

UNIVERSITY OF WISCONSIN-MADISON
Department of Educational Leadership & Policy Analysis

305-502 (Lec 002), Legal Rights and Responsibilities for Teachers
Fall 2008
Thursdays, 4:40-7:10PM

Instructor: Julie F. Mead, Professor
Educational Sciences, Room 1186F
office: (608)263-3405
home: (608)831-1142
fax: (608)265-3135
e-mail: jmead@education.wisc.edu
home page: <http://www.education.wisc.edu/edadmin/people/faculty/mead/index.htm>

Office Hours:
T & R: 2:00 - 4:00 p.m.
other times by appointment

Assistant: Scott Brown
1161C Educational Sciences
office: 265-5505
e-mail: sbrown6@wisc.edu

Administrative Support: Aaron Smeaton
1190 Education Sciences
office: 263-7684
email: ajsmeaton@education.wisc.edu

Purpose of the Course:

This course will examine the legal issues confronting the classroom teacher on a daily basis. Students will learn how law impacts both curriculum development and curricular delivery. An emphasis will be placed on understanding legal analysis in order to empower teachers to better balance the multiple interests confronting them. Students will also learn how an understanding of law can further the development of a democratic classroom. Specific topics to be examined include: curricular control, teachers' academic freedom, religion in the curriculum, equity in programming, special education, student records, student discipline, teacher contracts, teacher discipline, and negligence.

Course Objectives:

1. Students will be introduced to various legal issues and identify those issues inherent in daily school practice.
2. Students will explore various legal principles and their application.
3. Students will identify various analytic frameworks that guide legal analysis.
4. Students will apply principles and/or frameworks to a situation or issue.
5. Students will examine the sources of law and the various interests that the law seeks to balance.
6. Students will understand their role in the development and implementation of law and policy.

Required Text/Readings:

Underwood, Julie & Webb, L. Dean. (2006). School Law for Teachers: Concepts and Applications. Upper Saddle River, NJ: Pearson Education, Inc. ISBN 0-13-119242-6

Schimmel, David, Fischer, Louis, & Stellman, Leslie (2008). School Law: What Every Educator Should Know. Upper Saddle River, NJ: Pearson Education, Inc. ISBN 0-205-48405-0

NSBA Legal Clips: subscribe free at:

<http://www.nsba.org/site/page.asp?TRACKID=&CID=373&DID=8614>.

Other readings as assigned on course outline and available through e-reserve or Learn@ UW.

Recommended Text:

McCarthy, M., Cambron-McCabe, N. & Thomas, S. (2009). *Legal Rights of Teachers and Students*, Pearson Education.

Please be aware that a Learn@UW website is being used in conjunction with the course.

We will be using the Learn@UW site for 4 purposes:

1. To post resources, links, and learning aids, etc. [Content modules]
2. To participate in focused discussions. [Discussion tool]
3. For electronic assignment submission [Dropbox tool]
4. Self-check quizzes (these are optional and do not figure into your grade)

Please take some time to explore the site before the second session.

Course Requirements:

Students are expected to:

- Be prepared to discuss and evaluate all assigned materials.
- Participate actively in all class activities. Your class participation grade will be based on 3 considerations (attendance, active contributions to activities, & obvious preparation for class). You will receive 5 points for each session and scores will be posted on the Friday following class. Bonus points may be awarded for extraordinary contributions. Please be prompt and please notify instructor of any absence in advance, whenever possible. If you will be unable to attend for the full class time consistently or expect to miss 3 or more classes, it is recommended that you drop the class and take it during a semester with fewer conflicts. Under usual circumstances, no make-up activities will be allowed in lieu of class attendance. Exceptions/accommodations may be made for absences due to meeting contractual work requirements, disability, serious illness, or religious observances. In the latter cases, students should schedule a meeting with Dr. Mead to discuss the situation to determine whether an exception is warranted.
- Complete “Think Now” questions in class each week. You will be asked one question to answer at the beginning of each class to assess your ability to apply the course material. Responses will be graded on a 5 point scale. You must be present at the beginning of class to complete the exercise.
- Complete three application assignments.*
- Teach a 30-minute lesson on an assigned topic as a member of a collaborative group.*
- Write an integrative essay synthesizing the information provided in the course in relation to the National Board for Professional Teaching Standards.*

** Specific direction sheets are provided for each of these requirements.*

Grading Calculus

Participation	15%
Think Now Questions	10%
Individual Application Assignments	25%
Collaborative Group Lesson	20%
Integrative Reflective Essay	30%

Grading Scale

93% - 100%	A
88% - 92.9%	AB
83% - 87.9%	B
78% - 82.9%	B/C
73% - 77.9%	C
68% - 72.9%	C/D
63% - 67.9%	D

Course Policies

Accommodations:

Students with disabilities requiring accommodations should make an appointment with the instructor within the first 2 weeks of class to discuss plans for the semester. Likewise, those requiring accommodations due to religious observances should contact Dr. Mead within the first 2 weeks of class to discuss plans for the semester.

Cell Phones:

In order to eliminate disruptions, please turn off all cell phones or other electronic paging devices before entering class. Interruptions will be considered in the calculation of participation points for the session.

Computers:

You are welcome to use computers for notetaking during class. Other uses unrelated to class activities will be considered in the calculation of participation points for the session.

Submitting Assignments:

Papers may be submitted in hard copy or electronically. If students choose to submit papers electronically, files should be placed in the “dropbox” section of the Learn @UW site designated for the particular assignment. Please **DO NOT** send assignments via email.

Assignment Revisions:

Students unhappy with a score on a paper may revise for a higher score up to the number of points equivalent to an AB on the assignment. In order to earn this opportunity, the student must take the paper to the UW Writing Center for assistance and provide proof of the same with the re-submission. Only one revision per assignment is permitted.

Late Assignments:

In order to be fair to those students who meet deadlines, points will be deducted for each day an assignment is late without first receiving permission for an extension. Requests for deadline extensions will only be considered if made in advance of the due date.

Appropriate Citations and Plagiarism:

Using source material appropriately is one criterion on which your papers will be graded. Papers with inappropriate use of source material –even if no academic misconduct has occurred – will receive no higher than a 75% of the points available (a C). I know this sounds harsh, but like many professors I’m struggling to find a way to stop a problem with which I have more experience than I’d like. Unfortunately, I have had several instances where a student has directly lifted sentences – even paragraphs – from source material without proper attribution. When it happens, I am honor-bound to investigate. It’s a horrible experience for all involved and one I do not wish to repeat. In the end, I am usually left with the choice between two conclusions: (a) either the person is guilty of academic misconduct or (b) the person does not know how to quote, paraphrase and reference appropriately. Neither is a happy conclusion. So . . .

Please be sure to use appropriate procedures for quoting, paraphrasing, and acknowledging sources when preparing any written work. Please see the materials available under the title, [Quoting, Paraphrasing, and Acknowledging Sources](#), by the UW-Madison Writing Center. <http://www.wisc.edu/writing/> and those under the title [Internet Citation Guides](#) from the UW Libraries. www.library.wisc.edu/libraries/Memorial/citing.htm I expect that you understand this

information or that you will take independent action to acquire the needed information prior to the submission of any written work. Claims of ignorance at this level are not persuasive.

Inappropriate use of source material may constitute academic misconduct and will be investigated. Consequences for academic misconduct are serious and can range from an oral reprimand up to suspension or expulsion from the University. The Student Code of Conduct, which explains both your rights and responsibilities as students, is available at:
<http://www.wisc.edu/students/misconduct.htm>

Course Outline

*Please have all readings and assignments completed by the date indicated. All readings that are not cases and do not appear in the required text are on electronic reserve through the CIMC or linked from Learn@UW. Please be aware that topics do not always neatly fit into a single class session, so this outline should be viewed as an estimate of the day we will **begin** discussion of a given topic. Discussions may “spill over” from one session to the next. **Additional readings may be assigned throughout the semester.***

Underwood & Webb Text = UWT
Schimmel, Fischer, & Stelman Text = SFST

Wk.	Date	Topic	Readings	Assignments
1	9/4	Course Introduction & Planning		
2	9/11	Legal Structure	<ul style="list-style-type: none"> • Learn@ UW Legal Structure Content Module • Mead, Julie F. (2008, forthcoming). “The Role of Law in Educational Policy Formation, Implementation and Research.” AERA Handbook on Educational Policy Research. Sykes, Gary, Plank, David, & Schneider, Barbara. American Educational Research Association, Washington, D.C. (Learn @ UW) • US Constitution <p>If you can:</p> <ul style="list-style-type: none"> • UWT - Chapter 1 • SFST – Chapter 1 	<ul style="list-style-type: none"> • Prior to class: Post a link to a school policy manual, code of conduct, or collective bargaining agreement • Think Now (in class) – dry run
3	9/18	Negligence	<ul style="list-style-type: none"> • UWT – Chapter 6 • SFST – Chapter 3, pp. 32-46 	<ul style="list-style-type: none"> • Think Now (in class)
4	9/25	Religion	<ul style="list-style-type: none"> • UWT – Chapter 11 • SFST – Chapter 7 • <i>Kitzmiller v. Dover</i> (Learn @UW) 	<ul style="list-style-type: none"> • Think Now (in class)

Wk.	Date	Topic	Readings	Assignments
5	10/2	Attendance, Curriculum, & Records	<ul style="list-style-type: none"> • UWT – Chapter 7, pp. 131-134 • SFST – Chapters 10 & 11 • <i>Falvo v. Owasso</i> (Learn@UW) 	<ul style="list-style-type: none"> • Think Now (in class) • Application Assignment #1 • Collaborative Lesson Plan Case & Law Review Selection
6	10/9	Copyright & Child Abuse	<ul style="list-style-type: none"> • UWT – Chapter 5 • SFST – pp. 46-48; pp. 62-66. 	<ul style="list-style-type: none"> • Think Now (in class) • Integrative Essay – Dream job description
7	10/16	Classification of Students	<ul style="list-style-type: none"> • UWT – Chapter 10 • SFST – Chapter 8, pp. 102-111. • <i>Parents Involved v. Seattle</i> (Learn @ UW) 	<ul style="list-style-type: none"> • Think Now (in class) • Collaborative Group Lesson – Equal Access Act Group – Lesson Plan
8	10/23	Special Education	<ul style="list-style-type: none"> • UWT – Chapter 8 • SFST – Chapter 8, pp. 112-119 	<ul style="list-style-type: none"> • Think Now (in class) • Application Assignment #2 • Collaborative Group Lesson – Off Campus Student Speech Group – Lesson Plan
9	10/30	Student Rights	<ul style="list-style-type: none"> • UWT – Chapter 7 • SFST – Chapter 5 • <i>Morse v. Frederick</i> (Learn @ UW) • <i>Board of Ed. v. Earls</i> (Learn@UW) 	<ul style="list-style-type: none"> • Think Now (in class) • Integrative Essay – Outline • Collaborative Group Lesson – Equal Access Act Group Presentation
November 4 – VOTE!!!!!!!!!!!!!!!				
10	11/6	Harassment & Bullying	<ul style="list-style-type: none"> • McGrath, M. (2007). Chapter 4 in <i>School Bullying: Tools for Avoiding Harm & Liability</i>, Corwin Press. (e-reserve) 	<ul style="list-style-type: none"> • Think Now (in class) • Collaborative Group Lesson – Off Campus Student Speech Group Presentation
11	11/13	Student Discipline	<ul style="list-style-type: none"> • UWT – Chapter 9 • SFST – Chapter 6 	<ul style="list-style-type: none"> • Think Now (in class) • Application Assignment #3
12	11/20	Certification, Contracts, & Bargaining	<ul style="list-style-type: none"> • UWT – Chapter 2 • SFST – Chapter 2 	<ul style="list-style-type: none"> • Think Now (in class) • Collaborative Group Lesson – Teacher Lifestyle Group – Lesson Plan
November 27 – No Class – Happy Thanksgiving!				
13	12/4	Employee Freedoms	<ul style="list-style-type: none"> • UWT – Chapter 3 • SFST – Chapter 4 • <i>Mayer v. Monroe</i> (Learn@UW) 	<ul style="list-style-type: none"> • Think Now (in class) • Integrative Essay – draft for feedback
14	12/11	Employee Discipline	<ul style="list-style-type: none"> • UWT – Chapter 4 • SFST – Chapter 9 	<ul style="list-style-type: none"> • Think Now (in class) • Collaborative Group Lesson – Teacher Lifestyle Group Presentation
15	12/18	Finals Week		<ul style="list-style-type: none"> • Integrative Reflective Essay • Collaborative Group Lesson – Meeting log & Reflection

