COURSE SYLLABUS

SOUTHEAST MISSOURI STATE UNIVERSITY

Department of Educational Leadership and Counseling

Course NO: EA-633
Revised: Fall 2005
Revised: Fall 2009
Revised: Spring 2012

Title of Course: Legal Aspects of Higher Education

I. Catalog Description and Credit Hours of the Course:

This course examines the legal rights and responsibilities of faculty, candidates, staff, and administrators in higher education. Areas of focus include fair employment, due process, affirmative action, and liability. Court cases, statutes, the Constitution, and regulations serve as the basis for discussion.

II. Prerequisite(s): Admission to the Master of Arts in Higher Education Administration Program, or permission of the instructor.

III. Purposes or Objectives of the Course:

The candidate will demonstrate knowledge, understanding, and ability to:

A. Understand the interrelationship between laws, court cases, administrative decisions, regulations, policies, and the Constitution.

B. Understand the legal status and rights of candidates, administrators, and faculty.

C. Understand current legal and regulatory issues in higher education.

IV. Student Learning Outcomes

A. Students will research a legal case, analyze the legal issues, and prepare a written case brief that includes a summation of the facts, identification of legal issues, description of the court’s ruling, analysis of the court’s reasoning, and reflection upon the impact of the decision on the college/university setting.

B. Students will apply leadership and legal theory to a case study in a college/university
setting; identify legal and administrative issues; cite the appropriate legal authority, and recommend an appropriate resolution that reflects best practices and application of sound legal theory.

C. Students will apply leadership and legal theory to a case study in a college/university setting that raises several issues of leadership and law; identify all potential issues in the scenario; cite the appropriate legal authority, and recommend an appropriate solution that reflects best practices in university administration.

V. Expectations of Candidates:
   A. Intensive reading of the text and other reference materials.
   B. Class participation and oral reports to the class on legal briefs and opinions.
   C. Completion of all assignments, including a research paper and case presentation.
   D. Examination covering assigned readings and class discussions.

VI. Course Content or Outline:

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<td>E. Affirmative Action</td>
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<td>F. Governance</td>
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VII. Textbook(s):


VIII. Significant Court Decisions

A. Academic Freedom

B. Affirmative Action

C. Governance

D. Privacy

E. Religious Freedom

F. Speech Codes
7. *Corry v. Stanford University*, Case No. 740309, Santa Clara County Superior Court

G. Candidate Affairs
1. *Board of Regents of the University of Wisconsin System v. Southworth*, 529 U.S. 217 (2000) (Mandatory Candidate Activity Fees are Constitutional)

H. Tenure
2. *Board of Regents v. Roth*, 408 U.S. 564 (1972)

IX. Basis for Candidate Evaluations and Performance Outcomes:

The weight of evaluation criteria may vary at the discretion of the instructor and will be indicated at the beginning of each class.

A. Class Participation
B. Case Briefings
C. Research Paper
D. Examinations

X. Academic Dishonesty:
Academic dishonesty is an offense against Southeast Missouri State University. A candidate who has committed an act of dishonesty has failed to meet a basic requirement of satisfactory academic performance. Thus academic dishonesty is not only a basis for disciplinary action, but is also relevant to the evaluation of the candidate’s level of performance. Academic honesty requires that candidates do not cheat, or knowingly assist another to do so. Other unacceptable behavior includes plagiarism, which is submission of someone else’s work as their own, and the unauthorized access to or changing of grades or examination. As required by Southeast Missouri State University policy, instructors must report cases of academic honesty. Refer to: [http://www6.semo.edu/judaffairs/code.html](http://www6.semo.edu/judaffairs/code.html) website.
XI. **Accommodations:**
Candidates with disabilities who require accommodations (academic adjustments and/or auxiliary aids or services) for this course must contact the instructor. To request accommodations, candidates must contact Services for Students with Disabilities. Refer to: [http://www.semo.edu/cs/services/disability.htm](http://www.semo.edu/cs/services/disability.htm) website.

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 candidate 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 candidates 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

Questions, comments or requests regarding this course or program should be taken to your instructor. Unanswered questions or unresolved issues involving this class may be taken to David Stader, Chair; Department of Educational Leadership & Counseling.

DEPARTMENTAL APPROVAL DATE 4/17/12

COLLEGE COUNCIL APPROVAL DATE 5/8/12