

**COURSE SYLLABUS FORMAT**  
Southeast Missouri State University

Department of	<u>Educational Leadership and Counseling</u>	Course No.	<u>UI506</u>
Title of Course:	<u>Education, Law and Society</u>	Revision	<u>          </u>
		New	<u>Fall 2012</u>

I. Catalog Description and Credit Hours of Course:

- A. Catalog course description: A study of the social and legal issues that have influenced public K-12 education. Prerequisite: Junior standing or permission of instructor (3).
- B. Extensive course description: The course involves a study of social and legal issues influencing public education. Topics such as religion and prayer in public schools, the controversy surrounding evolution and intelligent design in science classes, Pledge of Allegiance and moment of silence laws, home schooling, bullying, surveillance cameras and other emerging technology in classrooms and hallways, discrimination, student and educator rights, and school safety will be discussed from a social, historical, and legal perspective.

II. Prerequisite (s): Junior standing or permission of instructor

III. Purposes or Objectives of the Course:

- A. To assist the students in finding material appropriate for further readings and their research projects (University Studies Objective 1).
- B. To introduce the students to social, historical, ethical and legal issues impacting education (University Studies Objective 2)
- C. To practice oral and written communications skills (University Studies Objective 3)
- D. To explain how ethical models and legal generalizations are applicable to new problems as they arise and why these models fail to adequately address some questions (University Studies Objective 6)
- E. To stimulate discussions, encourage students to ask questions, view contentious issues from more than one perspective, and make rational arguments based on relevant information rather than personal opinion (University Studies Objective 7 & 9)

IV. Student Learning Outcomes (Minimum of 3)

- A. Students will demonstrate the ability to gather legal, historical, and societal information appropriate for further readings and their research projects as measured by a 10-page term paper.
- B. Students will demonstrate the ability to analyze and synthesize information and identify the legal, ethical, and social values involved in many complex educational dilemmas as measured by responding orally and in writing to dilemma scenarios.
- C. Students will demonstrate the ability to effectively communicate orally and in writing as measured by an oral and written presentation of a legal brief selected by the student.

V. Expectations of Students:

- A. Locate, read and critique assigned texts, legal opinions, and articles as measured by an oral presentation of a legal brief selected by the student (University Studies Objectives 1 & 2).
- B. Critically analyze and synthesize information, demonstrate the ability to identify the legal, ethical, and social values involved in complex dilemmas, and provide rational and defensible solutions as measured by responding in writing and orally to dilemma scenarios (University Studies Objectives 2, 3, 7, & 9)
- C. Demonstrate the ability to integrate legal, ethical, historical, and social issues with an understanding of their responsibilities as adults in society as measured by a 10-page term paper (University Studies Objectives 1, 2, 6, & 9)
- D. Demonstrate the ability to seek to understand the perspectives of others as measured by a self-reflection on their growth in perspective after completing the course (University Study Objectives 2, 6, 7 & 9).

- E. Attend class regularly, participate in class discussions, and submit assignments in a timely manner (University Studies Objective 9).

VI. Course Content or Outline (Indicate number of class hours per unit or section):

- A. Evolution of the American justice system. Content will include an introduction to the American justice system, the various types of laws (constitutional, statutory, case law, regulations, and so forth) that impact education. 3 hours.
- B. The relationship between society, politics, and the justice system. Content will include a discussion of how society has impacted legal decisions and how legal decisions impact society and PK-12 educational institutions. 3 hours.
- C. Writing legal briefs and the thesis sentence in argumentative writing. Content will include a discussion of the parts of a legal brief, the importance of brevity, how to find information, and the framing of argumentative writing. Term paper requirements. 1 hour.
- D. Public schools and the disciplinary power of society. Content will include a discussion of how society disciplines its members, how public schools are expected to reinforce and perpetuate social values, and how court rulings sometimes conflict with social values. 2 hours.
- E. Religion, community values and education. Content will include a discussion of the conflict inherent in the establishment clause vs. the free exercise clause in public education, the lack of clarity in legal opinions regarding religion in public schools, legislative efforts to circumvent legal opinions prohibiting the promotion of religion in public schools, the unintended consequences to the Equal Access Act, and several competing values based on religious beliefs including but not limited to evolution/intelligent design, school sponsored prayer, and homosexuality and community, student and/or educator religious values. 6 hours.
- F. Student speech, the 'hecklers veto' and the First Amendment. Content will include a discussion of forums (open, limited open, and closed) as it relates to speech in general and to schools specifically, U. S. Supreme Court decisions regarding student speech, the 'hecklers veto' as disciplinary power over unpopular speech, and the conflict inherent in protecting the fundamental value of freedom of speech and school discipline. 3 hours.
- G. Privacy and the Fourth Amendment. The Fourth Amendment protects citizens from unreasonable search and seizure of their person and property without probable cause. However, recognizing the need of public school educators to maintain discipline and safety the U. S. Supreme Court has significantly lowered the probable cause standard to 'reasonable under the circumstances.' Content will include the definition and ambiguity of reasonableness, how this standard has been applied by various courts to student search of person and property, searches of lockers, drug testing by urinalysis, and drug sniffing canines. 3 hours.
- H. The legal and social issue of 'justice as fairness'. Content will include a discussion of procedural and substantive due process as they apply to students in school. 3 hours.
- I. School safety as a social value. School safety has emerged as a fundamental value in public schools and one of the primary responsibilities of school administrators and educators. Content will include discussions of school safety statistics, legal issues in school safety, student threats, student-on-student victimization and bullying, and the school shooter. 3 hours.
- J. Discrimination in society: The legal system as social equalizer. Content will include such concepts as desegregation as educational equalizer, Title IX as gender equalizer, and the application of Title IX to sexual harassment, extra-curricular activities, and equal access. 6 hours.
- K. Educators as role models. Content will include a discussion of employment law, protections provided by Title VII, and the debate over tenure, teacher evaluation, and the concept of educators as role models in society. The controversial issues of educator sexual orientation, educator sexual misconduct, and educator-on-student bullying will also be discussed. 3 hours.
- L. Educator speech, society, and the First Amendment. Public schools educators are protected by the U. S. Constitution. However, courts have recognized the importance of some restrictions on educator speech both on-campus and off-campus in maintaining good order, discipline, and working conditions. Content will include restrictions on educator speech as employees and private citizens, the hazards of social networking, and a continuation of discussions of educators as role models. 3 hours.
- M. Society, technology and the legal system. Content will include discussions of the legal and social issues of surveillance cameras in hallways, locker rooms, and classrooms, metal detectors, cell phones, digital recording of educators and students available on the Internet, and other emerging technologies such as face recognition software. 3 hours.
- N. Tort liability, statutory immunity, and fairness. As governmental agencies public school employees and school boards have generally been granted wide protections from civil liability for acts or omissions that are injurious to students in their care. Content will include a brief discussion of the tort of negligence, statutory immunity, and a discussion of the fairness of statutory immunity for educators. 3 hours.

VII. Textbook(s) and/or Other Required Materials or Equipment:

- A. Stader, D. L. (2011). Law and ethics in educational leadership, 2nd Ed. Boston: Pearson.

VIII. Basis for Student Evaluation:

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| A. Weekly Journal  | 10% |
| B. Supreme Court Decision Brief and Oral Presentation        | 10% |
| C. Class activities, problem solving activities and readings | 40% |
| D. Legal Briefs  | 20% |