

**California State University San Marcos**  
**COLLEGE OF EDUCATION**  
**EDAD 634A, Education Law**

**Syllabus**

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| <b>Class sessions:</b>   | <b>Mondays, 4:30 – 9:10</b>                          |
| <b>Instructor:</b>       | <b>Delores B. Lindsey. Ph.D.</b>                     |
| <b>Office Location:</b>  | <b>University Hall #315</b>                          |
| <b>Office Telephone:</b> | <b>(760) 750-8544</b>                                |
| <b>Email</b>             | <b>dlindsey@csusm.edu</b>                            |
| <b>Office Hours:</b>     | <b>Mondays – 3:30 PM – 4:30 PM or by appointment</b> |

Mission Statement of the College of Education, CSU San Marcos  
The mission of the College of Education Community is to collaboratively transform public education by preparing thoughtful educators and advancing professional practices. We are committed to diversity, educational equity, and social justice, exemplified through reflective teaching, life-long learning, innovative research, and ongoing service. Our practices demonstrate a commitment to student-centered education, diversity, collaboration, professionalism, and shared governance.

**Students with Disabilities Requiring Reasonable Accommodations:** Students are approved for services through the Disabled Student Services Office (DSS). This office is located in Craven Hall 5202, and can be contacted by phone at 760-750-4905, or TTY 760-750-4909. Students authorized by DSS to receive reasonable accommodations should meet with their instructor during office hours or, in order to insure confidentiality, in a more private setting.

**Course description:**

This course is designed to provide students an overview of federal and state laws and local policies that impact school leaders, students, teachers, and parents. The topics presented in the course, include, but are not limited to:

- Principles of Management, Conduct, and the Law
- Investigations and Documentation
- Burden of Proof: School Vs. Legal
- Introduction to School Law and District Governance
- Student Discipline and Expulsion
- Progressive Discipline

- Working With and Dealing With Difficult People
- Accountability, Relationships and Performance Evaluation
- FRISK Documentation Techniques
- Legal Landmarks
- Liability and Worse-Case Scenarios
- Harassment, Discrimination and Freedom of Speech
- Litigation Avoidance
- Collective Bargaining
- Implications of NCLB
- The Brown Act

Students will research specific local issues and policies that are aligned with federal and state laws.

**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 be able to describe steps and implications of due process rights as detailed in the California Education Code.

**Course Requirements:**

1. Each class member will be expected to attend class regularly and participate in class discussions.
2. Each student will prepare a written summary of the following:
  - Steps and basic requirements for suspension from class and from school;
  - Steps and basic requirements for evaluation of an unsatisfactory certificated employee;
  - Information and guidelines for access to student records; and
  - Explanation of “due process” rights.

The intent of these writing assignments is the development of a concise and helpful personal reference on the above topics that will actually be used once students become practicing administrators. As such, the documents should be designed as separate references and be a combination of outlines and narrative references, using the textbooks and other information as data sources. Each assignment should be 3-4 pages (double spaced) with appropriate references.

3. Students should come to class having read the assigned articles, cases and textbook readings.
4. Students will successfully complete a final presentation or project.

## **GRADING POLICY**

The following factors will be considered in determining a final grade:

1. Attendance and participation 25%

Readings and written assignments

Note: Supplemental reading assignments and materials will be made and distributed during class sessions.

If you miss two class sessions or are late (or leave early) for more than three sessions you cannot receive a grade of "A". If you miss three class sessions, you cannot receive a grade higher than a "C+".

Due to the dynamic nature of this course, all students are expected to attend all classes and participate actively. Should a student miss more than 20% of class time, s/he may be dropped from the course at the discretion of the instructor. Should the student have extenuating circumstances, I urge you to contact the instructor as soon as possible.

2. Written assignments 50%
3. Final project/presentation 25%

**The writing assignments for this course are in compliance with the “All-University Writing Requirement”**

### **Textbooks and Support Materials:**

*The California Educators’ Guide to School Law*, School Legal Services, Orange County Department of Education (Henceforth, “The Guide”)

*FRISK Documentation Model: Practical Guidelines for Evaluators in Documenting Unsatisfactory Employee Performance*, Steven J. Andelson (Henceforth, “The FRISK Manual”)

**Course Topic and Reading Assignment by Session Dates**

| Session Date   | Content and Reading Assignments  |
|----------------|--|
| April 4, 2005  | <p>General Presentation Topics:</p> <ol style="list-style-type: none"> <li>1. Principles of Management Conduct and the Law</li> <li>2. Understanding and Identifying Critical Juncture</li> <li>3. Investigations and Documentation</li> <li>4. Burden of Proof: School Vs. Legal</li> <li>5. Introduction to School Law and District Governance</li> </ol> <p>Background Reading Assignment from The Guide:<br/>           Chapter 1: California School Law<br/>           Chapter 2: Legal Foundation and Structure<br/>           Chapter 3: Legal Foundation and Structure of Local Districts</p> <p>Reading for Analysis and Discussion in Class<br/>           Chapter 3 Subsections Related to Management of the Governing Board and Meetings of the Governing Board</p> <p>Reading for Analysis and Case Study Work: FRISK Manual<br/>           Introduction (pages 1-3) and Preliminary Review (pages 4-6)</p> |
| April 11, 2005 | <p>General Presentation Topics</p> <ol style="list-style-type: none"> <li>1. Student Discipline and Expulsion</li> <li>2. Progressive Discipline</li> <li>3. Working With and Dealing With Difficult People</li> <li>4. Accountability, Relationships and Performance Evaluation</li> <li>5. FRISK Documentation Techniques</li> </ol> <p>Reading for Analysis and Discussion in Class from The Guide<br/>           Chapter 5: The No Child Left Behind Act<br/>           Chapter 6: Students and Student Discipline</p> <p>Reading for Analysis and Case Study Work: FRISK Manual<br/>           “The FRISK Model” (pages 7-71)</p>   |

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| <p>April 18, 2005</p> | <p>General Presentation Topics:</p> <ol style="list-style-type: none"> <li>1. Legal Landmarks</li> <li>2. Liability and Worse-Case Scenarios</li> <li>3. Harassment, Discrimination and Freedom of Speech</li> </ol> <p>Reading for Analysis and Discussion in Class from The Guide<br/> Chapter 7: Education of Disabled Students<br/> Chapter 8: Public Schools and Religion</p> <p>Background Reading Assignment from the Guide:<br/> Chapter 9: School Employees</p> <p>Reading for Analysis and Case Study Work: FRISK Manual<br/> “Knowledge” (pages 72-84)</p> |
| <p>April 25, 2005</p> | <p>General Presentation Topics</p> <ol style="list-style-type: none"> <li>1. Litigation Avoidance</li> <li>2. Collective Bargaining</li> <li>3. The Brown Act</li> </ol> <p>Reading for Analysis and Discussion in Class from the Guide<br/> Chapter 10: Certificated Employees<br/> Chapter 11: Classified Employees</p> <p>Reading for Analysis and Case Study Work: FRISK Manual<br/> “Progressive Discipline” (pages 85-110)</p>  |
| <p>May 2, 2005</p>    | <p>General Presentation Topics:</p> <ol style="list-style-type: none"> <li>1. Self-Management</li> <li>2. Egocentric, Allocentric and Macrocentric Perspectives</li> <li>3. Courageous Conversations</li> <li>4. Mindfulness</li> </ol> <p>Final presentations and courageous conversations</p> <p>Reading for Analysis and Discussion in Class from the Guide<br/> Chapter 12: Collective Bargaining and Labor Relations</p>   |