

Niagara University
College of Education
Department of Educational Leadership and Counseling

A. Course Number and Title

EDU 635 - School Law

B. Number of Credits

Three (3) Credit Hours

C. Course Description

This course will provide the student with an understanding of public school law through an examination of federal and state laws affecting public and private schools in the United States.

D. Method of Teaching

This course is framed within a constructivist perspective that embraces the belief that knowledge is socially constructed. Learning is viewed as a developmental process that is enhanced when students learn to view problems and issues from multiple perspectives, constructing knowledge from their own interpretations of numerous pieces of evidence. Teaching approaches are directed toward open ended inquiry, critical thinking and reflection and social interaction. Instructional methods will include whole class and small group discussion, individual and cooperative activities, presentations by instructors and classmates, internet and library searches, observations of instruction videos, field experiences and research.

E. Philosophical Framework

The philosophical framework of the program includes the following:

ELCC STANDARDS	
Candidates who complete the program are educational leaders who promote the success of all students by:	
*	Standard 1: Facilitating the development, articulation, implementation and stewardship of a school or district vision of learning that is shared and supported by the school community.
	Standard 2: Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.
*	Standard 3: Ensuring management of the organization, operations and resources for a safe, efficient, and effective learning environment.
	Standard 4: Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.
*	Standard 5: Acting with integrity, fairness, and in an ethical manner
*	Standard 6: Understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.
	Standard 7: The Internship provides significant opportunities for candidates to synthesize and apply the knowledge and skills identified in Standards 1-6 through substantial, sustained, standards-based work in real settings, planned and guided cooperatively by the institution and school district personnel for graduate credit.
NEW YORK STATE ESSENTIAL CHARACTERISTICS OF EFFECTIVE LEADERS	
*	1. Leaders know and understand what it means and what it takes to be a leader
*	2. Leaders have a vision for schools that they constantly share and promote.
*	3. Leaders communicate clearly and effectively.
*	4. Leaders collaborate and cooperate with others.
	5. Leaders persevere and take the "long view."
	6. Leaders support, develop and nurture staff.

*	7. Leaders hold themselves and others responsible and accountable.
	8. Leaders never stop learning and honing their skills.
*	9. Leaders have the courage to take informed risks.
COLLEGE OF EDUCATION MISSION - ORIENTATIONS	
*	Candidate-Centering Through Constructivist Practice
*	Process-Product Orientation
*	Reflective Practice
EDUCATIONAL LEADERSHIP DEPARTMENT - DISPOSITIONS	
*	1. Professional Commitment and Responsibility
*	2. Professional Relationships
*	3. Critical Thinking and Reflective Practice
	4. Knowledge Creation

F. Course Objective

Upon successful completion of the course, the student should be able to :

1. Evaluate the significant role that school governance has played in the evolution of American education.
2. Analyze basic legal principles and their applications in contemporary education.
3. Appreciate the dynamics involved in the heterogeneous interactions between the governance systems and the other heterogeneous systems that create the ever-changing social institution of school in America.
4. Analyze the authority, powers, duties and responsibilities of school districts and their personnel.
5. View contemporary school situations through their developing legal lens and analyze those situations in light of course references and experiences.
6. Share their observations of school law-related situations with their theoretical and practical perspectives as well as their administrative orientation.
7. Create a school-law-log and executive summary, which will serve as historical references for them in their own future administrative experiences.
8. Develop their administrative capacity to recognize and appropriately handle legal problems in the daily operation of elementary and secondary schools.
9. Develop legal research skills and become acquainted with the literature pertaining to school law.

G. Outline of Course Content

- A-1 The Structure of the Public School System
- Legal Framework
 - The University of the State of New York
 - The New York State Board of Regents
 - The New York State Education Department
 - The Commission of Education
 - Local School Districts
 - The Parent – Teacher Association
- A – 2 School Board Organization
- Powers and Duties
 - Ethics and Conflicts of Interest
 - Board Meetings
 - School District Records
 - School Board Policies
 - The School District's Officers
 - Shared Decision Making
 - Adoption of the School District Budget
 - Election of School Board Members

- A – 3 Boards of Cooperative Educational Services (BOCES)
 - BOCES Board Membership
 - Duties and Powers of a BOCES Board
 - BOCES Services
 - BOCES Annual Meeting
 - Adoption of the BOCES Budget
 - The District Superintendent
- A – 4 Curricula and Instruction
 - Curriculum
 - Academic Achievement
 - Instructional Resources
 - School Assistance to College-Bound Students
- A – 5 Charter Schools
 - Formation of Charter Schools
 - Operation of Charter Schools
 - Student Admissions and Enrollment
 - Academic Program and Services
 - Charter School Funding
 - Charter School Personnel
- A – 6 Fiscal Management
 - Cash Management
 - Reserve Funds
 - Investment of School District Funds
 - The District Budget
 - Contingency Budgets
 - Purchasing
 - Borrowing
 - Assessment and Collection of Taxes
 - Industrial Development Agencies
 - Types of State Aid
 - Calculation and Distribution of State Aid
- A – 7 School Buildings, Grounds and Equipment
 - Acquisition and Disposal of School Property
 - Construction and Renovation of Facilities
 - School Building Aid
 - Closing of School Buildings
 - Use of Public School Buildings, Grounds and Equipment
 - Display of Flag on School Grounds
 - Conduct on School Property
 - Commercialism in the Public Schools
 - School Building Safety and Management
 - Building Structure Safety
 - Hazardous Materials and Toxic Substances
- A – 8 Religion in the Public Schools
 - Prayer and Moments of Silence
 - Teaching of Religion
 - Religious Observances
 - Religious Symbols
- A – 9 Nonpublic Schools and Home Instruction
 - Nonpublic Schools
 - Services for Nonpublic School Students
 - Home Instruction
 - Homebound Instruction

B – 1 School Administrators

- Superintendent of Schools
- Principals

B – 2 Teachers

- Teacher's Qualifications
- Teachers' Rights and Responsibilities
- Teacher Certification
- Tenure and Tenure Areas
- Probationary Teachers and the Granting of Tenure
- Seniority Rights and Excessing
- Professional Development
- Performance Evaluation
- Disciplining Tenured Teachers
- Teachers' Compensation and Benefits

B – 3 Noninstructional Employees

- The Civil Service
- The Competitive Class
- Compensation and Leave Entitlements
- Termination and Discipline of Noninstructional Employees
- Security Guards

B – 4 Employee Relations

- Contracts of Employment
- The Taylor Law
- Employee Representation under the Taylor Law
- The Collective Bargaining Process
- Improper Practices
- Grievances
- Family and Medical Leave Act

B – 5 Retirement

- Overview of the Public Retirement Services
- Teachers' Retirement System
- Employees' Retirement Systems
- Social Security

B – 6 School District Liability and School Insurance

- Negligence
- Civil Rights Liability Employment Discrimination
- Sexual Harassment
- Defense and Indemnification
- Insurance

C – 1 Students

- School Attendance
- Student Residency
- Homeless Children
- Student Health and Welfare
- Missing and Abused Children
- Sex Offender Registration Act ("Megan's Law")
- Students' Constitutional Rights
- Student Discipline
- Student Employment
- School Lunch and Breakfast Program

C – 2 Transportation

- School Buses and Bus Routes
- School Bus Safety
- School Bus Drivers
- Purchase and Lease of School Buses and Transportation Services
- State Aid for Transportation
- Transportation to Nonpublic Schools

D – 1 Students with Disabilities

- Basic Definitions and Applicable Laws
- The School District's Responsibilities
- The Committee on Special Education
- Parental Challenges
- Disciplining Students with Disabilities
- Preschool Children with Disabilities

H. Course Requirements

1. Requirements

- Attendance at scheduled class sessions (if you have a special problem, please see me ASAP)
- Submit three (3) critiques on related research and or/ literature-make copies available for all class members.
- Complete and “executive summary” of a school law topic of interest to the students – copies available for all class members.
- Present a comprehensive review of the “executive summary” topic based on course concepts and the related research and literature that demonstrates competency in legal perspective.
- Completion of Personal School Law Log.
- Actively participate in all class activities.

2. Types of Assignments - In order to facilitate the accomplishment of the above stated general objectives of the school law course, the following activities will occur:

- Readings and research vis-à-vis the basic concepts associated with school law related issues.
- Submission of three (3) critiques of articles related to school law. These critiques may be of a specific court case, legal brief, research article, video presentation, personal legal interaction, or other content rich resources. Copies of each reproduced for all class members. The first critique must be related to the theme selected by the student for intense study.
- Development of an “executive summary” related to a specific school law-related topic of interest to the student.
- Compile a personal log of their “real world” school law experiences during the course of the semester and provide an in-depth analysis of specific instances that relate to the concepts of the course.
- Small group analysis and evaluation of “executive summary”.
- Outlines and/or summaries of assigned readings.
- Submission of “Executive Summary” and Final Course School Law Log.

3. Methods of Evaluation:
 - Completion of the above assignments will enable the student to satisfactorily achieve the objectives of the course.
4. Texts:

School Law 28th Edition. New York State School Boards and New York State Bar Association. Albany, NY: New York State School Boards Association, 2000. (ISBN= 1-56452-056-0)
5. Bibliography - See separate document.

I. Projects/Assignments

See above

J. Attendance

Attendance is considered an indication of professional commitment and responsibility. Candidates are expected to attend all classes. Absences are permitted only for illness or serious personal matters. Absences may jeopardize a candidate's course grade. A phone call, email message or note delivered to the instructor is required if you expect to miss a class.

K. Grading

Final grade will be based on the following criteria:

Points are based on a total possible of 100 points. All class assignments that meet the requirements will receive 80% of total points assigned. To receive an "A" you must demonstrate that your work is exemplary (A level work). Any work turned in prior to the end of the course that is less than "B" or 80% may be rewritten once.

POINTS AND GRADE DISTRIBUTION	
Points	Grade
95 - 99	A+
90 - 94	A
85 - 89	B+
80 - 84	B

L. Student Disclosure

Academic Honesty

The integrity of an academic community necessitates the full and correct citation of ideas, methodologies, and research findings. In addition, each student can promote academic honesty by protecting his or her work from inappropriate use. Academic honesty is essential to ensure the validity of the grading system and to maintain a high standard of academic excellence. The principal violations of academic honesty are cheating and plagiarism.

Cheating includes the unauthorized use of certain materials, information, or devices in writing examinations, or in preparing papers or other assignments. Any student who aids another student in such dishonesty is also guilty of cheating. Other possible forms of cheating include submitting the same work in more than one class without permission.

Plagiarism is the presentation of ideas, words, and opinions of someone else as one's own work. Paraphrased material, even if rendered in the student's own words, must be attributed to the originator of the thought.

Please refer to the undergraduate catalogue for Niagara University's policy on cheating, plagiarism, procedures and penalties.

Students with Disabilities

Students with documented disabilities who may need accommodations, who have any emergency medical information the instructor should know of or who need special arrangements in the event of an evacuation, should make an appointment with the instructor as early as possible in the semester, preferably no later than the first week of the semester. Students must also register with Diane Stoelting, Coordinator of Specialized Support Services (286-8076, ds@niagara.edu) in order to facilitate the provision of needed accommodations.

Counseling Services and Academic Support

The strains and workload of student life can sometimes feel overwhelming and it is easy to lose perspective when faced with academic, social, and personal demands. The staff of the office of counseling services in the lower level of Seton Hall and the Academic Support staff in the Learning Center in Seton Hall are here to help students manage the stresses of university life. All private consultations are confidential and free of charge. Appointment can be scheduled by calling 286-8536 (Counseling) or 286-8072 (Office of Academic Support).