

EDU 505 Law & Policy in Education

Summer I 2010

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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, collective bargaining and contracts, academic freedom in the classroom, and workplace discrimination. The course also addresses state law 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 in the United States. 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.

Learning Objectives:

Upon completion of the course, a student will have demonstrated the ability to understand, evaluate, and apply laws that bear on the rights and responsibilities of teachers in regard to each of the following areas:

1. Student expression and discipline, both at school and off campus.
2. Special education students in a general education classroom.
3. Liability, defamation and intentional torts (such as assault and battery)
4. Academic freedom in regard to curriculum and instruction.
5. Speech and privacy rights of teachers, both at school and off campus.
6. Contracts, the tenure process, and probationary status.
7. Union membership, collective bargaining, and strikes.
8. Workplace discrimination, termination for cause and due process rights
9. School finance and fiscal policy (taxation and budgeting).
10. Adequacy and equity in regard to educational funding.

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 a student's performance on three take-home exercises. There will not be a final exam in this course. 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.

Class engagement will be evaluated on the basis of a rubric focusing upon a student's preparation for each seminar 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 actively 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 actively participate in class discussions on a regular basis, but when called upon contributions do tend to explicitly cite materials presented in the readings. <input type="checkbox"/> Tends to submit written responses to discussion questions on a regular basis.
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.

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 content and presentation quality of each assignment will be evaluated separately.

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.

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.

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 the first two take-home exercises 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 two weeks 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. However, a significant revision of the entire submission may result in a full-letter grade increase in regard to content. This determination will be made on a case-by-case basis by the instructor and students will be notified of the decision.

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 more generally. 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 fashion.

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 within the context of federal disability laws 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:

Camron-McCabe, et al. (2009) *Legal Rights of Teachers and Students*, 2nd edition (Allyn & Bacon, 0-205-57936-1).

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

Weekly Outline

May 17: Sources of Public School Law (C1)
May 19: Student Expression (C5)
May 24: Student Discipline (C8)
May 26: Special Education Students (C7)
May 31: No Class

Exercise #1 – Due June 2nd

June 2: Liability and Defamation (C2 & pp. 214-16)
June 7: Curriculum & Instruction (C4 & pp. 40-51)
June 9: Teachers' Speech & Privacy Rights (C10)
June 14: Contracts & Unions (C9)

Exercise #2 – Due June 16th

June 16: Workplace Discrimination (C11)
June 21: Terminations & Due Process (C12)
June 23: Equity & Adequacy in School Finance (Handout)
June 28: Adequacy & State Funding Formulas (A pp. i-33, 58-60)
June 30: Adequacy, Equity & Tax Revenue (Handout)

Exercise #3 – Due June 30th