Iowa: Kendall/Hunt Publishing Company, 2001.

ADDITIONAL READINGS

See separate **Bibliography**

Websites:

www.uscourts.gov/links.html#9thcircuit

www.findlaw

www.schoollaw – funding.com

www.cde.ca.gov

www.edweek.org

www.access.digex.net/~edlaw.inc

Journals:

National Association of Elementary Principals NAESP

National Association of Secondary Principals NAASP

West's Education Law

Legal Notes for Education

Newsletters:

Your School and the Law
School Law Bulletin

GRADING POLICY/PERFORMANCE EVALUATION

Performance-Based Assessments will be included as part of grading criteria. Examples: Students will analyze actual situations and case studies to identify and resolve legal issues.

- A. Active class participation
- B. Student presentations and written reports
- C. Student participation in group work, class discussion, case studies, journal writing and other learning activities.
- D. Written examinations, objective and essay

GRADE SCALE:

A	93-100
A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D	60-69
F	Below 60

Bibliography – ELPS 663

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Camp, W., Underwood, J., Connelly, M., & Lane, K. (1992). The principal's legal handbook. Topeka, KS: National Organization of Legal Problems in Education.

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Data Research Inc. Legal Notes for Education. Rosemont, MN: Data Research Inc.

Deskbook encyclopedia of American school law (1986). Rosemont, MN: Date Research, Inc.

- Doverspike, D.E., & Cone, W.H. (1992). The principal and the law. Elementary Principal, Series No. 7. Bloomington, IN: Phi Delta Kappa Education Foundation.
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- Guide to school law (1988). Burlingame: California Teachers Association.
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- Lerner, M.W. (1993). Nine Scorpions in a bottle. New York: Arcade Publishing.
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- Maloney, M.H., & Pitarky, V.M. (1996). The special education 1996 desk book. Horsham, PA. L.R.P. Publications
- McCarthy, M., & Cambron-McCabe, N. (1991). Public school law. Boston: Allyn and Bacon
- Port, L.B. (1991) Between a rock and a hard place, law for school administrators. Foster City: California School Law Publishers.
- Prasod, R., & Bhatnagare, M.E. (1994). A digest of selected California laws related to certificated personnel. Burlingame: Association of California School Administrators.
- Rebore, D.W. (1991). Personal administration in education: A management approach. Needham Heights: Allyn and Bacon.
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- Yudof, M.G., Kirp, D.L., & Levin, B. (1992). Educational policy and the law. St. Paul: West Publishing Co.

ACADEMIC HONESTY POLICY

Cheating, plagiarism, submitting another person's material as one's own, or doing work for another person, who will receive academic credit are all impermissible. The California Code of regulations in Section 41301, Title 5 is listed as an offense for which a student may be expelled, suspended, or given a less severe disciplinary action. (See University Catalog 2002-2004, pp523-524).

COURSE SCHEDULE – see Syllabus

Date	Readings/Assignments	Topic/Course Content
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