EDADIR 6391: Administration of Staff and Advanced School Law  
Independent Research  
Spring 2014

Instructor Information
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Course Information
Section Information: EDAD 6360.001  
Course Time and Location: Online; Independent Research  
Spring 2014 8-week Online Course

Description of Course Content
This course centers on critical analysis of the legal underpinnings of legal system American Public School Law related to PK-12 education. Particular emphasis will be on civil, criminal and constitutional laws that impact PK-12 education, and the supervision of staff. Attention will also be given to statutory construction, the role of case law, and the significance of administrative decisions in the PK-12 context.

Student Learning Outcomes
Students are expected to master the following learning outcomes:
1. Understand local, state, and federal laws related to education.
2. Recognize key education-related provisions of the U.S. Constitution, federal statutes, state statutes, and local governance.
3. Learn key court rulings that establish school law parameters.
4. Understand how policies and administrative regulations/directives translate the law into real work requirements and application.
5. Enhance your knowledge of common legal issues confronted by school administrators.
6. Develop general knowledge of sources of law and rudimentary legal research.
7. Develop a rudimentary knowledge of basic legal terminology and the court system so administrators can decipher legal materials and effectively participate in basic school law related discussions, workshops and conferences.
8. Understand how the law applies to the supervision of staff.

Textbook
Reference Materials
Sample Brief: Provided below
UTA Library: http://www.uta.edu/library
UTA Bookstore: http://www.bkstr.com/Home/10001-10645-1
U.S. Constitution Online: http://www.usconstitution.net/const.html
Lexis-Nexis Texas Constitution and Statutes: http://www.statutes.legis.state.tx.us/
Lexis-Nexis Free Case Law:
http://www.lexisone.com/lx1/caselaw/freecaselaw?searchType=keywordSearch&f
clSearch=brown&action=FCLSearchCaseByTerms&pageLimit=10&format=CITE&pageNumbe
r=1&sourceID=302&citation=&searchTerm=brown&sourceCandidate=selectSource&sourceTyp
e=Federal&sourceCandidate=302&relativeDate=1-
NONE&fromDate=&toDate=&party=&judge=&counsel

Additional student resources for students in online course may be found at:
http://www.uta.edu/library/services/distance.php

Requirements
This course requires a great deal of reading. There will be weekly learning modules aligned with
specific chapters in the assigned text. There will be weekly chapter assessments, discussion items
and/or case briefs. Each student will be responsible for participating in the discussion item and/or
case brief 2 assignments. Case briefs are expected to be a highlight of the key information related
to the identified case. The online discussions and/or case brief assignments are being
incorporated as an aid to assist students in understanding the direct application of legal actions.
For each online discussion/briefing, students are expected to be able share at minimum: 1) the
issue or issues, 2) the facts, 3) the holding, and 4) the rationale.

Chapter assessments will be required for each assigned chapter and must be turned in by 6:00
p.m. on the date due. There will be a 10% grade reduction for each class period late.

Descriptions of Major Assignments and Examinations
Given this is an 8-week course and the amount of information that has to be covered, each
week/module will have at least two chapters assigned with a PowerPoint, focus notes of critical
points, discussion board or brief assignments, and chapter assessments. All assignments are due
Friday of the assigned module/week by midnight.

Module 1 /Week 1: Chapter 1 - The Legal System
Chapter 3 - Role of the Federal Government Chapter Assessments

Module 2 /Week 2: Chapter 4 - Governance of Public Schools
Chapter 5 - Church and State Chapter Assessments and Discussion Board

Module 3/Week 3: Chapter 6 - School Attendance
Chapter 7 - The Instructional Program
Chapter Assessments And Briefs
Module 4/Week 4:  Chapter 8 - Student Speech and Expression  
Chapter 9 - Search and Seizure  
Chapter Assessments and Discussion Board

Module 5/Week 5:  Chapter 10 - Student Rights: Common Law, Constitutional Due Process and Statutory Protections  
Chapter 11 - Rights of Students with Disabilities  
Chapter Assessments and Briefs

Module 6/Week 6:  Chapter 12 – Tort Liability  
Chapter 13 - Defamation and Student Records  
Chapter Assessments and Discussion Board

Module 7/Week 7:  Chapter 15 - Certification, Contracts, and Tenure  
Chapter 16 - Teacher Rights and Freedoms  
Chapter Assessments and Briefs

Module 8/Week 8:  Chapter 17 - Due Process Rights of Teachers  
Chapter 18 - Discrimination in Employment  
Chapter Assessments

**Attendance**  
The general format of the class will be online via Blackboard. Attendance is participation via online assessments, discussion board, briefs, and the submission of assigned work on the due date. Since this is your education, you will be required to participate by:

- being aware of course expectations set forth in this syllabus,
- submitting all assignments by the due date,
- reading all assigned materials,
- being aware of the course calendar, particularly examination times and dates.

**Grading**  
Final course grade will be based on the below grading scale.  
A = 90-100% of points  
B = 80-89% of points  
C = 70-79% of points  
D = 60-69% of points  
F = 59%-less of points  
Students are expected to keep track of their performance throughout the semester and seek guidance from available sources (including the instructor) if their performance drops below satisfactory levels.

Final course grade will be based on the following:  
Chapter Assessments: 64 Points  
Briefs/Discussions: 36 Points  
Total Course Points: 100 Points
Chapter Assessments
There will be 16 chapter assessments. Each assessment is worth up to 4 points each for a total of 64 points. Your point value is based upon your percentage score on the assessment.

Discussions/Briefs
There will be nine discussion/brief assignments. Each discussion/brief assignment is worth 4 points each for a total of 36 points.

Make-up of Test/Examination
There will be no make-up of a missed test/examination once the results have been released. If the missing test/examination is unexcused, the student will receive the course grade computed with a score of zero. If the student has an excused absence from the test/examination, there are two options: 1) the student may elect to receive the course grade earned with the final counted as a 0, or 2) the student may elect to receive the grade of I and make arrangements to complete the course by contacting the professor and taking the test/examination at a later date on or before the deadline established by the instructor. If the student elects the second option, it is the responsibility of the student to immediately contact the professor.

Drop Policy
Students may drop or swap (adding and dropping a class concurrently) classes through self-service in MyMav from the beginning of the registration period through the late registration period. After the late registration period, students must see their academic advisor to drop a class or withdraw. Undeclared students must see an advisor in the University Advising Center. Drops can continue through a point two-thirds of the way through the term or session. It is the student's responsibility to officially withdraw if they do not plan to attend after registering. Students will not be automatically dropped for non-attendance. Repayment of certain types of financial aid administered through the University may be required as the result of dropping classes or withdrawing. For more information, contact the Office of Financial Aid and Scholarships (http://www.uta.edu/aao/fao/).

Americans with Disabilities Act
The University of Texas at Arlington is on record as being committed to both the spirit and letter of all federal equal opportunity legislation, including the Americans with Disabilities Act (ADA). All instructors at UT Arlington are required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of that disability. Any student requiring an accommodation for this course must provide the instructor with official documentation in the form of a letter certified by the staff in the Office for Students with Disabilities, University Hall 102. Only those students who have officially documented a need for an accommodation will have their request honored. Information regarding diagnostic criteria and policies for obtaining disability-based academic accommodations can be found at www.uta.edu/disability or by calling the Office for Students with Disabilities at (817) 272-3364.
Academic Integrity

Students enrolled in this course are expected to adhere to the UT Arlington Honor Code:

*I pledge, on my honor, to uphold UT Arlington's tradition of academic integrity, a tradition that values hard work and honest effort in the pursuit of academic excellence.*

*I promise that I will submit only work that I personally create or contribute to group collaborations, and I will appropriately reference any work from other sources. I will follow the highest standards of integrity and uphold the spirit of the Honor Code.*

UT Arlington faculty members may employ the Honor Code as they see fit in their courses, including (but not limited to) having students acknowledge the honor code as part of an examination or requiring students to incorporate the honor code into any work submitted. Per UT System Regents’ Rule 50101, §2.2, suspected violations of university’s standards for academic integrity (including the Honor Code) will be referred to the Office of Student Conduct. Violators will be disciplined in accordance with University policy, which may result in the student’s suspension or expulsion from the University.

Student Support Services

UT Arlington provides a variety of resources and programs designed to help students develop academic skills, deal with personal situations, and better understand concepts and information related to their courses. Resources include tutoring, major-based learning centers, developmental education, advising and mentoring, personal counseling, and federally funded programs. For individualized referrals, students may visit the reception desk at University College (Ransom Hall), call the Maverick Resource Hotline at 817-272-6107, send a message to resources@uta.edu, or view the information at www.uta.edu/resources.

Electronic Communication

UT Arlington has adopted MavMail as its official means to communicate with students about important deadlines and events, as well as to transact university-related business regarding financial aid, tuition, grades, graduation, etc. All students are assigned a MavMail account and are responsible for checking the inbox regularly. There is no additional charge to students for using this account, which remains active even after graduation. Information about activating and using MavMail is available at http://www.uta.edu/oit/cs/email/mavmail.php.

Student Feedback Survey

At the end of each term, students enrolled in classes categorized as “lecture,” “seminar,” or “laboratory” shall be directed to complete an online Student Feedback Survey (SFS). Instructions on how to access the SFS for this course will be sent directly to each student through MavMail approximately 10 days before the end of the term. Each student’s feedback enters the SFS database anonymously and is aggregated with that of other students enrolled in the course. UT Arlington’s effort to solicit, gather, tabulate, and publish student feedback is required by state law; students are strongly urged to participate. For more information, visit http://www.uta.edu/sfs.
**Final Review Week**

A period of five class days prior to the first day of final examinations in the long sessions shall be designated as Final Review Week. The purpose of this week is to allow students sufficient time to prepare for final examinations. During this week, there shall be no scheduled activities such as required field trips or performances; and no instructor shall assign any themes, research problems or exercises of similar scope that have a completion date during or following this week *unless specified in the class syllabus*. During Final Review Week, an instructor shall not give any examinations constituting 10% or more of the final grade, except makeup tests and laboratory examinations. In addition, no instructor shall give any portion of the final examination during Final Review Week. During this week, classes are held as scheduled. In addition, instructors are not required to limit content to topics that have been previously covered; they may introduce new concepts as appropriate.

**Parts of a Case**

**Citation:** Name of the plaintiffs and defendants and where the case can be found, i.e. Chappel v. Franklin Pierce School District, 426 P.2d 471 (Wash. 1967). Decided by the Supreme Court of Washington, April 6, 1967.

**Resume of the Case:** Action taken, relief sought, lower court's findings, holdings of the present court, and final action taken.

**Headnotes:** Key Numbers beside each headnote indicate subject or issue dealt with. There may be from one to several headnotes that tell what the court decided. For example, Civil Rights Key Note 3; Constitutional Law, 211; Constitutional Law 224 are sex discrimination cases; Schools 172; et cetera.

**Of Counsel:** Attorneys for the parties are then listed. These are the attorneys of record.

**Factual Materials:** Following the list of attorneys of record, the court goes into the facts of the case. Ordinarily, these are not at issue, since on appeal the question is whether some error in law has occurred; that is, did the appellant receive a fair trial? Some facts are important as to the resolution of the case, and some are not. The appellate court does not question the facts, but searches for error in the law.

**Name of Judge:** The name of the judge who wrote the majority opinion will appear at the beginning of the factual material.

**Members in Text:** Each of the footnotes is then taken up by number and reasoning given. Match each numbered portion of the text of the decision with its corresponding headnote.

**Body of the Decision:** There may be as many as 130 pages, but some cases are as short as one or two pages.

**Concurring Opinions:** A majority judge gives his or her reasons for *concurring* with the decision of the majority, which may be slightly different from those of the majority.
**Dissenting Opinions:** If any, these will tell why that particular judge was unable to concur in the majority's conclusion, and his or her reasons. Sometimes the dissents exceed the majority's opinions in length, as those of the four Chief Justices in the Rodriguez case.

**Finding of the Court:** Affirmed; reversed; affirmed in part; reversed in part; reversed and remanded for a new trial on the merits.

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**Sample Brief Form**

**Citation:** Simms v. School District No. 1, Multnomah Co., 508 P.2d 236 (Ore. 1973)

**Topic:** Assault and Battery

**Relief Sought:** Students brought action to recover damages against school district and one of its teachers for assault and battery.

**Issue(s):** (1) Did teacher wantonly shove student into door? (2) May teacher use reasonable force to move a disruptive child from the classroom? (3) Did the trial judge err in instructions to the jury?

**Facts:** Plaintiff, Richard Simms, 14, brought action for assault and battery against district and a teacher, Martin Weitz, alleging that he was wantonly shoved into a door and glass window, breaking the window and injuring his arm. Defendant denied the allegations and said that while plaintiff was being removed from the classroom by reasonable force, the incident occurred, but that it was within the teacher's rights to do so. Plaintiff demurred to teacher's defense; court overruled the demurrer. Case went to a jury which returned a verdict in favor of both defendants. Plaintiff appealed. Plaintiff was enrolled in a model school for disadvantaged, and had a poor record.

**Finding of the Trial Court:** For defendant school district and teacher.

**Finding of the Appellate Court:** Court of Appeals affirmed the court below.

**Reasoning:** Teachers may use reasonable force to remove a child from the classroom if he is a disruptive element therein. The district's regulation on corporal punishment read, in part: "Except in the event of forcible and physical resistance to the teacher's authority, corporal punishment shall be administered only after the teacher has procured in advance the approval of the principal." The issue of whether or not the student offered "forcible and physical resistance to the teacher's authority" was for the jury to decide. The judge told the jury that it was for it to decide whether or not the teacher used reasonable force within the meaning of the regulation. A teacher stands in loco parentis to the child, and shares the parents' right to obtain obedience to reasonable demands by force. In Ware v. Estes, 328 F.Supp. 657 (TX 1971), affirmed, 458 F.2d 1360 (1972) the federal courts held that corporal punishment is not "cruel and inhuman treatment" under the Eighth Amendment. We hold that the child has no constitutional grounds to object to corporal punishment so long as it is reasonable, properly administered and so as not to cause harm, and is legally authorized. Nor do we consider as inadmissible the teacher's written report prepared on
the day of the act for his principal on grounds that it is self-serving. The teacher was subject to cross examination regarding all aspects of the report, including its authenticity and reliability and accuracy. Clearly the court did not abuse its discretion in this case.