American Public University System

The Ultimate Advantage is an Educated Mind

School: Education
EDUC670
Educational Law, Ethics, and Politics
Credit Hours: 3
Length of Course: 8 weeks
Prerequisite: None

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Instructor Information

Please see course for instructor bio and information.

Course Description (Catalog)

This course explores legal, ethical and politics issues governing PreK-12 education in America and the legal responsibilities and powers of state and local governing bodies and individuals

that arise in elementary and secondary schools. Topics include confidentiality, testing, liability for student injury, due process, search and seizure, staff appraisal, employment discrimination, church/state conflicts, control over the curriculum, the expression of controversial views, issues related to the financing and adequacy of state school finance plans, and the schools' authority to make rules governing student and teacher conduct. Issues surrounding in-school and in-district politics will also be discussed. Contracts, dismissals, tenure, retirement, liability of personnel and district, school district boundary changes, and bonding are also explored. Emphasis is given to federal and state statutes and case law affecting due process, liability, equal protection, and the rights of teachers and students in order to better understand the risks in education management and possible strategies to reduce those risks.

Course Scope

This course is a broad overview and addresses the legal and ethical issues relating to the practical problems faced by school administrators. It offers school leaders the opportunity to develop a broader understanding of the legal and ethical aspects of American schooling through presentation of subject areas of law most relevant to PreK – 12 education. It also introduces students to methods of legal analysis and decision-making, including an examination of students' legal rights, and the ethical parameters of education leadership, so that they can anticipate and recognize legal problems as education administrators.

Course Objectives

After successfully completing this course, students will be able to:
1. Analyze the roles of federal, state, and local levels in the governance of education
2. Apply legal principles to educational issues
3. Access and apply legal documentation to educational issues
4. Evaluate ethical principles as they pertain to educational issues

Course Delivery Method

This course delivered via distance learning will enable students to complete academic work in a flexible manner, completely online. Course materials and access to an online learning management system will be made available to each student. Online assignments are due by Sunday evening of the week as noted and include Forum questions (accomplished in groups through a threaded forum), examination, and individual assignments submitted for review by the Faculty Member). Assigned faculty will support the students throughout this eight-week course.

Course Materials

Required Course Textbooks:

Essex, N.L. (2009). The 200 Most Frequently Asked Legal Questions for Educators.

Recommended Textbook for the degree program:

American Psychological Association. (2001). *Publication manual of the American Psychological Association* (6th ed.). Washington, DC: American

In addition to the required texts in this course, you are **strongly encouraged** to purchase the latest addition of the *Publication manual of the American Psychological Association (*Currently 6th Ed.) if you have not previously purchased this resource.

Websites:

Summary of No Child Left Behind Act: http://www.ed.gov/nclb/overview/intro/execsumm.html (Details at HomeWork #2)

In addition to the required course texts the following public domain Websites are useful. Please abide by the university's academic honesty policy when using Internet sources as well. Note Web site addresses are subject to change.

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APA Format	http://www.apa.org
Center for Effective Collaboration and Practice	http://cecp.air.org/default.asp
DOJ - Office of Juvenile Justice and Delinquency Prevention	http://ojjdp.ncjrs.org/
Education Law Association	http://www.educationlaw.org/
FindLaw	http://lp.findlaw.com/
National Center on Education, Disability, and Juvenile Justice	http://www.edjj.org
Office of Special Education Programs	www.ed.gov/parents/needs/speced/edpicks.jhtml?src=sm
University of Michigan – Legislative Histories United States Congress	http://www.lib.umich.edu/govdocs/legishis.html
US Census Bureau	www.census.gov

US Dept of Education – No Child Left Behind	www.ed.gov
USA Today - census data	www.census.usatoday.com

The following reference materials are also useful:

American jurisprudence (encyclopedia). Rochester, NY: Lawyers Cooperative.
American law reports (annotations). Rochester, NY: Lawyers Cooperative.
Black's law dictionary. St. Paul, MN: West.
BYU Education and Law Journal. Brigham Young University.
Corpus juris secundum (encyclopedia). St. Paul, MN: West.
Education Law Reporter. St. Paul, MN: West.
Education Law Quarterly. St. Paul, MN: West.
Education Week. Washington, DC: Editorial Projects in Education.
Individuals with Disabilities Education Law Report. Horsham, PA: LRP Publications.
Journal of Law and Education. Washington, DC: Jefferson Law Book.
ELA School Law Reporter. Dayton, OH: Education Law Association.
School Law News. Washington, DC: Capitol Publications.
The yearbook of education law. Dayton, OH: Education Law Association.
LEXIS/NEXIS data base. Dayton, OH: Mead Data Central.
WESTLAW data base. St Paul, MN: West.

Evaluation Procedures

The success of this course depends on our ability to have read the assigned readings closely, to have thought carefully about the points raised or ignored by authors, and to bring to the group your questions and concerns about their concepts and positions into the discussions groups. Study prior to class ensures your productive participation.

Homework Assignments: Case Briefs and Case Studies (Obj. 1, 2, 3, 4, 5)

There are 7 homework assignments. You will either be asked to do a case brief or to respond to a specific case study in each module. The assignments are related to the topics during the week.

Final Project

The final project requires you to synthesize and apply course information and learning to a final presentation. The presentation may be either a (1) podcast with accompanying script or paper; or (2) PowerPoint presentation with notes at the bottom of each slide. In this final project, address the following: (1) an overview about the importance of knowing about school law, politics, and ethics; (2) more explanations/defining of each-law, politics, and ethics as they

pertain to educational issues; (3) a synthesis of case studies and their implications for teachers; (4) a reflection of what was learned about law/politics/ethics and how new knowledge and understandings will influence your particular teaching and career; and (5) a list and description of at least 5 resources (documents, websites, centers, etc.) to draw from for more information about law/politics/ethics as they pertain to educational issues. Include references and adhere to APA (6th ed). style.

Forum Participation

Your forum post is due by Midnight on Thursday of the week listed. The minimum length of your forum posts are approximately 1 double spaced page (300 words). Your 2 responses to classmates' postings are due by Midnight on Sunday of the week listed and should be a minimum of 150 words (about a paragraph). Writing "I agree" or "you are right" does not meet the requirements of a thoughtful response to your classmates.

The success of this course depends on our ability to have read the assigned readings closely, to have thought carefully about the points raised or ignored by authors, and to bring to the group your questions and concerns about their theses and positions into the forum. Prior to each class I will post Announcements and outline the focus of the subsequent session and direct your reading. Having prepared the readings prior to class ensures your productive participation.

Classes will typically begin with a question I have posed the previous week. We should work to achieve conversational exchanges with each other through the forums, constructively challenging each other to think broadly and critically about ideas or assertions posed by the reading.

In all participation and assignments I am looking for evidence of:

- Demonstration of substantial knowledge and higher order thinking and analytical skills and application of facts, concepts, terms, and processes learned/read/discussed;
- Critical contemplation, i.e., "grapple" with issues and topics;
- Appropriate use of knowledge learned;
- Imaginative thinking and responses to challenges/problems/issues;
- Exploring underlying assumptions about the lifelong value of education and classroom management of schooling;
- Clarity of expression and logical connection among ideas expressed;
- Writing that reflects precise and concise thinking;
- Excellent grammar, syntax, and spelling.

Grade Instruments	Percent
Assignments	35
Forums	40
Final Project	25
TOTAL	**100**

8 – Week Course Outline

Please see the [Student Handbook](#) to reference the University's [grading scale](#).

Week	Topic(s)	Learning Objective(s)	Reading(s)	Assignment(s)
1	The legal system Introduction to leadership ethics	Describe the judicial process as it relates to educational lawsuits Assess the roles of federal, state, and local governments in educational programming Express ethical components of leadership problems	Chapter 1 (Essex) Course syllabus	**Submit HW#1 Ethical Case Study** Using the case study provided by the professor, please respond by answering the questions provided. **Introduction Forum** Introduce yourself to your classmates. Give an example of when you have seen ethical behavior (or unethical behavior) in education. What did you do when you observed this behavior? **Forum #1** What is your state's structure of education? In your responses to peers compare and contrast your system with theirs.
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
2	No Child Left Behind The role of ethics in the law	Understand No Child Left Behind and the role it plays in educational practice	Chapter 14 (Essex)	**Submit HW#2 Ethical Case Study** Create a case study related to NCLB that shows a contradiction between an ethical issue and the law. Provide what you believe to be solution following the questions provided. Submit this as a word document. **Forum #2** What do you do when ethics conflict with the law?
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
3	Student Attendance The Instructional Progr[...] Separation of church a[nd] state	Apply legal tests to situations related to separation of church and state Understand compulsory Attendance and school choice.	Chapters 9 & 10 (Essex)	**Assignment 3: Case Brief** Select a case regarding school attendance, academics, separation of church and state or school choice (from anywhere in the United States) that has been decided after 2007. Prepare a case brief (instructions in module) **Forum #3**

		Academic responsibilities.		Scenario: A small high school has generally begun graduation ceremonies with prayer. The valedictorian is typically the student who delivers the prayer; however, this year's valedictorian has announced that she finds the custom offensive and opposes any prayer at graduation. The members of the senior class met and voted (by a majority of 65 to 27) to continue the prayer tradition and elected a class chaplain to deliver the prayer. The principal has noted that students, not the school, are in charge of graduation ceremonies. You are now the principal. While some parents support the students' actions, some are very upset, and, in fact, the ACLU has contacted the district threatening a suit saying there was a violation of church and state. Prepare a response from the point of view of the principal. Be sure to consider the Lemon test, the students' rights to free speech as protected by the First Amendment to the US Constitution, and any other legal or cultural issues that apply. Then, comment on, ask probing questions about, or respectfully challenge at least two of your colleague students' responses to this situation.
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
4	School district liability and immunity

Identifying relevant legal issues | Determine liability and immunity of school districts

Identify a legal issue applicable to education | Chapters 4 & 8 (Essex) | **Submit HW#4: Case Brief 2**

Select a case regarding school district liability or liability for student records and privacy (from anywhere in the United States) that has been decided after 2007. Prepare a case brief (instructions in module).

Forum #4

Post a description of a situation which may or may not result in school district liability. What are the ethical responsibilities of the school employees? The legal? Are these responsibilities the same? Then, in response to at least two of your colleague learner's postings, state whether or not you think the school district would be liable or immune in that situation and why. Also, indicate any ethical dilemmas and how you would respond. |
| **Week** | **Topic(s)** | **Learning Objective(s)** | **Reading(s)** | **Assignment(s)** |
| **5** | Student rights

Student Discipline

Legal research | Analyze the legal basis for student rights and discipline

Conduct legal library research | Chapters 2, 3, 4 & 5 (Essex) | **HW5: Case Brief**

Select a case regarding student rights or student discipline (from anywhere in the United States) that has been decided after 2007. Prepare a case brief (instructions in module).

Forum #5 |

				Post a hypothetical case related to any of the topics in Essex Chapters 2, 3, 4 or 5. In response to the cases of at least two of your colleague students, assume the position of attorney for or against the district. State which position you are taking and present your argument, citing relevant case law and statute as applicable. . Also, indicate any ethical dilemmas and how you would respond.
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
6	Teacher constitutional rights and freedom and collective bargaining. Legal issues in the educational environment	Analyze the legal basis for teacher rights. Review legal issues as experienced in the educational environment	Chapters 6 & 13 (Essex)	**HW6: Case Brief** Select a case regarding teachers rights of any kind (from anywhere in the United States) that has been decided after 2007. Prepare a case brief (instructions in module). **Forum #6** Post a hypothetical case related to any of the topics in the readings. In response to the cases of at least two of your colleague students, assume the position of attorney for or against the district. State which position you are taking and present your argument, citing relevant case law and statute as applicable. Also, indicate any ethical dilemmas and how you would respond.
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
7	Teacher employment rights and discrimination in employment. Presence as a leadership ethic	Analyze teacher employment rights and discrimination in employment.	Chapters 11 & 12 (Essex)	**HW7: Case Brief** Select a case regarding employment issues of any kind in schools (from anywhere in the United States) that has been decided after 2007 and prepare a case brief (instructions in module). **Forum #7** Post a hypothetical case related to any of the topics in the readings. In response to the cases of at least two of your colleague students, assume the position of attorney for or against the district. State which position you are taking and present your argument, citing relevant case law and statute as applicable. Also, indicate any ethical dilemmas and how you would respond.
Week	**Topic(s)**	**Learning Objective(s)**	**Reading(s)**	**Assignment(s)**
8	Final Exam	Final Exam	NONE	FINAL PROJECT

Policies

Please see the Student Handbook to reference all University policies. Quick links to frequently asked question about policies are listed below.

> Drop/Withdrawal Policy
> Plagiarism Policy
> Extension Process and Policy
> Disability Accommodations

Citation and Reference Style
Attention Please: Students will follow the American Psychological Association (APA) manual (6th edition) as the sole citation and reference style used in written work submitted as part of coursework to the University. Assignments completed in a narrative essay or composition format must follow the citation style cited in the APA manual (6th ed). See http://www.apastyle.org/ and http://www.apastyle.org/learn/tutorials/basics-tutorial.aspx

Websites: Do not quote or paraphrase published sources, including assigned readings and Web-based sources, without explicit reference to the original work. Credit the source using APA style. Cutting and pasting from a website without citing the electronic source is plagiarism, as is taking phrases, sentences and/or paragraphs from textbooks without referencing the source.

Documents/Files: When uploading assignments, make sure they are in doc, docx, or RTF format. Make sure to properly format papers (or PowerPoint) with a cover sheet. Use black 12 Times New Roman, Arial, or other appropriate font. Adhere to the essentials of Standard American English grammar, word choice, spelling, and punctuation and APA 6th edition.

Plagiarism

Plagiarism is a serious violation of APUS's code of academic conduct. The Student handbook explains specific policies and penalties. Here is the link to the policy:

http://www.apus.edu/student-handbook/writing-standards/index.htm#Academic_Dishonesty

Additionally, the School of Education offers further clarification. Specifically, all students in this course are to follow these guidelines:

- Do not quote or paraphrase published sources, including assigned readings and Web-based sources, without explicit reference to the original work. Credit the source using APA style. Cutting and pasting from a website without citing the electronic source is plagiarism, as is taking phrases, sentences and/or paragraphs from textbooks without referencing the source.

- Do not insert parts of class lectures, online modules, or tutorials, including examples, into your own work, without permission or citation. These are published by the instructors, who properly cite the sources of any externally published sources.

- Do not insert parts of previous students' work or current students' work into your own work, without permission and/or citation.

You are expected to use your own words to demonstrate your understanding of the content of this course. While it is appropriate to reference experts and outside resources, students should do so judiciously to avoid simply summarizing and paraphrasing what all other sources have stated about a given topic. Remember to always cite any work that is not your own intellectual property. Failure to do so may result in failing an assignment and/or course; and ultimately may result in being removed from the program due to a violation of professional dispositions.

Late Assignments

Students are expected to submit classroom assignments by the posted due date and to complete the course according to the published class schedule. As adults, students, and working professionals, I understand you must manage competing demands on your time. Should you need additional time to complete an assignment, please contact me before the due date so we can discuss the situation and determine an acceptable resolution. Routine submission of late assignments is unacceptable and may result in points deducted from your final course grade.

Netiquette

Online universities promote the advancement of knowledge through positive and constructive debate – both inside and outside the classroom. Forums on the Internet, however, can occasionally degenerate into needless insults and "flaming." Such activity and the loss of good manners are not acceptable in a university setting – basic academic rules of good behavior and proper "Netiquette" must persist. Remember that you are in a place for the rewards and excitement of learning which does not include descent to personal attacks or student attempts to stifle the Forum of others.

- **Technology Limitations:** While you should feel free to explore the full-range of creative composition in your formal papers, keep e-mail layouts simple. The Sakai classroom may not fully support MIME or HTML encoded messages, which means that bold face, italics, underlining, and a variety of color-coding or other visual effects will not translate in your e-mail messages.
- **Humor Note:** Despite the best of intentions, jokes and especially satire can easily get lost or taken seriously. If you feel the need for humor, you may wish to add "emoticons" to help alert your readers: ;-), :), ☺

Disclaimer Statement

Course content may vary from the outline to meet the needs of this particular group.

Online Library

The Online Library is available to enrolled students and faculty from inside the electronic campus. This is your starting point for access to online books, subscription periodicals, and Web resources that are designed to support your classes and generally not available through search engines on the open Web. In addition, the Online Library provides access to special learning resources, which the University has contracted to assist with your studies. Questions can be directed to **librarian@apus.edu**.

- *Charles Town Library and Inter Library Loan:* The University maintains a special library with a limited number of supporting volumes, collection of our professors' publication, and services to search and borrow research books and articles from other libraries.
- *Electronic Books:* You can use the online library to uncover and download over 50,000 titles, which have been scanned and made available in electronic format.
- *Electronic Journals:* The University provides access to over 12,000 journals, which are available in electronic form and only through limited subscription services.
- *Tutor.com*: AMU and APU Civilian & Coast Guard students are eligible for 10 free hours of tutoring provided by APUS. Tutor.com connects you with a professional tutor online 24/7 to provide help with assignments, studying, test prep, resume writing, and more. Tutor.com is tutoring the way it was meant to be. You get expert tutoring whenever you need help, and you work one-to-one with your tutor in your online classroom on your specific problem until it is done.

Request a Library Guide for your course (http://apus.libguides.com/index.php)
The AMU/APU Library Guides provide access to collections of trusted sites on the Open Web and licensed resources on the Deep Web. The following are specially tailored for academic research at APUS:

- Program Portals contain topical and methodological resources to help launch general research in the degree program. To locate, search by department name, or navigate by school.
- Course Lib-Guides narrow the focus to relevant resources for the corresponding course. To locate, search by class code (e.g., SOCI111), or class name.

If a guide you need is not available yet, please email the APUS Library: librarian@apus.edu.

Turnitin.com

Faculty may require assignments be submitted to Turnitin.com. Turnitin.com will analyze a paper and report instances of potential plagiarism for the student to edit before submitting it for a grade. In some cases professors may require students to use Turnitin.com. Typically the

course professor will establish a Turnitin.com access code for his/her classes. If the code has not been established, those who wish to use Turnitin.com may ask their professor to establish the code.

Special Note to Faculty: Please be <u>certain</u> to provide accurate directions and to set up the functionality appropriately.

Administration and Leadership Course Acronyms

ACRONYM	REFERENCE
AASA	American Association of School Administrators
ADA	Americans with Disabilities Act
AFT	American Federation of Teachers
AMEA	Association of Multiethnic Americans
APA	American Psychological Association
APUS PEU	American Public University System Public Education Unit
ASCA	American School Counselor Association
ASCD	Association for Supervision and Curriculum Development
CPD	Center for Professional Development
CREDE	Center for Research on Education, Diversity and Excellence
ELCC	Educational Leadership Constituent Council Standards
ELI	Evaluation Leadership Institute
FAPE	Free and Appropriate Public Education
HTML	Hypertext Markup Language
IDEA	Individuals with Disabilities
IEP	Individualized Education Program
ISLLC	Interstate School Leaders Licensure Consortium
ISTE	International Society for Technology in Education
MIME	Multipurpose Internet Mail Extensions
NAESP	National Association of Elementary School Principals
NAME	National Association for Multicultural Education
NASP	National Association of School Psychologists
NASSP	National Association of Secondary School Principals
NBPTS	National Board for Professional Teaching Standards
NCATE	National Council for Accreditation of Teacher Education (NCATE)
NCLB	No Child Left Behind
NEA	National Education Association
NETS	National Education Technology Plan
NPBEA	National Policy Board for Education Administration
OETC	Organization for Educational Technology and Curriculum
OSEP	Office of Special Education Programs
PDK	Phi Delta Kappa
PPST	Pre-Professional Skills Test-Praxis I
SLS	School Leadership Series
TC	Technology Coordinator
TEACH Act	Technology Education and Copyright Harmonization Act
TSSA	Technology Standards for School Administrators
UNESCO	United Nations Education, Scientific, and Cultural Organization