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 Received on 10/10

COVER SHEET FOR GRADUATE CURRICULUM PROPOSALS

SEP 9 8 2008

All curriculum proposals should be sent to the Graduate School office for review and distribution. Information items will be handled administratively and require the "Cover Sheet for Graduate Information Items." New curriculum proposals and substantive curriculum changes require the action of both Graduate Council and the Executive Committee of the Faculty Senate and use this cover sheet. When all signatures have been obtained, the Graduate School will notify the originator of the proposal that it has been sent to the Graduate Council curriculum committee.

Originator: VECKE PETZKO, (550-CHEPS) Date: 9-10-08
 Title of Proposal: New Course: Teachers and the Law
 Proposed Starting Date: FALL August 2009

to Graduate School
~~DAS 539~~
 EDUC 539

REVIEWED BY:				
<u>John A. Freeman</u>	<u>9-10-08</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Department Head	Date	approve	neutral	disapprove*
<u>Maryanne Jarman</u>	<u>9/26/08</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dean of the Academic College	Date	approve	neutral	disapprove*
<u>Yvonne Kelpatund</u>	<u>9/30/08</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director, The Graduate School	Date	approve	neutral	disapprove*
<u>Stephanie Bellan</u>	<u>10-6/08</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dean, The Graduate School	Date	approve	neutral	disapprove*
<u>Cynthia Peters</u>	<u>10-8-08</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
University Registrar	Date	approve	neutral	disapprove*
REVIEWED BY OTHER UNITS AFFECTED:				
<u>Doreen McQuinn</u>	<u>09/25/08</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reviewer	Date	approve	neutral	disapprove*
Reviewer	Date	approve	neutral	disapprove*
Reviewer	Date	approve	neutral	disapprove*

8-0-0-0 CHEPS Cur. Comm.

CG-080901

09-0001G

* Those who disapprove must attach an explanation.

SUMMARY OF ACTION BY GRADUATE COUNCIL

Approved as submitted
 Approved with amendments (amendments indicated and transmitted to originator to revise and submit electronically for Executive Committee of the Faculty Senate)
 Reviewed by the Provost [Signature] 2/12/09 ✓
 Provost's signature Date approve disapprove*
 Forwarded to Executive Committee of the Faculty Senate
 Graduate Council Chair [Signature] 11-13-08
 Graduate Council Chair's signature Date

JMS

SUMMARY OF ACTION BY EXECUTIVE COMMITTEE OF THE FACULTY SENATE

Approved as submitted
 Referred to Faculty Senate for action. [Signature] 11/21/08
 President, Faculty Senate Date

2/17/09 Date sent to Originator

2/17/09 Date sent to University Registrar

**Graduate Studies Division
College of Health, Education and Professional Studies**

**Course Proposal
EDUC wxyz
*Teachers and the Law***

Effective: August 2009. It would be taught as "EDUC 503r: Special Topics/Teachers and the Law until listed in the catalogue.

Rationale: Legal issues are a significant concern for teachers in America's schools. Issues of students' rights, teachers rights, employment and termination issues, contracts and tenure, child abuse reporting and data privacy, liability and negligence, and church state issues face America's teachers every day. Yet few have any formal preparation in the subject: approximately 90% of all graduate students in education have not taken a course in school law¹. A recent survey of practicing teachers ranked legal issues as the third most essential topic for on going professional development².

UTC has addressed this concern by identifying EDAS 563 (School Law) as an acceptable elective for students in the M.Ed. Elementary/Secondary Education Program and/or Special Education. As the GSD has begun to take more programs off-campus and deliver the M.Ed. to cohorts of teachers in area school systems, several such cohorts have requested EDAS 563 as an elective course.

A course that specifically addresses teachers and the law would be even more appropriate under these circumstances. It would allow course content to more specifically address the concerns of classroom teachers and would eliminate the need to cover issues that are specifically administrative in their orientation, such as suspension, expulsion, and policy issues.

Students in the M.Ed. program who wished to take the traditional EDAS 563 course (offered on campus) would still be allowed to do so.

Students in the M.Ed. in School Leadership would not be allowed to take the new course in lieu of EDAS 563: The specific knowledge required for endorsement as a school principal or supervisor would not be completely addressed in the new course, nor would the knowledge and skills required for the State licensure exam. This would be clarified to M.Ed. SL students upon admission to the program and through advisement.

Summary of changes

A new course would be added to the EDUC catalogue: EDUC XXXX, "Teachers and the Law" (3 graduate credits). This course would not replace EDAS 563 (School Law) and would be offered, as requested, primarily to off campus and/or on-line students in M.Ed./Elem/Secondary Ed.

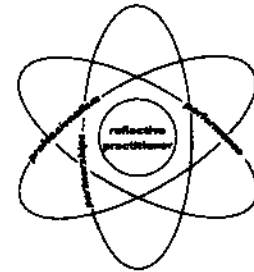
Impact Statement

Enrollment in "Teachers and the Law" would not cause a decline in enrollment in "School Law", due to the fact that "Teachers and the Law" course would be offered primarily to off-campus or on-line cohorts.

¹ Gallent, D. and Tollett, J. (1995). *Educational law: A relevant course for all teacher education programs*. ERIC Document Service, No. ED389695.

² Davis, B. and Williams, J. (1992). Integrating legal issues into teachers preparation programs. ERIC Document Service. No. ED347139.

SYLLABUS
EDUC WXYZ (3 graduate credits)
Teachers and the Law
College of Health, Education and Professional Studies
Graduate Studies Division



Instructor:
Office Hours:
Phone:
Email:

Catalog Description

This course is an overview of American public school law, specifically as it relates to the classroom teacher. The rights of students and teachers, constitutional issues, liability and negligence, data privacy, special education law, and employment law are addressed, as well as case law, federal legislation and state statute. This course may not be substituted for EDAS 563 for administrative/leadership endorsement.

Goals and Objectives

1. Students will exhibit an understanding of the historical development and basic structure of American Jurisprudence.
2. Students will become familiar with the basic legal vocabulary and skills necessary to understand and analyze case law.
3. Students will become familiar with landmark cases related to school law, specifically as they relate to the classroom teacher, in the following areas:
 - a. Church/State issues
 - b. Curricular concerns
 - c. Student rights and discipline
 - d. Special education
 - e. Harassment and discrimination
 - f. Negligence and liability
 - g. Data privacy
 - h. Teacher rights
 - i. Employment concerns
4. Students will learn to use the basic tools for legal research, including Internet resources.
5. Students will demonstrate the ability to apply legal concepts in school situations.
6. Students will be able to analyze and critique hypothetical actions of teachers.

Required Text

Underwood, J. & Webb, L. D. (2006). School law for teachers: Concepts and applications. Upper Saddle River, N.J: Pearson/Merrill Prentice Hall.

Recommended Text

Essex, N. L. A teacher's pocket guide to school law. (2006). Boston, MA: Pearson.

Policies and Procedures

Attendance/Participation: Regular attendance and participation are essential to successful completion of this course. There is no differentiation between an unexcused and an excused absence; if you are unable to attend class or to participate on line as outlined in course assignments, you will not be able to earn the participation points.

Confidentiality: It is of critical importance that information shared in this course about specific schools/organizations remains confidential. *Students are NOT to use names of schools, organizations, or individuals in any papers or exams. Pseudonyms should be assigned.* Conversations about schools that are used as opportunities to apply the knowledge and skills developed in this course **must** remain confidential once the student leaves the classroom. Failure to do so will be reported as a violation of the Student Honor Code.

Email: You must regularly check your email in order to fully participate in this course. To enhance student services, the University will use your UTC email address (firstname-lastname@utc.edu) for communications. Please check your UTC email on a regular basis. If you have problems with accessing your email account, contact the Help Desk at 423-425-4000.

Late papers/exams: Punctuality is not only important as a graduate student, but also to you as a professional educator. A late paper or exam will be marked down 10 points for each day or part of a day it is late. *If the University is closed due to weather, and a paper/exam is due by email that day, that paper/exam is STILL DUE. If your school is closed and that is your only access to a computer, please call me and leave a message to that effect at (instructor's phone number)*

References and Plagiarism: Please refer to the APA manual or one of the links or attachments in Blackboard for correct reference and citation format. ALL DIRECT QUOTES must be referenced with source and page number, as per APA. Plagiarism is also the use of the thoughts or writing of another person as your own. It can include copying of sentences, paragraphs or entire documents. Students who plagiarize in this course will receive a "0" for that assignment.

ACCOMMODATION STATEMENT

If you are a student with a disability (e.g. physical, learning, psychiatric, vision, hearing, etc.) and think you might need special assistance or a special accommodation in this class or any other class, please speak with your professor as soon as possible. You may also contact the UTC Office for Students with Disabilities at 425-4006 or go to their office in 110 Frist Hall on the UTC campus.

COUNSELING CENTER STATEMENT

If you find that personal problems, career indecision, study and time management difficulties, etc. are adversely impacting your successful progress at UTC, please contact the Counseling and Career Planning Center at 425-4438.

Course Requirements

Exams: A midterm and a final will be given.

Legal Case Briefs: Each student will present a verbal summary of one landmark school law case to the class. A list of cases will be provided by the instructor. In other words, you are teaching your classmates about this case. Typically, these cases are not in the book. The presentation is expected to take about 15-20 minutes, with a discussion period following, where the presenter will be expected to answer questions and provide explanations (50 points). The presentation is to include the following (there is no written assignment but a PowerPoint may be used).

1. The name of case, year, court and complete citation,
 - 1.1. An overview of what the case was about,
 - 1.2. A summary of the history of the case, including AN EXPLANATION OF the facts of the case and the lower court decisions, and
 - 1.3. The final decision and rationale, EXPLAINED IN YOUR OWN WORDS.
 - 1.4. Great and well known quotes from the case.

Quizzes: Because class time is usually not spent reviewing the course readings but extending them, short quizzes/study guides will be posted byeach week. The quiz MUST be taken prior to class. You may use your book if you would like but you may only take each quiz one time.

Statute Search: Each student will be required to find a statute related to a specific topic *AND post the text of the statute, its number, and a short explanation to the discussion forum "State Statutes*. A list of topics will be provided by the instructor.

Grading

1. Participation points: 70 (5 points per class session)
2. Statute Search: 20 points
2. Quiz points: 60 points maximum
4. Midterm exam: 50 points
5. Case brief: 50 points
6. Final exam: 50 points

300 points possible:

90-100%=A; 270-300 points	80-89%=B; 240-269 points
71-79%=C; 210-239points	60-69%=D; 180-209 points

Course Calendar

- Session 1: Course Introduction and Statute/Case searching
- Session 2: Chapter 1: Legal Framework
- Session 3: Chapter 2: Employment and Tenure
- Session 4: Chapter 3 and 4: Teacher's Rights and Teacher Discipline
- Session 5: Chapter 5: Legal Responsibilities of Teachers
- Session 6: Chapter 6: Negligence
- Session 7: Chapter 7: Student Rights
- Session 8: Chapter 8: Students with Disabilities
- Session 9: Chapter 9: Student Discipline and Due process
- Session 10: Chapter 10: Discrimination and Harassment
- Session 11: Chapter 11: Religion
- Session 12: Curriculum Issues
- Session 13 & 14: Special Topics

Recommended Reading List

- Alderman, E. and Kennedy, C. (1997). *The right to privacy*. New York: Vintage Books.
- Alexander, K. & Alexander, M. D. (2006) *American public school law* (7th ed.). St. Paul, MN: West Publishing.
- Essex, N. L. *A teacher's pocket guide to school law*. (2006). Boston, MA: Pearson.
- Fischer, L., Schimmel, D., and Kelly, C. (2007) *Teachers and the law* (7th ed.). Boston, MA: Pearson Publishing.
- LaMorte, M. (2002). *School law: cases and concepts* (7th ed.). (2002) Boston, MA: Allen and Bacon
- McEllistrem, S. (Ed.). (2000). *Desk book encyclopedia of American school law*. Burnsville, MN: Oakstone Publications.

Websites/Journals of Interest

American Civil Liberties Union Website. (www.aclu.org.)

American School Board Journal. "School Law". Published monthly by the American School Board Association. (www.absbj.com)

Educational Leadership. "De Jure ". Published monthly by ASCD. (www.ascd.com)

Phi Delta Kappan. "Courtside". Published monthly by Phi Delta Kappa. (www.pdkintl.org/kappan)