

California State University, San Marcos
College of Education

EDAD 616A
Education Law and Personnel Administration – 2 Units
Spring Semester 2010
CRN# 22473

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Meeting time: Tuesdays from 4:30-9pm, UH 337
March 23-May 6, 2010
Office Hours: By appointment, UH 305

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.

(Adopted by COE Governance Community, October, 1997).

Preliminary Administrative Services Credential Program:

The course objectives, assignments, and assessments have been aligned with the CTC Program Standards for The Preliminary Administrative Services Credential. This course is designed to help candidates seeking a California administrative credential to develop the skills, knowledge, and attitudes necessary to assist schools and district in implementing effective programs for all students. The successful candidate will be able to merge theory and practice in order to realize a comprehensive and extensive educational program for all students. You will be required to formally address the requirements of the CTC Program Standards.

Course Prerequisite

Consent of Program Coordinator

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. Students successfully completing this program receive a credential with authorization to teach English learners.

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 5205, and can be contacted by telephone at (760) 7450-4905, 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 ensure confidentiality, in a more private setting.

All University Writing Requirement

This course meets the university's writing requirement of at least 2500 words. Students are expected to use academic writing style consistent with graduate level courses. Written assignments will include out of class assignments as well as in class assignments.

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 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.”

Plagiarism

As an educator, each student is expected to 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.

College of Education Attendance Policy

Due to the dynamic and interactive nature of courses in the College of Education, all students are expected to attend all classes and participate actively. At a minimum, students 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. Should the student have extenuating circumstances, s/he should contact the instructor as soon as possible. Students who miss two class sessions or are late (or leave early) for more than three sessions cannot receive a grade of "A".

(Adopted by the COE Governance Community, December, 1997).

Course Description (2 units)

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:

- Introduction to school law and district governance
- Retention, progressive discipline, and dismissal of employees
- FRISK documentation techniques
- Student discipline and safety
- Special education law
- Harassment, discrimination, freedom of speech law and cases
- Religion in the schools
- Liability and litigation

Course Standards

Each student should be an educational leader who promotes the success of all students by:

1. facilitating the development, articulation, implementation and stewardship of a vision of learning that is shared and supported by the school community;
2. advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth;
3. ensuring management of the organization, operations, and resourced for a safe, efficient, and effective learning environment;
4. collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources;
5. modeling a personal code of ethics and developing professional leadership capacity, and;
6. understanding, responding to, and influencing the larger political, social, economic, legal and cultural context.

Knowledge

The candidate will:

- a) learn how to establish, support, and maintain high expectations and standards for the academic and social development of all students, the performance of staff and the contributions of all adults in the service of the shared vision of the school community. [6(a)(3)]

b) learn about and analyze how a school must operate consistently within the parameters of federal, state, and local laws, policies, regulations, contractual and statutory requirements. [6(f)(1)]

c) learn and practice effective methods for attracting, inducting, motivating, retaining, and supporting staff and for the monitoring and supervision of certificated and non certificated faculty and staff. [6(c)(1)]

d) learn and practice effective methods for working with certificated and classified staff with disabilities. [6(c)(2)]

Skills

The candidate will:

a) examine the context within which the school operates, including the school district, employee bargaining units, the school board, and other governmental entities and to understand how the policies from several levels of government influence teaching and learning at the school site. [6(f)(2)]

Attitudes and Values

The candidate will:

a) develop and refine a personal vision of education and instruction through multiple opportunities to reflect and by developing ways to engage self and others through reflective activities. [6(a)(1)]

b) examine their personal attitudes and actions toward persons of different races, socio-economic status, cultures, religions and ethnic backgrounds as well as their attitudes toward sexual orientation and individuals with disabilities and reflect upon how their attitudes and actions support or diminish the goal to ensure that all students receive equitable access to education. [6(d)(6)]

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.

Course Requirements and Grading Policy

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 can not be considered for “resubmission” based on instructor’s feedback.

1. Attendance and Participation: Each student will be expected to attend all class sessions and participate in class discussions. If you are unable to attend or will be late, please let the instructor know in advance. Students will be assigned reading and be expected to come to class prepared to discuss the topics.
2. Document collection: Students will collect and organize for review site and district documents pertinent to the course.
3. Quizzes: Students will take quizzes on the readings and shared information.
4. Interview: Students will conduct an interview and write a summary and a reflection of their findings.
5. Professional Learning Community: Students will work in small learning communities to study a legal case and present the history of the case and its implications for today's leaders.
6. Written assignment: Students will complete a written paper developed on a scenario related to educational law.

Course assignments:

Quizzes: Ongoing assessments to evaluate knowledge of reading and discussions (monthly, 20 points total).

Assignment #1: 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 collective bargaining agreement, the 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 the special education referral form. We will refer to these documents in class discussions. (*due March 23, the first day of class, 10 points*)

Assignment #2: Professional Learning Communities: Report to the class in a small group format on an important topic related to the class. Examples are: Brown v. the Board of Education (desegregation), Lau vs. Nichols (English Learners), Tinker v. Des Moines Independent Community School District (due process), New Jersey v. T.L.O. (search and seizure), Swann v. Charlotte-Mecklenburg Board of Education (racial quotas), Title IX (gender discrimination), Public Law 103-3 (Family leave), First Amendment (Freedom of Speech), Engel v. Vitale (religion in schools), or your proposal. (*dates of presentations will vary, 20 points*)

Assignment #3: 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. Students are to write a 2-3 page paper summarizing the interview and your reflection on the key learning. (*due April 13, 20 points*)

Possible interview questions are:

1. *How do you access information about school law?*
2. *What are the legal areas that you are regularly aware of?*
3. *What are the legal points that you keep in mind as you:*

- a. *evaluate personnel?*
- b. *work with parents?*
- c. *discipline students?*
4. *Have you ever had advice from your district's attorneys on how to handle an incident?*
5. *What do you do to document incidents that could be litigious?*
6. *Does fear of litigation sometimes dictate your behavior? How?*
7. *Do you use the FRISK method to record interaction with staff regarding improper behavior?*
8. *What advice can you give me as an aspiring administrator in terms of school law?*

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 in your context map. <http://www.nsba.org/MainMenu/SchoolLaw/LegalClips.aspx> (due April 27, 10 points)

Assignment #5: Write a 3-4 page paper of yourself as an instructional leader using your knowledge and implementation of school law. Choose an aspect of your interactions with students, the staff, or the school/district parents. This could be something you have done, or something that might happen in your current or future role. Tell how you would a) establish clear expectations, b) advise your community when the behavior was unacceptable, and c) implement consequences through the proper channels. Reference state or federal law, district policy, or school rules to back up your decisions. Examples might be: enforcing a student dress code, establishing a parent requested prayer group, or ensuring students' rights to learning during a teacher contract dispute. (due May 4, 20 points)

Textbooks and Resource Materials

Please purchase the following reference guides prior to the first class:

1. Essex, Nathan L. A teacher's pocket guide to school law, 6th ed. Pearson Education, Inc. 2010.
2. Andelson, J. D. FRISK documentation model: Practical guidelines for evaluators in documenting unsatisfactory employee performance. Atkinson, Andelson, Loya, Rudd & Romo, San Diego. 2001.
(To purchase book call: (562) 653-3200, or borrow the book from your site administrator.)
3. Register for up-to-date legal school law news (free)
<http://www.nsba.org/MainMenu/SchoolLaw/LegalClips.aspx>

Furlough Spring 2010 Dates: University Furlough Dates: Jan 15, Jan 29, Feb 5, Feb 19, March 29, March 30, April 1, April 2, May 21, May 28

Dr. V's Furlough Dates: Jan 19, Jan 29, Feb 15, Feb 19, March 10, March 26, **April 5**, April 22, May 21, May 28

Class Meeting Schedule and Topics

Session 1: March 23, 2009

DUE: Binder of school/district documents

Course introduction

- Sign up for professional learning communities
- Introduction to school law and district governance
- History of law and education
 - Liability and litigation
 - Hierarchy of responsibilities
 - The Brown Act

March 30 (CSUSM Spring Break) – No Class

Session 2: April 6, 2009

Human Resources:

- Recruitment, selection, and evaluation of personnel
- Employee discipline including due process, dismissal and layoff process
- Investigations and documentation, FRISK techniques

Session 3: April 13, 2009

DUE: Interview paper

Human Resources (Continued):

- Employee harassment and discrimination issues
- Personnel administration
- Bargaining, contracts, and unions
- Employer/employee relations; how to build a good working relationship

Session 4: April 20, 2009

Legal responsibilities with students

- Student enrollment policies and record keeping
- Student discipline, suspension, and expulsion
- Student rights and what administrators need to know
- Dress codes

Session 5: April 27, 2009

DUE: Updated context map

Class discussions from Special Education and the Law (Chapter 6 from School Law: A California Perspective):

- Laws, rules, and enforcement
- Student and parent due process re: student discipline
- Advocates and lawsuits
- Examine current site leaders' responsibilities
- ADA requirements for students and employees

Session 6: May 4, 2009 – Last Session

DUE: Scenario paper

Other legal topics

- Separation of church and state
- Curriculum issues