COURSE DESCRIPTION AND SYLLABUS

Bulletin Description:
School law and ethics as they affect the policies, organization, and administration of public and private schools

Performance Objectives:
I hope that you will find this course fun, interesting, and useful. No previous knowledge of education law or legal research is assumed. The course focuses on the legal framework of American elementary and secondary school policies at the federal, state, and local levels. By course's end, students will be able to:

(1) meet all relevant national standards, below
(2) articulate the structure of the American legal system as it relates to education law and ethics and to map legal material within that structure;
(3) identify and access law-related material from libraries and on-line;
(4) relate fact situations arising from practice to substantive legal/ethical areas including church/state issues; free expression and due process rights; special education; racial, national origin, and gender discrimination; and the federal Elementary and Secondary Education Act (currently ESSA);
(5) navigate educator/lawyer/policy-making relationships from the perspective of each discipline for mutual benefit; and
(6) apply legal and lobbying strategies to policy development and implementation.

Course Standards:

Accommodations for Students with Disabilities:
In order to receive disability-related academic accommodations students must first register with the Center for Student Disability Services. Students who have a documented disability or suspect they may have a disability are invited to set up an appointment with the Office of Student Disability Services. If you have already registered with the Center for Student Disability Services please provide your professor with the course accommodation form and discuss your specific accommodation with him/her.
**Academic Integrity (Cheating and Plagiarism):**

The faculty and administration support an environment free from cheating and plagiarism. Each student is responsible for being aware of what constitutes cheating and plagiarism and for avoiding both, with consequences to be determined by the professor and College/CUNY rules.

**Student Rights & College Rules:** Please see Graduate Bulletin, incorporated here by reference.

**Reading** (Prior editions of these books will be adequate but specific material may be outdated):

1. Required judicial decisions, one per unit, and other hyperlinked primary legal sources (see Syllabus, below), are easily accessed via the internet. Reading should be the “Opinion of the Court” or plurality decision as described in class (concurrences and dissents optional reading). Instruction in finding these documents will be given great attention during the early weeks of the course.


4. Additional materials will be distributed in class.

**Written Work:**

Writing is an extremely important professional skill. All written course communication, even email, MUST be written clearly, concisely, and correctly. Important points to remember are to be organized (in the paper, a preliminary outline helps); to keep paragraphs short and understandable; to proofread several times for clarity, spelling, grammar, and punctuation (spellcheck is not sufficient); and to back up references with accurate citations, footnotes and/or bibliographical information.

**Grading requirements:**

1. Active, informed participation and close reading of one case per unit from any of those listed on the syllabus (+ or – final exam grade; 3-absence limit without penalty) This includes regular questions and other contributions to class discussion.

2. Final exam
Legal Research and Websites:

In order to do deeper research into course topics and your own professional research, you will need to use hardbound library resources and materials available online. To assist you the following websites are recommended, hyperlinked below for your convenience:

US Dept. of Education
NYS Education Dept.
NYC Dept. of Education Chancellors Regulations
Lexis-Nexis Academic Universe available from CUNY computers, home computers with a CUNY account, and many other academic institutions.
Brooklyn College Library Law Resource Guide (includes CQ Researcher Education Policy and other one-stop-shopping resources; requires CUNY account)
The Oyez Project (Beautiful! Cases, Justices, Virtual Tour, Audio of Oral Argument. U.S. Supreme Court only)
Findlaw (general) and Findlaw Education Law Guide
Legal Information Institute (omnibus resource from Cornell Law School)
Education Law Info on the Cornell Law Site (comprehensive documentary source)
The School Law Blog (from Education Week)
Education Law Association
Council of School Attorneys (COSA) of the National School Boards Assn. (NSBA)
National School Boards Association
NY State School Boards Association
National Assn. of College & University Attorneys
Education Resources Information Center (ERIC) especially ERIC Digests
Education Week (also includes hyperlinks to primary sources)
United Federation of Teachers (includes current contract)
Council of Supervisors and Administrators (includes current contract)
Advocates for Children of New York
American Civil Liberties Union Student Speech & Privacy (other topics at ACLU and NYCLU Youth and Student Rights)
Charter Schools
National Assn. of Independent Schools
SPCL 7764 - Education Law & Ethics
SYLLABUS

I. INTRODUCTION (APEL3: Ch. 1)

A. Course Description: Objectives, Course Requirements
B. The Cascade of American Education Law© or How is Regulatory Guidance Like a Box of Rice-A-Roni®?

II. LEGAL RESEARCH IN THE LIBRARY AND VIA THE INTERNET

III. EDUCATION GOVERNANCE AND FINANCE IN NEW YORK STATE & CITY


IV. SPECIAL EDUCATION (APEL3, Ch. 4)


Individuals with Disabilities Education Act (IDEA) (2004 Reauthorization); US DOE OCR Disability Discrimination (Sec. 504 and ADA); NYSED Office of Special Education; NYC DOE Office of Special Education

V. RACIAL, ETHNIC, AND GENDER DISCRIMINATION (APEL2: Ch. 3)

VI. CHURCH/STATE ISSUES (APEL3: Ch. 2)


Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools; Chancellor’s Regulation A-630: Religious Accommodation of Students

VII. FREEDOM OF EXPRESSION (APEL3: Ch. 2)


VIII. DISCIPLINE AND DUE PROCESS (APEL3: Ch. 2)