



CABRINI COLLEGE

Center for Graduate and Professional Studies

EDG 647: SCHOOL LAW

Semester: Spring, 2013 (April 30th thru June 18th)
Credits: 3 Graduate Credits
Day/Time: Tuesdays, 4:15 PM to 9:30 PM
Place: Downingtown Middle School
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Cabrini College Mission

Education of the Heart

Cabrini College is a Catholic institution of higher education dedicated to academic excellence, leadership development, and a commitment to social justice. The College welcomes learners of all faiths, cultures, and backgrounds and prepares them to become engaged citizens of the world.

Cabrini College Core Values

As the principal component of graduate offerings at Cabrini, the graduate program reflects fundamental elements of the College mission, most specifically the shared core values of

- **Respect**—Consistent demonstration of integrity, honesty, respect and trust;
- **Community**—Demonstration of concern for the personal and professional well-being of others;
- **Vision**—Willingness to take risks for the sake of the College and, especially, the students, and willingness to be open, stand up for one's beliefs, challenge others, admit mistakes, assume responsibility, and change one's own behavior when necessary; and
- **Dedication to Excellence**—Commitment to a performance based work culture characterized by a shared expectation of proficiency, effectiveness and hard work and by proficiency in interpersonal communication, teamwork and organization. (*Cabrini College, Graduate Programs, 2010-2011 Catalog, p. 5*)

Graduate Studies Goals

Graduate programs at Cabrini College strive to develop within individuals the knowledge, skills, and disposition embodied in the mission and core values of the institution. Learning experiences in graduate programs provide opportunities for students to:

- Gain competence in their chosen field of study or subject area;
- Establish methods of inquiry, research and problem solving;
- Gain confidence as a leader in their profession; and
- Serve others, having received an “education of the heart.” (*Cabrini College, Graduate Programs, 2010-2011 Catalog*, p. 5)

Catalog Description:

This course provides an overview regarding major issues in school law and focuses primarily on case law including U.S. Supreme Court decisions as well as relevant state and lower court federal opinions. Topics include church/state issues, teacher and student rights, laws associated with educational opportunities, students with disabilities, tort liability, collective bargaining, and tenure.

Syllabus is subject to change

Learner Outcomes:

1. Develop an understanding of and commitment to high standards for all students and closing achievement gaps.
2. Examine how to create opportunities and a safe environment in which the staff can examine their own beliefs, values, and practices about teaching and learning.
3. Develop an understanding of how to guide and monitor individual teacher professional development plans and progress for continuous improvement of teaching and learning.
4. Develop an understanding of rigorous curriculum and standards-based instructional programs.
5. Examine key legislation of historical and cultural significance on special programs.
6. Identify and assess the pertinence of the six principles associated with IDEA (Individuals with Disabilities Act,) the NCLB Act, the laws and regulations related to tenure, collective bargaining, and separation of church and state issues.
7. Examines how to assign personnel to address student needs, legal requirements and equity goals.
8. Understand the importance of ensuring a safe environment by addressing challenges to the physical and emotional safety of students and staff;
9. Examine how to collaborate with staff and families in decision-making about students' education
10. Understand the importance of using appropriate assessment strategies and research methods to understand and accommodate diverse student and community dynamics
11. Examine the use of appropriate systems and procedures to protect the rights and confidentiality of all students and staff.

Graduate Goal: Gain competence in field of study or subject area.

Learner Outcome	Alignment with PDE Standards	Alignment with Other Relevant Standards
Identify and assess the pertinence of the laws and regulations related to tenure, collective bargaining, and separation of church and state issues, IDEA (Individuals with Disabilities Act,) and the NCLB (No Child Left Behind) Act.	Category I: Planning and Preparation – Student teacher/candidate demonstrates thorough knowledge of content and pedagogical skills in planning and preparation. Student teacher makes plans and sets goals based on the content to be taught/learned, knowledge of assigned students, and the instructional context. Alignment: 354.33. (1)(i)(A), (B), (C), (G), (H)	<u>Core Standard II:</u> The ability to access and use appropriate data to inform decision-making at all levels of the system.
Examine how to create opportunities and a safe environment in which the staff can examine their own beliefs, values, and practices about teaching and learning;	Category IV – Professionalism - Student teacher/candidate demonstrates qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Alignment: 354.33. (1)(i)(I),(J)	<u>Corollary Standard III:</u> Operating in a fair and equitable manner with personal and professional integrity.

Graduate Goal: Establish methods of inquiry, research and problem solving

Learner Outcome	Alignment with PDE Standards	Alignment with Other Relevant Standards
Research and examine key education legislation and case law of historical and cultural significance.	Category IV – Professionalism - Student teacher/candidate demonstrates qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Alignment: 354.33. (1)(i)(I),(J)	<u>Corollary Standard IV:</u> Advocating for children and public education in the larger political, social, economic, legal and cultural context.
Identify and analyze curricular resources and materials relevant to education law. (Case presentation and legal scenario analysis.)	Category IV – Professionalism - Student teacher/candidate demonstrates qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Alignment: 354.33. (1)(i)(I),(J)	<u>Core Standard II:</u> The ability to access and use appropriate data to inform decision-making at all levels of the system.

Graduate Goal: Gain confidence as a leader in their profession

Learner Outcome	Alignment with PDE Standards	Alignment with Other Relevant Standards
Examines how to assign personnel to address student needs, legal requirements, and equity goals.	Category III – Instructional Delivery - Student teacher/candidate, through knowledge of content, pedagogy and skill in delivering instruction, engages students in learning by using a variety of instructional strategies. Alignment: 354.33. (1)(i)(D),(F),(G)	<u>Corollary Standard V:</u> Operating in a fair and equitable manner with personal and professional integrity.
Research and examine key legislation and relevant special education case law of historical and cultural significance and apply the facts to relevant scenarios.	Category IV – Professionalism - Student teacher/candidate demonstrates qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Alignment: 354.33. (1)(i)(I),(J)	<u>Core Standard I:</u> Knowledge and skills to think and plan strategically creating an organizational vision around personalized student success.

Graduate Goal: Serve others, having received an “education of the heart.”

Learner Outcome	Alignment with PDE Standards	Alignment with Other Relevant Standards
Develop an understanding of a commitment to high standards for all students and closing achievement gaps.	Category II: Classroom Environment – Student teacher/candidate establishes and maintains a purposeful and equitable environment for learning, in which students feel safe, valued, and respected, by instituting routines and setting clear expectations for student behavior. Alignment: 354.33. (1)(i)(E), (B)	<u>Corollary Standard VI:</u> Collaborating, communicating, engaging and empowering others inside and outside the organization to pursue excellence in learning. <u>Corollary Standard VI:</u> Collaborating, communicating, engaging and empowering others inside and outside the organization to pursue excellence in learning.
Develop an understanding how to guide and monitor individual teacher professional development plans and progress for continuous improvement of teaching and learning;	Category IV – Professionalism - Student teacher/candidate demonstrates qualities that characterize a professional person in aspects that occur in and beyond the classroom/building. Alignment: 354.33. (1)(i)(I),(J)	<u>Corollary Standard VII:</u> Creating a culture of teaching and learning with an emphasis on learning

Instructional Approach/Format:

The class sessions will consist of mini-lectures, guided class discussions, collaborative group work, research and writing activities, presentations, and guest speakers. The structure of the class will rely heavily on each student’s active participation and willingness to share ideas. Students will be expected to prepare thoroughly for each class meeting by reading the assigned sections of the text and additional articles pertaining to the topics being discussed. Additional materials may also be provided by the instructor. Students will also be expected to review on a weekly basis current news articles in the field of education. Students should read articles that are of personal interest, while paying particular attention to those that pertain to legal issues for school administrators. Each class session will begin with a discussion of the current educational news. Students may wish to subscribe to ASCD Smart Brief – a free, daily e-mail alert which contains many excellent, interesting articles. Students may also choose to review *Education Week*.

Student Responsibilities:**Student Expectations:**

- Work cooperatively and professionally with the other participants in the class.
- Do weekly assignments completely and on time, as noted in the syllabus.
- Participate in class discussions often and share your expertise.
- Attend all classes and be on time.
- Encourage everyone to be a lead learner.

Class Attendance:

Attendance and full class participation is important for our collaborative learning group in this graduate level course. Students are expected to attend all class sessions unless a reasonable absence is warranted. All absences are to be communicated to the instructor immediately upon the student realizing that he/she will not attend class. Alternate assignments may be given to make-up the class time missed. Excessive absences will lower an individual's grade.

Drop/Add/Withdrawal Policy:

The appropriate form from the Registrar's Office must be obtained by the student and the required signatures must be secured within the prescribed time limitations. Students are to refer to the College's Drop/Add/Withdrawal Policy.

Academic Honesty Policy:

Cabrini College is committed to a learning environment that embraces academic honesty. Each member of the Cabrini Community is expected to read, understand and uphold the policies set forth in the ***Academic Policies, Procedures and Regulations*** manual.

Americans with Disability Act:

Persons with documented learning disabilities who require accommodations, have emergency medical information, or require special arrangements for building evacuation should contact the instructor within the first week of class. Verification of any special arrangements needs to be made through the Coordinator of Disability Services (610-902-8572). Such disclosure is voluntary and is kept in confidence.

Course Materials:

Required Text

1. Schimmel, Stellman, & Fischer, *Teachers and the Law*, 8th Edition. ISBN-13: 978-0-13-256423-6
2. Supplemental Readings: Additional readings will be assigned to support the course objectives, class learning activities, and assignments.

Assignments and Grading Policy:

A. Class Participation & Attendance – 100 Points

Regular class attendance is essential. Class participation includes reading all assigned materials, thoughtful contributions to class discussions that reflect thorough preparation, as well as the completion of other assignments and activities as determined by the instructor. One component of class participation will be "This Week in Education." Students will be expected to read at least two current articles each week. Students will utilize the class "Wiki" page to post a response/synopsis/reaction to one article that they read, while also posting a comment/reaction to the post of a classmate. The "Wiki" page is designed to extend our learning and collaboration beyond our weekly class meeting.

B. Case Analysis – 100 Points

In small groups, students will research and present landmark courts cases in education. Each presentation should be approximately 45-60 minutes in length and students will be expected to utilize some form of visual (i.e. PowerPoint, Prezi, etc...)

C. Essential Question Reflection – 70 Points

Following each class meeting, students will reflect upon an essential question related to our work and discussion. The reflection question will provide students with an opportunity to synthesize keys ideas discussed in class, offer a personal connection or reaction, and

identify the relevance for school leaders. Each response should be approximately two paragraphs in length and include specific references to information from class and/or the readings. Students should be sure to use appropriate conventions, grammar, and spelling. Posts should be made prior to the next week's class session. Each post will be worth ten points.

D. Legal Scenario Analysis – 100 Points

Students will select a scenario from a choice of three options provided by the instructor. The student will prepare a written response and analysis of the situation. Thinking in the role of a building administrator, students will be expected to identify key issues, outline a course of action and decision-making process, and thoroughly explain the legal basis for their actions and the outcome. The completed analysis should be 3 to 5 pages in length and serve as evidence of the student's ability to apply the law to real-life situations.

The College and Graduate Center grading system is as follows:

Grade	Quality Points per Credit	Scale for Grades
A	4.00	93% - 100%
A -	3.67	90% - 92%
B +	3.33	87% - 89%
B	3.00	82% - 86%
B -	2.67	79% - 81%
C +	2.33	76% - 78%
C	2.00	70% - 75%
C -	1.67	
D +	1.33	
D	1.00	
F	0.00	69% or below

Other grades without quality points may be given for special situations; consult the graduate catalog for these grades. If the student warrants an incomplete (I) grade, it is the student's responsibility to make sure that he/she meets the College and Instructor criteria and deadlines for requesting this grade and ensuring the *change of grade* in a timely manner.

Weekly Topic Outline & Course Learning Activities:

Week 1 – April 30, 2013

- Introduction
- Course & Syllabus Overview
- Discussion of Course Requirements & Expectations
- The Legal and Decision Making Systems of Schools
- School Attendance and Instructional Programs
 - ***How Do Local Boards of Education Exert Control Over Public Schools?***
 - ***What is the Role of the Local School Superintendent?***
 - ***Are Children Required to Attend Public Schools Under Compulsory Attendance Laws?***
 - ***What are Home Schools and Charter Schools?***
- Chapters 1 & 19

Week 2 – May 7, 2013

- “This Week in Education”
- Terms and Conditions of Employment
 - ***What are the Essential Components of a Teacher’s Contract?***
 - ***When Do Teachers Achieve Tenure?***
 - ***What is Collective Bargaining and How Does it Affect Teachers?***
 - ***On What Grounds May Teachers Be Dismissed?***
- Work Session – Group Presentations
- Chapters 2, 3, 4, & 14

Week 3 – May 14, 2013

- “This Week in Education”
- School and District Liability
 - ***When is a Teacher Negligent?***
 - ***When Does Defamation Occur?***
 - ***Do School Officials Have a Legal Responsibility to Report Suspected Cases of Abuse and/or Neglect?***
- Work Session – Group Presentations
- Chapters 5, 6, & 7

Week 4 – May 21, 2013

- “This Week in Education”
- Teacher and Student Rights - Part I
- Work Session – Group Presentations
- Group Presentation #1 – Pickering vs. Board of Education
 - ***Are Students Entitled to Constitutional Protection in Public Schools?***
 - ***Do Public School Students Possess Freedom of Speech and Expression Rights?***
 - ***Can Teachers Be Dismissed for Speaking Out on Controversial Issues Involving the School District Outside of the Classroom?***
 - ***Can Educators Restrict Student Dress and Appearance?***
- Chapters 9, 10, & 20

Week 5 – May 28, 2013

- “This Week in Education”
- Teacher and Student Rights – Part II
- Group Presentation #2 – Lemon v. Kurtzman Case
 - ***May Students Legally Initiate Prayer & Devotional Meetings in Public Schools?***
 - ***May Students Refuse to Recite the Pledge of Allegiance?***
 - ***Can Public School Teachers Exercise Their Religious Beliefs in Public Schools?***
 - ***What Does Procedural Due Process Entail?***
- Chapters 11, 12, & 13

Week 6 – June 4, 2013

- “This Week in Education”
- Exceptional Learners and the Law, Discrimination
- Group Presentation #3 – Honig v. Doe
 - ***What Federal Laws Protect the Rights of Students with Disabilities***
 - ***Can Students With Disabilities Be Disciplined?***
 - ***What Due Process Rights Are Parents Afforded Under IDEA?***
 - ***What Areas of Public School Operations Are Affected by Title IX?***
- Chapters 15, 16, & 17

Week 7 – June 11, 2013

- “This Week in Education”
- Student Records and Copyright Law
- Group Presentation #4 – Owasso v. Falvo
 - ***What Rights are Provided Parents and Legal Guardians Regarding Student Records?***
 - ***What is FERPA?***
 - ***What Do Teachers Need to Know about Using Copyrighted Materials in the Classroom?***
- Chapters 8 & 18
- **Legal Scenario Analysis Due**

Week 8 – June 18, 2013

- “This Week in Education”
- Contemporary Legal Issues in Education
- Group Presentation #5 – J.S. v. Bethlehem Area School District
 - ***How Does NCLB Affect Schools & Students?***
 - ***Can Schools Punish Students for Using Their Home Computers to Bully, Insult, or Harass Students or Teachers?***
- Chapter 21

Special Notation:

Class will not be held when schools are closed in the Downingtown School District. The instructor will make every effort to communicate a class cancellation via e-mail as soon as the information is available. Students should be sure to check their Cabrini One e-mail accounts and/or be sure that e-mail sent to this account is automatically forwarded to another e-mail account that is checked regularly. The instructor reserves the right to schedule a make-up session on a night other than the regularly scheduled meeting night if class is cancelled for inclement weather or other reasons.

Technology:

Students may utilize technology (laptops, I-pads, etc...) during class for the purpose of taking notes, research, etc...Students may not text message during class, except during established breaks. Failure to adhere to this guideline for classroom decorum will result in a decreased grade for classroom participation.

The student acknowledges receipt of this syllabus and the information herein contained by signing the attendance sheet circulated by the instructor or by continuing to attend classes. The instructor reserves the right to make changes to this syllabus if circumstances warrant such change. All major changes will be provided to the students in writing.

IMPORTANT NOTE – The Instructor reserves the right to lower a student's final course grade due to attendance issues – including missed sessions, arriving late, or leaving class early. Students are to proactively discuss such situations with the instructor.

Class Participation Rubric

CRITERIA	MEETS EXPECTATIONS 90-100	APPROACHING EXPECTATIONS 80-89	DOES NOT MEET EXPECT 79 & BELOW	COMMENTS
Substance of Participation	Often cites relevant points from required readings to support or extend class discussion. Often cites relevant points from sources outside of required readings and draws upon current background and experience.	Occasionally cites relevant points from required readings to support or extend class discussion. Occasionally cites relevant points from sources outside of required readings and draws upon current background and experience.	Rarely cites relevant points from required readings to support or extend class discussion. Rarely cites relevant points from sources outside of required readings and draws upon current background and experience.	
Frequency of Participation	Frequently enriches and extends class discussion by responding to ideas expressed by classmates and/or the instructor. Routinely volunteers relevant points of view.	Occasionally enriches and extends class discussion by responding to ideas expressed by classmates and/or the instructor. Occasionally volunteers relevant points of view.	Rarely enriches and extends class discussion by responding to ideas expressed by classmates and/or the instructor. Rarely volunteers relevant points of view. Absences from class >1x	
Professional Dispositions Evidenced by Participation	Engagement in class demonstrates consistent preparation for class discussions and activities. Is always respectful and mindful of others' experiences and opinions. Often solicits feedback from peers or instructor outside of class.	Engagement in class usually demonstrates preparation for class discussions and activities. Is usually respectful and mindful of others' experiences and opinions. Occasionally solicits feedback from peers or instructor outside of class.	Is rarely prepared for class discussions and activities. Is rarely respectful and mindful of others' experiences and opinions. Rarely solicits feedback from peers or instructor outside of class.	
Wiki Posts & Online Collaboration	Posts to the Wiki are made as required and reflect thoughtful insights and information gleaned from the reading. Responses to the Wiki posts of classmates are substantial and reflect true shared learning and collaboration.	Posts to the Wiki are made as required and reflect basic insights and information gleaned from the reading. Responses to the Wiki posts of classmates are basic and reflect some shared learning and collaboration.	Posts to the Wiki are incomplete, inconsistent, or reflect minimal or no understanding of the concepts. Responses to the Wiki posts of classmates are incomplete, inconsistent, insensitive, or off-topic.	

Case Analysis Rubric

CRITERIA	MEETS EXPECTATIONS 90-100	APPROACHING EXPECTATIONS 80-89	DOES NOT MEET EXPECT 79 & BELOW	COMMENTS
Identification	Student consistently identifies the significant legal/ethical issues presented.	Student generally identifies the significant legal/ethical issues.	Student occasionally identifies the significant legal/ethical issues.	
Analysis	Detailed, logical, legal/ethical analysis is evident throughout.	A good amount of legal/ethical analysis is evident.	Limited evidence of sound legal/ethical analysis provided.	
Application of Content	<p>Student demonstrates a thorough and complete understanding of how the legal and political systems impact a school.</p> <p>Student demonstrates a thorough and complete understanding of the policies, laws, and regulations enacted by local, state, and federal authorities that affect schools.</p>	<p>Student demonstrates a substantial understanding of how the legal and political systems impact a school.</p> <p>Student demonstrates a substantial understanding of the policies, laws, and regulations enacted by local, state, and federal authorities that affect schools.</p>	<p>Student demonstrates a partial or incomplete understanding of how the legal and political systems impact a school.</p> <p>Student demonstrates a partial or incomplete understanding of the policies, laws, and regulations enacted by local, state, and federal authorities that affect schools.</p>	
Documented Legal Support	Positions are consistently supported with citations to specific cases, laws, legal principles, etc.	Positions are frequently supported with citations to specific cases, laws, legal principles, etc.	Positions are occasionally supported with citations to specific cases, laws, legal principles, etc.	
Presentation	Presentation is interesting and engaging. All members of the group are actively engaged in the presentation. The visual effectively supports the information presented.	Presentation is generally interesting and engaging. Most students are involved in the presentation. The visual is somewhat effective in supporting the presentation.	Presentation minimally engages the interest of the audience. Participation among group members is inconsistent. The visual does little to support or enhance the overall presentation.	

Essential Question Reflection

Following each class meeting, students will reflect upon an essential question related to our work and discussion. The reflection question will provide students with an opportunity to synthesize key ideas discussed in class, offer a personal connection or reaction, and identify the relevance for school leaders. Each response should be approximately two paragraphs in length and include specific references to information from class and/or the readings. Students should be sure to use appropriate conventions, grammar, and spelling. Posts should be made prior to the next week's class session. Each post will be worth ten points.

The following criteria will be utilized to assess each post:

- A. Does the student's response demonstrate an understanding of the key concepts that were discussed in class?

- B. Does the student's response incorporate specific information from class readings or discussions, including specific case law and legal references?

- C. Is the student's response well-written and reflective of correct conventions, grammar, and spelling?

Legal Scenario Analysis

CRITERIA	MEETS EXPECTATIONS 90-100	APPROACHING EXPECTATIONS 80-89	DOES NOT MEET EXPECT 79 & BELOW	COMMENTS
Description of the Legal Issue	Includes a well-written description of the scenario; defining and explaining all legal issue(s) involved in the scenario.	Includes a well-written description of the scenario; defines but does not explain the legal issue(s) involved in the scenario.	Describes the scenario; legal issue(s) are not defined or identified	
Decision- making process	Includes a well-written analysis of the legal issue(s) and how it impacts the decision-making process and outcome(s)	The decision-making process has flaws or does not reflect some of the legal issues represented	The decision-making process is lacking and does not reflect the legal issues represented	
Relevant Cases and Research	Presents a clear discussion of the legal issue; including information such as cases, articles, and relevant laws that increase understanding of the issue. (at least 3 sources)	Presents a clear discussion of the legal issue; including information such as cases, articles, and relevant laws that increase understanding of the issue. (less than 3 sources)	Does not provide any relevant laws or cases as sources	
Spelling and Grammar	Has been carefully edited for spelling and grammar and contains no spelling or grammar errors.	Contains minimal spelling or grammar errors.	Paper appears to not have been edited. Contains multiple errors in spelling and grammar.	