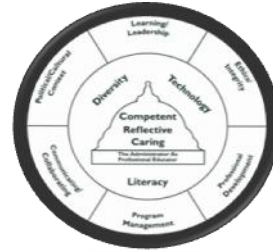


COURSE SYLLABUS

SOUTHEAST MISSOURI STATE UNIVERSITY

Department of Educational Leadership and Counseling

Course NO: EA-755: School District Law



New: Spring 1995
Revision: Fall 1998
Revision: Fall 2000
Revision: Fall 2005
Revision: Fall 2010

THE ADMINISTRATOR AS PROFESSIONAL EDUCATOR

I. Catalog Description and Credit Hours of the Course

A study of law that includes the basic fields of contracts, property, torts, constitutional law, and other areas of law that directly affect the educational and administrative processes of the educational system. (3)

II. Prerequisite(s):

EA-651 School Law (or permission of instructor)

III. Purposes or Objectives of the Course:

The Candidate will:

- A. Demonstrate basic understanding of the American system of jurisprudence.
- B. Demonstrate knowledge of the legal governance of public schools.
- C. Demonstrate an understanding of the constitutional relationship of religion and church to state.
- D. Demonstrate an understanding of the laws affecting school attendance.
- E. Demonstrate knowledge of the law's effect on the instructional program and school operations.
- F. Demonstrate knowledge of the constitutional issues of desegregation.
- G. Demonstrate an understanding of torts in school settings.
- H. Demonstrate an understanding of governmental immunity and liability.
- I. Demonstrate knowledge of laws affecting certification, personnel contracts, and tenure.
- J. Demonstrate knowledge of due process rights of teachers and students.
- K. Demonstrate an understanding of discrimination issues in employment.

- L. Demonstrate knowledge of the legal basis of school finance.
- M. Demonstrate knowledge of property law as it affects public schools.
- N. Demonstrate the ability to apply knowledge of common law, contractual requirements, and procedures in educational settings. (e.g., tort liability, contract administration, and formal hearings).
- O. Demonstrate the ability to work within the policies, laws, and regulations enacted by local, state, and federal authorities.
- P. Demonstrate the fair, wise, and consistent application of laws and procedures.
- Q. Demonstrate an understanding of the processes by which federal, state, and school policies are formulated, enacted, implemented, and evaluated.
- R. Demonstrate the ability to develop strategies for influencing both policy and law development.

IV. Expectations of Candidates:

- A. Candidates are expected to demonstrate a high level of mastery of the materials presented in the course.
- B. Candidates are expected to be prepared to discuss reflectively the relevant textbook and other written materials announced prior to a course period.
- C. Candidates are expected to complete written assignments in the prescribed format.
- D. Candidates are expected to take examinations covering the presented body of knowledge.
- E. Candidates are expected to inform the instructor if they need physical or educational assistance due to a disability or any other reason which may cause them to be disadvantaged in the course.

V. Course Content or Outline:

- A. An overview of the legal system as it relates to education and schooling.
- B. Legal issues impacting the instructional program and school operations.
- C. Religion, church and the schools
- D. Desegregation and affirmative actions
- E. Torts in educational settings
- F. Governmental immunity and officers and employees liability
- G. The law of certification, contracts, and tenure

- H. Constitutional and statutory due process rights of teachers and students
- I. Fair employment and discrimination
- J. Legal basis of school finance
- K. Public school property law

VI. Textbook(s):

Alexander, K. & Alexander, D.M. (2009). *American public school law* (7th ed.). New York, NY: West Publishing.

VII. Basis for Candidate Evaluation and Performance Outcomes:

The evaluation of candidate performance includes the following products and/or activities:

- A. Examinations
- B. Written Assignments
- C. Class Preparation and Participation

VIII. The weight of the evaluation criteria will vary according to each instructor and will be communicated at the beginning of the course.

IX. Academic Policy Statement:

Students will be expected to abide by the University Policy for Academic Honesty regarding plagiarism and academic honesty. Refer to:
<http://www6.semo.edu/judaffairs/code.html>

X. Student with Disabilities Statement:

If a student has a special need addressed by the Americans with Disabilities Act (ADA) and requires materials in an alternative format, please notify the instructor at the beginning of the course. Reasonable efforts will be made to accommodate special needs.

XI. Harassment and Civility

The University strives to offer learning experiences and opportunities designed to help candidates think effectively, develop the capacity to communicate, discriminate among values, and make relevant judgments. A major determinant of a successful educational experience is a shared sense of respect among and between the candidates and their instructor. Mutual respect for all as well as a no tolerance policy on harassment of any kind is expected. Every candidate at Southeast is obligated at all times to assume responsibility for his/her actions, to respect constituted authority, to be truthful, and to respect the rights of others, as well as to respect private and public property.

XII. Dispositions

Professional Dispositions for Educational Leadership

The Dispositions, as assessed within Educational Leadership are guided by the central core of the Conceptual Framework. The beliefs and attitudes related to the areas of competence, reflection and caring, were the guiding force in establishing the dispositions assessed at the beginning and end of coursework. These dispositions continue to be validated by P-12 personnel, faculty and the candidates themselves as the evaluation process evolves. In 2007, an Improvement *Disposition* Plan (IDP) form was created to inform and remediate the candidates who did not meet or exceed the expectations of the unit. The IDP form is available for faculty to utilize during supervision of field experiences, as well as in the classroom setting.

The following assessed *dispositions* are listed under the applicable Conceptual Framework Term.

Competent:

- Committed to the development of a quality learning environment
- Willingly shares ideas and materials with others
- Prefers being part of a team
- Maintains high ethical and professional standards
- Is aware of program policies and professional practices
- Responds to program guidelines positively
- Maintains a professional appearance
- Recognizes the variety of ideas, values and cultures in the larger political, social, economic, legal and cultural context.
- Receptive to change for continuous improvement of learning environments
- Displays a results-oriented (professional program assessment) mentality
- Quality of oral expression is good and effective with a variety of audiences
- Exhibits effective written expression with proper mechanics and spelling

Reflective:

- Makes decisions that enhance learning and instruction
- Is willing to take risks to improve student achievement (learning)
- Is creative and resourceful and independently implements plans
- Demonstrates the ability to distinguish between relevant and irrelevant information
- Poses probing questions and identifies problems regarding educational issues
- Demonstrates appropriate analysis, synthesis and evaluation of data and information
- Solicits input and feedback from others
- Properly channels constructive criticism to the improvement of programs and learning

Caring:

- Believes that all students can learn
- Sees education as a key to opportunity and social mobility
- Maintains a high rate of attendance
- A self-starter who identifies needs and attends to them immediately
- Displays good judgment regarding the maintenance of good relationships
- Is diplomatic and sensitive to others' feelings and opinions
- Appears to be deeply committed to a career in administration
- Displays enthusiasm for the profession

XIII. Alignment of Standards

Objective	Conceptual Framework Unit Standard Met	ELLC/ ISLLC Standard Met	MOSTEP Standard Met	Assessment Assuring that the Objective has been met	
A. Demonstrate basic understanding of the American system of jurisprudence.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Discussion Reports Case Studies	
B. Demonstrate knowledge of the legal governance of public schools.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Discussion Reports Presentations	
C. Demonstrate an understanding of the	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3,	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Case Studies	

constitutional relationship of religion and church to state.	4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3				
D. Demonstrate an understanding of the laws affecting school attendance.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Discussion Reports Presentations	
E. Demonstrate knowledge of the law's effect on the instructional program and school operations.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Presentations Reports	
F. Demonstrate knowledge of the constitutional issues of desegregation.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Case Studies	
G. Demonstrate an understanding of torts in school settings.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Discussion	
H. Demonstrate an understanding of governmental immunity and liability.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examination Discussion	
I. Demonstrate knowledge of laws affecting certification, personnel contracts, and tenure.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examination Case Studies	
J. Demonstrate knowledge of due process rights of teachers and students.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Case Studies	
K. Demonstrate an understanding of discrimination issues in employment.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Case Studies	
L. Demonstrate	1.2, 1.3, 1.4, 1.5,	1, 2, 3, 4,	1.3.1, 1.3.2,	Examinations	

knowledge of the legal basis of school finance.	2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	5, 6	1.3.3, 1.3.4, 1.3.5, 1.3.6	Case Studies	
M. Demonstrate knowledge of property law as it affects public schools.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Case Studies	
N. Demonstrate the ability to apply knowledge of common law, contractual requirements, and procedures in educational settings. (e.g., tort liability, contract administration, and formal hearings).	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Presentations Case Studies	
O. Demonstrate the ability to work within the policies, laws, and regulations enacted by local, state, and federal authorities.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Case Studies Presentations Examinations	
P. Demonstrate the fair, wise, and consistent application of laws and procedures.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Examinations Discussions	
Q. Demonstrate an understanding of the processes by which federal, state, and school policies are formulated, enacted, implemented, and evaluated.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Presentations Discussion	
R. Demonstrate the ability to develop strategies for influencing both policy and law development.	1.2, 1.3, 1.4, 1.5, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 5.1, 5.2, 5.3, 5.4, 5.5, 6.1, 6.2, 6.3	1, 2, 3, 4, 5, 6	1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6	Discussion Presentations	

XIV. Relationship of the Conceptual Framework to Standards

The increasing emphasis on professional standards for educators that focus on resultant *dispositions* and School Leaders Licensure Assessment (SLLA) and the School Superintendent Assessment (SSA) results of program graduates has reinforced the relevance of the College's emphasis on a synergistic meld of the themes of *competent, reflective, and caring* as the foundation of its *conceptual framework*. As the lists of expected achievement indicators, competencies, and *dispositions* issued by government and professional groups become more extensive, only a *competent* professional who assiduously *reflects* on his/her teaching, while maintaining a *caring* attitude, is and/or will be capable of meeting the intent of those standards. For a unit the size of the College of Education at Southeast Missouri State University, the broad applicability of *competencies, reflective learning, and caring* supports its utility as a purposeful conceptual framework that all constituents apply to their work. Specific instances of how the conceptual framework influences work within programs will be found in evidence provided by the programs.

It is the collaborative belief of the faculty of the College of Education at Southeast Missouri State University and the professional community of educators who work with the College to prepare future educators at all levels that any overarching statement or theme must encompass a vision for the entire College and its constituent parts. That vision, encapsulated within a theme statement, is to prepare pre-service professionals and to encourage and support the teacher, the administrator and the counselor in their efforts to at all times be, act and believe as competent, reflective and caring professionals in their support of all learners.

Given that such a vision arises from divergent constituencies, in diverse fields within education, it is important for us to be clear on what constitutes the foundational pieces on which this vision rests. While the primary tenets of this vision are our collective belief that to be professional educators, one must be *competent, reflective and caring* in both the personal and professional senses, equally important are the many components that we believe are both required and evoked by those three attributes. These components are to be found in the collegially derived descriptions for teacher education, administrator education and counselor education. We have developed visions for each of these areas as separate descriptions because we felt that while intertwined in the College and in the field, each approaches the task through curricular and pedagogical means unique to that field.

The general theme of the vision, as noted above, is that each of these areas strives to nurture and prepare the pre-service candidate, and challenge and stimulate the continuing professional to be a *competent, reflective and caring* professional, so they can meet the needs of diverse learners. These efforts include continuous endeavors to creatively incorporate *technology* throughout their individual subject area fields, to promote understanding and appreciation for *diversity*, and to support the development of *literacy* skills needed in an increasingly complex society. This *Conceptual Framework model, with the six centrally located terms of competent, caring, reflective, diversity, technology and literacy*, provide guidance for all programs in the College of Education in a continuous effort to develop, utilize and *assess* proficiencies according to standards evidenced in college, state and national standards.

XV. Knowledge Base References:

Alexander, K. & Alexander, D.M. (1998). *The law of schools, students and teachers in a nutshell*. St. Paul, MN: West Publishing.

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Deskbook encyclopedia of American school law. (2003). Rosemount, MN: Data Research, Inc.

Essex, N. (2006). *A teacher's pocket guide to school law*. Boston, MA: Allyn & Bacon.

Fishcher, L. & Gail P.S. (1991). *School law for counselor, psychologist, and social workers* (2nd ed.). New York: Longman and Company.

Imber, M. (1993). *Education law*. New York: McGraw-Hill.

LaMorte, M. W. (1996). *School law, cases and concepts* (5th ed.). Needham Heights, MA: Allyn & Bacon.

O'Neil, R. C. & Green, E. T. (1992). *School law for the 1990's*. Westport, CT: Greenwood Press.

Schimmel, D. & Fischer, L. (1987). *The rights of parents*. Columbia, MD: National Committee for Citizens in Education.

Taylor, B. B. (1996). *Education and the law*. Santa Barbara, CA: ABC-CLIO Publishing.

The public school laws of Missouri (2005). Jefferson City, MO: Department of Elementary and Secondary Education. Charlottesville, VA: Lexis Nexis.

Underwood, J., & Webb, D. (2006). *School law for teachers: Concepts and applications*. Upper Saddle River, NJ: Pearson Education, Inc.

Valente, W. D. (1994). *Law in the schools*. Upper Saddle River, NJ: Merrill Publishing.

DEPARTMENTAL APPROVAL DATE: _____

COLLEGE COUNCIL APPROVAL DATE: _____