

CENTRAL MICHIGAN UNIVERSITY
COLLEGE OF EDUCATION AND HUMAN SERVICES
Department of Educational Administration and
Community Leadership
Summer 2008

Atlanta, GA

COURSE SYLLABUS

EAD 766 Advance Public School Law

Instructor: Harvey Dorrah, Ph.D. Ronan 319A

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This course seeks to help students understand that the profession of administration is **Concept and knowledge driven, LEArner centered and Relevant to diverse settings and roles.** This course is designed to assist school administrators to become legally literate by providing them with accurate information about how the legal system works. As a result, school administrators can practice "preventive law."

Prerequisites: EAD 656 or equivalent.

Textbooks and other required materials to be furnished by the student:

Russo, C.J. (2006). Reutter's the law of public education (6th ed.). Mineola, NY: The Foundation Press. ISBN: 1599410583

Course Objectives:

Upon completing this course, each student will demonstrate an understanding of and capability to do the following:

1. Analyze 10 current legal issues confronting school districts in Michigan and throughout the United States and apply knowledge and principles of federal and state constitutional, statutory and regulatory provisions and judicial decisions governing education to articulate the legal basis of these issues. **C**
2. Identify 10 sources of information (book, magazines, legal publications) regarding school law and examine the philosophical and legal impact on schools and school districts. **C**
3. Apply, in writing, knowledge of common law and contractual requirements and procedures to interpret fourteen (14) key U.S. Supreme Court Cases involving schools. **C,R**
4. Describe at least 50 key elements of the Michigan School Code. **C,R**

5. Document the key points of the Michigan Teacher Tenure Act and apply the legal and contractual basis of these points to selected teacher-personnel related classroom problem solving exercises. C
6. Analyze data presented and develop skill in making decisions from information reviewed in a logical, sequential manner. C
7. Articulate the Americans with Disabilities Act, Discrimination in Employment Act, Copyright Act and Sexual Harassment Law as they apply to public and private schools. C
8. Demonstrate analytical skills in the evaluation of legal documents as they apply to schools. C,LEA
9. Describe at least 10 federal administrative and laws that affect P-12 education.
10. Relate to federal statutory law to best leadership practices in P-12 education. C,LEAR

I Course Outline:

Week 1 June 30 – July 2

JUNE 30 STUDENTS WILL BE RESPONSIBLE FOR REVIEWING (AND CREATING PERSONAL NOTES) THESE LANDMARK CASES IN PREPARATION FOR THE FIRST WEEK OF CLASS. THERE WILL BE AN ORAL QUIZ THE FIRST WEEK OF CLASS

Unit 1. A Review of the Bill of Rights and important constitutional amendments to school practices:

- A. Bill of Rights Amendments 1-10
- B. Important constitutional amendments that impact most educational litigation
 1. First Amendment
 2. Fourth Amendment
 3. Fifth Amendment
 4. Eighth Amendment
 5. Fourteenth Amendment
 6. Tenth Amendment

Unit 2. The application of landmark court cases court cases:

Related to related to student rights and responsibilities.

- Tinker v. Des Moines Independent Community School District
- Goss v. Lopez
- Wood v. Strickland

- Baker v. Owen
- Ingham v. Wright
- Board of Currators v. Horowitz
- New Jersey v. T.L.O
- Hazelwood School Distric v. Kuhlmeier

Related to church-state relationships in education

- Everson v. Board of Education
- Pierce v. Society of Sisters (state aid)
- Lemon v. Kurtzman
- Wisconsin v. Yoder
- Lee v. Weisman

Curriculum

- Leebaert v. Harrington (2003) *media used*)
- Scopes v. State, 1920s (Monkey trial)
- Doe v. Porter

Related to Employee Rights

- Meyer v. Nebraska
- Dodge v. Board of Education
- Pickering v. Board of Education
- Epperson v. Arkansas (Religion)
- Board of Regents v. Roth
- Perry v. Sindermann
- Chandler v. Miller
- Christensen v. Harris County

Related to Discrimination: National Origin, Race, and Sex

- Plessey v. Ferguson
- Farrington v. Tokushige
- Gong v. Rice
- Brown v. Board of Education (1954)
- Brown v. Board of Education (1955) Brown II
- Griggs v. Duke Power Co.
- Hazelwood School District v. United States
- Regents of the University of California v. Bakke
- Board of Education v. Harris (Employee Minority Groups)
Sexual orientation
- Board of Education v. National Gay Task Forces
Sex
- Anderson v. City of Bessemer City
- Franklin v. Gwinnett County Public Schools
- United States v. Virginia, single sex school
- Gebster v. Lago Vista Independent School District

Related to procedural parameters:

- Doremus v. Board of Education
- Ellis v. Dixon
- University of Texas v. Camenisch
- California v. Grace Brethern Church
- Allen v. Wright
- California Federal Savings and Loan Association v. Guerra

Week 2 July 14 – July 16

JUNE 30

Unit 3. Tort Liability of School Boards, Officers, and Employees

- a. Negligence
 - 1. General
 - 2. Duty
 - 3. Breach
 - 4. Injury
 - 5. Causation
- b. Defenses against negligence
- c. Negligent Hiring and Vicarious Liability
- d. Doctrine of Board Non-Liability
- e. Liability Insurance and Immunity
- f. Government Immunity and Statues Affecting Torts
- g. Abrogation of Doctrine of Non-Liability
- h. Liability for Dangerous Building and Grounds

-Barbin v. State
-Broward County School Board v. Ruitz
-Hoyem v. Manhattan Beach City School district

Unit 4 The application of constitutional, statutory and regulatory provisions on school practices and the formulation of school and district procedures

- a. Recent changes in the Georgia School Code.
- b. Use of the State Endorsed Diploma.
- c. Changes in the Administrator Certification Law.
- d. Multicultural Education requirements for public schools.
- e. Legal requirements for the CORE CURRICULUM.
- f. Legal basis for the development of Site-Based Management of schools.
- g. Legal Requirements for No Child Left Behind
- h. Legal Requirements for IDEA
- i. How to deal with child abuse and neglect.

- j. The copyright law and how does it affect the school administrator.
- k. Academic Freedom and the law.
- m. Educating students with disabilities.
- n. Bilingual and Multicultural programs.
- o. Working with ADA\
- p. No Child Left Behind

Unit 5 Applying knowledge of common law and contractual requirements and procedures to school management practices.

Specific Laws/ Acts that will be covered:

- a. Georgia Teacher Retirement Act.
- b. Discrimination in Employment Act.
- c. American's with Disabilities Act.
- d. Georgia Teacher Tenure Act.
- e. Administrator Certification Law.
- f. Compulsory Attendance Law.

Implications for Policy and Practice: Group Written Recommendations

Unit 6 The application of constitutional and statutory law related to:

- a. Sexual harassment policies.
- b. Working with parents and students regarding sexual harassment
- c. Hostile environment and Quid Pro Quo harassment.

Unit 7 The application of constitutional, statutory and regulatory provisions on School Financing

Unit 8 Final Examination
Collection of term paper and projects assigned.

Grading Process:	Mid-term Examination.	15%
	Case Analysis.	30%
	Term Paper/Project	30%
	Oral Presentation	20%
	Class Participation	<u>5%</u>
Total		100%

95%-100%	=	A/A+ Excellent/Outstanding Performance
90%	=	A- Very Good
85%-89%	=	B High Achievement
80%	=	B- Good/Above average
70%-79%	=	C Average
Below 70%	=	Poor Performance/Failing

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Classic

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Current

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