



**EDAD 616A**  
**Education Law and Personnel Administration**  
**CRN #27514**  
**Tuesdays, March 25<sup>th</sup> – May 6<sup>th</sup>**  
**4:00 pm- 8:50 pm**  
**San Marcos Elementary School, Room 203**  
**Spring 2014**

---

*Conceptual Framework Theme: Engaging diverse communities through leading and learning for social justice.*

---

Professor:	Tom McCoy
Phone:	858-740-4491
E-Mail:	tmccoy@csusm.edu
Office:	SME Lounge
Hours:	By Appointment

---

**School of Education Mission & Vision Statement**  
*(Adopted by SOE Governance Community, January 2013)*

*Vision*

To serve the educational needs of local, regional, and global communities, the School of Education advances innovative practice and leadership by generating, embracing, and promoting equitable and creative solutions.

*Mission*

The mission of the School of Education community is to collaboratively transform education. We:

- Create community through partnerships
  - Promote and foster social justice and educational equity
  - Advance innovative, student-centered practices
  - Inspire reflective teaching and learning
  - Conduct purposeful research
  - Serve the School, College, University, and Community
- 

**Basic Tenets of our Conceptual Framework**

- Student centered education
  - Research and theory specific to the program field inform practice
  - Connections and links between coursework and application
  - Strong engagement between faculty and candidates
  - Co-teaching clinical practice
  - Culturally responsive pedagogy and socially just outcomes
-

## **COURSE DESCRIPTION**

Candidates learn the basic principles of parent, student, and employee due process, personnel practices relative to hiring, evaluation, and discipline of employees, content of collective bargaining agreements, and principles of supervision. *May not be taken for credit by students who have received credit for EDAD 634A. Enrollment restricted to students who have obtained consent of instructor.*

McCoy: Candidates learn basic elements of school finance and responsibilities of administrators for allocating financial and other resources in an equitable manner. Candidates will have the opportunity to discuss budgeting principles that are based on the distribution of resources in support of all students' learning.

## **Course Prerequisites**

Consent of the Program Coordinator

## **Goals**

This course will assist the candidate to:

- Know and understand how various federal and state laws impact school and district policies as they relate to employee relations, student conduct, and student and parent rights.
- Research specific local issues and policies that are aligned with federal and state laws.
- Examine the personnel management process as a method of meeting legal standards within a diverse organization.

## **Course Objectives**

In this course candidates will:

1. Introduction to school law and district governance
2. Retention, progressive discipline, and dismissal of employees
3. FRISK documentation techniques
4. Student discipline and safety
5. Special education law
6. Harassment, discrimination, freedom of speech law and cases
7. Religion in the schools
8. Liability and litigation

## **Required Texts**

Andelson, J. D. (2001). *FRISK documentation model: Practical Guidelines for Evaluators in Documenting Unsatisfactory Employee Performance*. Cerritos, CA: Atkinson, Andelson, Loya, Rudd & Romo.

To purchase book call: (562) 653-3200, or borrow the book from your site administrator.

Essex, Nathan L. (2011). *A Teacher's Pocket Guide to School Law, 2nd edition*. Upper Saddle River, NY: Pearson Education, Inc. ISBN: 0-205-45215-9

Schimmel, D., Eckes, S., Militello, M. (2010). *Principals Teaching the Law*. Thousand Oaks, CA: Corwin Press. ISBN: 978-1-4129-7223-9

Register for FREE up-to-date legal school law news:

<http://www.nsba.org/MainMenu/SchoolLaw/LegalClips.aspx>

### **Authorization to Teach English Learners**

This credential program has been specifically designed to prepare teachers for the diversity of languages often encountered in California public school classrooms. The authorization to teach English learners is met through the infusion of content and experiences within the credential program, as well as additional coursework. Candidates successfully completing this program receive a credential with authorization to teach English learners. *(Approved by CCTC in SB 2042 Program Standards, August 02)*

CTEL candidates will need to upload their graded CTEL signature assignment (with a passing grade or rubric indicating passing grade for assignment) to their **CTEL electronic portfolio** upon completion of this course. CTEL Program Coordinator will then review the candidate's CTEL standards in their electronic portfolio in order to fulfill their certification requirements for the California State Department of Education. For further clarification, please contact Ana Hernandez, CTEL Program Coordinator, at [ahernand@csusm.edu](mailto:ahernand@csusm.edu).

### **Leadership Standards**

This course will provide opportunities for participants to develop their leadership knowledge, skills, and dispositions following the California Administrators Performance Expectations (CAPE) for:

Category II (Demonstration of Effective Leadership):

- Program Standard 6: Visionary Leadership: actionable and sustainable vision of teaching and learning that is responsive to the changing context of a given school
- Program Standard 7: Instructional Leadership: knowledge of the standards and the ability to monitor teaching and give feedback
- Program Standard 8: School Improvement Leadership: increases his/her capacity to communicate and lead others in continuous improvement
- Program Standard 9: Professional Learning and Growth Leadership: model and facilitate PD, including collaboration
- Program Standard 10: Organizational and Systems Leadership: understand, align, and integrate organizational structures, including resource management
- Program Standard 11: Community Leadership: communicate about the school and share with a broad range of stakeholders

## **GENERAL CONSIDERATIONS**

### **Assessment of Professional Dispositions**

Assessing a candidate's dispositions within a professional preparation program is recognition that teaching and working with learners of all ages requires not only specific content knowledge and pedagogical skills, but positive attitudes about multiple dimensions of the profession. The School of Education has identified six dispositions – social justice and equity, collaboration, critical thinking, professional ethics, reflective teaching and learning, and life-long learning—and developed an assessment rubric. For each dispositional element, there are three levels of performance - *unacceptable*, *initial target*, and *advanced target*. The description and rubric for the three levels of performance offer measurable behaviors and examples.

The assessment is designed to provide candidates with ongoing feedback for their growth in professional dispositions and includes a self-assessment by the candidate. The dispositions and rubric are presented, explained and assessed in one or more designated courses in each program as well as in clinical practice. Based upon assessment feedback candidates will compose a reflection that becomes part of the candidate's Teaching Performance Expectation portfolio. Candidates are expected to meet the level of *initial target* during the program.

### **School of Education Attendance Policy**

Due to the dynamic and interactive nature of courses in the School of Education, all candidates are expected to attend all classes and participate actively. At a minimum, candidates must attend more than 80% of class time, or s/he may not receive a passing grade for the course at the discretion of the instructor. Individual instructors may adopt more stringent attendance requirements. Should the candidate have extenuating circumstances, s/he should contact the instructor as soon as possible. *(Adopted by the COE Governance Community, December, 1997).*

### **Students with Disabilities Requiring Reasonable Accommodations**

Candidates with disabilities who require reasonable accommodations must be approved for services by providing appropriate and recent documentation to the Office of Disable Student Services (DSS). This office is located in Craven Hall 4300, and can be contacted by phone at (760) 750-4905, or TTY (760) 750-4909. Candidates authorized by DSS to receive reasonable accommodations should meet with their instructor during office hours or, in order to ensure confidentiality, in a more private setting.

### **All University Writing Requirement**

In keeping with All-University Writing Requirement, this course will have a writing component of at least 2,500 words. This requirement will be met through the case study and action plan papers.

### **CSUSM Academic Honesty Policy**

“Students will be expected to adhere to standards of academic honesty and integrity, as outlined in the Student Academic Honesty Policy. All written work and oral presentation assignments must be original work. All ideas/materials that are borrowed from other sources must have appropriate references to the original sources. Any quoted material should give credit to the source and be punctuated with quotation marks.

Students are responsible for honest completion of their work including examinations. There will be no tolerance for infractions. If you believe there has been an infraction by someone in the class, please bring it to the instructor’s attention. The instructor reserves the right to discipline any student for academic dishonesty in accordance with the general rules and regulations of the university. Disciplinary action may include the lowering of grades and/or the assignment of a failing grade for an exam, assignment, or the class as a whole.”

Incidents of Academic Dishonesty will be reported to the Dean of Students. Sanctions at the University level may include suspension or expulsion from the University.

### **Plagiarism:**

As an educator, it is expected that each candidate will do his/her own work, and contribute equally to group projects and processes. Plagiarism or cheating is unacceptable under any circumstances. If you are in doubt about whether your work is paraphrased or plagiarized see the Plagiarism Prevention for Students website <http://library.csusm.edu/plagiarism/index.html>. If there are questions about academic honesty, please consult the University catalog.

### **Use of Technology**

Candidates are expected to demonstrate competency in the use of various forms of technology (i.e. blogs, email, Cougar Courses, internet research, and multimedia presentations). Specific requirements for course assignments with regard to technology are at the discretion of the instructor. All course assignments will be submitted and graded online, discussions will occur in class that include websites or reference checks. Each student is expected to bring their own device to class. Personal web activity during the class is discouraged.

### **Electronic Communication Protocol**

Electronic correspondence is a part of your professional interactions. If you need to contact the instructor, e-mail is often the easiest way to do so. It is my intention to respond to all received e-mails in a timely manner. Please be reminded that e-mail and on-line discussions are a very specific form of communication, with their own nuances and etiquette. For instance, electronic messages sent in all upper case (or lower case) letters, major typos, or slang, often communicate more than the sender originally intended. With that said, please be mindful of all e-mail and on-line discussion messages you send to your colleagues, to faculty members in the School of Education, or to persons within the greater educational community. All electronic messages should be crafted with professionalism and care.

Things to consider:

- Would I say in person what this electronic message specifically says?
- How could this message be misconstrued?
- Does this message represent my highest self?
- Am I sending this electronic message to avoid a face-to-face conversation?

In addition, if there is ever a concern with an electronic message sent to you, please talk with the author in person in order to correct any confusion.

## COURSE REQUIREMENTS

### Guidelines for EDAD616A Assignments and Grading Standards

Assignments are graded on an expectation of mastery of the content and completion of the requested format for the assignment. Based on instructor feedback, students may make improvements on assignments and resubmit assignments for re-grading. Late assignments may result in loss of points and cannot be resubmitted.

- (1) Participation: Read all assignments and come to class prepared to participate in discussion. (**weekly**, 10 points)
- (2) Group Presentation: Participate in a group presentation that reports on a Supreme Court Case impacting school law and how the case impacts current daily practice for school administrators. (**Assigned date**, 20 points)
- (3) Document Analysis: Collect, organize, and write a brief description of each of the following documents: School District Vision/Mission statement; School Board Meeting Dates; School Board Member names and offices; School Board Meeting Agenda; Student/Parent Handbook; Teacher Handbook; Certificated Contract/CBA; Certificated Teacher Job Description; Certificated Teacher Evaluation Form(s); Assistant Principal Job Description; Principal Job Description; Student Discipline Referral Form; Student Suspension Form; Child Abuse Reporting Form; SPED/504/SST Referral Form (**Due 4/8**, 40 points)
- (4) District/Site Administrator Interview: Conduct an interview of a site administrator or district human resources administrator regarding the realities of school law. Write a 2-3 page paper summarizing the interview and reflecting on your learning. (**Due 4/22**, 20 points)
- (5) Scenario Paper: In 3 to 4 pages analyze a situation with legal implications at school. Describe how you would initially respond to the situation and the steps you would take to resolve the situation successfully. Include important aspects of your response, including but not limited to: fact finding, legal implications, verifying your actions, and communicating the next steps to stakeholders. You will be given several real world scenarios to choose from or you may use a current issue in your school or district. (**Due 5/6**, 20 points)

### Course Objectives

Students will know and understand how various federal and state laws impact school and district policies as they relate to employee relations, student conduct, and student and parent rights. Students will research specific local issues and policies that are aligned with federal and state laws. A lens is placed on the personnel management process as a method of meeting legal standards within a diverse organization.

### Grading Scale (% of total points):

**A (93-100) A- (90-92) B+ (88-89) B (83-87) B- (80-82) C+ (78-79) C (73-77)C- (70-72) D (60-69) F (0-59)**

## COURSE SCHEDULE

<b>Class Meeting Date</b>	<b>Topics</b>	<b>To Do</b>
March 25	<u>Welcome &amp; Introductions</u>  <u>Supreme Court Case Law &amp; CA Education Code</u>  <u>Student Rights</u> Freedom of Speech/Expression; Student Dress Code;	<u>Read: Schimmel: Ch. 2</u> Essex: Ch. 4
April 8	<u>Student Rights</u>  Student Discipline/Due Process; Student Harassment; Student Injuries; Child Abuse & Neglect	<u>Read: Schimmel: Ch. 1, 4, 5, 10</u> Essex: Ch. 5  <b>Group Presentation 1 &amp; 2</b>  Document Analysis Due
April 15	<u>Personnel &amp; Legal Issues</u>  Teacher Recruitment, Selection, Evaluation; Collective Bargaining; Employment Discrimination & Harassment	<u>Read: Essex: 9</u>  Bring FRISK manual  <b>Group Presentation 3 &amp; 4</b>
April 22	<u>Personnel &amp; Legal Issues</u>  Teacher Freedom of Speech; Teacher Liability Issues; Teacher Lifestyle outside of school; Employee Discipline/Due Process/FRISK; Employee Leaves/Layoff/Dismissal	<u>Read: Schimmel: Ch. 6, 7</u> Essex: Ch. 8, 10, 11  Bring FRISK manual  <b>Group Presentation 5 &amp; 6</b>  Interview Paper Due
April 29	<u>Personnel &amp; Legal Issues</u>  Special Education; Student Records/FERPA Religion in Schools;	<u>Read: Schimmel: Ch. 3, 8, 9</u> Essex: 3, 6, 7,  <b>Group Presentation 7 &amp; 8</b>
May 6	<u>Scenario Activity</u>	Scenario Paper Due