GEORGE MASON UNIVERSITY
GRADUATE SCHOOL OF EDUCATION

EDLE 612: EDUCATION LAW (Section 602)
Course Syllabus

Instructor:     Susan Bon, J.D., Ph.D.
Office:        Commerce II, Room 205
Office Hours:  Tuesday 10:00-1:00 or by appointment
Phone:         703-993-3896
Fax:           703-993-3643
Email:         sbon@gmu.edu

Schedule Information

Location:      STONEBRIDGE HIGH SCHOOL
               ROOM 405
               43100 HAY ROAD
               ASHBURN, VA 20147

Meeting Times: Thursday 4:30 - 7:30 pm
               01/26/06-05/04/06

Course Material

Textbook:      Dunklee, D.R., & Shoop, R.J. (2002). The Principal’s Quick Reference
               Additional readings as assigned. These will be posted on blackboard or
               available on identified websites.

Outside-of-Class Resources: All candidates are expected to have access to a personal
computer that is linked to the Internet and the ability to use basic word processing, e-
mail, and appropriate websites. Candidates are required to use http://blackboard.gmu.edu
as part of this course. This is an Internet site on which vital information for the course
will be posted and through which we will communicate from time to time.

Cancellation Policy: If the County School System is closed due to inclement weather, the
class will be made up via a blackboard activity. Specifically, candidates are expected to
log-on to blackboard in order to participate in an electronic discussion/activity during the
time period that class would typically meet.

Course Description

Provides legal foundations of U.S. public schools. Examines general principles of
statutory and case law and applies judicial decisions to educational environments.
Focuses on legal responsibilities, constraints, and opportunities of public school officials.
Includes a component on Special Education law.
**Purpose of Course**

Legal problems with students, parents, and community organizations are increasing in number and complexity and official reactions and solutions to these problems are likely to be subjected to judicial review. A wrong step can land the school administrator into court—with the accompanying expense, notoriety and always embarrassment.

Litigation cannot be avoided entirely, but school systems, administrators and teachers can minimize it and increase their chances of success in suits that are filed by knowing the law, anticipating problems and taking precautionary steps.

The body of school law, both statutory and case has increased by leaps and bounds in the last decade. Colleges and universities preparing prospective teachers and administrators have offered courses in school law. Some state legislatures and state boards of education have prescribed training in school law as one of the prerequisites for certification.

This course should achieve the following objectives:

1. Inform students of the legal basis of their chosen profession.
2. Familiarize students with legal principles as they affect public schools.
3. Give each student the general principles of law, both statutory and common, as they apply to the state in which they are employed or expect to be employed.
4. Help students through well-rounded school law discussions to serve proficiently in the educational profession.

**Course Outcomes**

1. Candidates will demonstrate orally and in writing an informed perspective on major topics in education law.
2. In discussions and in writing, candidates will evaluate their schools’ and/or their school divisions’ application of education law to specific situations.
3. Candidates will apply education law in case study activities that involve small and large group discussions and written reflections.

In addition to the outcomes stated above, the following process goals are identified for this course:

**Teaching and Learning**

1. Discussion is an important part of this course. All candidates are expected to make multiple, thoughtful contributions to each class discussion, based on careful reading of the text and/or assigned materials and consideration of what classmates have previously said.

2. Writing is an important activity for many roles within schools. Therefore, the process of writing will be emphasized so that candidates will achieve the following objectives:
   - develop greater confidence in their ability to write expository, analytical, and persuasive prose;
• learn how to review their own work and the work of others to eliminate errors and maximize clarity; and
• produce written products immune to criticism from a skeptical public.

All written work is expected to be submitted on time. All written work must be edited carefully before being submitted so that candidates are turning in their best work.

Classroom Climate

A positive climate depends on cooperation among students and with the instructor. Candidates should work together to ensure that everyone has the confidence to participate honestly and openly. Every candidate is expected to:

1. be fully prepared for each class session;
2. be attentive to others and respond thoughtfully and respectfully;
3. work toward a common purpose;
4. persevere through the common challenge of understanding education law; and
5. affirm one another’s successes and help one another overcome weaknesses.

Nature of Course Delivery

A variety of instructional methods are used in this course including: large-and small-group instruction, cooperative learning activities, Internet assignments, lectures, guest practitioner presentations (if possible), individual presentations, case studies, role-play, and written and verbal assignments.

Course Assignments

Since this is a graduate-level class, high quality work on all assignments and meaningful class participation are expected.

1. Briefs 20% Due Dates: Feb.16 and Mar. 9
2. Supplemental Presentation 20% Due Dates: Feb. 23, Mar. 2, Mar. 16, Mar. 30
3. Policy Analysis 20% Due Date: Mar. 23
4. Point of Law Paper 30% Due Dates: Apr. 16 (Rough Draft), Apr. 27 (Final)
5. Participation/Attendance 10% Due Dates: Every class!

Briefs

Each student will select two (2) cases to brief. Students are encouraged to share their selected cases with the Instructor prior to briefing them.

*All cases should be current 1992-2005, unless they represent a landmark case which is NOT IN THE TEXTBOOK….do not brief cases from your text. Refer to sample brief distributed in class to use as a guide.
Supplemental Presentation

Students will work in groups of 3-4 to prepare a presentation for the class. These groups will need to research the assigned topic and then provide supplemental information (from sources including: legislation, law review articles, journal articles, popular media, electronic publications – web sites; must provide access information).

Policy Analysis

Each student will select a school board policy and analyze this policy. Students must analyze the policy using Virginia State Code and appropriate case law in order to determine the legality of selected policy. See hand-out of sample policy analysis for additional guidance.

Point of Law Paper

Choose one of the following topics or select a topic of interest (must get approval from instructor) and write a 6-10 page paper, with references. Students are expected to identify case law and articles on the selected topic. This paper must include at least 7 reference sources (such as case law, statutory law, law review articles, scholarly journal articles). The articles selected should be scholarly in nature, i.e., not from the Post or questionable internet sources.

In addition, a rough draft of the paper will be shared with a class member during class in order to provide feedback and critique as necessary. When the final paper is submitted, a one-page abstract should be distributed to all of the class members, including contact information for students who wish to contact you further about your specific topic. Choose from following topics or consult with instructor about a topic of your choice:

- Analysis of the protection of students’ rights
- Federal and/or state legislation summary (Current issues affecting education)
- Reflection on IEP or 504 plan experience
- Federal and/or state legislation impact report (Current issues affecting education)
- Brown vs. Board of Education, Fifty Years Later
- Employee Rights and Responsibilities
- English Language Learners’ Rights to Education

Discussion participation

A percentage of your course grade is earned through ongoing assessment of your attendance, performance and communication. Punctual attendance and regular class participation are vital to the successful completion of this course.

Participation includes, but is not limited to the following:

- Coming to class prepared (i.e., reading the assigned material)
- Professional appearance, behavior and presentation
- Willingness to volunteer for a class activity
- Contributing to class discussion in a meaningful manner
- Sticking to the topic at hand
- Respect for others’ responses
- Use of appropriate problem solving techniques
- Appropriate use of allotted time
- Sharing experiences from work or from observation

**GRADING SCALE**
The course is based on a 100 point grading scale, which will include plus and minus demarcations (i.e., 95-100 = A; 90-94 = A-; 86-89 = B+; 83-85 = B; 80-82 = B-; 74-79 = C; 0-73 = F).

**Expectations for Written Work**
- Use appropriate grammar.
- Writing should be the caliber of a graduate student.
- Use Times Roman or Arial 12-font.
- Include a cover page with name, date & assignment.
- Limit the use of “I” in your writing.
- Follow APA Guidelines.

**Absence From Class**
Candidates are expected to attend every class for its entirety. Emergencies sometimes arise, however. If you need to be absent from class, you are expected to notify the instructor in advance by telephone or e-mail. If you miss more than one class, you will lose participation points. If you come to class more than 30 minutes late or leave more than 30 minutes early, your participation points for that session will be reduced.

**Late Work**
Candidates are expected to submit their work on time. If work is submitted later than one week after it is due, it will not be accepted. Any attempt to submit work past the one-week deadline will result in no credit for the assignment.

**COURSE SCHEDULE - EDLE 612**

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<tr>
<th>Session</th>
<th>Date</th>
<th>Topic</th>
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<tbody>
<tr>
<td>1</td>
<td>January 26</td>
<td>Course Overview</td>
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<td>2</td>
<td>February 2</td>
<td>Introduction to the Legal Environment</td>
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**Reading Assignment:** Text - Introduction
Chapter 1 Preventative Law: Developing Risk and Crisis Management Programs
Chapter 2 the School and the Legal Environment

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<td>3</td>
<td>February 9</td>
<td>Personnel Selection &amp; Evaluation</td>
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**Reading Assignment:** Text - Chapter 3 Constitutional and Statutory Foundations of Staff Selection, Contracting, and Evaluation
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<td>4</td>
<td>February 16</td>
<td>Teachers’ Rights</td>
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**Reading Assignment:** Text - Chapter 4 Teachers’ Constitutional Rights, Terms, and Conditions of Employment

**Assignment Due:** Brief #1

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<th>Students’ Rights</th>
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**Reading Assignment:** Text - Chapter 5 Students’ Rights

**Supplemental Presentation:** Group One

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<th>Discipline</th>
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**Reading Assignment:** Text - Chapter 6 Student Discipline

**Supplemental Presentation:** Group Two

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<th>7</th>
<th>March 9</th>
<th>Special Education</th>
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**Reading Assignment:** Text - Chapter 7 The Principal’s Responsibilities in Providing Special Education Services

**Assignment Due:** Brief #2

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<th>March 16</th>
<th>Academics</th>
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**Reading Assignment:** Text - Chapter 8 Academic Issues and Student Records

**Supplemental Presentation:** Group Three

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<th>9</th>
<th>March 23</th>
<th>Copyright</th>
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**Reading Assignment:** Text - Chapter 9 Copyright Law

**Assignment Due:** School Policy Analysis

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<th>10</th>
<th>March 30</th>
<th>Search &amp; Seizure</th>
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**Reading Assignment:** Text Chapter 10 Search and Seizure

**Supplemental Presentation:** Group Four
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<tr>
<td>11</td>
<td>April 6</td>
<td>Program Issues</td>
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**Reading Assignment:** Text - Chapter 11 The Principal’s Responsibilities in Program Management; VA Code—Child Abuse

**Assignment Due:** Rough Draft for Point of Law Paper

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<td>12</td>
<td>April 13</td>
<td>NO CLASS</td>
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Loudoun County Public Schools Spring Break

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<td>13</td>
<td>April 20</td>
<td>Blackboard Activity – Ethical Decision-making</td>
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**Reading Assignment:** See posting on Blackboard

**NO FACE-TO-FACE MEETING**

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<td>14</td>
<td>April 27</td>
<td>Sexual Harassment</td>
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**Reading Assignment:** Text - Chapter 12 Sexual Harassment

**Assignment Due:** Point of Law Paper

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<td>15</td>
<td>May 4</td>
<td>Negligence &amp; Torts</td>
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**Reading Assignment:** Text - Chapter 13 The Principal’s Tort Liability for Negligence as Applied to Expected Duty and Standards of Care

**Relationship of Student Outcomes to Program Goals**

This course serves as the foundation for understanding the legal process related to education in the Master’s sequence in Education Leadership. All of the program goals are active, to a greater or lesser degree, in this course. Candidates will:

- engage in reflective practice with regard to education law (internship-related assignments);
- strengthen and improve their communication skills through class discussion and paper writing;
- understand the legal implications and responsibilities associated with cultural, economic, and learning diversity;
- reflect on the ethical implications of applying education law to everyday situations in schools and school divisions; and
- learn how to use the Internet to obtain legal information.

In addition, candidates will develop an explicit understanding of Virginia’s “Child Abuse and Neglect Recognition and Intervention Act (Code of Virginia 22.1-98). Such understanding will include:

1. Recognizing child abuse and neglect
2. Reporting child abuse and neglect
3. Intervention following a child protective services investigation
Internship in Education Leadership—EDLE 791

Although the internship is a separate course, the Education Leadership Program has integrated internship activities into the required courses for licensure. The content of this course will focus on Political Leadership (Area IV), item #11, “Education Law, Public Policy and Political Systems”.

Statement of Expectations

The College of Education and Human Development (CEHD) expects all students to abide by the following:

Responsible Use of Computing

Students must agree to abide by the university policy for Responsible Use of Computing. See http://mail.gmu.edu and click on Responsible Use of Computing at the bottom of the screen.

Plagiarism

Students must avoid plagiarizing the work of others. Specifically, when referencing a source or author, students must give appropriate source documentation; and when using direct quotes, students must use quotations, provide page numbers, and ensure that credit is given to the author of quoted material. If a student’s work contains plagiarism, the student will receive no credit for the assignment.

Disability Resource Center

Students with disabilities who seek accommodations in a course must be registered with the GMU Disability Resource Center (DRC) and inform the instructor, in writing, at the beginning of the semester. See www.gmu.edu/student/drc or call 703-993-2474 to access the DRC.

NOTE: The above represents an approximation of the items to be covered and the respective dates. True coverage will depend on the pace of the discussion, the collective needs of students and the professor and the demands of time. You are expected, however, to keep pace with the calendar of assigned readings.
MISCELLANEOUS WEB SITES

National School Boards Association
Legal Clips – Free service of NSBA Office of General Counsel
Look specifically @School Law Issues
http://www.nsba.org/cosa/

Education Law Association
300 College Park
Dayton, OH  45469-2280
Phone: 937-229-3589
e-mail:  ela@udayton.edu
Website:  http://www.educationlaw.org
(Student membership available)

National School Board Association
www.nsba.org/cosa/

Education Law Web Sites

http://www.ljx.com

http://www.access.digex.net/~edlawinc/

http://lawinfo.com/legal_research/legal_research_invds.html

http://www.lawinfo.com/links/federal

http://www.lawinfo.com/links/federal/constitution.html

http://www.law.cornell.edu

http://www.law.emory.edu/FEDERAL/

United States Constitution:
http://www.law.cornell.edu/constitution/constitution.overview.html


Public Laws: http://thomas.loc.gov

Congressional Record: http://thomas.loc.gov


Law Schools/Universities

Columbia
http://www.columbia.edu/cu/academics.html
Indiana University School of Law
   http://www.law.indiana.edu/law/research/lindiana/html

Loyola Law School
   http://www.law.lmu.edu

The Legal Information Institute at Cornell Law School
   http://www.law.cornell.edu/statutes.html#state

University of California – Berkeley
   http://www.berkeley.edu

University of California – Hastings College of Law
   http://www.uchastings.edu

University of California – Los Angeles
   http://www.law.ucla.edu

University of Texas School of Law
   http://tarlton.law.utexas.edu/library/library.html

Villanova
   http://www.law.vill.edu

Special Education Focus
   http://www.cec.sped.org
   http://www.pacer.org/legislation/index.htm
   http://www.transitionlink.com/
   http://www.cast.org/
   http://www.ed.gov/about/offices/list/osep/osep/index.html
   http://www.nichcy.org
   http://prenhall.com/murdick
   http://www.ode.state.oh.us/exceptional_children/