

Syllabus for
GPED 733—School Law/Legal Issues in Education
3 Credit Hours
Summer Institute 2013

The Mission of the Oral Roberts University College of Education is to provide the opportunity for individuals who hold Christian principles to participate in initial and advanced study in preparation for the professional public and private responsibilities in the field of education throughout the world. The College of Education's mission includes training and developing professional educators with a Christian worldview who will go into every person's world as transformed educators who will impact society for the purpose of transforming the next generation.

I. COURSE DESCRIPTION

Provides knowledge of the general principles of school law. Consideration is given to an understanding of legal implications of the operation and administration of private Christian and public school systems. Includes school law as it relates to the State of Oklahoma, the State Board of Education, and the Attorney General. Consideration of PL94-142, Section 504 of the Rehabilitation Act, other Federal acts with impact on school district operations, and current issues affecting schools.

II. COURSE GOALS

The purpose of this course is to enable students to understand the legal challenges that can either produce schools of excellence or schools with multiple legal problems created by lack of effective knowledge that could give the school the opportunity to develop a proactive set of policies and guidelines.

III. STUDENT LEARNING OUTCOMES FOR THIS COURSE

This course meets the competency-based standards for advanced programs in educational leadership as established by the National Policy Board for Educational Administration (2002) for both school-building leadership and school-district leadership.

Each student will prepare those artifacts necessary to indicate that the specific activities identified for this course have been completed in a satisfactory manner. The artifacts will be compiled in a portfolio format as prescribed by the College of Education. Artifacts produced in this course will address candidate competency in relation to the specific Educational Leadership Constituent Council (ELCC) standard 5.1, 5.2, & 5.3. Specific instructions for these artifacts will be described in an addendum to the syllabus. This addendum will be given out in class.

As a result of successfully completing this course, the student will be able to do the following:

- A. Identify significant legal terms used in education.
- B. Trace the historical foundations of God's law and human's law.
- C. Identify the sources of American law.

- D. Explain the operation of the judicial systems in America.
- E. Be able to identify legal risks in schools.
- F. Successfully respond to legal situational exercises.
- G. Understand tort action and educational malpractice.

IV. TEXTBOOKS AND OTHER LEARNING RESOURCES

A. Required Materials

1. Interactive CD – Professor Notes, Simulations, and Legal Requirement
Demuth, D., & Demuth, C. *Legal requirements for Christian schools* (4th ed.)
Tulsa, OK DEL Publications. ISBN 9781880705249

Essex, N. L. (2012). *School law and the public schools* (5th ed.). Needham Heights, MA: Allyn and Bacon. ISBN 9780137072750

B. Optional Materials

1. Textbooks

Demuth, D., & Demuth, C. (2007). *Christian schools: How to get a school going and keep it growing*. Chapter 3 “Assess Legal Requirements.” See Delpublications.com. ISBN 9781880705056

Demuth, D., & Demuth, C. (2010)/ *Christian School Resource Kit, 4th ed.* Tulsa, OK, DELPublications.com.

2. Other

Internet Sites:

www.findlaw.com

www.versulaw.com

www.lawinfo.com

www.supct.law.cornell.edu/supct/

www.links.govelinks.html

V. POLICIES AND PROCEDURES

A. University Policies and Procedures

1. Attendance at each class or laboratory is mandatory at Oral Roberts University. Excessive absences can reduce a student’s grade or deny credit for the course.
2. Students taking a late exam because of an unauthorized absence are charged a late exam fee.
3. Students and faculty at Oral Roberts University must adhere to all laws addressing the ethical use of others’ materials, whether it is in the form of print, video, multimedia, or computer software. By submitting an assignment in any form, the student gives permission for the assignment to be checked for plagiarism, either by submitting the work for electronic verification or by other means.

4. Final exams cannot be given before their scheduled times. Students need to check the final exam schedule before planning return flights or other events at the end of the semester.
 5. Students are to comply with University, school, and departmental policies regarding ePortfolio requirements. Students should consult the ePortfolio handbooks for requirements regarding general education and the students' majors.
 - a. The penalty for not submitting electronically or for incorrectly submitting an ePortfolio artifact is a zero for that assignment.
 - b. By submitting an assignment, the student gives permission for the assignment to be assessed electronically.
- B. School and/or Department Policies and Procedures
1. Independent Study, Dissertations, or Internships
 - a. Cheating in any form, including plagiarism, will not be tolerated. Any student caught cheating will receive a zero for that exam and/or risk receiving an F for the course. *Merriam-Webster's Collegiate Dictionary* defines plagiarize as "to steal and pass off (the words of another) as one's own." In standard academic practice, **this means if a student copies more than three consecutive words** written or spoken by another, the student must acknowledge the source of these words by using the proper reference notation as dictated by the *Publication Manual of the American Psychological Association*, 6th edition.
 - b. **Absolutely no** research involving human subjects may be performed until **full** approval of the Institutional Review Board has been obtained. Any such research done prior to approval of the IRB will be null and void and may carry a federal penalty.
 - c. Credit for any independent study must be earned/completed in the semester in which the student is enrolled. (Exceptions may be petitioned in cases of severe illness/emergencies.)
 2. In-Class Studies (or All Other Studies)
 - a. Class attendance is an absolute **must** for the student to gain full benefit from his/her enrollment. Absences affect the student's grade. Any student leaving class before dismissal or coming late will be marked absent. Extended illness will be handled on an individual basis and will require verification from a doctor.
 - b. Students who miss class for University-sponsored activities must present an administrative excuse form with appropriate signatures prior to the event and must not miss if committed to a class presentation or exam. If participation in the event is voluntary, the student will not be permitted to do make-up work nor complete an exam missed.
 - c. Cheating in any form, including plagiarism, will not be tolerated. Any student caught cheating will receive a zero for that exam and/or risk receiving an F for the course. *Merriam-Webster's Collegiate Dictionary* defines plagiarize as "to steal and pass off (the words of another) as one's own." In standard academic practice, **this means if you copy more than three consecutive words** written or spoken by another, you must acknowledge the source of these words by using the proper reference notation as dictated by the *Publication Manual of the American Psychological Association*, 6th edition.

- d. **Absolutely no** research involving human subjects may be performed until **full** approval of the Institutional Review Board has been obtained. Any such research done prior to approval of the IRB will be null and void and may carry a federal penalty.

C. Course Policies and Procedures

1. Evaluation Procedures

- a. The course grade will be based on the performance of the student as determined by the number of points awarded and accumulated. The points will be awarded on the basis of quality of effort and performance and will be available as listed:

	<u>Maximum Points</u>	<u>Cumulative Points</u>
Pre-institute Assignment	40	40
Situational Exercises	100	120
Final Exam	210	350
Post-institute Assignment	150	500

- b. Grading scale:

A=450-500
B=400-449
C=350-399
D=300-349

- c. All graduate students are expected to make an A or B. A grade of C will result in a student being placed on probation. Two or more grades of C or below will result in a student being suspended from graduate school.

2. ePortfolio Requirements

Each student will prepare those artifacts necessary to indicate that the specific activities identified for this course have been completed in a satisfactory manner. The artifacts will be compiled in an ePortfolio format as prescribed by the College of Education.

3. Other Policies and/or Procedures

- a. The student will:

- (1) Participate in discussion.
- (2) Work with a partner (partners will be selected on the first day of class).
- (3) Respond to situational exercises on a standard form. A copy of this form is found in the notes.
- (4) Correctly respond to detailed instructional objectives as found in the notes.
- (5) Be called upon to present a class devotional.

- b. **Absolutely no** research involving human subjects may be performed until **full** approval of the Institutional Review Board (IRB) has been obtained. Any such research done prior to approval of the IRB will be null and void, and it may carry a federal penalty.

D. Pre-assignment

The student should complete the following assignment and have it ready to turn in on the first day of class:

1. Select a current legal topic and complete not less than a four-page (typed, double-spaced) paper on this topic. This paper will follow the guidelines as outlined in the *Publication Manual of the American Psychological Association*, 6th edition as

presented by ORU College of Education. Points will be deducted for inappropriate format. Be prepared to present this topic to the class if called upon to do so, covering the key points, as well as suggestions and recommendations for public or private schools. Papers are due on the first day of class.

2. TOPIC EXAMPLES: Educational Malpractice, Internet, School Activity Funds, Employment Discrimination, Student Privacy Rights, Athletic Eligibility, Drug Testing in Schools, Fraudulent Misrepresentation, Interpretation of Truth, Investigative Procedures, Sexual Harassment by Students, Age Discrimination, Wrongful Termination, Defamation, Search and Seizure (desks, lockers, book bags, automobiles), Protected Communication, Gun-Free School Zone, Field Trips, Access to Students by Department of Human Services, Employment at Will, Exculpatory Clauses, Custodial Parents and Release of School Records, Tuition Refunds, and Misclassification of Special Students.

E. Postassignment

1. Complete a legal checkup of your school using the materials provided in the text. (This is required of all Christian school administrators.)
2. Develop an action plan for all areas found in noncompliance.
3. Students who are not administrators will be required to complete an original research paper. The topic must be preapproved by the instructor. It is expected that all assignments and papers will follow the ORU APA format. Points will be deducted if this format is not followed.
4. The paper must be postmarked on or before the date given during orientation. **Projects must** be emailed as an attachment to dennis@delpublications.com. Please include **GPED 733** in the subject title. If you do not receive a confirmation email within three days, please phone 918-749-2157.
5. If the project is postmarked one day late, there is a 10% grade penalty.
6. If the project is postmarked two days late, there is a 20% grade penalty.
7. If the project is postmarked three days late, the student will **FAIL THE COURSE**.
8. **If you are not emailing your assignment, be sure you send your postassignment registered, certified, or with a tracking record. If your paper is not received in a reasonable time after these deadlines, you will be called and asked to overnight a copy of your postassignment along with a copy of a receipt showing the date mailed or shipped.**

F. Final

Must be completed using a laptop computer and printed before leaving class. Finals can be printed in the Education Technology Lab.

- G. Interactive CD. The CD contains an electronic copy of the textbook *Legal Requirements for Christian Schools*, legal simulations, response sheets, samples from the Management Guide, Insights, items from the Christian School Resource Kit, and most importantly, 15 sections of professor notes. All items are interactive which allows the student to move among the pages on all documents. This CD works best with a PC. If you use a MAC you will have to work a little harder to ensure everything works properly. The professor will not provide technical advance.

VI. COURSE CALENDAR

<u>SESSION</u>	<u>TOPIC/ASSIGNMENT</u>
Class Day 1	<ol style="list-style-type: none"> 1. What are laws? 2. Primary sources of law 3. Law research 4. How courts are structured 5. Legality of the school 6. Tax-exempt status 7. School records
Class Day 2	<ol style="list-style-type: none"> 8. Critical issues for private schools (Simulation S1) 9. School boards 10. Main state concerns (S2, S3, S4) 11. Major instructional legal issues 12. Driver's education risk factors 13. Sex education/harassment (S5) 14. Facilities (S6, 27)
Class Day 3	<ol style="list-style-type: none"> 15. Student/staff records (S8, S9) 16. Defamation 17. Handbooks (S10) 18. Employment issues (S1, S12) 19. Business and account practices (S13, S13a, S14, S15, S16) 20. Student issues (S16a, S17, S18, S24) 21. Medical and health (S19, S20, S21)
Class Day 4	<ol style="list-style-type: none"> 22. Tort liability (S22) 23. Educational malpractice (S23) 24. Copyright and computer law (S25, S26) 25. Child abuse (S27) 26. Volunteers 27. Insurance 28. Legislative action <p>FINAL EXAM</p>

TENTATIVE DAILY SCHEDULE

8:00-8:15	Administrative items, devotional, prayer
8:15-10:00	Class simulations, discussion, lecture
10:00-10:15	Class break
10:15-11:45	Class simulations, discussion, lecture
Lunch Break	
1:00-2:30	Class simulations, discussion, lecture
2:30-2:45	Class break
2:45-5:00	Class simulations, discussion, lecture

Course Inventory for ORU's Student Learning Outcomes
GPED 733—School Law/Legal Issues in Education
Summer Institute 2013

This course contributes to the ORU student learning outcomes as indicated below:

Significant Contribution – Addresses the outcome directly and includes targeted assessment.

Moderate Contribution – Addresses the outcome directly or indirectly and includes some assessment.

Minimal Contribution – Addresses the outcome indirectly and includes little or no assessment.

No Contribution – Does not address the outcome.

The Student Learning Glossary at <http://ir.oru.edu/doc/glossary.pdf> defines each outcome and each of the proficiencies/capacities.

OUTCOMES & Proficiencies/Capacities		Significant Contribution	Moderate Contribution	Minimal Contribution	No Contribution
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1	Outcome #1 – Spiritually Alive Proficiencies/Capacities				
1A	Biblical knowledge	X			
1B	Sensitivity to the Holy Spirit	X			
1C	Evangelistic capability				X
1D	Ethical behavior	X			

2	Outcome #2 – Intellectually Alert Proficiencies/Capacities				
2A	Critical thinking	X			
2B	Information literacy	X			
2C	Global & historical perspectives				X
2D	Aesthetic appreciation				X
2E	Intellectual creativity	X			

3	Outcome #3 – Physically Disciplined Proficiencies/Capacities				
3A	Healthy lifestyle				X
3B	Physically disciplined lifestyle				X

4	Outcome #4 – Socially Adept Proficiencies/Capacities				
4A	Communication skills	X			
4B	Interpersonal skills	X			
4C	Appreciation of cultural & linguistic differences	X			
4D	Responsible citizenship	X			
4E	Leadership capacity	X			