

**GEORGE MASON UNIVERSITY  
COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT  
Education Leadership Program**

**EDLE 612 Education Law  
Fall 2015, Section 001**

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**Office Hours:** By Appointment

**Schedule Information** Wednesdays, September 2, 2015 through December 16, 2015  
4:30 p.m. to 7:10 p.m.

All students are expected to attend every class session. Personal problems that prevent students from attending class should be reported ahead of time to the instructor via telephone or e-mail.

**Location:** East 121

**Course Description**

**EDLE 612 Education Law (3:3:0)**

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

**Prerequisite(s):** EDLE 620 or EDSE 743; EDLE 690 and EDLE 791.

**General Goals**

*Content:* 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 in 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 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.

*Program vision: The Education Leadership Program is dedicated to improving the quality of pre-K - 12 education through teaching, research, and service. Candidates and practicing administrators engage in course work devoted to experiential learning, professional growth opportunities, and doctoral research that informs practice. We educate exceptional leaders who act with integrity as they work to improve schools.*

### *Teaching and Learning:*

1. Discussion and collaboration are key aspects of this course. All candidates are expected to make multiple, thoughtful contributions to class discussions and assigned projects, based on assigned readings, research, and informed consideration of what classmates have previously said.
2. Writing is an important activity for many roles within schools. Therefore, the process of writing is incorporated so that candidates will achieve the following objectives:
  - develop greater confidence in their ability to write effectively using expository, analytical, and persuasive methods;
  - 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 as indicated below. 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 all candidates and with the instructor. Candidates need to work together to ensure that everyone has the confidence to participate honestly and energetically. 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 Objectives**

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 taking this course will:

1. Engage in reflective practice with regard to education law (internship-related assignments);
2. Strengthen and improve their communication skills through class discussion, writing, and collaborative group work
3. Understand the legal implications and responsibilities associated with cultural, economic, and learning diversity;
4. Reflect on the intersection of law and ethics and the ethical implications of applying education law to everyday situations in schools and school divisions; and
5. Learn how to use the Internet to obtain legal information.

## **Student Outcomes**

The outcomes below are related to both suggested and required performances. All instructors are required to include the following three performances:

1. Code of Ethics Development and Ethical Case Study Analysis
2. Legal Issue Analyses
3. Special Populations – Case Briefs & Presentation

Candidates will focus on major legal and ethical issues in education. At the end of this course, successful candidates will be able to:

1. evaluate school based dilemmas through the use of philosophical and theoretical ethical models;
2. identify precedent and emerging issues in education law;
3. apply constitutional, case, and statutory law to issues of student discipline
4. apply federal and case law to issues of sexual harassment and child abuse; and
5. analyze key education law issues in a manner which reveals comprehension of political, social, ethical, and legal influences, specifically the principles, laws, policies, cases & regulations that are applicable in education as they apply to special populations.

## **Relationship of Course Goals to Program Goals**

This course will enable candidates to develop knowledge, skills and dispositions that will prepare them to create and maintain learning environments that value diversity, continual knowledge acquisition, instructional leadership, innovative and ethical decision-making, reflective practice, and successful achievement of all school-aged youth.

## **Relationship of Course to Internship**

Although the internship is a separate course, the Education Leadership program has integrated “embedded experiences” into course work. This means that some of the work for this class is related to your internship. You may write about embedded experiences in your internship journal and Collective Record, but they can only count over and above the minimum 320 hours required for the internship.

## **National Standards and Virginia Competencies**

The course addresses VADOE Competencies, ISLLC Standards, and ELCC (NCATE) Standards dealing with the legal, ethical, and political context of education. Specific ELCC Standards addressed include: 3.3, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, and 6.3. Virginia competencies include: c(6) Legal issues and e(1) Philosophy of education that reflects honesty, fairness, caring, and equity. In addition to these competencies, 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

## **Course Materials**

### *Readings:*

#### **Required Texts:**

Gooden, M., Eckes, S., Mead, J.F., & McNeal, L.R. (2013). *Principal's Legal Handbook* (5th ed.). Education Law Association

Stefkovich, Jacqueline A. (2013). *Best Interests of the Student: Applying Ethical Constructs to Legal Cases in Education* (2nd ed.). Routledge

Texts are available in the GMU Bookstore in the Johnson Center. Additional materials and hand-outs will be posted on Blackboard and/or distributed in class.

Virginia Code: <http://legis.state.va.us/Laws/CodeofVa.htm>

United States Code: <http://uscode.house.gov/search/criteria.shtml>

US Dept. of Education: <http://www.ed.gov/index.jhtml>

George Mason University Library/LexisNexis Academic: <http://library.gmu.edu/>

### *Classroom Materials:*

In order to successfully complete required assignments, candidates must have access to a personal computer with internet access, be able to use basic word processing and e-mail, and access appropriate websites (see recommended websites) for supplemental materials.

**Correspondence by e-mail will use your Mason e-mail account.**

### *Outside-of-Class Resources:*

Candidates are required to use Blackboard as part of this course. Vital information for the course will be posted on the Blackboard site; and we will communicate regularly through this site. Candidates are required to submit their course assignments electronically using the Blackboard website. Online access is vital for the distance learning aspects of the course and is an important part of course participation grade. **All students are required to activate and monitor their GMU e-mail accounts.**

**Cancellation Policy:** If a cancellation is necessary, the class will be made up via an electronic activity. Specifically, candidates are expected to log-on to the computer in order to participate in an electronic discussion/activity as directed, which will replace the missed class.

## Course Requirements, Performance-based Assessment, and Evaluation Criteria

### *Participation and Attendance (15 points)*

Candidates are expected to attend every class for its entirety. **Maximum class participation points will be earned by students who attend all classes, are on time and do not leave early.** Part of your course grade is earned through ongoing assessment of your attendance, performance, communication and professional disposition in class and online discussions. Punctual attendance and regular class participation are vital to your success in this course. Participation includes, but is not limited to the following:

- Coming to class prepared (i.e., reading the assigned material)
- Demonstrate respect and civility (**avoid side conversations, multi-tasking**, etc...)
- Professional behavior and presentation
- Willingness to volunteer for a class activity
- Contributing to class and online discussions in a meaningful manner
- Sticking to the topic at hand
- Respect for others' responses and questions
- Use of appropriate problem solving techniques
- Appropriate use of allotted time
- Sharing experiences from work that are relevant to the class discussion

### *Written and Oral Assignments (85 points)*

Since this is a graduate-level class, **high quality work** on all assignments is expected. Candidates should refer to the appendices and rubrics for specific guidance on the preparation of assignments. Candidates are expected to submit their work, as prescribed, on time.

- |   |                                    |
|---|------------------------------------|
| 1. Ethics Code and Case Study Analysis (25 points)            | Directions & Due Date: Appendix A  |
| 2. Legal Issue Analyses (30 points)                           | Directions & Due Dates: Appendix B |
| 3. Special Populations Case Briefs & Presentation (30 points) | Directions & Due Date: Appendix C  |

### *Expectations for Written Work*

Use appropriate grammar.	Spell correctly.
Writing should be the caliber of a graduate student.	Type all work.
Use Times Roman or Arial 12 point font.	Write clearly.
Include a cover page with name, date & assignment.	Find a good proofreader!

Follow **APA guidelines** (double space, references, etc.) **Avoid plagiarism!!!!**

### *Expectations for Group Work*

Each team member has a clearly identifiable role of contribution.  
Practice conflict resolution and consensus building.  
Proof read multimedia in use.  
Use clear transitions.  
Manage time.  
Conduct a practice run.

Grade Appeals: *Candidates must present grade appeals in writing and must put forth a reasonable written explanation that supports their request for a grade change.*

*Grading Scale:*

A+	=	100 percent		B+	=	89 - 86 percent		C	=	79 - 75 percent
A	=	99 - 95 percent		B	=	85 - 83 percent		F	=	74 percent or below
A -	=	94 - 90 percent		B-	=	82 - 80 percent				

**Blackboard Requirements**

Every candidate registered for any Education Leadership course with a required performance-based assessment (designated as such in the syllabus) is required to submit these assessments to Blackboard. In EDLE 612, the required performances are the Code of Ethics Development and Ethical Case Study Analysis, Legal Issue Analyses, and Special Populations Case Briefs & Presentation. These performances must be submitted to Blackboard (regardless of whether a course is an elective, a onetime course or part of an undergraduate minor.) Evaluation of the performance-based assessments by the course instructor will also be completed in Blackboard. Failure to submit the assessment to Blackboard will result in the course instructor reporting the course grade as Incomplete (IN). Unless the IN grade is changed upon completion of the required Blackboard submission, the IN will convert to an F nine weeks into the following semester.

**George Mason University Policies and Resources for Students**

a. Students must adhere to the guidelines of the George Mason University Honor Code (See <http://oai.gmu.edu/honor-code/>).

b. Students must follow the university policy for Responsible Use of Computing (See <http://universitypolicy.gmu.edu/policies/responsible-use-of-computing/>).

c. Students are responsible for the content of university communications sent to their George Mason University email account and are required to activate their account and check it regularly. All communication from the university, college, school, and program will be sent to students solely through their Mason email account.

d. The George Mason University Counseling and Psychological Services (CAPS) staff consists of professional counseling and clinical psychologists, social workers, and counselors who offer a wide range of services (e.g., individual and group counseling, workshops and outreach programs) to enhance students' personal experience and academic performance (See <http://caps.gmu.edu/>).

e. Students with disabilities who seek accommodations in a course must be registered with the George Mason University Office of Disability Services (ODS) and inform their instructor, in writing, at the beginning of the semester (See <http://ods.gmu.edu/>).

f. Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.

g. The George Mason University Writing Center staff provides a variety of resources and services (e.g., tutoring, workshops, writing guides, handbooks) intended to support students as they work to construct and share knowledge through writing (See <http://writingcenter.gmu.edu/>).

### **Professional Dispositions**

Candidates are expected to exhibit professional behaviors and dispositions at all times.

### **Core Values Commitment**

The College of Education & Human Development is committed to collaboration, ethical leadership, innovation, research-based practice, and social justice. Candidates are expected to adhere to these principles: <http://cehd.gmu.edu/values/>.

For additional information on the College of Education and Human Development, Graduate School of Education, please visit our website <http://gse.gmu.edu/>.

\*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.

***For additional information on the College of Education and Human Development, Graduate School of Education, please visit our website [See <http://gse.gmu.edu/>].***

## Weekly Schedule of Activity

NOTE: The following 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.

Class		Topic	Assigned Readings	Assignments Due
1	9/2	Syllabus Review Decision-making Models Analyzing a Court Decision	Ethical Leadership: A Case Study Framework (Blackboard) <i>ELA</i> : Chapter 1 <i>Stefkovich</i> : Part 1	
2	9/9	Legal Framework of Education Developing an Ethical Code ✓ Examine ethical dilemmas ✓ Deconstruct bias ✓ Reflect on values	"Are You Prepared to Defend the Decisions You've Made?" Reflective Equilibrium, Situational Appreciation, and the Legal and Moral Decisions of School Leaders (Blackboard) Ethical Decision Making (Blackboard)	Bring samples of Codes of Ethics from three different organizations
3	9/16	First Amendment ✓ Religion Case Analyses Pair-Share: Review of Assignment One	<i>ELA</i> : Chapter 30  <i>Stefkovich</i> : Chapter 7: Case Studies (7.1 – 7.3)	Draft: Ethics Assignment
4	9/23	First Amendment ✓ Freedom of Expression	<i>ELA</i> : Chapter 3 & Chapter 5  HARDWICK HARDWICK v. HEYWARD (2013) (Blackboard)	Final: Ethics Assignment
5	9/30	FERPA Fourth Amendment Fifth Amendment ✓ Due Process ✓ Student Discipline ✓ Search & Seizure	Dear Colleague: April 12, 2002 <i>ELA</i> : Chapter 2 & 4 Derailing the Schoolhouse-to-Jailhouse Track (Blackboard) <i>Stefkovich</i> : Chapter 11: Case Studies (11.1 – 11.4)  Case 10.1: <u>Keeping Children Safe: When is Enough Enough?</u> (class handout)	Assignment 2 Cases
6	10/7	School Safety Title IX ✓ Bullying ✓ Sexual Violence	<i>ELA</i> : Chapter 8 and Chapter 26 Dear Colleague: April 4, 2011 Dear Colleague: October 26, 2010	Assignment 3 Cases
7	10/14	Civil Liberties in Cyberspace ✓ Cyberbullying ✓ Sexting	<i>ELA</i> : Chapter 9 and Chapter 31 <i>Stefkovich</i> : Chapter 9 Case Studies (9.1 – 9.4)	Legal/Ethical Analyses ✓ Search and Seizure  Due Process



## Weekly Schedule of Activity - continued

Class		Topic		Readings	Assignments Due
		Topic			
8	10/21	Tort Law ✓ Liability & Negligence		Liability – VA Statutes (Blackboard)  <i>Stefkovich</i> : Chapter 14: Case Studies (14.1-14.5)	Legal/Ethical Analyses  ✓ Search and Seizure ✓ Due Process
9	10/28	Teacher Employment Rights ✓ Teacher Accommodations ✓ Academic Freedom and Censorship ✓ Intellectual Property		<i>ELA</i> : Chapter 21 and Chapter 23  FINK V. RICHMOND et al (2009) (Blackboard)  MARCUS v. ROWLEY (1983) (Blackboard)	
10	11/4	Equity, Equality, and Equal Protection ✓ Homeless ✓ English Language Learners ✓ Segregation		Dear Colleague: May 8, 2014 Dear Colleague: October 1, 2014 Compulsory Attendance and Homelessness Related Statutes (Blackboard)  <i>ELA</i> : Chapters 35 through 37  <i>Stefkovich</i> : Chapter 15: Case Studies (15.1-15.4)	Legal/Ethical Analyses  ✓ Sexual Harassment ✓ Child Abuse ✓ Immunity & Liability  Special Populations Assignment: ✓ Identify Topics and Groups
11	11/11	Students with DisAbilities ✓ IDEA ✓ Section 504 ✓ Discipline ✓ Parental Rights		<i>ELA</i> : Chapter 12, 15, 18-19 Blackboard Articles: SPED & 504	Legal/Ethical Analyses  ✓ Sexual Harassment ✓ Child Abuse ✓ Immunity & Liability
12	11/18	Students with DisAbilities ✓ IDEA ✓ Section 504 ✓ Discipline ✓ Parental Rights		Dear Colleague: August 20, 2013 Dear Colleague: January 25, 2013 Evans v. Rhinebeck (1996) Hartmann v. Loudoun Co. School Board (1997)	
	11/25	THANKSGIVING HOLIDAY			
13	12/2	Analyzing School Finance Cases ✓ Legal Brief Review		<i>ELA</i> : Chapter	
14	12/9	Workshop Class ✓ Collaborative Planning			
15	12/16	✓ Class Presentations ✓ Course Evaluations			Special Populations Analyses & Presentations

## APPENDIX A

### Ethics Code, Case Study & Analysis

This assignment has three parts as described below and in detail in the Ethical Case Study Rubric:

**DUE DATE: September 23, 2015**

**ASSIGNMENT VALUE: 25 Points**

I. Develop a Code of Ethics.

- A. Identify key ethical and legal principles, personal values, and reference to the source of authority (e.g., theoretical, philosophical, personal beliefs, morals, etc...) for these principles and values.
- B. Examine at least 3 existing codes of ethics to support the development of your code. You should also provide the name and link to these codes in a reference list for this assignment, or a copy of each code in an appendix to the paper. Clearly explain the influence of these codes on your personal development of a code of ethics.
- C. Develop your own personal code of ethics.

II. Identify and write a case study about an ethical dilemma in your school system, then use your Code of Ethics to analyze the case study.

- A. Identify the rights and interests of all individuals involved in the case study.
- B. Explain how you used your code of ethics to analyze the ethical dilemma in your case study.
- C. Your discussion should clearly demonstrate your commitment to confidentiality, sensitivity to diverse interests, and respect for the rights, dignity, and integrity of others.

III. Seek feedback from a colleague in your school system about how you used your Code of Ethics to analyze the identified ethical dilemma.

- A. Explain briefly why you chose this colleague and describe the general nature of the discussion.
- B. Share how your colleague reacted and any advice or insights that your colleague shared with you regarding the application of your ethical code to the case study analysis.
- C. Formulate a detailed leadership response to the ethical dilemma that includes an analysis of the moral and legal consequences of decision making in the school.

### Ethical Case Study Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<p><b>ELCC 5.1</b> Candidates demonstrate understanding of need for integrity and fairness through the development of an ethical code based on ethical and legal principles. (15%)</p>	<p>The candidate develops a code of ethics that includes clearly identified ethical and legal principles from at least 3 different professional codes of ethics, and clearly explains how the developed code may be used to promote fairness, integrity, and equitable practices.</p>	<p>The candidate develops a code of ethics that includes ethical and legal principles from 3 different professional codes of ethics, and explains how the developed code may be used to promote fairness, integrity, and equitable practices.</p>	<p>The candidate develops a code of ethics that includes ethical and legal principles from only 2 codes of ethics, and/or discussion of how the developed code may be used to promote fairness, integrity, and equitable practices.</p>	<p>The candidate develops a code of ethics but fails to identify ethical and legal principles as the primary source and foundation of the code.</p>
<p><b>ELCC 5.3</b> Candidates understand and safeguard the values of democracy, equity, and diversity within the school. (20%)</p>	<p>The candidate thoroughly describes an ethical dilemma and carefully evaluates several school policies and procedures that would support resolution of the dilemma. The candidate demonstrates in-depth understanding of the need to promote democratic values, equity, and respect for diversity.</p>	<p>The candidate sufficiently describes an ethical dilemma and evaluates several school policies and procedures that would support resolution of the dilemma. The candidate demonstrates understanding of the need to promote democratic values, equity, and respect for diversity.</p>	<p>The candidate poorly describes an ethical dilemma and evaluates school policy and procedures that would support resolution of the dilemma. The candidate demonstrates limited understanding of the need to promote democratic values, equity, and respect for diversity.</p>	<p>The candidate fails to describe an ethical dilemma, and also fails to evaluate school policies and procedures that would support resolution of the dilemma. The candidate fails to demonstrate understanding of the need to promote democratic values, equity, and respect for diversity.</p>

**Ethical Case Study Assessment Rubric -- continued**

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<b>ELCC 5.2</b> Candidates understand and can model principles of self-awareness, reflective practice, transparency, and ethical behavior as related to their roles within the school. (20%)	The candidate thoroughly describes discussion with a colleague to formulate a detailed leadership response to an ethical dilemma; and analyzes the leadership decision demonstrating specific awareness of established ethical standards and practices.	The candidate sufficiently describes discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.	The candidate poorly describes discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.	The candidate fails to describe discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.
<b>ELCC 5.4</b> Candidates understand and can evaluate the potential moral and legal consequences of decision making in the school. (20%)	The candidate uses the code of ethics and four ethical lenses to analyze the case, and clearly demonstrates a commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	The candidate applies the code of ethics and three ethical lenses to analyze the case, and demonstrates a commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	The candidate makes limited application of the code of ethics and the ethical lenses to analyze the case, and fails to clearly demonstrate a commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	The candidate fails to apply either the code of ethics or the ethical lenses to analyze the case and fails to demonstrate a commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.
<b>ELCC 5.5</b> Candidates understand and can promote social justice within a school to ensure that individual student needs inform all aspects of schooling. (20%)	The candidate demonstrates an astute capacity to use their code to resolve an ethical dilemma through decision making that promotes social justice in the best interests of the student.	The candidate demonstrates a general capacity to use their code to resolve an ethical dilemma through decision making that promotes social justice in the best interests of the student.	The candidate demonstrates a limited capacity to use their code to resolve an ethical dilemma through decision making that promotes social justice in the best interests of the student.	The candidate does not demonstrate the capacity to use their code to resolve an ethical dilemma through decision making that promotes social justice in the best interests of the student.

----- RUBRIC CONTINUED ON NEXT PAGE -----

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
Writing and flow of thought are clear and thorough, content is scholarly and instructive. Paper is grammatically correct. (5%)	The paper is generally error-free, reflects extensive editing, proofreading, and graduate level work. Sentence structures and word choice are excellent.	The paper is generally error-free, reflects sufficient editing, proofreading, and graduate level work. Sentence structures and word choice are good.	The paper contains spelling and grammatical errors, reflects poor editing and proofreading, and is approaching graduate level work. Sentence structures and word choice are adequate.	The paper contains numerous spelling and grammatical errors, reflects poor editing and proofreading, and is approaching graduate level work. Sentence structures and word choice are poor.

## APPENDIX B

### Legal Issue Analysis (15 points per dilemma)

Candidates are expected to demonstrate the capacity to evaluate school based dilemmas and subsequently make leadership decisions that are in the best interests of students and are both legally and ethically sound. Expertise will be demonstrated through the identification and considered application of constitutional, statutory and case laws, policies, regulations, and ethical models to resolve issues presented in each assigned case. Candidates will be expected to work in small collaborative groups to analyze court holdings, develop class presentations, and recommend implications for leadership in a similar scenario. Presentations must be consistent with the specific directions provided by the instructor as well as the requirements in the Legal Issue Analysis Rubric. This rubric will be used to evaluate each of the two case analyses. The final aspect of this assignment requires each candidate to develop a one page narrative that presents either a comprehensive dissenting opinion for each case, or a plan for implementation of the transformational task in the leadership decision cycle. Cases and group configurations will be randomly assigned.

**ASSIGNMENT VALUE: 30 Points**

**DUE DATE: October 14, 2015** (Due Process, Search, and Seizure)

**November 4, 2015** (Sexual Harassment, Child Abuse, Immunity & Liability)

### Legal Issue Analysis - Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
Introduction (5%)	Analysis begins with a clear description of the facts and legal issue in question. The crux of the dilemma is clearly and accurately presented in conjunction with a comprehensive overview of the case scenario.	Analysis begins with a general description of the facts and legal issue in question. The crux of the dilemma is clearly presented in conjunction with a basic overview of the case scenario.	Analysis begins with an unclear or limited description of the facts and legal issue in question. The crux of the dilemma is presented in conjunction with an incomplete overview of the case scenario.	Analysis begins with a confusing and unclear description of the facts and legal issue in question. The crux of the dilemma is not presented, and fails to provide an overview of the case scenario.
<b>ELCC 3.3</b> Candidates understand and promote school-based policies and procedures that protect the welfare and safety of students and staff within the school.  (10%)	At least two school policies or procedures are identified and a thorough explanation as to how these policies and procedures are applicable to promoting a safe school environment for staff and students is specified.	At least two school policies or procedures are identified and a general explanation as to how these policies and procedures are applicable to promoting a safe school environment for staff and students is specified.	A school policy or procedure is identified and a general explanation of how the policy or procedure is applicable to promoting a safe school environment for staff and students is specified.	A school policy or procedure is identified but no explanation as to how the policy or procedure is applicable to promoting a safe school environment for staff and students is specified.

**Legal Issue Analysis Rubric (Part A and B) Assessment Rubric – continued**

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<b>ELCC 6.1</b> Candidates understand and can advocate for school students, families, and caregivers. (15%)	Multiple citations of relevant constitutional, statutory and case laws, policies, and regulations that inform decision making and advocacy for all members of the school community are applied in context.	Citations of relevant constitutional, statutory and case laws, policies, and regulations that inform decision making and advocacy for all members of the school community are applied in context.	Citations of relevant constitutional or statutory and case law, policies, and regulations that inform decision making and advocacy for all members of the school community are applied in context.	Citations of relevant constitutional or statutory and case law, policies, and regulations that inform decision making and advocacy for all members of the school community are omitted.
<b>ELCC 6.2</b> Candidates understand and can act to influence local, district, state, and national decisions affecting student learning in a school environment. (15%)	A clear analysis of the relationship between the macro environment (political, social, economic, legal and cultural elements) and the school context is exemplary. The analysis includes clear & specific reference to the leader's communication practices to appropriate school stakeholders.	An analysis of the relationship between the macro environment (political, social, economic, legal and cultural elements) and the school context is adequate. The analysis includes a general reference to the leader's communication practices to appropriate school stakeholders.	An analysis of the relationship between the macro environment (political, social, economic, legal and cultural elements) and the school context is incomplete. The analysis includes a limited reference to the leader's communication practices to appropriate school stakeholders.	An analysis of the relationship between the macro environment (political, social, economic, legal and cultural elements) and the school context is unacceptable. The analysis neglects to reference the leader's communication practices to appropriate school stakeholders.
<b>ELCC 5.1</b> Candidates understand and can act with integrity and fairness to ensure that schools are accountable for every student's academic and social success. (15%)	A comprehensive discussion is presented that analyzes leadership practices to the degree they are characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	A general discussion is presented that analyzes leadership practices to the degree they are characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	A limited discussion is presented that analyzes leadership practices to the degree they are characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	An inadequate discussion is presented that makes no reference to how leadership practices are characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.

**Legal Issue Analysis Rubric (Part A and B) Assessment Rubric – continued**

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<p><b>ELCC 5.2</b> Candidates understand and can model principles of self-awareness, reflective practice, transparency, and ethical behavior as related to their roles within the school.  (10%)</p>	<p>A thorough analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency is in evidence (philosophical, theoretical ethical paradigms).</p>	<p>A general analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency (philosophical, theoretical ethical paradigms).</p>	<p>The candidate includes a limited analysis of leadership decisions in terms of established ethical practices or self-awareness or reflective practice or transparency (philosophical, theoretical ethical paradigms).</p>	<p>The candidate omits an analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency (philosophical, theoretical ethical paradigms).</p>
<p><b>ELCC 5.4</b> Candidates understand and can evaluate the potential moral and legal consequences of decision making in the school.  (10%)</p> <p>TRANSFORMATIONAL TASK OR DISSENTING OPINION</p>	<p>Candidate presents a leadership perspective that is clearly informed by an evaluation of moral, ethical, and legal consequences of decisions that impact the school environment.</p>	<p>Candidate presents a leadership perspective that is generally informed by an evaluation of moral, ethical, and legal consequences of decisions that impact the school environment.</p>	<p>Candidate presents a leadership perspective that is loosely informed by an evaluation of moral, ethical, and legal consequences of decisions that impact the school environment.</p>	<p>Candidate fails to present a leadership perspective that is loosely informed by an evaluation of moral, ethical, and legal consequences of decisions that impact the school environment.</p>
<p>Discussion of information and references is useful and instructive.  (10%)</p>	<p>The presentation sources numerous (8-10) high quality references; provides clear and thorough discussion; and conducts critical evaluations of each.</p>	<p>The presentation sources several (6-7) high quality references; provides solid discussion; and conducts evaluations of each.</p>	<p>The presentation sources several (6-7) but not high quality references; provides solid discussion; and conducts evaluations of each.</p>	<p>The presentation sources insufficient and poor quality references; provides insufficient discussion; and conducts insufficient evaluations of each.</p>
<p>Organization, mechanics, and proofreading of the paper.  (5%)</p>	<p>The paper is well-organized and error-free; non-discriminatory language is used, clear sentence structures are used. APA format is correct.</p>	<p>The paper is organized. Occasional grammatical or word errors are present. Non-discriminatory language and clear sentence structures are used. A few unclear word choices are present. APA format is used.</p>	<p>The paper is somewhat organized. Several errors are present. Language is discriminatory in nature. Sentence structures are unclear and word choices are confusing. APA format is incorrect.</p>	<p>The paper is poorly organized. Many errors and discriminatory language are present. Sentence structures are poor, word choices are confusing, and APA format is not used.</p>
<p>Presentation and Engagement  (5%)</p>	<p>Clearly and professionally designed and presented, inspiring wide participation from the audience.</p>	<p>Clearly and professionally designed and presented, inspiring some participation from the audience.</p>	<p>Clearly and professionally designed and presented, inspiring limited participation from the audience.</p>	<p>Clearly presented, however, it inspires no participation from the audience.</p>



## APPENDIX C

**Special Populations Paper and Presentation** — 30 points: Candidates are expected to identify an issue or topic related to the larger political, social, economic, legal, and cultural context of schools that impacts educational opportunities for students as well as the rights of families and caregivers. Candidates will first independently complete five one page case briefs in which they analyze significant statutes, regulations, and judicial holdings that are pertinent to the issue or topic of interest, specifically an issue related to students with disabilities, English language learners, student race, economic challenges, or other significant disadvantages impacting student learning and educational opportunities. Each case brief should identify and analyze recent case law; although, one or two historic or landmark cases may be included as appropriate. The issue or topic must be directly related to the provision and protection of educational opportunities for all students. Each case brief should be organized to include all elements of a court decision including: the case citation, the facts of the case, the legal issue in question, the court’s holding, an explanation and analysis of the court’s reasoning, as well as the implications and recommendations for school leaders. Candidates will then collaborate with peers who have selected issues in common to develop an in-class presentation that summarizes the collective findings, key ideas, and strategies to inform education leadership practice. Groups will have approximately 20 minutes to make their presentations. The presentation should include time for questions, discussion, and facilitate audience engagement.

**DUE DATE: December 16, 2015**

**ASSIGNMENT VALUE: 30 Points**

### Special Populations – Case Briefs Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
Introduction 5%	The citation is addressed correctly. All significant details have been included.	The citation is addressed correctly, but minor details have been overlooked.	The citation is addressed, but several details have been overlooked.	The citation is either not included or is completely incorrect.
<b>ELCC 5.5</b> Candidates understand and can promote social justice within a school to ensure that individual student needs inform all aspects of schooling. 20%  FACTS & ISSUE	The candidate’s written assessment of the fact pattern is comprehensive and the legal issue is clearly defined to reveal a clear understanding of the policy and practice variables that impact equity and social justice for all students.	The candidate’s written assessment of the fact pattern and legal issue reveals a general understanding of the policy and practice variables that impact equity and social justice for all students.	The candidate’s written assessment of the fact pattern and/or legal issue reveals a limited understanding of the policy and practice variables that impact equity and social justice for all students.	The candidate’s written assessment of the fact pattern and/or legal issue is missing or reveals a lack of understanding of the policy and practice variables that impact equity and social justice for all students.

**Special Populations – Case Briefs Assessment Rubric -- continued**

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<p><b>ELCC 6.2</b> Candidate understands local, district, state, and national decisions affecting student learning. 15%  HOLDING</p>	<p>The candidate provides extensive discussion of the case holdings and how the courts' judgments impact local, district, state and national laws and policies that affect student learning.</p>	<p>The candidate provides sufficient discussion of the case holdings and how the courts' judgments impact local, district, state and national laws and policies that affect student learning.</p>	<p>The candidate provides limited discussion of the case holdings and how the courts' judgments impact local, district, state and national laws and policies that affect student learning.</p>	<p>The candidate provides insufficient discussion of the case holdings and how the courts' judgments impact local, district, state and national laws and policies that affect student learning.</p>
<p><b>ELCC 5.4</b> Candidates understand and can evaluate the potential moral and legal consequences of decision making in the school. 20%  REASONING</p>	<p>The candidate identifies 4 ethical (moral) and legal principles influencing the court's reasoning to support decision making about the identified issue.</p>	<p>The candidate identifies 3 ethical (moral) and legal principles influencing the court's reasoning to support decision making about the identified issue.</p>	<p>The candidate identifies 2 ethical (moral) and legal principles influencing the court's reasoning to support decision making about the identified issue.</p>	<p>The candidate identifies only 2 ethical (moral) and/or legal principles influencing the court's reasoning to support decision making about the identified issue.</p>
<p><b>ELCC 6.1</b> Candidates demonstrate the ability to advocate for school students, families and caregivers through analysis of how law and policy is applied fairly and consistently. 25%  IMPLICATIONS</p>	<p>The candidate's briefs and presentation demonstrate a superior ability to understand and advocate for students, families and caregivers through analysis of how law and policy is applied consistently, fairly, and ethically.</p>	<p>The candidate's briefs and presentation demonstrate an ability to understand and advocate for students, families and caregivers through analysis of how law and policy is applied consistently, fairly, and ethically.</p>	<p>The candidate's briefs and presentation demonstrate some, but limited ability to understand and advocate for students, families and caregivers through analysis of how law and policy is applied consistently, fairly, and ethically.</p>	<p>The candidate's briefs and presentation fail to demonstrate an ability to understand and advocate for students, families and caregivers through analysis of how law and policy is applied consistently, fairly, and ethically.</p>

----- RUBRIC CONTINUED ON NEXT PAGE -----

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
Organization, mechanics and proofing 5%	The briefs are evenly consistent with the prescribed format, organized and error-free; non-discriminatory language is used, clear sentence structures are used.	The briefs are informed by the prescribed format. Occasional grammatical or word errors are present. Non-discriminatory language and clear sentence structures are used. A few unclear word choices are present.	The briefs are somewhat organized. Several errors are present. Language is discriminatory in nature. Sentence structures are unclear and word choices are confusing.	The briefs are poorly organized. Numerous errors and discriminatory language are present. Sentence structures are poor, word choices are confusing.
Presentation 10%	Presentation of the topic reveals in-depth research of the legal issues, clear synthesis of key points to inform recommendations for future leadership practice, and incorporates design elements that stimulate discussion and questions.	Presentation of the topic reveals general research of the legal issues, synthesis of key points to inform recommendations for future leadership practice, and incorporates design elements that stimulate discussion and questions.	Presentation of the topic reveals limited research of the legal issues, synthesis of key points to inform recommendations for future leadership practice; design elements do not stimulate discussion and questions.	Presentation of the topic reveals a lack of research of the legal issues, no synthesizes of key points to inform recommendations for future leadership practice; design elements do not stimulate discussion and questions.

## Special Populations Presentation

(Total: 10 Points)

Group Topic: \_\_\_\_\_

Group Membership: \_\_\_\_\_

### Presentation

- |  |       |            |
|--|-------|------------|
| Issue and legal context are clearly presented              | _____ | (1 point)  |
| Cases are identified & key points explained                | _____ | (2 points) |
| Synthesis of impact on practice is clear                   | _____ | (1 point)  |
| Suggestions for future implementation strategies are clear | _____ | (1 point)  |
| Presentation is clear and accurate                         | _____ | (1 point)  |
| Summary of overall key points is provided (hand-out)       | _____ | (2 points) |

### Discussion/Engagement

- |  |       |           |
|--|-------|-----------|
| Design elements incorporated to engage colleagues in discussion, questions, or input | _____ | (1 point) |
| Overall communication skills   | _____ | (1 point) |

Total Points \_\_\_\_\_ (10 points)

INSTRUCTOR COMMENTS: