

EDU 505 Law & Policy in American Education Spring 2008

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Course Description

An analysis of the federal, state, and local legal frameworks within which elementary and secondary education teachers teach. Particular attention is devoted to the legal rights and responsibilities of teachers in their role as both educators and employees. Topics include student discipline, liability issues, special education, contracts and collective bargaining, academic freedom, and workplace discrimination. The course also addresses state and local laws pertaining to the subject of school finance with a particular emphasis upon the concept of adequacy as it relates to educational funding in Pennsylvania.

EDU 505 is a three credit course which serves as an introduction to the subject of public school law and school finance. Hence, there are no prerequisites for the course and the instructor assumes that students possess little if, if any, formal background in regard to these subjects. Please note that a student must earn a grade of B or better in the course in order for it to count toward fulfillment of the requirements of the Masters' program.

Learning Objectives:

Upon completion of the course, a student will have demonstrated the following skills and aptitudes:

1. The ability to understand and apply constitutional provisions, legislative statutes, administrative regulations, and judicial rulings to issues involving the legal rights and responsibilities of teachers as educators.
2. The ability to understand and apply constitutional provisions, legislative statutes, administrative regulations, judicial rulings and common law principles to issues involving the legal rights and responsibilities of teachers as employees.
3. The ability to understand how state and local tax laws and funding formulas relate to the concepts of equity and adequacy in school finance.
4. The ability to understand and evaluate school finance reform proposals from the standpoint of both financial and educational considerations.
5. The ability to formulate clear, concise and informed responses to the practical legal questions that teachers routinely face in school.

Assessment

Student performance in regard to the learning objectives will be evaluated on the basis of a student's level of engagement in the class and his/her performance on three equally-weighted take-home exercises. There will not be a final exam in this course.

Class engagement will be evaluated on the basis of a rubric focusing upon a student's preparation for class as indicated by the quality of a student's contributions to class discussions. In preparation for each class, students are expected to complete the required readings, guided by the discussion questions assigned by the instructor. Students are expected to bring the text to each class and to be prepared to discuss the issues raised by the discussion questions.

Students are permitted to supplement their in-class contributions by submitting written responses to discussion questions on a weekly basis. However, written submissions are not intended to be a substitute for active and engaged participation in the classroom. Such submissions must be typed, single spaced, paginated and stapled together. Citations should be provided as appropriate. Submissions will be reviewed, but not graded per se, by the instructor.

Grade	Course Engagement Criteria
A	<input type="checkbox"/> Tends to participate in class discussions on a regular basis <input type="checkbox"/> Contributions tend to explicitly cite materials presented in the readings.
B	<input type="checkbox"/> Tends not to participate in class discussions on a regular basis, but does tend to submit written responses to discussion questions on a weekly basis. <input type="checkbox"/> Submissions tend to explicitly discuss materials presented in the readings.
C	<input type="checkbox"/> Class contributions tend not to explicitly cite materials presented in the readings. <input type="checkbox"/> Tends not to submit written responses to discussion questions on a regular basis.
O	<input type="checkbox"/> Does not participate in class discussions. <input type="checkbox"/> Does not submit written responses to discussion questions.

An Example of a Weekly Discussion Question:

Since the 1970s courts have utilized the Lemon test to determine whether school programs violate the Establishment Clause. In applying this framework to school policies that permit teachers to conduct a moment of silence in their classrooms, courts have sometimes found that such policies are unconstitutional whereas in other instances such policies have been upheld. What factors appear to be central to the constitutionality of such policies? In supervising a classroom "activity" such as this, should a teacher very deliberately not use the word "pray" or could her repeated unwillingness to use this word be interpreted as evidence that she is guilty of viewpoint discrimination?

All written work in the course will be evaluated on the basis of rubrics which focus upon (1) a student's command of content and (2) a student's ability to apply grammatical rules and conventions properly. The quality of each assignment's content and presentation will be evaluated separately. However, only the content grade is factored into the calculation of a student's final grade for the course.

Grade	Content Criteria
A	<input type="checkbox"/> Consistently addresses questions by explicitly drawing upon the key ideas, perspectives, interpretations and/or empirical evidence presented in the readings. <input type="checkbox"/> Consistently cites specific passages and/or evidence presented in the text to address questions; rarely relies simply upon personal experiences and/or anecdotal evidence.
B	<input type="checkbox"/> Tends to address questions by explicitly drawing upon the key ideas, perspectives, interpretations and/or empirical evidence presented in the readings. <input type="checkbox"/> Tends to cite specific passages and/or evidence presented in the text to address questions; relies somewhat upon personal experiences and/or anecdotal evidence..
C	<input type="checkbox"/> Tends not to address questions by explicitly drawing upon the key ideas, perspectives, interpretations and/or empirical evidence presented in the readings. <input type="checkbox"/> Tends not to cite specific passages and/or evidence presented in the text to address questions; tends to rely heavily upon personal experiences and/or anecdotal evidence.
D	<input type="checkbox"/> Rarely addresses questions by explicitly drawing upon the key ideas, perspectives, interpretations and/or empirical evidence presented in the readings. <input type="checkbox"/> Rarely cites specific passages and/or evidence presented in the text to address questions; relies almost exclusively upon personal experiences and/or anecdotal evidence.
F	<input type="checkbox"/> Fails to address the questions at all; submission is more than six days late.

Grade	Presentation Criteria
Satisfactory	<input type="checkbox"/> Writing is generally free of grammatical errors and typographical errors <input type="checkbox"/> Errors that do appear do not tend to either distract or confuse the reader. <input type="checkbox"/> Submission consistently adheres to the APA format.
Needs Improvement	<input type="checkbox"/> Writing contains a noticeable number of grammatical and spelling errors <input type="checkbox"/> Errors tend to both distract and confuse the reader. <input type="checkbox"/> Submission does not consistently adhere to APA format.

Final submissions of all written work must be typed, double spaced, paginated and stapled together. Please use the APA format for all assignments. The following site constitutes a convenient place to find reliable information about this style: www.dianahacker.com/resdoc/. Students also are strongly encouraged to make use of the assistance and resources available through the Writing Center maintained by the Office of Academic Services (109 Curtis Hall).

Students are expected to submit a hard copy of written work directly to the instructor at the designated due date and time. However, if this is not possible, exercises may be submitted electronically via e-mail (formatted as a Word 2007 attachment) or by fax (610-606-4614). In all cases, students bear full responsibility for ensuring that such submissions reach the instructor by the scheduled due date. Late submissions will not be accepted except in the case of an extenuating personal circumstance that can be verified by college personnel.

Students will be given an opportunity to revise and resubmit all written assignments, except for the final exercise, per the substantive comments and editorial corrections provided by the instructor. Tutorial assistance available through the Writing Center can be used for this purpose. Revisions should be submitted within seven days from the date the exercises were returned to students. Revisions should be submitted electronically via e-mail as a Word attachment with all corrections noted in boldface. Generally, resubmissions will result in a half-letter grade increase in regard to content.

Plagiarism is a legally punishable offense, a serious breach of academic and professional ethics, as well as an egregious violation of the college's Honor Code. Documented cases of plagiarism will result in a grade of "zero" for the assignment in question.

Class Conduct

To maintain an environment conducive to learning, everyone is expected to arrive on time for class, act with respect toward other students and refrain from behavior that could serve to disrupt the class or infringe upon the rights of other members of the class. Students also are expected to abide by the letter and spirit of the college's Honor Code

The instructor will adhere to the Code of Ethics established by the American Political Science Association, as these principles relate to a faculty member's responsibilities in the classroom and to students. Given the nature of this course, the instructor is mindful of his obligation:

- To not impose partisan views, conventional or otherwise, upon students.
- To faithfully represent the normative values, policy positions, and academic work of others.
- To respect and defend the intellectual freedom and procedural rights of students.
- To evaluate the performance of students equitably on the basis of criteria which are applied uniformly and in a nondiscriminatory manner.

Students with documented disabilities who may need academic accommodations should discuss these needs with the instructor during the first week of classes. Students with disabilities who wish to request accommodations should contact the Advising Center.

Students wishing to arrange an incomplete for the course should discuss this option with the instructor prior to the end of the semester.

Required Texts:

N.H. Camron-McCabe, M.M. McCarthy and S.T. Thomas (2009) *Legal Rights of Teachers and Students*, 2nd edition (Allyn & Bacon, 0-205-57936-1).

Augenblick, Palaich and Associated (2007) *Costing Out the Resources Needed to Meet Pennsylvania's Public Education Goals*.

Weekly Outline

Jan. 22: Sources of Public School Law (C1)
Jan. 29: Student Expression (C5)
Feb. 5: Student Discipline (C8)
Feb. 12: Special Education Students (C7)
Feb. 19: Liability and Defamation (C2 & pp. 214-16)

Exercise #1 – Due February 26th

Feb. 26: Curriculum & Instruction (C4 & pp. 40-51)
Mar. 5: Speech Rights & Privacy (C10)
Mar. 12: No Class
Mar. 19: Contracts & Collective Bargaining (C9)
Mar. 26: Discrimination in the Workplace (C11)

Exercise #2 – Due April 2nd

Apr. 2: Terminations & Due Process (C12)
Apr. 9: Equity & Adequacy in School Finance (A pp. i-v & 35-48)
Apr. 16: Allocating School Resources (A pp.1-27)
Apr. 23: Funding Formulas & Tax Revenue (A pp. 49-60)
Apr. 30: Law, Policy & Justice in Education (C13)

Exercise #3 – Due April 30th