Course Description
This course is designed to help students relate constitutional requirements, statutory provisions, and court decisions to legal problems affecting the organization and administration of educational institutions. While the students are asked to learn essential facts of school law, they are also required to show the ability to apply their knowledge to practical applications that administrators face every day in the leadership of educational organizations such as a schools.

Relationship with Program Knowledge Base
Students who enter study in educational leadership at UNC are exposed to five domains in which they (1) develop a personal vision for educational leadership; (2) examine the use of modes of inquiry to frame problems and gather information; (3) understand organizational culture, communication, and change; (4) explore educational leaders’ roles in supervising professionals and developing human potential; and (5) examine influences from external environments that shape educational policies, structures, and operations. Nine belief statements guide the Division’s courses and activities. While all nine of these belief statements are incorporated into this class, particular emphasis in Law and the Administrator is given to the bold belief statements:

- Human growth and development are lifelong pursuits;
- Organizations are artifacts of a larger society;
- Learning, teaching, and collegiality are fundamental activities of educational organizations;
- Validated knowledge and active inquiry form the basis of practice;
- Moral and ethical imperatives drive leadership behavior;
- Leadership encompasses a learned set of knowledge, skills, and attitudes;
- Effective leadership in educational organizations depends on individual and team efforts;
- Leaders’ behaviors and actions model their beliefs and values;
- Leaders effect positive change in individuals and organizations.

Standards from Professional Organizations
Courses of this Division prepare individuals for leadership roles in the field of education. Learning experiences address skills, competencies, and performance expectations identified by numerous professional organizations with an interest in the preparation of educational leaders. Among the organizations consulted in designing this course are the:
American Association of School Administrators (AASA),
Council of Chief State School Officers,
Education Law Association (ELA),
National Associations of Elementary and Secondary School Principals (NAESP and NASSP),
National Commission on Excellence in Educational Administration, National Council for the Accreditation of Teacher Education (NCATE),
National Middle School Association (NMSA), National Policy Board (NPB),
University Council for Educational Administration (UCEA).

Related Colorado Department of Education Standards
Learning activities of this course address the licensure standards for principals and administrators established by the Colorado Department of Education and the State Board of Education. A list of the Colorado Principals’ Licensure Standards can be found by visiting the following website:
http://www.unco.edu/coe/elps/principal/forms/PrincipalStandardsMatrix.pdf

Course Objectives
Educational policy and practice have traditionally been shaped by legislatures, state and local school boards, administrators, and faculty. They are also influenced greatly by state and federal court decisions. Understanding statutes, administrative policies, and regulations as well as litigation is essential for effective school and district functioning. It is the intent of this course to provide students with knowledge of legislation and judicial decisions as a basis for policy making and resolving disputes primarily within the K-12 public school context, with application to private schools and higher education.

Course activities are designed to provide students with:

... knowledge of legal influences on educational policy and operations.

... such skills and behaviors as interpreting students' and employees' rights and responsibilities.

... positive attitudes toward the role of administrative agencies, legislatures and the judiciary in shaping educational policies and practices and toward their responsibilities in implementing legal mandates.

These knowledge bases, skills and behaviors, and attitudes will be developed using individual readings, group activities, class discussions and reflective activities. As a result, students will:

• demonstrate knowledge of principles of school law, specific legal mandates, and judicial decisions as they apply to school curriculum, policies and administrative responsibilities;

• locate and interpret federal and state laws, court decisions and school district policies;

• develop school curriculum, policies and procedures in accordance with appropriate legislation, state board regulations and judicial decisions;

• demonstrate knowledge of legal rights and responsibilities of teachers, students, and parents;

• promote a school environment which encourages respect for the rights of pupils and personnel;

• demonstrate knowledge of legal aspects of teacher evaluation, including statutory, common and case law, due process requirements and procedures, and non-discrimination legislation;
• work effectively with school and district administrators and attorneys to resolve legal issues and conflicts in various school situations;

• demonstrate an understanding of educational law and the ability to critically assess educational issues from legal perspectives; and

Assessment of Student Learning

Students’ performance in this course will be evaluated by various written and oral assessments, including:

A. **Participation:** Active participation is essential to this class. It is expected that students will participate in the online dialogues as scheduled and will read the required material. **20%**

B. **Tort Tour:** The most common type of lawsuit against schools involves tort liability, negligence in particular. Students will tour their schools over several days (before, during, and after instructional time) to assess the potential for tort lawsuits and then write a paper detailing their findings and recommendations to minimize that potential for a successful lawsuit. **20%**

C. **Board Policy Study.** Each student will choose, from a list of provided scenarios, a problem of interest. The student will search board policy related to the topic and write a paper that shows the student’s ability as a potential administrator to find, interpret, and make decisions based upon board of education policy. **20%**

D. **Practical Application Experiences.** Students will be periodically asked to respond to various questions and scenarios that will be directly related to the readings and information provided by the instructor. The scenarios will be real life problems that administrators have faced. Students are encouraged to correspond with each other to gain perspectives from their cohort colleagues. Each student will be asked to submit a brief paper describing the course of action that he/she would take if he/she were the administrator. **(40 points)**

Grades are awarded in accordance with the Graduate Bulletin that specifies:

"Superior is indicated by 'A,' above average is 'B,' average is 'C,' below average but passing is 'D,' and failure is 'F.' For this class 90 points will be required for an A, 80 points for a B and 70 points for a C.

**Academic Dishonesty**

Plagiarism or other academic dishonesty as specified in the “Handbook of Graduate Education” will not be tolerated. Penalty for such action will typically result in an “F” letter grade for the course. If
you are unsure of how to properly paraphrase or cite a source, you are encouraged to seek assistance. Problems or concerns should be discussed with the instructor.

**Access and Accommodations**
Students with disabilities or other special needs should contact the Disability Access Center (351-2289), after which they should discuss with the instructor if there are services or adaptations which can be made to accommodate needs.

**Required Texts**

Students will access, print and read documents from relevant websites as listed on the course schedule of readings and assignments.

**Legal Resources**

The following sites are excellent for finding legal information and/or cases.

**Lexis-Nexis**: This database is available by subscription through university libraries. As a student, you may access this database through the UNC library. Your instructor will explain how. This source will provide access not only to U.S. Supreme Court cases, but federal and state appellate and trial court decisions as well.

**FindLaw**: http://www.findlaw.com/cascode/supreme.html

1. This site is very user-friendly and good for U.S. Supreme Court decisions. You just put the volume number and page number of the case in the appropriate box and click “Search”.
2. You’ll also find the layout of the cases is easy to read. FindLaw places footnotes at the end of the case, making it easier to navigate the opinion.

**The Oyez Project**: http://www.oyez.org

This is a fun site for U.S. Supreme Court cases, with a great deal of good information. **One of the best sites on the web! You can even access the oral arguments for the cases.**
Supreme Court of the United States: http://www.supremecourt.gov/

A wealth of information, including a video tour of the Court, biographies of the justices, how the Court works, and much more. Well worth a visit.

Federal and State Constitutions and Statutes: http://www.law.cornell.edu/statutes.html


Colorado State Judicial System: http://www.courts.state.co.us/

Colorado Constitution and State Laws (Statutes): http://www.michie.com/colorado

Colorado Department of Education (home page): www.cde.state.co.us/index_home.htm

Colorado School Districts:
http://www.cde.state.co.us/scripts/districtprofiles/k12schlwebsites.asp#districts
(In the top right-hand box, scroll down until you find a district you’d like to view.)

Center for the Study and Prevention of Violence (Univ. of Colo.): www.colorado.edu/cspv

The Center has done extensive research into violence, including bullying. This is a very useful resource. Several documents from this site have been included in Blackboard in the “School Safety” folder.

References


Bibliography


