

California State University, San Marcos
College of Education

EDAD 616A

Education Law and Personnel Administration – 2 Units

Spring Semester 2007

Mondays, 4:30 p.m. – 9:00 p.m.

To be determined

College of Education Mission Statement

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, lifelong 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.)

Instructor:

Michael Caston, Ed.D.

Work: (760) 735-2870

Home: (760) 735-8353

E-mail: mcaston@csusm.edu

Office Hours: By appointment

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.

Course Description (2 units)

This course provides an opportunity for the candidate to 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.

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
- Introduction to school law and district governance
- Student discipline and expulsion
- Progressive discipline
- Conflict mediation and management
- FRISK documentation techniques

- Liability and worst-case scenarios
- Harassment, discrimination, and freedom of speech
- Litigation avoidance
- Collective bargaining
- The Brown Act
- General concepts and principles of personnel administration
- Elements of personnel relations, including collective bargaining, contract interpretation, and working with formal and informal employee groups
- The role and responsibility of the site administrator in retention of employees as well as the discipline and dismissal of employees

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. Students will research specific local issues and policies that are aligned with federal and state laws. Emphasis is placed on the personnel management process as a way of achieving excellence within a diverse organization.

Course Requirements and Grading Policy

1. 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. (25%)
2. Students will be given reading assignments. Please come to class prepared to discuss the topic and share your thoughts. (25%)
3. Students will be given written assignments, which will involve an analysis of various topics. (25%)
4. Each student will make a final presentation to the class. This will also include a written analysis of the topic chosen, not to exceed four pages. (25%)

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 percent of class time, or the student 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 student have extenuating circumstances, he/she should contact the instructor as soon as possible. (Adopted by the COE Governance Community, December 1997).

Textbooks and Resource 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")

Class Meeting Schedule

4/2/07

- Certificated and classified personnel administration
- Employee discipline including due process, dismissal, and layoff process
- Investigations and documentation, FRISK techniques
- Employee harassment and discrimination issues
- Ethical leadership and personnel administration
- Hot topics

4/9/07

- Collective bargaining and the Rhodda Act.
- Employer/employee relations; how to build a good working relationship
- Legal aspects of pupil personnel administration
- Suspension and expulsion process; due process
- Student rights and what administrators need to know
- Hot topics
- Sign-up for class project and student presentation

4/16/07

- Legal aspects of school district governance; the school board and how it works
- The Brown Act
- District liability issues and related litigation costs
- Special education and the many legal issues
- Class Presentations
- Hot topics

4/23/07

- Site-level administration and legal issues
- Site-level retention, discipline, and dismissal of employees
- Site-level and special education legal issues
- Class presentations
- Hot topics

4/30/07

- Classified employment; what is the Merit System, and is it more effective?
- The business function and legal requirements: this will include public bidding and purchasing requirements
- What is a conflict of interest and how to stay on the appropriate side of this issue?
- Class presentations
- Hot topics

5/7/07

- NCLB and related legal issues
- Federal funding and associated requirements
- The instructional program and state and federal legal requirements
- Class presentations
- How to get that job you want
- Hot topics