

University of Utah
Educational Leadership and Policy
Education Law and Policy for Teachers, ELP 3410.001

SYLLABUS

Instructor: Frank W. Shaw, JD, PhD

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Time: Tues. and Thurs, 2:00 – 3:20 p.m.

Location: SAEC 2147

Office Hours: By Appointment

Required Text: Nelda H Cambron-McCabe, Martha M. McCarthy, and Suzanne Eckes. *Legal Rights of Teachers and Students*. 3rd ed. Boston, MA: Pearson, 2013.

Web Supplements: *Utah Code, Bills Legislation* - <http://le.utah.gov/>

Utah Administrative Regulations - <http://www.rules.utah.gov/index.htm>

Course Description: The purpose of this course is to provide students with a practical introduction to the law governing public education and techniques for effectively dealing with potential legal issues. Students who have successfully completed this course will be able to demonstrate:

- Understanding of the sources and priority of the laws governing public education;
- Proficiency in finding the law online and using it to evaluate school board policies;
- Mastery of the basic principles and concepts of education law;
- Mastery of the legal terminology needed to communicate professionally; and
- Proficiency in dealing effectively with situations having legal implications.

Approach to Teaching and Learning: Learning is the reciprocal responsibility of both the instructor and the class participants. This course is taught using lectures, practical research assignments and class participation in question and answer sessions to practice legal principals. These activities are designed to enrich students' conceptual and theoretical understanding of education law. They serve to support the development of skills applicable to professional responsibilities and to encourage critical reflection upon beliefs, assumptions, and practices.

Course Expectations: Consistent with university guidelines, students are expected to attend class, to complete assignments and to discuss them in class. Students are expected to participate in class, to complete assignments on time, and to pass scheduled examinations. Professional skill sets will be taught through lecture and question and answer reviews. Student attendance is essential.

Written Work: All written work should be typed and formatted without grammatical, spelling and typographical errors. In addition to being clear, concise, and organized, written work should demonstrate a thorough analysis of the subject from the correct legal resources. Please be sure to use appropriate procedures for quoting, paraphrasing and acknowledging sources when preparing any written work. It is preferred that students use the APA Manual as a guideline for bias-free writing, formatting, and citing. Plagiarism of any kind will not be tolerated. Please take time to proofread your papers before submitting them. (Tip: Reading written assignments out loud or having someone else proofread them will improve their quality.) If you have concerns about your writing, please discuss them with the instructor before assignments are due.

Course Requirements:

1. **Class Participation:** Attendance is important to success in the course because the law is best learned through consistent practice and immediate feedback. Class sessions include both discussions of new material and comprehensive reviews of material previously covered. As legal rules are presented, students are asked to apply the concepts in scenarios presented by the instructor. In addition, important instruction and assistance regarding the required papers are provided during class.
2. **Law Summaries:** Students will write two summaries of the law dealing with public education. The first paper will be a summary of a section of the *Utah Code*. The second paper will be a summary of a section of the *Utah Administrative Regulations*. Topics may include:

Student Searches	Internet Use	Child Abuse and Neglect Reporting
Dress Codes	Graduation Requirements	Sexual Harassment
Teacher Evaluations	Student Records	Hazing
Bullying	Busing	Termination

3. **Research Paper:** Students will write a research paper involving the *Utah Code*, the *Utah Administrative Regulations*, and a Utah school district policy dealing with a topic of current interest in education law. The paper will summarize the various laws and policies governing the topic selected and include a conclusion regarding how well the district policy conforms to state law.
4. **Examinations:** There will be three cumulative examinations during the semester. Students are required to take the examinations on the dates they are scheduled or on the same date as the final examination. The examinations will cover the legal topics and skills sets covered in class and the textbook. No examinations may be taken after the date designated in the schedule.
5. **Late Assignments:** Assignments must be submitted on time. Late papers will not be accepted.

Grading: A maximum of 400 points may be earned in the class. The points allocated for the various activities of the class are listed below.

Class Activities	Maximum Points
Law Summaries	100 (50 points per summary for 2 summaries)
Research Paper	100 (100 points for 1 research paper)
Midterm Examinations	120 (60 points per exam for 2 exams)
Final Examination	80 (80 points for the final exam)

The actual weighting may vary from the above depending on the performance of the class. To determine the final grade for the course, each student's points will be computed by adding all points he or she has earned during the semester. The total points possible will be the total of the highest scores earned on each activity of the class. Final grades will be determined by dividing each student's total points by the total points possible to generate a percentage and grades will be distributed as follows:

A 94% - 100%	A- 90% - 93%	B+ 87% - 89%
B 84% - 86%	B- 80% - 83%	C+ 77% - 79%
C 74% - 76%	C- 70% - 73%	D+ 67% - 69%
D 64% - 66%	D- 60% - 63%	F 59% or below

Late Assignments and Tests:

Students are expected to take examinations on the dates scheduled and to submit required papers and projects on time and in the proper format. Students absent on a testing date will take the exam they missed immediately following the final examination on the same date as the final exam. The final exam may be taken only on the date scheduled or earlier. The law summaries and research paper are due at the beginning of class on the dates they are due and will not be accepted late.

University Policies:

1. Academic Policies, Procedures, and Regulations: Please refer to the University of Utah Student Handbook and the University of Utah on-line catalog regarding policies and procedures for grading, attendance, course incompletes, and academic honesty. Additionally, department guidelines for academic study may be found in the Department Student Handbook, Department Website, department program literature, and/or the department's policy handbook.
2. Harassment: The University of Utah does not tolerate racial, sexual, or other forms of harassment of students, faculty, or staff. If you feel you are subject to such harassment, you should notify one of the instructors. If you feel that you are a target of harassment by your instructor contact the department chair (801-581-6714) or the dean of the college (801-581-8221).
3. ADA: The University of Utah seeks to provide equal access to its programs, services, and activities for people with disabilities. If you will need accommodations in the class, reasonable prior notice needs to be given to the instructor and to the Center for Disability Services (CDS), 162 Olpin Union Building, (81-851-5020, V/TDD).
4. Academic Honesty and Policy on Student Plagiarism: Misrepresenting someone else's work as your own is a violation of university policy. As per the University of Utah Student Code, plagiarism means "the intentional unacknowledged use or incorporation of any other person's work in, or as a basis for, one's own work offered for academic consideration or credit or for public presentation. Plagiarism includes, but is not limited to, representing as one's own without attribution, any other individual's words, phrasing, ideas, sequence of ideas, information or any other mode or content of expression. Sanctions for student plagiarism are at the discretion of the course instructor and may result in a failing grade for the course. The instructor is required to report in writing any act of plagiarism to the department chair with a copy of the student's file.
5. Classroom Decorum: Cell phones should be turned off, or silenced during class. During the course, class discussion will develop and class members may or may not agree with another class member's views. However, all class comments are to be respectful of another's opinions and learning styles. Students are expected to arrive to class on time and to stay until class is dismissed.

6. Fitness to Teach Criteria:

"Students in this course are expected to meet the Fitness to Teach criteria located at:

<http://uite.utah.edu/documents/www-ed-utah-edu/programs/Fitness%20to%20Teach%20Final.pdf>"
<http://uite.utah.edu/documents/www-ed-utah-edu/programs/Fitness%20to%20Teach%20Final.pdf>

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Fall Schedule – 2015

Date	Topics	Chapters and Supplements
Aug. 25	Introductions Sources of the Law	
Aug. 27	Legal Framework of Public Education	1
Sep. 1	Tort Liability – Intentional Torts	2
Sep. 3	Tort Liability - Intentional Torts	2
Sep. 8	Tort Liability – Negligence	2
Sep. 10	Tort Liability – Negligence	2
Sep. 15	Skill Set – Writing Law Summaries	3
Sep. 17	Church/State Relations	3
Sep. 22	Cumulative Exam 1 (Chapters 1 – 3, Supplements)	
Sep. 24	Instructional Issues	4
Sep. 29	Student Expression, Association, and Appearance	5
Oct. 1	Student Classifications	6
Oct. 6	Law Summary 1 Due (Statutes) Special Instructions for Law Summary 2	3
Oct. 8	Rights of Students with Disabilities	7
Oct. 13	Fall Break	
Oct. 15	Fall Break	
Oct. 20	Rights of Students with Disabilities	7
Oct. 22	Skill Set - Dealing with Difficult People	
Oct. 27	Student Discipline	8

Oct.	29	Skill Set - Handling Volatile Incidents	
Nov.	3	Review Class	
Nov.	5	Cumulative Exam 2 (Chapters 1 – 8, Supplements)	
Nov.	10	Law Summary 2 Due (Regulations) Special Instructions for Research Paper	3
Nov.	12	Terms and Conditions of Employment	9
Nov.	17	Terms and Conditions of Employment	9
Nov.	19	Teachers' Substantive Constitutional Rights	10
Nov.	24	Discrimination in Employment	11
Nov.	26	Thanksgiving Break	
Dec.	1	Research Paper (Statutes, Regulations, and Policy) Due Termination of Employment	12
Dec.	3	Review Class	
Dec.	8	Cumulative Final (Chapters 1 – 12, Supplements) Exams not taken previously	
Dec.	10	Review Class	