



Teachers and the Law Course Outline

Course Description

Teachers and the Law is specifically tailored for classroom teachers in the public schools. Traditional school law courses usually approach the content of school law from the perspective of school administrators. The intent of this course is to examine the legal system and the role it plays in the educational setting for the teacher rather than from the viewpoint of the building or district level administrator. Much of the content will focus on the practical application of legal concepts and how they apply to the numerous daily decisions teachers must make. Most teachers are deficient in knowledge of laws that affect them and the legal system in general. This lack of knowledge is not due to anything that teachers have not done but is due to a lack of opportunities for teachers to learn about school laws that affect them. The goal of this course is to provide teachers with up-to-date and relevant information so they will be knowledgeable in school law issues that impact teachers.

Objectives

- Analyze where our laws originate.
- Differentiate the basic structure of the legal system in the U. S.
- Classify legal terms.
- Evaluate the general criteria used for granting teachers tenure status.
- Determine the usual rights teachers acquire when they achieve tenure.
- Construct examples of how tenure can be broken.
- Analyze the process that must be followed, the type of notice(s) that must be received, the due process rights of the teachers, and the type of hearing(s) that must be held before tenured teachers can be dismissed
- Differentiate between the rights of probationary and tenured teachers with respect to non-renewal of contracts
- Discriminate between property and liberty interests
- Analyze when a teacher might be found personally liable for the injury of a student and what action(s) a teacher might take to prevent the liability suit from being successful.
- Define and explain the appropriate uses for the following defenses: contributory negligence, comparative negligence, assumption of risk, and governmental immunity.
- Illustrate why the courts have found differently on application of the Constitution to the conflict between the rights of teachers and those of students concerning religious freedom.

- Compare and contrast the concepts of establishment of religion and exercise of religion and describe situations when each of these might occur during the school year.
- Identify occasions on which religious literature may be distributed at school and occasions on which religious groups may or may not be excluded from using school facilities.
- Compare and contrast the concepts of personal interest and public interest considering Pickering and Connick, explaining when s/he might be punished or dismissed for publicizing his/her views.
- Determine when teachers' speech is protected and when it is not.
- Analyze the concept of academic freedom.
- Examine the rights to free speech determined in Tinker and determine whether the speech is protected or not.
- Distinguish the conditions under which administrators and teachers may regulate student publications.
- Compare and contrast the position of the courts concerning grooming standards and dress codes as they relate to teachers and students.
- Create situations under which a teacher could most likely be dismissed for political and social affiliations and those under which the teacher could not be dismissed.
- Examine the concept of freedom of association as it applies to teachers.
- Devise situations in which a teacher may be dismissed for exhibiting immoral behavior.
- Devise situations in which a teacher might be dismissed for exhibiting immoral behavior or unprofessional conduct towards students.
- Outline the due process rights that the parent of a special education student has under P.L. 94-142/IDEA.
- Determine if an IEP is appropriate and explain why or why not.
- Compare the relationship between the issues of related services and appropriate educational opportunity.
- Describe the procedures necessary before a disabled child can be suspended for ten or more days.
- Examine the impact of the American with Disabilities Act on schools.
- Identify and become familiar with issues such as school vouchers and charter schools.
- Follow contemporary trends governing the rise of charter schools.
- Explore the origins of compulsory attendance.
- Identify alternatives to public school attendance.
- Describe the circumstances under which students may be subject to searches,

Curriculum Design & Time Requirements

The following methodologies will be used during the course: lectures, reading, individual and group discussions, cooperative learning, applied practice assignments, development of lesson plans and unit, and reflective written responses. This is a forty-five hour three credit graduate level course taught in the classroom and online.

Course Materials

The required textbook is Alexander, M. Alexander, F. Alexander (2022). The Law of Schools, Students and Teachers in a Nutshell, 7th Edition Academic Publishing. A variety of readings will be referenced throughout the course.

Student Requirements

There will be ten sessions or modules. A typical session consists of a lecture/discussion lead by the instructor. Breakout sessions will be included and other methods to involve students. An offline assignment will be given at the conclusion of the lecture/discussion period. Students will email the assignment to the instructor for evaluation and assignment of a grade.

Course Evaluation

Assignment	Points
Ten Written Assignments, 10 points each	100
Total Points	100

Grading Scale

100-93	A
92-85	B
84-77	C

Application Assignment Rubric (8 assignment @ 7 points each)

Application Assignment Rubric (10 assignment @ 10 points each)	10-6	5-3	2-1	0
Assignments	Completed assignment accurately and on time	Completed assignment accurately but not on time	Completed assignment but with errors and not on time	Did not complete assignment

Session Outline

Session one: Legal framework and U. S. system of courts.

Session two: Religion and public schools.

Session three: Search and seizure.

Session four: Students with disabilities.

Session five: Teacher freedoms.

Session six: Student freedoms.

Session seven: Teacher liability (Torts).

Session eight: Tenure and dismissal.

Session nine: Attendance, homeschooling, bilingual education, Charter schools, and vouchers.

Session ten: Putting it all together: review of key concepts.