THE ADMINISTRATOR AS PROFESSIONAL EDUCATOR

I. Catalog Description and Credit Hours of the Course:

The course provides school administrators and persons seeking certification in school administration with in-depth study of Missouri and federal laws regulating the operation of public schools and a survey of the state and federal court decisions that affect the operation of public schools. (3)

II. Prerequisite(s):

Satisfactory completion of graduate level course in elementary or secondary administration (or equivalent) or permission of the instructor.

III. Purposes or Objectives of the Course:

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

A. Analyze Federal and State Constitutional provisions which are applicable to education.
B. Analyze Federal and State statutes which are applicable to both regular and special education.
C. Analyze case law, common law, and contractual requirements which are applicable to school operations.
D. Recognize implications of regulatory agencies regarding public education.
E. Assess the implications of state, county, and local governmental units for public operation.
F. Assess applications given specific circumstances regarding tort, contract, district
and personal liability related to the operation of Missouri public schools.

G. Assess implications of State Board Policies on policy development at the local level.

H. Assess implications at DESE regulations on decision making at the local level.

The candidate will become cognizant of:

I. The impact of diversity and equity on policy-making and administrative practices at the local level.

J. Recent federal legislation having either direct or indirect impact on the operation of public schools.

K. Legal issues governing relationships with local boards of education.

L. Pertinent laws and court decisions affecting the rights of candidates and teachers.

M. Decisions of the various federal courts affecting the function of public schools.

N. Missouri Attorney General's opinions on matters relating to state school laws.

O. Laws and decisions relating to confidentiality.

P. Laws and decisions relating to separation of church and state.

IV. Expectations of Candidates:

A. Intensive reading of the text and other reference materials.

B. Class participation and oral reports to the class on briefs and opinions.

C. Prepare briefs of current litigation.

D. Research on a topic of interest to the candidate and relevant to the course. A written report of the research will be submitted as well as an oral presentation to the class.

E. Examination covering assigned readings and class discussions.

V. Course Content or Outline:

Topics:

A. The Legal Foundation of Public Education
   State Control of Education
   Federal Role in Education
   Function and Structure of the Judicial System

B. Church - State Relations
   Constitutional Framework
   Religious Influences in Public Schools
   Excusal from Public School for Religious
Instruction and Observances
Religious Exemptions from Public School Activities
Religious Challenges to The Secular Curriculum
Governmental Regulations of Private Schools

C. School Attendance and Instructional Issues
   Compulsory Attendance
   Residency Requirements
   Required Fees for Textbooks and Courses
   The School Curriculum
   Competency Testing
   Educational Malpractice
   Instructional Privacy Rights

D. Students’ Rights in Noninstructional Matters
   Freedom of Expression
   Freedom of Press: Candidate Publications
   Student Appearance

E. Student Classification Practices
   Equal Protection Guarantees
   Classifications Based on Sex
   Classifications Based on Marriage and Pregnancy
   Classifications Based on Age
   Classifications Based on Ability or Achievement
   Classifications Based on Handicaps
   Classifications Based on Native Language

F. Candidate Discipline
   Conduct Regulations
   Expulsions and Suspensions
   Disciplinary Transfers
   Corporal Punishment
   Academic Sanctions
   Search and Seizure
   Remedies for Unlawful Disciplinary Actions

G. Terms and Conditions of Employment
   Certification
   Employment by Local School Boards
   Contracts
   Personnel Evaluation
   Personnel Records
   Other Employment Issues
   Use of Copyright Material
Reporting Child Abuse

H. Teachers' Substantive Constitutional Rights
   Freedom of Expression
   Academic Freedom
   Freedom of Association
   Personal Appearance
   Privacy Rights
   Remedies for Violations of Substantive Constitutional Rights
   Remedies for Violations of Substantive Rights

I. Discrimination in Employment
   Constitutional and Statutory Standards of Review
   Discrimination Based on Race or National Origin
   Sex Discrimination
   Age Discrimination
   Discrimination Based on Handicaps
   Religious discrimination

J. Termination of Employment
   Due Process in General
   Procedural Due Process Requirement in Discharge Proceedings
   Dismissal for Cause
   Remedies for Wrongful Terminations

K. Collective Bargaining
   Employee's Bargaining Rights in the Private and Public Sectors
   Statutory Bargaining Rights of Teachers
   Scope of Negotiations
   Union Security Provisions
   Negotiation Impasse
   Grievances
   Strikes

L. Tort Liability
   Elements of Negligence
   Educators' Liability
   Defenses Against Negligence
   Assault and Battery
   Defamation

M. School Desegregation
   From Plessy to Brown
   Phase I: Southern Desegregation
   Phase II: Beyond Southern desegregation
Staff Desegregation

N. Summary of Legal Generalizations

VI. Textbook(s):


VII. Basis for Candidate Evaluation and Performance Outcomes

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

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

A. Examinations.
B. Oral Discussion/Reports
C. Written Papers
D. Problem Solving Exercises
E. Federal and State Constitutional, Analysis
F. *Discussion of Legal Issues/Trends*
G. *Development of Candidate Discipline Codes*
H. *Curriculum Development and Leadership*
I. *District Policy Analysis*
J. *Teacher Evaluation/Termination*

*Items identified with an asterisk will be continued during the candidate’s internship.

The evaluation of candidate performance includes the following products and/or activities and is standards based. Educational Leadership Constituent Council (ELCC) Standards and Missouri Standards for Teacher Education Programs (MoSTEP) standards follow each evaluation product or activity with the MoSTEP standards listed in parentheses. The weight of evaluation criteria may vary at the discretion of the instructor and will be indicated at the beginning of each class.

VIII. Knowledge Base References:

Bethel School Dist. No. 403 v. Fraser, 106 S.Ct. 3159 (1986). Student Discipline & Conduct Regulations


The First and Ninth Articles: The Constitution of the State of Missouri.


related schools.


Missouri Revised Statutes, 167.161. Expulsion and Suspension


Missouri Revised Statutes, 168.128. Evaluation.


*The Public School Laws of Missouri, www.dese.mo.gov*


IX. 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 website.

X. 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 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 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

<table>
<thead>
<tr>
<th>Objective</th>
<th>Conceptual Framework Unit Standard Met</th>
<th>ELLC/ISLLC Standard Met</th>
<th>MOSTEP Standard Met</th>
<th>Assessment Assuring that the Objective has been met</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Analyze Federal and State Constitutional provisions which are applicable to education.</td>
<td>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</td>
<td>1.2, 3, 4, 5, 6</td>
<td>1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6</td>
<td>Examinations Discussion Reports Case Studies</td>
</tr>
<tr>
<td>B. Analyze Federal and State statutes which are applicable to both regular and special education.</td>
<td>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</td>
<td>1.2, 3, 4, 5, 6</td>
<td>1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6</td>
<td>Examinations Discussion Reports Presentations</td>
</tr>
<tr>
<td>C. Analyze case law, common law, and contractual requirements which are applicable to school operations.</td>
<td>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</td>
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<td>1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6</td>
<td>Examinations Discussion Reports Presentations</td>
</tr>
<tr>
<td>D. Recognize implications of regulatory agencies regarding public education.</td>
<td>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</td>
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<td>Examinations Discussion Reports Presentations</td>
</tr>
<tr>
<td>E. Assess the implications of state, county, and local governmental units for public operation.</td>
<td>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</td>
<td>1.2, 3, 4, 5, 6</td>
<td>1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6</td>
<td>Discussion Reports</td>
</tr>
<tr>
<td>F. Assess applications given specific</td>
<td>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</td>
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circumstances regarding tort, contract, district and personal liability related to the operation of Missouri public schools.

G. Assess implications of State Board Policies on policy development at the local level.

H. Assess implications of DESE regulations on decision making at the local level.

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.

DEPARTMENTAL APPROVAL DATE: __________
COLLEGE COUNCIL APPROVAL DATE: __________