



**EDAD 616A**  
**Education Law and Personnel Administration**  
**CRN 20595**  
**Mondays, March 23<sup>rd</sup> – May 4<sup>th</sup>**  
**4:30 pm- 9:00 pm**  
**San Marcos Elementary School, Room 117**  
**Spring 2015**

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

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Hours: Mondays & Tuesdays 3-4 PM

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**

This course includes opportunities for candidates to learn how historical and philosophical influences, state and federal policy decisions, and prevailing educational practices impact schooling. In addition this course provides candidates an overview of federal and state laws, local policies, and contracts that impact school leaders, all students, teachers, parents, and community partners. *This course is for candidates who demonstrate continued progression in the Educational Administration program.*

### **Course Prerequisites**

Continued enrollment in Educational Administration Program.

### **Course Objectives**

The course objectives, assignments, student learning outcomes, and assessments have been aligned with the following CCTC standards:

#### **Leadership Standards, CCTC, 2013**

This course will provide opportunities for participants to develop their leadership knowledge, skills, and dispositions under the following the California Category II Curriculum Standards:

- 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.

#### **California Administrator Performance Expectations, CCTC, 2013**

Upon completion of the course, the candidate will demonstrate an understanding of effective leadership practices regarding the following CTC California Administrator Performance Expectations:

3. Leading by Example to Promote Implementation of the Vision
16. Understanding and Managing the Complex Interaction of All of the School's Systems to Promote Teaching and Learning
17. Implementing California School Laws, Guidelines, and Other Relevant Federal, State, and Local Requirements and Regulations

### **Specific Candidate Learning Outcomes**

As part of this course, students will:

- Know and understand how various historical and present federal and state laws and policy have impacted 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.
- Be introduced to school law and district governance
- Understand retention, progressive discipline, and dismissal of employees
- Learn FRISK documentation techniques
- Study
  - Student discipline and safety
  - Special education law
  - Harassment, discrimination, freedom of speech law and cases
  - Religion in the schools
  - Liability and litigation

### **Required Texts**

Please purchase, borrow, or log on to the following reference guides prior to the first class:

1. Andelson, S. J. (2001). *FRISK documentation model: Practical guidelines for evaluators in documenting unsatisfactory employee performance*. San Diego, CA: Atkinson, Andelson, Loya, Rudd & Romo.  
(To purchase book call: (562) 653-3200, or borrow the book from your site administrator.)
2. Essex, Nathan L. (2015). *A teacher's pocket guide to school law*, 3<sup>rd</sup> ed. Upper Saddle River, NY: Pearson Education, Inc.
3. Schimmel, D., Eckes, S., Militello, M. (2010). *Principals teaching the law*. Thousand Oaks, CA: Corwin Press.
4. Register for up-to-date legal school law news (free)  
<http://www.nsba.org/MainMenu/SchoolLaw/LegalClips.aspx>
5. Other readings as assigned.

## **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

The following factors will be considered in determining a final grade. Assignments are given based on expectations of "mastery" of the content and academic format for the assignments. Based on the instructor's feedback, students may make improvements on assignments and may resubmit assignment for additional grade consideration. However, late assignments may result in loss of points and cannot be considered for "resubmission" based on instructor's feedback.

**Assignment #1:** Attendance and Participation: 100% attendance and full engagement in every class. (20 points)

**Assignment #2: Reflective blog:** You will reflect on the legal aspects of a class topic as it might relate to your school or district. Post this on Cougar Courses Reflection Blog each of the assigned weeks, with postings starting after the first class. Limit your blog to 100 words and be sure to spell check and remove names to guard confidentiality. (*Due the Wednesday after class: March 30, April 16, April 30, May 7, and May 14; Five postings at 4 points each, 20 points total*)

**Assignment #3: Authentic documents collection** Collect, organize, and review the following copies of district documents: your district mission statement, your school board member names and meeting dates, the student/parent handbook, the district's collective bargaining agreement/contract with certificated employees, the district employee discrimination protections, a certificated job description, a certificated evaluation form, a student discipline referral form, a student suspension form, a child abuse report form, and a special education referral form. We will refer to these documents in class discussions. (*Hard Copy Due April 6, the first day of instruction, 10 points*)

**Assignment #4:** Stay up to date on current legal issues. Read news bytes from the National School Board Association site and incorporate the legal trends on the Cougar Course current event blog to add to the context map. Post one interesting piece of information you read on the Cougar Course NSBA blog. Sign up for free at <http://www.nsba.org/MainMenu/SchoolLaw/LegalClips.aspx> (*Due April 27, 10 points*)

**Assignment #5: Interview a Site or District Administrator** Conduct an interview of a site administrator or district HR administrator regarding the resources and support to implement school law. Write a 2-3 page paper summarizing the interview and your reflection on the key learning. (*Due April 20, 20 points*)

Possible interview questions are:

1. *How do you access information about school law?*
2. *What are the legal areas that you come across the most in your position?*
3. *What are important legal points that you keep in mind as you:
  - a. evaluate personnel?
  - b. communicate with parents?
  - c. discipline students?*
4. *What topics do you get advice on from your district's legal counsel?*
5. *How do you document incidents that could be litigious?*
6. *Have you been trained in FRISK and do you use the method to document improper faculty and staff behavior?*
7. *What advice can you give me on the knowledge and implementation of school law as an aspiring administrator?*

**Assignment #6:** Write a 3-4 page paper of yourself as an instructional leader using your knowledge and implementation of school law. I have created six scenarios to give you a basis to analyze a situation with legal implications at a school. Write a paper that tells how you would respond to the situation and what would you do, especially in the important aspects of fact finding, legal implications, verifying your actions, and communicating the next steps to stakeholders. (Due May 4, 20 points)

Scenarios (Choose one)

1. As most students have cell phones, reported sexting has become increasingly common in your school. According to the students 2010 Healthy Kids Survey, 35% of your students say they have received sexually suggestive photos or videos on their cell phones. This survey information about your school will become public soon.

How do you respond? What do you do?

2. You have asked the PTA to purchase 2 laptops for admin use at meetings and conferences. A PTA member spoke up at a recent meeting that she had seen a popular teacher in a coffee shop using a school issued laptop to Skype friends. The PTA members want to know if personal use can be prevented from the computers they purchase for staff. How do you respond? What do you do?

3. A recent article written by a student in your school newspaper claims that the Christian Club does not allow the gay students to hold office or vote. Parents are calling your office representing both sides of the question, with one parent threatening legal action. How do you respond? What do you do?

4. A White supremacist group has been hanging around the outside of your campus passing out fliers with derogatory wording against the Hispanic population at your school. Students are starting to get agitated and the staff is afraid of a bigger problem.

How do you respond? What do you do?

5. A non-custodial parent with a court order to stay 100 feet away from his ex-wife and child informs you that he wants to come to the year-end talent show, where his daughter is singing. His neighbors have told you that he wants to get positively involved in his child's school.

How do you respond? What do you do?

6. The national Take Your Daughter or Son to Work Day is next week. You expect a number of parents will want to participate in this program, which is designed for students to share about their work force experience in school the next day. You are concerned because STAR testing also starts next week and you must have 95% completion rate.

How do you respond? What do you do?

**Final Course Grades Will Be Based on the Following Scale:**

93-100% = A

90-92% = A-

87-89% = B+

83-87% = B

80-82% = B-

Below 80% = C or below

## COURSE SCHEDULE

### **Session 1: March 23**

*DUE March 30: Reflective Cougar Course blog on legal issue*

#### Purpose of Education through Thought and Policy

Readings as assigned on Cougar Courses

#### Laws protecting students:

- Liability for student injuries (Schimmel: Chapter 1; Essex: Chapter 8, student/parent handbook)
- Student freedom of expression (Schimmel: Chapter 2, Essex: p. 40-46, student/parent handbook)

### **Session 2: April 6**

*DUE: Binder of school/district legal documents. You will need these site and district documents for class discussions.*

*DUE April 16: Reflective Cougar Course blog on legal issue*

#### Laws protecting students:

- Student due process (Schimmel: Chapter 4, Essex: Chapter 5, student/parent handbook, a student suspension form, a student discipline referral form)

#### Emotional safety and school success presentation

- Tie to Ca Healthy Kids Survey
- Use state-wide data and local example of emotional safety at schools
- Mental health considerations

### **Session 3: April 13**

#### Human resources legal issues:

- Recruitment, selection, and evaluation of personnel (Essex: Chapter 11, job announcement, certificated evaluation form)
- Employee harassment and discrimination issues (Essex: Chapter 9, the district employee discrimination protection form)
- Bargaining, contracts, and unions (the teacher collective bargaining agreement and contract)
- The teacher's responsibility and liability (Essex: Chapter 8)
- Family leave: Public Law 103-3

### **Session 4: April 20**

*DUE: Interview paper*

*DUE April 30: Reflective Cougar Course blog on legal issue*

#### More human resources:

- Teacher Freedom of Expression (Schimmel: Chapter 6, Essex: Chapter 10)
- Freedom of Speech: First Amendment
- Teacher Lifestyle and Out of School Choices (Schimmel: Chapter 7)
- Employee discipline including due process, dismissal and layoff process (FRISK manual)
- Investigations and documentation process (FRISK manual)

### **Session 5: April 27**

*DUE: Updated class context map, NSBA blog entry*

*DUE May 7th: Reflective Cougar Course blog on legal issue*

#### Special Education

- Students with disabilities (Schimmel: Chapter 3, Essex: Chapter 7, special education referral form)
- Student Records and the Family Educational Rights and Privacy Act (Schimmel: Chapter 9, Essex: Chapter 6)

#### Disenfranchised groups

- Desegregation: Brown v. the Board of Education (Essex, p.132)
- English Learners cases: Lau vs. Nichols, Prop 227

- Gender discrimination: Title IX (Essex, p.176)

### **Session 6: May 4**

*DUE: Scenario paper*

*DUE May 14th: Reflective Cougar Course blog on legal issue*

Other legal issues

- Dress codes (Essex, p 48, p 67, student/parent handbook)
- ADA requirements for students and employees (student/parent handbook, teacher contract)
- Reporting abuse and neglect (Schimmel: Chapter 10, Child Protective Services forms)
- Religion in schools (Essex, Chapter 3)