

Fundamentals of Education Law - EDL 517
Western Illinois University

3 HOURS

Fall, 2008

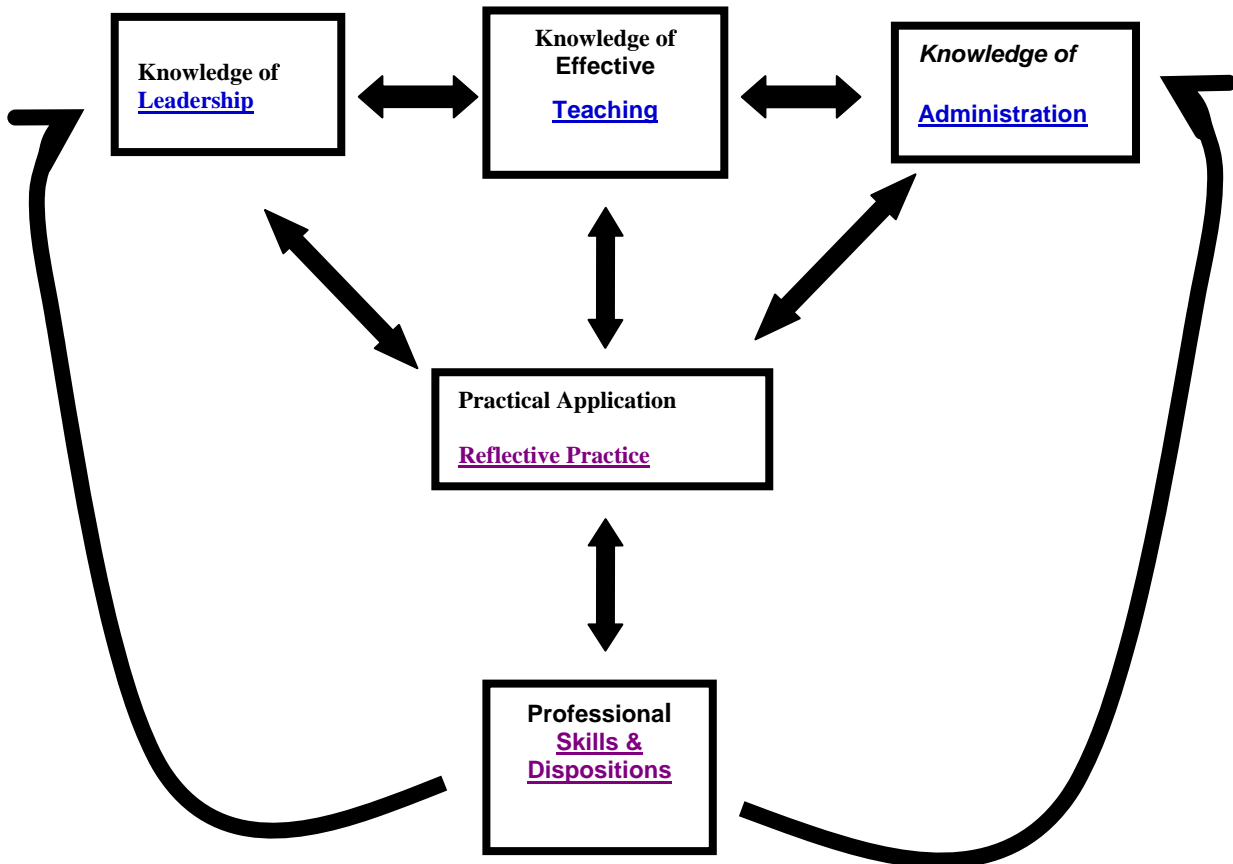
QC Campus Office Hours – Tue. 9:00-12:00PM

Wed. 3:00-6:00PM Other by Appointment

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Goals: Knowledge, comprehension, analysis, synthesis, and evaluation of information relative to school law.

Course Description: The course deals with the laws of the USA and state of Illinois/Iowa as they apply to the public school. Emphasis is placed on laws concerning superintendents, principals, teachers, school boards, and pupils. Court decisions, which have a significant impact on the administration of schools, will be discussed.

Rationale: It is the purpose of this course to prepare educators to consider the legal issues facing the schools in a society that is facing almost constant change through the decision of law making bodies and law-interpreting courts. The Educational Leadership Graduate Program of Studies at Western Illinois University emphasizes the need to acquire the skills, attitudes, motivation, and communication abilities to meet the challenges of administration in a world of change. Knowledge of the law as it relates to these skills and attitudes is crucial.

Course Key Quality Indicators: (ISLLC)

I. Communication Competencies

Goal: The educational Leadership program at WIU prepares individuals to be educational leaders. As such they must demonstrate skill in all aspects of communication.

Critical Success Factors:

1. Demonstrates understanding of principles of communication. (3)
2. Uses effective verbal communication skills. (3)
3. Is aware of and properly utilizes non-verbal skills. (3)
4. Uses effective skills in written communications to inform. (3)
5. Can make typical presentation of school leader in professional, civic, and other settings. (3)

II. Time Management Competencies

Goal: The Educational Leadership program at WIU prepares individuals to be educational leaders who can manage time effectively. The many demands placed on educational leaders require efficient and effective strategies for completion of a wide variety of tasks. Effective utilization of professionally produced tools including diaries, calendars, and electronic competencies to promote timely response to all demands is required.

Critical Success Factors:

1. Provides access to and information about technologies which support various aspects of the curriculum and encourages their use. (2)

III. Personal, Social, and Professional Competencies

Goal: The Educational Leadership program at WIU prepares individuals to be educational leaders who are committed to life-long personal and professional growth. The definition of quality education changes constantly. To meet this challenge, the educational leaders must develop habits that include knowledge of current and future trends, laws, research, and theory.

Critical Success Factors:

1. Can discuss content and concepts from the leading books/professional journals/electronic media in the field. (2)
2. Models high expectations for self and sets personal improvement goals and participates in professional growth activities and organizations. (2, 5)
3. Displays a range of personal and professional interests. (4)
4. Is aware of current research and issues in the areas of personal/professional development. (2)
5. Can use appropriate technologies. (2)

IV Multicultural and Diversity Competencies

Goal: The Educational Leadership program at WIU prepares individuals to be educational leaders who can develop an educational setting that is sensitive, accepting, and provides equality of social and educational opportunity. The world in general and educational settings specifically, are becoming increasingly diverse. The necessity of being sensitive to and knowledgeable about the needs of these diverse groups is vital to an effective educational setting.

Critical Success Factors:

1. Promotes a belief in equality and accessibility of educational opportunities. (2,4,5,6)
2. Promotes the dignity and self-worth of every member of the school community. (4,5,6)

V. Ethical and Legal Process Competencies

Goal: The Educational Leadership program at WIU prepares individuals to be educational leaders who are knowledgeable of the legal and ethical responsibilities affecting schools. Schools are legal entities, subject to local, state, and national statutes. While educational leaders are not legal experts, they must be aware of the requirements of the various laws which regulate their existence.

Critical Success Factors:

1. Practices the highest ethical standards in conduct of school and personal affairs. (5)
2. Is cognizant of all legal requirements for the operation of a school, including but not limited to (5,6)
 - Illinois and Iowa School Improvement Programs
 - Family Rights and Privacy Act of 1974
 - Iowa Teacher Quality and other teacher evaluation systems
 - Termination procedures of tenured and non-tenured employees
 - Illinois and Iowa Core Data Reporting
 - Tort

- Liability and media fair policy
 - Accreditation
 - School finance
 - Special education
 - Gender equity
 - Diversity
 - Obligations of school personnel
 - Statutory authority of school board
 - Student Rights
3. Understands the administrator is in charge and ultimately responsible for all activities occurring in his/her jurisdiction. (5)
 4. Insures appropriate and legal discipline practice within the school that conforms to state and districts published regulations. (3,5,6)
 5. Respects and protects the rights of each member of the school community. (5,6)
 6. Understands the constitutional basis for education's role as a state function and issues such as local control related to governance. (5,6)
 7. Observes all policies and guidelines of the: (5,6)
 - Board of Education
 - Illinois/Iowa Departments of Education
 - Statutory authorities
 - Federal regulations
 - State and Federal case law
 - Various regulatory agencies
 - The U.S. Constitution.
 8. Is aware of current research and issues in the area of constitutional/legal rights and responsibilities. (5)

VI. School and Classroom Management and Discipline Competencies

Goal: The Educational Leadership program at WIU prepares individuals to be educational leaders who are aware of and can implement a variety of management and discipline techniques to improve the educational environment. Current literature identifies that school and classroom disruptions are directly under the school's control the need to address these areas by school leaders is vital.

Critical Success Factors:

1. Provides programs of extracurricular activities. (2)
 - Observes activities associations guidelines
 - Insures compliance with eligibility standards
 - Effectively administers all support services for the activities program.
2. Insures appropriate and legal discipline practice within the school. (5,6)

3. Knows how to implement a safe environment. (3)

Text:

Primary Edition: Alexander, K. and Alexander, M. D. (2009). *American Public School Law* (7th edition). Belmont, CA: Wadsworth /Cengage Publishing Co. ISBN 13:978-0-495-50619-5

iChapters Online Subscription:

<http://www.ichapters.com/tl1/en/US/storefront/ichapters?cmd=catProductDetail&ISBN=9780495506195&cid=APL1#>

Secondary Edition:

Alexander, K. and Alexander, M. D. (1998). *American Public School Law* (6th edition). Belmont, CA: Thomson West Publishing Co. ISBN 0534274242 (Amazon or MBS)

If you select the earlier edition you will have to supplement the text with online resources.

Public School Law – Illinois/Iowa: This may be available from your school administration. Make arrangements with your current school administration to have a copy of the Illinois/Iowa School Laws available for research use. Typically, each central administrative office has at least one copy of these Illinois/Iowa School Laws. Illinois or the Iowa Dept. of Education updates this notebook of laws annually. All of these mailings are directed to the office of the superintendent of the local district.

Grading:

1. Examinations: Two – 100 points per exam. (200)
2. Case Law Problems: Three - 50 points each. (150)
3. Class Participation and attendance. - 50 points

Grade Scale – Percentage

93-100	A
85-92	B
70-84	C
60-69	D
Below 60	F

Attendance:

Expected; please notify instructor of all anticipated absences. Any student who misses a class session will be required to write a 10-12 page Legal Context paper on one or more of the topics covered in that class session. You will be responsible for all class materials for tests and projects. Contact the instructor for the session schedule.

Methods of Instruction:

Lecture (live) and CODEC

Problem Solving Activities

Discussions

On-line activities

SUGGESTED READINGS:

Illinois and Iowa State Law:

www.legis.state.il.us

www.legis.state.ia.us

Zirkel, P. "Courtside" Monthly column on current legal issues. "Phi Delta Kappan".
Current Newspapers and Other Periodicals, i.e., MSTA, MNEA, MASA, NASSP, NAESP.

Findlaw Internet Legal Resources <http://laws.findlaw.com> and others.

ACADEMIC DISHONESTY:

Western Illinois University, like all communities, functions best when its members treat one another with honesty, fairness, respect, and trust. Students have rights and responsibilities (<http://www.wiu.edu/provost/student/>) and students should realize that deception for individual gain is an offense against the members of the entire community, and it is the student's responsibility to be informed and to abide by all University regulations and policies on Academic Integrity.

Plagiarism, cheating, and other forms of academic dishonesty constitute a serious violation of University conduct regulations. Students who engage in dishonesty in any form shall be charged with academic dishonesty.

It is a duty of faculty members to take measures to preserve and transmit the values of the academic community in the learning environment that they create for their students and in their own academic pursuits. To this end, they are expected to instill in their students a respect for integrity and a desire to behave honestly. They are also expected to take measures to discourage student academic dishonesty, to adjust grades appropriately if academic dishonesty is encountered, and, when warranted, to recommend that additional administrative sanctions be considered. Grading policies are the exclusive prerogative of the faculty; administrative sanctions are under the authority of the Director of Student Judicial Programs. This document provides policies and procedures to be followed when academic dishonesty is encountered.

Definitions of Academic Dishonesty

The following definitions and examples are not meant to be exhaustive. The University reserves the right to determine, in a given instance, what action constitutes a violation of academic integrity.

1. Plagiarism

Plagiarism is intentionally or knowingly presenting the work of another as one's own. Plagiarism occurs whenever:

- A. one quotes another person's actual words or replicates all or part of another's product without acknowledgment. This includes all information gleaned from any source, including the Internet.

- B. one uses another person's ideas, opinions, work, data, or theories, even if they are completely paraphrased in one's own words without acknowledgment.
- C. one uses facts, statistics, or other illustrative materials without acknowledgment.
- D. one fails to acknowledge with a citation any close and/or extended paraphrasing of another.
- E. one fails to use quotation marks when quoting directly from another, whether it is a few words, a sentence, or a paragraph.
- A. Typical examples: Submitting, as one's own, the work of another writer or commercial writing service; knowingly buying or otherwise acquiring and submitting, as one's own work, any research paper or other writing assignment; submitting, as one's own, work in which portions were produced by someone acting as tutor or editor; collaborating with others on papers or projects without authorization of the instructor.
- B. In addition to oral or written work, plagiarism may also involve using, without permission and/or acknowledgment, computer programs or files, research designs, ideas and images, charts and graphs, photographs, creative works, and other types of information that belong to another.
- C. Because expectations about academic assignments vary among disciplines and instructors, students should consult with their instructors about any special requirements related to citation.

2. **Fabrication and Falsification**

- . Fabrication or falsification is intentionally and knowingly making unauthorized alterations to information, or inventing any information or citation in an academic exercise. Fabrication (inventing or counterfeiting information) and/or falsification (altering information) occur whenever:
 - . one alters or falsifies a graded work after it has been evaluated by the instructor and resubmits it for regrading.
 - A. one invents data in a piece of work or provides a false account of the method by which data were generated or collected.
 - B. one misrepresents by fabricating an otherwise justifiable excuse such as illness, injury, accident, etc., in order to avoid timely submission of academic work or to avoid or delay the taking of a test or examination.
 - A. Typical Examples: Fabrication--inventing or counterfeiting data, research results, information, or procedures; inventing data or fabricating research procedures to make it appear that the results of one process are actually the results of several processes; counterfeiting a record of internship or practicum experiences.
 - B. Falsification--altering the record of data or experimental procedures or results; false citation of the source of information (e.g., reproducing a quotation from a book review while indicating that the quotation was obtained from the book itself); altering the record of or reporting false information about practicum or clinical experiences; altering grade reports or other academic records; submitting a false excuse for absence or tardiness in a scheduled academic exercise; altering a returned examination paper and seeking regrading.

3. **Cheating**

- . Cheating is intentionally using or attempting to use unauthorized materials, information, notes, study aids, solution manuals, or other devices in any academic exercise, test, or quiz. This includes unauthorized communication of information during an exercise. Cheating includes:
 - A. possessing unauthorized notes, crib sheets, additional sources of information, or other materials during an examination.
 - B. preparing a written answer to an exam question outside of class and submitting that answer as part of an in-class exam.
 - C. possessing term papers, examinations, lab reports, or other assignments which were supposed to be returned to the instructor.
 - D. altering test answers and then claiming the instructor improperly graded the test or examination.
 - E. giving or receiving answers by use of any signals or technology during a test.
- A. Typical Examples: Copying from another student's paper or receiving unauthorized assistance during a quiz, test or examination; using books, notes, or other devices (e.g., calculators) when these are not authorized; procuring without authorization tests or examinations before the scheduled exercise (including discussion of the substance of examinations and tests when it is expected these will not be discussed); copying reports, laboratory work, computer programs or files and the like from other students; collaborating on laboratory or computer programs or files and the like with other students; collaborating on laboratory or computer work without authorization and without indication of the nature and extent of the collaboration; sending a substitute to take an examination.

4. **Complicity in Academic Dishonesty**

- . Complicity in academic dishonesty is intentionally or knowingly helping, or attempting to help, another commit an act of academic dishonesty. Complicity includes:
 - . permitting another student to copy one's work during an examination or allowing another student to copy one's paper, lab report, computer program, or other assignments.
 - A. taking an examination or any portion of a course for another student; writing a paper, lab report, computer program, or other assignments for another student.
- A. Typical Examples: Knowingly allowing another to copy from one's paper during an examination or test; knowingly and without authorization distributing test questions or substantive information about the material to be tested before the scheduled exercise; collaborating on academic work knowing that the collaboration will not be reported; taking an examination or test for another student, or signing a false name on an academic exercise. (Note: Collaboration and sharing information are characteristics of academic communities. These become a violation when they involve dishonesty. Instructors should make expectations about collaborations clear to students. Students should seek clarification when in doubt).

5. **Abuse of Academic Materials**

- . Abuse of academic materials is intentionally or knowingly destroying, stealing, or making inaccessible library or other resource material.

A. Typical Examples: Stealing or destroying library or reference materials needed for common academic exercises; hiding resource materials so others may not use them; destroying computer programs or files needed in academic work; stealing or intentionally destroying another student's notes or laboratory experiments; receiving assistance in locating or using sources of information in an assignment where such assistance has been forbidden by the instructor. (Note: The offense of abuse of academic materials shall be dealt with under this policy only when the abuse violates standards of integrity in academic matters, usually in a course or experience for which academic credit is awarded).

6. Multiple Submissions

. Multiple submissions occurs when one intentionally or knowingly submits substantial portions of the same academic work (including oral reports) for credit more than once without the explicit authorization of both instructors.

A. Typical Examples: Submitting the same or substantially the same work for credit in more than one course without prior permission of both instructors. Building upon or reworking prior work is acceptable with permission of both instructors.

Policy on Non-Discrimination and Reasonable Accommodation of Students Religious Observances

In accordance with Public Act 84-212 of the State of Illinois, Western Illinois University has established the following policy:

WIU policy prohibits discrimination against a student on the basis of his or her religious beliefs or practices; this policy affects any aspect of the University's policies, practices, or procedures regarding admissions, class attendance, the scheduling of examinations, or the scheduling of class assignments.

In addition, reasonable accommodations will be made in the above areas of University life for a student's religious observances. Each student is responsible for informing his or her instructor in sufficient time to make any needed accommodations. Requests for accommodations which impose an unreasonable hardship or which require modification of academic standards, programs, or course work may be denied.

A student who feels that he or she has been unreasonably denied an educational benefit due to religious beliefs or practices may file a grievance with the University Discrimination Grievance Committee by contacting the Affirmative Action Office.

Any questions regarding the interpretation of this policy should be directed to the Council on Admission, Graduation, and Academic Standards.

Policies Manual | Vice President - Administrative Services

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Macomb, IL 61455

Phone: 309/298-1414

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WIU Homepage: www.wiu.edu

NATIONAL POLICY BOARD FOR EDUCATIONAL ADMINISTRATION ISLLC STANDARDS

Standard 1.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by facilitating the development, articulation, implementation, and stewardship of a school or district vision of learning supported by the school community.

ISLLC Standard 1

A school administrator is an educational leader who promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.

Standard 2.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by promoting a positive school culture, providing an effective instructional program, applying best practice to student learning, and designing comprehensive professional growth plans for staff.

ISLLC Standard 2

A school administrator is an educational leader who promotes the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

Standard 3.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by managing the organization, operations, and resources in a way that promotes a safe, efficient, and effective learning environment.

ISLLC Standard 3

A school administrator is an educational leader who promotes the success of all students by ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

Standard 4.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by collaborating with families and other community members, responding to diverse community interests and needs, and mobilizing community resources.

ISLLC Standard 4

A school administrator is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

Standard 5.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by acting with integrity, fairly, and in an ethical manner.

ISLLC Standard 5

A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner.

Standard 6.0: Candidates who complete the program are educational leaders who have the knowledge and ability to promote the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

ISLLC Standard 6

A school administrator is an educational leader who promotes the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

Standard 7.0: Internship. The internship provides significant opportunities for candidates to synthesize and apply the knowledge and practice and develop the 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.

Course Activities

DATES	CASE ASSIGNMENTS READING Read ONLY the listed cases for illustration.	ACTIVITIES – CHAPTER READING
WEBCT	You must have an active ECOM account. Access the course at Westernonline You will need high speed internet. Use of a laptop computer for class is highly recommended.	Review of the site will be conducted during the first session.
Session 1	Hartzell v. Connell, Rose v. Council (found in Chap. 20)	Introductions, WEBCT, Reading the law Chap. 1, Chap. 2 Historical Perspective
Session 2	Brown v. Board, Swann v. Charlotte-M, Missouri v Jenkins 1 and 2	Chap. 3 The Role of Fed. Gov., and Chap. 19 Desegregation
	Spears v. Jefferson, Brown v. Tesack, Hammond v. Board, Donohue v. Copiague	Chap. 11 Tort, review Fishbone Tool in Course documents.
Session 3	Wisconsin v. Yoder, Johnson v. Charles City, Maack v. Lincoln Meyer v. Nebraska Epperson v. Arkansas Edwards v. Aquilland Debra P. v Turlington	Chap. 6 Attendance, Be familiar with the attendance and school choice statutes for your state and for NCLB Bring copies of student-parent handbooks from any level from your district. Review Force Field Tool and Case Study 1 assignment(Course documents) Chap. 7 – Instructional Program

	Lau v. Nichols	
Session 4	Tinker v. Des Moines, Hazelwood v. Kuhlmeier, New Jersey v. TLO and ISD v. Earls	Chap. 8 Student Rights of Expression
	Dixon v. Alabama, Goss v. Lopez, Franklin v. Gwinnet	Chap. 9 Student Rights – Due Process
	Mid Term Exam - Online	TBA dates and times for the exam.
Sessions 5-8	TBA	